

**Murray State University**

**DEPARTMENT: EDUCATIONAL STUDIES, LEADERSHIP, AND COUNSELING**

**COURSE PREFIX: ADM      COURSE NUMBER: 672      CREDIT HOURS: 3**

**I. TITLE:** Legal and Ethical Issues in Schools

**II. COURSE DESCRIPTION AND PREREQUISITE(S):** This course addresses critical aspects of the legal system as related to school issues. Ethical dimensions of the role are explored.

**Prerequisite(s):** Admission to program

**III. COURSE OBJECTIVES:**

The student will be able to:

- A.** apply the ethical-legal decision-making model (ISLLC V & VI; KDF 4.3a,b,c,d; 5.3a,b; 5.4a; TSSA III & IV);
- B.** describe what constitutes the body of educational law (ISLLC V & VI; KDF 5.4a; TSSA VI);
- C.** understand the policies and procedures related to student learning and well-being inherent to their district specifically (ISLLC III, V & VI; KDF 5.3a,b; 5.4a; TSSA III);
- D.** understand the process by which policies related to student learning and wellbeing are developed, evaluated, and revised (ISLLC III, V & VI; KDF 5.3a; 5.4a);
- E.** understand the interplay of student rights, community values and separation of church and state (ISLLC V & VI; KDF 4.3a,b,c,d; 5.3a,b; 5.4a; TSSA III);
- F.** identify the relationship between student speech rights and policy/best practices as related to censorship, dress codes and other speech-related issues (ISLLC V & VI; KDF 4.3a,b,c,d; 5.3a,b; 5.4a; TSSA III);
- G.** understand the implications of due process standards on school policy and best practices (ISLLC III, V & VI; KDF 4.3a,b,c,d; 5.3a,b; 5.4a; TSSA III);
- H.** apply Fourth Amendment principles to student search issues such as locker searches, searches of a student and drug testing (ISLLC III, V & VI; KDF 5.3a,b; 5.4a; TSSA III);
- I.** develop leadership qualities dealing with confidentiality as it pertains to personnel, special needs children, and working with community agencies (ISLLC III, IV, and V; KDF 4.3a,d; 5.3a,b; 5.4a);
- J.** recognize the fundamentality of equal protection principles in education law and policy (ISLLC V & VI; KDF 4.3a,b,c,d; 5.3a,b; 5.4a; TSSA III);
- K.** recognize liabilities associated with the education and take steps to minimize risk (ISLLC III, V & VI; KDF 5.3a,b; 5.4a; TSSA III);
- L.** develop teacher employment and supervision policies and practices that conform to legal requirements (ISLLC V & VI; KDF 3.2c; 5.4a; TSSA III);
- M.** evaluate the use of technology as related to roles, ethical/legal responsibilities, and expectations of the educational leader (ISLLC III, V & VI; KDF 4.3a,b,c,d; 5.3a,b; 5.4a; TSSA I, VI);

- N. develop an understanding of the connection between law and ethics in schools (ISLLC V & VI; KDF 4.3a,b,c,d; 5.3a,b; 5.4a; TSSA III);
- O. apply the Code of Ethics of the Kentucky Education Professional Standards Board to scenarios (ISLLC V; KDF 4.3a,b,c,d; TSSA VI);
- P. compare KRS, KAR, OAG, and case law to analyze their inter-relationship (ISLLC V & VI; KDF 5.4a; TSSA III); and
- Q. understand the policy and procedures required by site-based decision-making councils, school districts and the state department of education (ISLLC III, V & VI; KDF 5.4a; TSSA III).

The COEHS Theme of Educator as Reflective Decision-Maker is addressed in this course by requiring students to reflect on policies, standards, and issues concerning leadership.

The CAEP/EPSTB themes of diversity are explored through discussions of the legal and ethical boundaries and expectations within schools.

#### **IV. CONTENT OUTLINE:**

This course will include the following:

- A. Ethical and Legal Decision-making and Policy Development
- B. American Legal System and Schools
- C. Education, Religion and Community Values
- D. Student Privacy and First Amendment Rights
- E. Due Process and Safe Schools
- F. Student Searches
- G. Equal Protection
- H. Tort Liability and Risk Management
- I. Teacher Employment and Supervision
- J. Teacher Constitutional Law
- K. Computers and the Internet
- L. Law, Ethics and Leadership
- M. Critical Elements of Kentucky Law and Regulation

#### **V. INSTRUCTIONAL ACTIVITIES:**

This class will focus on classroom activities, discussion, and research related to helping develop skills necessary for effective leadership through the acquisition of school law. The course will include and analysis of current laws pertaining but not limited to drug testing, sexual harassment, Student rights, Internet rights, security cameras, FERPA, Due Process of students, Integration, Segregation, school vouchers, national anthem school prayer, freedom of speech, freedom of religion in public schools, locker searches, out of school suspension, in-suspension, drug searches, corporal punishment, metal detectors, drug dogs, car searches school attendance, teacher dismissals.

Final Presentation #1: Originally a state responsibility, the federal government has played a larger role in public education over the past century. Describe how the federal

government has become involved in public education over the years by citing specific legislation and court cases and its impact on public education, and whether you agree or disagree that the federal government should be involved.

OR

Final Presentation #2: Students choose a legal problem they perceive exists in either their school or district by first explaining the problem. They then compare and contrast KRS's legal view concerning the issue with their own districts' board and/or SBDM policy on the issue. Students then give their opinion on what should be done to improve the policy. Your final presentation must be presented in a PowerPoint format, 15-20 minutes long.

**VI. FIELD, CLINICAL, AND/OR LABORATORY EXPERIENCES:**

None Required.

**VII. TEXT AND RESOURCES:**

Stader, David L., *Law and Ethics in Educational Leadership*, 2<sup>nd</sup> edition. Pearson, Merrill Prentice Hall, 2013; Kentucky State Department of Education – Kentucky Revised Statutes

**VIII. EVALUATION AND GRADING PROCEDURES:**

Your grade in this course will be determined using the following criteria:

- A. Chapter 2 legal matching terms
- B. Chapters 9 and 10 matching terms/concepts
- C. Develop oral and written responses to 6 case studies.
- D. Participation points for creation and completion of chapter scenario questions.
- E. Creation and completion of chapters scenario questions Final exam.
- F. Complete the KRS Scavenger Hunt.
- G. \*Final Presentation - 15 to 20 min. PowerPoint #1 or #2.

\* Denotes Signature Assignments to be submitted on Livetext.

A grade below B does not meet the Department of Educational Leadership and Counseling requirements for any degree or licensure program.

**IX. ATTENDANCE POLICY:**

Students are expected to adhere to the MSU Attendance Policy outlined in the current *MSU Bulletin*.

**X. ACADEMIC HONESTY POLICY:**

Murray State University takes seriously its moral and educational obligation to maintain high standards of academic honesty and ethical behavior. Instructors are expected to evaluate students' academic achievements accurately, as well as ascertain that work submitted by students is authentic and the result of their own efforts, and consistent with established academic standards. Students are obligated to respect and abide by the basic standards of personal and professional integrity.

**Violations of Academic Honesty include:**

**Cheating** - Intentionally using or attempting to use unauthorized information such as books, notes, study aids, or other electronic, online, or digital devices in any academic exercise; as well as unauthorized communication of information by any means to or from others during any academic exercise.

**Fabrication and Falsification** - Intentional alteration or invention of any information or citation in an academic exercise. Falsification involves changing information whereas fabrication involves inventing or counterfeiting information.

**Multiple Submission** - The submission of substantial portions of the same academic work, including oral reports, for credit more than once without authorization from the instructor.

**Plagiarism** - Intentionally or knowingly representing the words, ideas, creative work, or data of someone else as one's own in any academic exercise, without due and proper acknowledgement.

Instructors should outline their expectations that may go beyond the scope of this policy at the beginning of each course and identify such expectations and restrictions in the course syllabus. When an instructor receives evidence, either directly or indirectly, of academic dishonesty, he or she should investigate the instance. The faculty member should then take appropriate disciplinary action.

Disciplinary action may include, but is not limited to the following:

- 1) Requiring the student(s) to repeat the exercise or do additional related exercise(s).
- 2) Lowering the grade or failing the student(s) on the particular exercise(s) involved.
- 3) Lowering the grade or failing the student(s) in the course.

**If the disciplinary action results in the awarding of a grade of E in the course, the student(s) may not drop the course.**

Faculty reserve the right to invalidate any exercise or other evaluative measures if substantial evidence exists that the integrity of the exercise has been compromised. Faculty also reserve the right to document in the course syllabi further academic honesty policy elements related to the individual disciplines.

A student may appeal the decision of the faculty member with the department chair in writing within five working days. Note: If, at any point in this process, the student alleges that actions have taken place that may be in violation of the Murray State University Non-Discrimination Statement, this process must be suspended and the matter be directed to the Office of Equal Opportunity. Any appeal will be forwarded to the appropriate university committee as determined by the Provost.

## **XI. NON-DISCRIMINATION POLICY AND STUDENTS WITH DISABILITIES:**

### **Policy Statement**

Murray State University endorses the intent of all federal and state laws created to prohibit discrimination. Murray State University does not discriminate on the basis of race, color, national origin, gender, sexual orientation, religion, age, veteran status, or disability in employment, admissions, or the provision of services and provides, upon request, reasonable accommodation including auxiliary aids and services necessary to

afford individuals with disabilities equal access to participate in all programs and activities. For more information, contact the Executive Director of Institutional Diversity, Equity and Access, 103 Wells Hall, (270) 809-3155 (voice), (270) 809-3361 (TDD).

Students with Disabilities

Students requiring special assistance due to a disability should visit the Office of Student Disability Services immediately for assistance with accommodations. For more information, students should contact the Office of Student Disability Services, 423 Wells Hall, Murray, KY 42071. 270-809-2018 (voice) 270-809-5889(TDD).