

## Syllabus

Education Law - Law 901-11  
Professor John Rumel  
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885-6423  
Office 130

Spring 2014  
TTh  
3:30-4:45 p.m.  
Room 103

### Office Hours:

Tuesdays 5:00 - 6:00 p.m. and  
Wednesdays 8:30 - 9:20 a.m. and  
4:30 - 5:20 p.m. (and other  
mutually agreed to days and times)

### Textbook

M. J. KAUFMAN & S. R. KAUFMAN, EDUCATION LAW, POLICY, AND PRACTICE, 3D EDITION (ASPEN PUBLISHERS (WOLTERS KLUWER) 2013)

### Course Coverage and Goals

This course will cover the law relating to the primary and secondary (K-12) education system in the United States, although some (modest) attention will be paid to U.S. higher education law as well. Specifically, the course will focus on (a) the history and structure of universal and compulsory public education, (b) religious and private school alternatives, (c) school finance and funding, (d) religion in public schools and at school events (establishment and free exercise clause issues), (e) curriculum and governance, (f) students' rights and responsibilities, including free speech (generally and, most recently, involving the internet) and due process issues, (g) teachers' rights and responsibilities, including free speech, due process, and other employment issues, (h) equal educational opportunities/discrimination issues in schools, including race, disability and gender issues, and special education law (i) teacher union-school board collective bargaining, and (j) student supervision and tort liability.

Students taking this course will hopefully develop and take steps toward mastery of the following knowledge, analytical abilities and skills: (1) an understanding of education law and the ability to solve problems by applying that law to factual situations; (2) the ability to formulate and critique education-related policy in light of existing law and/or anticipated or predicted changes in existing law; and (3) the ability to critique existing legal doctrine and anticipate, predict and

argue for changes in existing or unsettled areas of education law.

## **Requirements**

### **Class Attendance and Participation**

Both College of Law and American Bar Association policies require regular classroom attendance by students. Moreover, attendance at and participation in class invariably complements and enhances your and other students' understanding of the assigned reading materials. Also, since I typically draw from materials, presentations and discussions highlighted in class on the final exam, regular classroom attendance and participation should provide an added benefit. If an issue arises concerning your regular attendance and participation, please communicate with me about it so that we can address the problem. We will discuss the method(s) by which we will facilitate and engage in class discussion (volunteer, panel, group, "cold call"/random system or some combination thereof) during our first class session.

You will be expected to be prepared for each and every class session. If you find yourself unprepared for class (this, of course, should not happen often), please let me know prior to class and I will not call on you during that class session. I would much rather have you attend class and benefit from the class discussion, than miss class because of lack of preparation.

### **Professionalism and Civility**

In any environment in which people gather to learn, it is essential that all participants feel as free and safe as possible in their participation, but that they are also able to discuss issues in an honest and intellectually-rigorous manner. These course requirements are doubly essential in a course like Education Law where we can and will confront difficult, potentially highly-charged issues concerning race and ethnicity, gender, disability and religion. To this end, it is expected that everyone in this course will be treated with mutual respect and civility, with an understanding that all of us (students, professors, and guests) will be respectful and civil to one another in discussion, in action, in teaching, and in learning.

## **Reading**

I will provide a list of reading assignments to you in writing from the Kaufman & Kaufman text (or any supplemental material provided) on a periodic (every 4-5 week) basis. These assignments will enable you to plan your reading so as to be current with class discussions. Please read the assigned materials and problems prior to class and be prepared to discuss them in class.

## **Grades -- Final Exam**

After weighing the pros and cons concerning the components that will make up your grade in this course and the format of any testing, I have decided that your grade will be based on a single open book, open notes final exam that will be administered at either the scheduled time during the examination period or on a take home basis (based on what the professor and class decide). The exam will include one or more hypothetical problems, and may also include short answer questions.

## **Disability Accommodation**

Reasonable accommodations are available for students who have documented temporary or permanent disabilities. Students should meet with Disability Support Services (DSS) by the end of the first week of class to assess if any accommodations are needed for courses and/or examinations. All accommodation requests are then submitted by DSS to Dean Dodge for final approval. DSS serves as the sole evaluator of medical documentation and determines reasonable accommodations on a per semester basis. The College of Law does not have the authority to evaluate or grant disability accommodations without DSS first submitting a recommendation. You may contact DSS by:

- Visiting the Idaho Commons Building, Room 306
- Calling 208-885-6307
- Emailing [dss@uidaho.edu](mailto:dss@uidaho.edu)

It is ultimately the student's responsibility to seek a disability accommodation, and until an accommodation is approved by DSS and Dean Dodge, no student will be entitled to receive any accommodations. To learn more about DSS, visit its website at <http://www.uidaho.edu/studentaffairs/taap/dss>. Please review the College of Law Catalog and Student Handbook for more information on the disability accommodation process.