

**Rhode Island College**  
Feinstein School of Education and Human Development  
Department of Counseling, Educational Leadership, and School Psychology

**LEAD 506 (4 credits)**  
Creating Learning Structures: Equity, Law, Practice

LEAD 506 FACULTY 2008 - 2010			
	ANDERSON, W	ADJUNCT	JD
	SANCHIONI, PETER	ADJUNCT	JD

**Course Description:** Policy-making and legislation at the local, state, and federal levels to advance learning is reviewed. Creating and managing structures for safe, equitable, and effective learning organizations are emphasized.

**Relationship of This Course to the Professional Program:**

This course's objectives are related directly to the Program faculty beliefs (see attached), the conceptual framework of the FSEHD, and ISLLC standards. Class activities and assessments that align with course outcomes, course content, conceptual framework and ISLLC standards are identified throughout the course syllabus.

**Required Course Texts:**

Rhode Island Rules of Court, State and Federal, 2007 ed.

RIGL- Title 16

**Other Course Texts and Materials:**

Essex, N. L. (2002). *School law and the public schools: A practical guide for educational leaders* (2<sup>nd</sup> Ed.). Boston: Allyn and Bacon.

Green, T.F. (1982). Excellence, equity, and equality. In Shulman & Sykes, (Eds.), *Handbook of teaching and policy*, 318-341.

Heubert, J.P. (Ed.). (1999). *Law and school reform: Six strategies for promoting educational equity*. New Haven, CT: Yale University Press.

National Institute on Leadership, Disability and Students Placed at Risk, University of Vermont.

<http://www.uvm.edu/nildspar/>. Module: *Equity audits for social justice; Reculturing schools to foster inclusive learning communities: What school leaders need to know and be able to do; Social justice and inclusion: An epistemological view of disability and educational opportunity.*

Strike, K. A., Haller, E. J., & Soltis, J. F. (2005). *The ethics of school administration*. New York: Teachers College Press. Chapter 5.

University Council for Educational Administration, *Journal of Cases in Educational Leadership*. An on-line refereed journal containing only case studies related to law and education and all aspects of leadership.

Zhang, D. & Katsiyannis, A. (2002). Minority representation in special education: A persistent challenge. *Remedial and Special Education*, 22, 180-87.

**Course Purposes:**

Legal issues with students, parents, and community organizations are increasing in number and complexity and official reactions and solutions to these problems are likely to be subjected to judicial review. It is therefore important for administrators to know basic law and legal concepts. This course addresses the political and legal aspects of the role of education in our democratic society and provides an introductory survey of public policy issues and laws governing preschool, elementary, secondary, and higher education. Included are such topics as religious freedom, free speech, and due process; the liability of educational institutions and educators; the legal distinctions between private and public institutions; student and parent privacy rights; disability rights; and the promotion of educational equity among all groups regardless of gender, sexual orientation, language, race, religion, ethnicity, or socioeconomic background.

**Course outcomes:** The objectives of this course and related standards include:

Outcomes	Conceptual Framework	ISLLC Standards
1. Apply relevant legal policies & procedures in developing quality educational programs for all students	Knowledge; Practice; Diversity; Professionalism,	2
2. Display knowledge of district, state and federal mandates	Knowledge; Practice; Professionalism,	3
3 Analyze legal requirements (& controversies) surrounding issues of education equity, effectiveness & efficiency (excellence)	Knowledge; Practice;	5
4. Understands and responds to external influences that may impact student & school success	Diversity Professionalism	6

**Course Requirements:**

	Course Outcomes	Conceptual Framework	ISLLC Standards
<u>Class Participation:</u> When class meets, students are expected to attend each class meeting, arrive on time, and participate positively in class activities and discussions. This means candidates are to show respect for others by listening attentively while others speak, not dominating class discussions, and avoiding disruptions (cell phones, arriving late, etc.). The participation grade will also take into consideration each candidate’s efforts in reading cases & preparation to discuss cases in class.	1-3	Professionalism; Practice	
	1-3	Professionalism; Practice	
<u>Equity audit:</u> Analyze the equity within	3	Knowledge;	2,3,5,

teacher quality, program, and achievement data within a specific school context, as well as a plan for addressing internal structural inequities within that setting. The approach utilized will be the development of a contrived scenario requiring legal research on the topic reflecting school policies, procedures, statutes, case law, etc.		Diversity;	
<u>Case study analysis:</u> Analysis of landmark legal cases involving student rights/ teacher rights/ parent rights.	1,3	Knowledge; Practice;	2,3,5
<u>Policy analysis:</u> Analyze district policy as to its legal standings.	1,2	Knowledge; Practice; Diversity;	2,3,5
Revise Educational Leadership Platform in the context of their understanding of the decision-making process based on understanding of school law (ex: RI Title 16, etc)	3	Knowledge; Practice; Professionalism	2,3,5
<u>Final Project:</u> Expectation of 10-20 pages identifying key learning from course and how it will effect your learning / leadership interactions with students and adults.	1-3	Knowledge; Practice; Diversity; Professionalism	2,3,5

### Course Evaluation

Assignment	Points
Class participation	15%
Legal research/argue/position	28%
Oral argument	28%
Legal Brief -final	29%
Total	100 points

### Course Grading

A = 100-94 points	B+ = 87-89 points	C+ = 77-79 points	D = 65-69 points
A- = 90-93 points	B = 84-86 points	C = 74-76 points	F = 64 and below
	B- = 80-83 points	C- = 70-73 points	

### Class/ Sessions:

### Topics

### Assignments

Monday, May 23	Compulsory education laws  Due Process	Plyer vs Doe; Martinez vs Bynnum; Pierce vs Society of Sisters; Wisconsin vs Yoder; WV vs Riddle; Duro vs DA/ North Carolina <b>READ:</b> RIGL 16- (19-1,19-4, 19-6, 19-8) Dixon vs Alabama Bd of Education; Goss vs Lopez; McClain vs Lafayette Bd of Education
----------------	--	--

TBD	Student Searches/4 <sup>th</sup> Amendment Issues	Katz vs US; Stern vs New Haven Community Schools; New Jersey vs TLO; US vs Cortez; RDL vs Florida; Zamora vs Pomeroy; Bellnier vs Lund. Title 42 USCA Section 1983
TBD	Educational Assessments; Instructional Programs	Keefe v. Geanakos, Immediato v. Rye Neck Sch. Dist, Epperson v. Arkansas, Edwards v. Aguillard, Kitzmiller v. Dover Area Sch. Dist. Ingraham v. Wright
TBD	Student Rights: 1 <sup>st</sup> Amendment cases: Religion & speech cases Diversity Issues in public schools	Individual: Sandlin v. Johnson Boring v. Buncomber County Board of Ed Wright v. Houston Independent School District; John Thomas Scopes v The State Debra P. v. Turlington Schenck v. US; New York Times Co. v. United States
TBD	Religion & Schools	Pickering v. Board of Ed. (Supreme Court 1968) Connick v. Myers ( Supreme Court 1983) Lemon v. Kurtzman (Supreme Court 1971) Lee v. Weisman Board of Ed. of Kiryas Joel Village School District v Grumet (Supreme Court 1994) Bd. Of Ed. of Westside Community Schools v. Mergens (Supreme Court, 1990)
TBD	Student Discipline: Handbooks, Rights, & Other situations	14 <sup>th</sup> Amendment- Search & seizure Dixon v. Alabama St. Bd. Of Education, Tinker v. Des Moines, Hazelwood Sch. Dist. V. Kuhlmeir et al.,
TBD	Teacher discipline: Professional Liability (torts, criminal acts,) teacher's rights/ certification	Monell v. Dept. of Social Services of the City of New York, 436 U.S. 658, 98 S. Ct. 2018 (1978) Mangold v. Indiana Dept of Natural Resources and Switzerland Cty School Corp (IN, 1999) Simonetti v. Sch. Dist. Of Philadelphia (educationlaw.wikispaces.com.simonettivpilly) Tall v. Board of Sch. Commissioners of Baltimore City (1997)
TBD	Case study on student search on seizure reflective of 1 <sup>st</sup> amendment synopsis Conley School District	TBA Guest Speaker
TBD	Case Studies- Teams-Independent Study: Research & Briefs	TBA
TBD	Special Education- identification, evaluation, and understanding IDEA, Section 504, & ADA	IDEA (Reauthorized 2008)
TBD	Discipline of special education students	IDEA/School Discipline Treatise by Dr. Anderson Compilation of statutes and case law from RI, MA and CT.
TBD	Oral arguments for contrived scenarios (Working in teams, present briefs)	End class

## References

- Delpit, L.D. (1996). *Other people's children: Cultural conflict in the classroom*. New York: New Press.
- Kahlenberg, R.D. (2002). Beyond Brown: The new wave of desegregation litigation. *Educational Leadership*, 59(4), pp. 13-20.
- Kotlowitz, A. (1991). *There are no children here*. NY: Anchor Books/Doubleday.
- Kozol, J. (1992). *Savage inequalities*. New York, NY: Harper Perennial.
- Levin, H. M. (1994). School finance. In T. Husèn and T. N. Postlethwaite, (eds.), *International encyclopedia of education* (2<sup>nd</sup> Ed.). Oxford, UK: Pergamon, 412-419.
- Murphy, J. (2000). Governing America's Schools: The shifting playing field. *Teachers College Record*, 102(1), pp. 57-84.
- Payne, R.K. (2001). *A Framework for understanding poverty*. Highlands, TX: aha! Process, Inc.
- Spring, J. (2002). *Conflict of interests: The politics of American education* (4th Ed.). New York: McGraw-Hill, Inc.
- Yudof, M.G., Kirp, D.L., & Levin, B. (1992). *Educational policy and the law* (3<sup>rd</sup> Edition). St. Paul, MN: West Publishing Company.

### Accommodations:

Rhode Island College is committed to making reasonable efforts to assist individuals with documented disabilities. If you are seeking reasonable classroom accommodations under the ADA of 1990 and/or Section 504 of the Rehabilitation Act of 1973, you are required to register with Disability Services in the Student Life Office (Craig-Lee 127, 456-8061). To receive accommodations for this class, please obtain the Request for Reasonable Accommodations forms and meet with me at the beginning of the semester.