

Department of Educational Leadership & Policy
College of Education & Human Services
University of Wisconsin Oshkosh

Legal and Ethical Issues in Leadership
3 credits

EDL 825

Course Description

This course will explore ethical and legal issues that occur in school sites and district environments. The course will explore the ethical underpinning of educational law and the nature of the ethical educational professional administrator within the context of the school and the community. The course will utilize an advanced understanding of legal principles and resources to focus incipient school district administrators on legally and ethically relevant decision-making in the context of the district operational environment.

Course Structure

This course is designed for delivery through face-to-face meetings enhanced by learning activities/discussions online. Students are expected to prepare for class meetings, take part in class activities, contribute to discussions, and support other class members. In short, the class will function as a learning community in which every member shares responsibility for the learning experience of the group.

Learning Outcomes

- Students will understand and be able to define district administrator responsibilities toward all constituencies of the school and community from within a framework of professionalism and individual values systems.
- Students will be able to understand and connect the judicial and legislative systems in which national and state public education exist, including the various forms of alternative education sponsored by legislative action.
- Students will understand the overall legal system in which American education, and specifically the public school district, operates and exists and how the particular nuances of legal expression and change impact curriculum, instruction and leadership.
- Students will be able to frame the needs of special populations within the district and schools and the “best practices” in which to insure legally and ethically that all students can and do learn integrated with the standards of curriculum within the district.
- Students will have a working knowledge of the role of lawyers, agencies, courts and legislative offices in terms of public education in the local environment.
- Students will know and understand the constitutional conditions and limitations involved in educational administration, including state rules on open meetings, open records, due process, administrative codes and regulations regarding education, IDEA, and state codification of educational practices.
- Students will understand and be able to utilize case law, judicial case works and general educational law resources to effect continued understanding as a district administration

but also to provide continuing education and reference for administrators and teachers within the district. This includes the understanding and willingness to engage in continuing self-education in legal and ethical sources.

Course Requirements

1. Class Participation - 10%

Take part actively with all class discussions, reports, briefs and critical evaluations. Students are required to attend all classes, which even though offered in a blended format, face-to-face work is required to understand the work of the course. In the event that professional responsibilities create a conflict as to class attendance and the student must miss class, then it is the student's sole responsibility to obtain all documents, handouts, notes and assignments from class peers; such missed classes barring an emergency should be stringently minimized.

2. Case Briefs & Oral Reports - 10%

Case briefing will be in writing following the general writing guidelines of the course and the program; in addition, case briefs will need to follow the outline format for case briefing described in class and displayed on the course web site. The structure is rigid, it needs to be followed. In the section on reflection, however, students should exercise a rationale for the case decision based on their understanding of the law and their own experience. During each class meeting, several students will be expected to report on the case and their responses in a briefing, the rest of the class will be expected to respond to questions, add their own critique and engage with each briefing.

3. Hypothetical Design - 10%

The student will be required to provide the class with no less than five hypotheticals during the course; one based on ethical issues, two on purely legal issues and two using both. Other students will be assigned to handle the hypotheticals and will also evaluate the relevance and difficulty.

4. Legal/Ethical Problem & Solution Presentation - 15%

The student, working alone or in pairs, will develop a generally symptomatic legal/ethical problem common to rural school districts, explain the derivation and operation of the problem, why it's a problem, what has been done to correct, failure and why and develop their own solution set grounded in the legal and ethical discourse of the class.

5. Superintendents Interview (Legal/Ethical Perspectives) - 20%

Again, working alone or in pairs, the student must interview at least four superintendents with the intent of exploring the operational legal and ethical problems faced by district administrators. Students should insure a clear understanding of the issues, derivation and solutions or attempts faced by those interviews. The students will be expected to produce a report detailing each district and present at least one district interview to the class.

6. Oral Presentation & Evaluation - 15%

The students, operating in pairs, will be assigned a major legal issue currently facing education in the nation and/or the state. They will be assigned a perspective to take on that issue and prepare a brief outlining the issue, relevant law upholding the perspective assigned and apply that to a expository presentation. The other pair will do the same. The class remainder will ask limited questions and decide on their “judicial” decision as well as evaluate the presentation in so far as the legal aspects are concerned.

7. Final: Analysis of Case/Hypothetical - 20%

The instructor will provide each student with a hypothetical drawing on the ethical and legal experiences of the course, including research into the law. The student will prepare a short 10 page paper determining the results of the “hypo” and rationale for those decisions, basing them in the law.

Guidelines for Written Assignments

General Criteria for Assessment

1. **Construction of Knowledge:** Students successfully interpret, analyze, evaluate, or synthesize information.
2. **Depth of Understanding:** Student understanding of course content is relatively complex and deep, and they demonstrate that understanding through elaborated communication.
3. **Connection to Practice and Policy:** Students successfully connect course content to educational practice and/or policy. They explore implications that create value and significance for knowledge.
4. **Clarity of Expression:** Students demonstrate quality work through well-organized, grammatically correct, precise and accurate writing. They reflect thoughtfulness in word choice, sentence construction and composition.

Course Grading Scale

Letter Grade	Percentage Points
A	94-100
A-	90-93
B+	87-89
B	84-86
B-	80-83
C+	77-79
C	74-76
F	73 or below

Guidelines for Written Assignments

Advanced graduate academic work requires competence in written communication to express your ideas clearly and accurately. Therefore, it is expected that students will be able to articulate their positions, reasoning, and queries with clarity, accuracy, and precision in grammatical construction and language use. Students must demonstrate critical thinking in all of their written work. Further, it is imperative that doctoral students draw upon the work of other scholars and appropriately give credit to others through in-text citations.

Format Requirements for Papers

- Use APA (most recent edition) to format course papers.
- Use inclusive language (do not use masculine pronouns when referring to men and women).
- All papers should be double-spaced with 1-inch margins. Times New Roman font (12 point) is standard.
- Number the pages.
- Writing should be appropriately referenced, giving credit to others for their work by providing accurate citations.
- Where appropriate and possible, draw connections between course concepts/readings and specific examples/experiences. The capacity to relate theory with practice is an important component of the course.
- Writing must be grammatically correct and without spelling, punctuation, or typographical errors.
- Include a list of references at the end of the paper. This list should include all references cited in the paper, and only those cited in the paper.

Guidelines for Online Discussions

There are three very important rules for using online discussion boards:

1. Remember that the culture of mutual respect that is part of our face-to-face time extends into the virtual classroom environment.
2. Participation is required.
3. Participation alone is not enough. Posts require a thoughtful and meaningful approach. Quality does count. Also important is timing. If you wait until the end of the discussion window time, you are not engaging in the type of discussion required.

See “Guidelines and Rubrics for Online Discussions” (D2L Course Content) for further details.

Guidelines for Communication in a Respectful Learning Environment

- Listen receptively. Seek first to understand, then to be understood.
- Attend to the person who has the floor. No sidebar conversations, gestures, or extraneous activity while another person is talking.
- Communicate honestly. If you have a concern or if you are puzzled – explain how you are feeling and why.
- Disagree thoughtfully. Respectful questioning and disagreement is not wrong. Scholarly discourse involves and encourages exploration of different perspectives.

- Derogatory comments based on race, ethnicity, class, gender, sexual orientation, or nationality are not acceptable.

Academic Integrity

The University of Wisconsin Oshkosh is committed to a standard of academic integrity for all students. The System guidelines state: “Students are responsible for the honest completion and representation of their work, for the appropriate citation of sources, and for respect of others’ academic endeavors.” (UWS 14.01, Wisconsin Administrative Code)

Students are subject to disciplinary action for academic misconduct, which is defined in UWS 14.03, Wisconsin Administrative Code. Students are encouraged to review the procedures related to violations of academic honesty as outlined in Chapter UWS 14, Wisconsin Administrative Code. The System guidelines and local procedures are printed in the University of Wisconsin Oshkosh Student Discipline Code 2007-2008 and can be found on the Dean of Students website at www.uwosh.edu/dean/conduct.htm

Specific questions regarding the provisions of Chapter UWS 14 (and institutional procedures approved to implement Chapter UWS 14) should be directed to the Dean of Students Office.

Accessibility Statement

We would like to fully include persons with disabilities in this course. Please let us know if you need any special accommodations. Information will be kept confidential whenever possible. For questions regarding UW Oshkosh policy and available services for students with disabilities, please contact John Palmer, Coordinator of Services for Students with Disabilities in the Dean of Students Office in Dempsey Hall. palmerj@uwosh.edu or 424-3100.

The Writing Center

All UW Oshkosh students are eligible for one-on-one conferencing at the Writing Center. Their free, confidential tutoring is designed to help writers work through assignments and gain additional writing skills. Trained peer consultants can assist writers at any stage of the composition process, from brainstorming for topics to fine-tuning a final draft. They help writers with issues like grammar and mechanics by helping them identify their own patterns of error and learning how to avoid those errors. Check their website for more information about services. (<http://www.uwosh.edu/wcenter>). The Writing Center is located in Suite 102 of the Student Success Center, across from Reeve and Polk on Elmwood Ave.

Communication

Email. Your UW Oshkosh email account is used by the University and by your instructors to communicate University and course information. Please check your UW Oshkosh email frequently.

Weather Concerns. If you are unable to attend class due to hazardous conditions, please notify me via email prior to the scheduled class meeting. In the event that I cannot meet with the class, or most members of the class cannot attend, we will schedule an alternative discussion/learning activity using D2L. Please check your UW Oshkosh email prior to class if you have any questions about the class meeting. I will send an email notice to you no later than 3:30 p.m. if there is an alternative plan for that evening’s session.

Tentative Schedule of Topics

Meeting Session	Topics	Activities and Assignments
#1	Review of K-12 law	Contracts incl. basic real estate, torts, due process, case research
#2	Finish Review of K-12 School Law	Constitutional (1 st , 13 th , 14 th & 15 th Amend.), Search & Seizure, Affirmative Action; Court Cases [Briefs]
#3	Role of Judiciary, Legislative action and Administrative Fiat in District Operations	Readings, cases regarding the impact of case law (both state and national), state Admin rules and codes; insuring compliance [Briefs]
#4	Ethics and School Law	Due process, affirmative action and equity at law, IDEA, Title IX, [Briefs]
#5	Ethics and School Law; continued	FERPA, alien/immigration issues, accommodation, inclusion, RtI [Briefs]
#6	Role of Judiciary, Legislative action and Administrative Fiat in District Operations	Readings, cases regarding the impact of case law (both state and national); Suspensions, disciplinary actions [Briefs]
#7	Ethics & Professionalism	Cases, readings, speakers and class reflection
#8	WI Administrative Law	DPI, School Finance laws, Procurement and planning
#9	Personnel	Legal (Federal & State) & Ethical issues in Evaluations, Hiring, Termination & Counseling
#10	Legal Grounding & Issues	Basic educational case –law; judicial & attorney presentations; Q&A
#11	Problem/Solution Presentations * Evaluations	Class
#12	Problem/Solution Presentations * Evaluations	Class
#13	Oral Presentations, selected District Admin Interview Reports	Class
#14	Finish Reports, explain Final Hypothetical process	Class