Syllabus

Education Law – Law 853-01/02
Fall 2018
Professor John Rumel
TTH
JRumel@uidaho.edu
12:30-1:45 p.m. PST
1:30-2:45 p.m. MST
Office 309 (Boise)

Office Hours:
Wednesdays 3:30 p.m. - 4:30 p.m. PST/4:30 p.m. - 5:30 p.m. MST
Thursdays 2:00 p.m. – 3:00 PST/3:00 p.m. – 4:00 p.m. MST
(or by appointment or whenever my door is open)

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 – both during the regular school year and during summer sessions. 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, “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 particularly important in a course like Education Law where we can and will confront difficult, potentially highly-charged, issues concerning race, ethnicity, gender, disability and religion, as well as school safety and school choice/privatization. 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.
Should you feel our classroom interactions do not reflect an environment of civility and respect, you are encouraged to meet with me to discuss your concern. Additional resources for expression of concern or requesting support include the College of Law Dean of Students office and staff (885-6757), the UI Counseling & Testing Center’s confidential services (885-6716), or the UI Office of Human Rights, Access, & Inclusion (885-4285).

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 (approximately monthly) 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.

Credit Hours for Coursework

In accordance with ABA Standard 310, the College of Law awards one credit hour for experiences that are reasonably designed to involve 50 minutes of classroom or direct faculty instruction and two hours of out-of-class student work per week, or at least the equivalent amount of work for academic activities including simulation, field placement, clinical, and other academic work leading to the award of credit hours.

The Course requirements outlined above with respect to materials and assignments, in my professional judgement, are complex enough in nature that it is expected that the amount of out-of-class time it will take students to complete the assignments will meet the rule.

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.
Center for Disability Access and Resources (CDAR) Reasonable Accommodations Statement

Reasonable accommodations are available for students who have documented temporary or permanent disabilities. Ideally, students in Moscow and Boise should meet with CDAR 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 CDAR to Dean Dodge for final approval. CDAR 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 CDAR first submitting a recommendation. You may contact CDAR by:

- Calling 208-885-6307
- Emailing cdar@uidaho.edu

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