

**INSTRUCTOR:** Ben Littlepage, Ed.D.

**DEPARTMENT:** Educational Studies, Leadership and Counseling

**COURSE NUMBER:** PSE 710 **TITLE:** Higher Education & the Law **CREDIT HRS:** 3

**COURSE DESCRIPTION AND PREREQUISITE(S):**

The course examines legal issues relevant to American colleges and universities to provide educational leaders with the fundamental knowledge of higher education law for administrators. Key legal principles that may impact professional practice in higher education include the legal governance of higher education, academic freedom, affirmative action, and issues pertinent to faculty, staff, and students. Permission of the instructor is required.

**COURSE OBJECTIVES:**

As a result of participation in this course, the student will be able to

- Demonstrate an understanding of basic legal concepts and terminology;
- Utilize appropriate legal research sources;
- Describe the legal structure and governance of higher education;
- Articulate an understanding of key legal principles impacting the operations of higher education institutions;
- Demonstrate the ability to apply legal concepts from an administrative perspective;
- Examine regulatory issues in higher education that impact administrative practice.

**CONTENT OUTLINE:**

- Legal concepts, terminology and resources
- Federal and state law
- Legal structure and governance of higher education
- Regulatory issues in higher education
- Organizational and personal liability
- Students and the law (admissions, dismissals, misconduct, freedom of expression, FERPA)
- Student organizations and the law (student press, organizations)
- Faculty and the law (academic freedom, tenure, and promotion issues)
- Higher education and the workplace (affirmative action, ADA, employment issues)

**INSTRUCTIONAL ACTIVITIES:**

- Video lecture and discussions
- Online discussion via Canvas
- Small group activities
- Problem-based research projects
- Reading contemporary articles

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

Various assignments will require students to interact with practitioners outside Murray State University.

**TEXT(S) AND RESOURCES:**

Kaplin, W., & Lee, B. (2009). A legal guide for student affairs professionals: Updated and adapted from The Law of Higher Education. (4<sup>th</sup> ed.). San Francisco, CA: Jossey-Bass.

**EVALUATION, ASSIGNMENTS AND GRADING PROCEDURES:**

Evaluation of grades will be determined by assignments, projects based on text, supplementary readings and videos in professional journals, presentations, and class discussions. Late assignments will receive a deduction of 10% the total point value for each day late. Due dates can be found in the Canvas course shell.

Policy Critique (2x20pts)	40 pts	33%	A=90–100%
Discussion Board (DB) Post (3x10pts)	30 pts	25%	B=80–89%
Crisis Response (2x15pts)	30 pts	25%	C=70-79%
Online Quizzes (2x10pts)	<u>20 pts</u>	<u>17%</u>	D=60-69%
Total (100 pt scale / 10 pts per letter grade)	120 pts	100%	E=below 60%

A brief description for each assignment is provided below. Detailed instructions for each assignment can be found in PSE 710 Canvas Course Shell > Getting Started > Semester Assignments Overview.

**Policy Critique:**

Students will receive a case brief applicable to higher education and be asked to critique a Murray State policy related to the ruling. Students will be responsible for interpreting the case brief, critiquing the current policy, and rewriting (if applicable) the policy to reflect the ruling.

**Discussion Board [DB] Posts:**

Students will receive a discussion prompt from the instructor relevant to past readings. Direct responses to the DB prompt as well as fellow students' posts are expected.

**Crisis Response:**

Students will be given a detailed case study involving a campus crisis where immediate action is required. Responses will address: 1. applicable legal statute(s) and/or institutional policy (and why), 2. stakeholders and resources, 3. prioritized institutional response plan, and 4. (potential) unintended consequences. Classmates will critique your response to the crisis and offer recommendations as part of the grade.

**Online Quizzes:**

Students will complete FERPA and Title IX tutorials and quizzes. The quiz completion page is required for proof of completion.