



## EDUC 743 Course Syllabus

3140 Waialae Avenue - Honolulu, HI 96816

[www.chaminade.edu](http://www.chaminade.edu)

**Course Number:** EDUC 743

**Course Title:** Education Law

**School/Division:** School of Education and Behavioral Sciences

**Term:** Fall 2023/October 2 – December 11

**Credits:** 3

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**Virtual Office Hours:** Available by appointment

### University Course Catalog Description

This survey course explores the laws that govern schools. The course will provide background knowledge in laws (Hawaii state federal laws) and court cases involving public and private education, student and family rights, teacher rights, tort and school district liability, the Individuals with Disabilities Education Act, and case law pertinent to Hawaii. Case studies, personal reading reflections, and discussions will be used to enhance the course content areas.

### Conceptual Framework

The Education Division's Conceptual Framework is based upon a set of beliefs that flow from the University's vision and mission statements, the Division's vision and mission statements, and the core academic beliefs of Chaminade University. These values and beliefs are based on the Catholic Marianist principles; a commitment to mentor teacher and educational leader candidates to their fullest potential; a commitment to teaching, scholarship and research; and a commitment to serve the university and the larger community.

### Education Division Mission Statement

The Education Division's mission is to foster the development of knowledgeable, proficient, and reflective teachers and educational leaders. Our programs are based in the liberal arts tradition, Catholic Marianist values, current research, best practice, and professional standards. In this context we develop educators who demonstrate ethical, effective and culturally responsive practices, and a commitment to building a just and peaceful society.

### Marianist Values

1. Educate for formation in faith

2. Provide an integral quality education
3. Educate in family spirit
4. Educate for service, justice and peace
5. Educate for adaptation and change

**Program Learning Outcomes (PLO)**

1. Describe the impact of socio-economic, legal, and ethical factors at an educational setting that promotes service, justice, and peace in a multi-cultural learning environment.
2. Synthesize best practices and evidence-based research into the effective operations of a campus that are relevant, integral, and essential to the success of a school.
3. Define a vision for a school and organizational change processes that work towards providing an excellent education, promoting student learning, and the development of the whole person.
4. Examine effective skills in promoting a positive school culture for all and the means for adaptation and change.
5. Articulate collaboration and communication with various internal/external stakeholders associated with a school setting.

**Course Learning Outcomes (CLO)**

1. Describe orally and in writing the ability to synthesize information and develop an informed perspective on major topics in education law. (PLO 1)
2. Evaluate one’s school and/or their school division’s application of education law to specific situations and communicate their evaluation in discussions and in writing. (PLO 1, 2)
3. Apply education law in case student activities that involve small and large group discussions and written reflections. (PLO 1, 2, 5)

**Learning Materials**

- Legal Rights of School Leaders, Teachers, and Students (8th ed.). ISBN-13: 978-0-13-499753-7.
- Other learning materials will be provided.

**Assessment**

Assignments	Max Points
Module activities (10 x 10 points)	100
<b>Total</b>	<b>100</b>

Each module is worth 10 points and contains various activities that culminate in an assessment activity for each module. The assessment activity will vary and may be either a quiz or a fact pattern that you must apply the information learned in the chapter(s) reviewed in the module. There will be no right or wrong answer for the final assessment of each module. Your ability to apply the concepts in the readings to the fact patterns and come up with a conclusion or course of action is what will be graded. Each assessment activity will require you to show that you can critically think about the issues that are presented, the different laws that apply to each of

those issues, and the possible resolution. The purpose of this is to present to you situations that actual school leaders grapple with in order to prepare you for your tenure as a school principal or educational leader.

### Grading scale

100-90%	A
89-80%	B
79-70%	C
69-60%	D
59-0%	F

### Schedule

Week	Topic	Assignments
Week 1 10/2-10/8	-Introductions -Introduction to School Law -Church/State Relations -Overview of US Constitution, Hawaii state constitution, federal laws, Hawaii Revised Statutes, Hawaii Administrative Rules, and Hawaii Board of Education policies	-Complete Introduction Activity -Read Chapters 1 and 3; review power point/lecture; complete critical thinking assignment using relevant US case law and BOE policies
Week 2 10/9-10/15	-Student Expression, Association, and Appearance -Student Classifications	-Read Chapters 5 & 6; review power point/lecture; complete critical thinking assignment using relevant US case law and BOE policies
Week 3 10/16-10/22	-Student Discipline RELEVANT LAWS COVERED: -US Constitution -Hawaii Administrative Rules Chapter 19 -Relevant US Supreme Court case law	-Read Chapter 8; review power point/lecture; complete critical thinking assignment using Hawaii Administrative Rules Chapter 19; US Supreme Court case law
Week 4 10/23-10/29	-Individuals with Disabilities RELEVANT LAWS COVERED: -IDEA -Section 504 of the Rehabilitation Act of 1973 -Hawaii Administrative Rules Chapters 60 & 61	-Read Chapter 7; review power point/lecture; complete critical thinking assignment using IDEA, Hawaii Administrative Rules Chapter 60 and relevant US Supreme Court Decisions

	-Hawaii Revised Statutes	
Week 5 10/30-11/5	-Employee's Substantive Constitutional Rights RELEVANT LAWS: -State and Federal laws -US Supreme Court decisions -BOE policies -DOE procedures	-Read Chapter 10; review power point/lecture; complete critical thinking assignment using federal laws, US Supreme Court decisions, BOE policies, and DOE procedures
Week 6 11/6-11/12	-Discrimination in Employment RELEVANT LAWS: -US Supreme Court decisions -BOE policies -DOE procedures	-Read Chapter 11; review power point/lecture; complete critical thinking assignment using federal laws, US Supreme Court decisions, BOE policies, and DOE procedures
Week 7 11/13-11/19	-Termination in Employment RELEVANT LAWS: -US Supreme Court decisions -BOE policies -DOE procedures -HSTA Contract	-Read Chapter 12; review power point/lecture; complete critical thinking assignment using US Supreme Court decisions, BOE policies, DOE procedures, and the HSTA Contract
Week 8 11/20-11/26	-Instructional Issues & Alternative to Increase Educational Choice RELEVANT LAWS: -US Supreme Court decisions -Family Educational Rights & Privacy Act (FERPA) -Hawaii Administrative Rules Chapter 34 -BOE policies -DOE procedures	-Read Chapters 4 & 13; review power point/lecture; critical thinking assignment using FERPA, Chapter 34, BOE policies and DOE procedures
Week 9 11/27-12/3	-Tort Liability -Elements of a tort	-Read Chapter 2; review power point/lecture; critical thinking assignment
Week 10 12/4-12/11	-Summary of Legal Generalizations -Conclusion	<b>-Read Chapter 14; WATCH VIDEO - UNDERWATER DREAMS; critical thinking assignment</b>

*May be subject to change based on the dynamics of current events.*

Writing Standards

All work submitted by Chaminade University students must meet the following writing standards. Written assignments should:

1. Use correctly the grammar, spelling, punctuation, and sentence structure of Standard Written English.
2. Develop ideas, themes, and main points coherently and concisely.
3. Adopt modes and styles appropriate to their purpose and audience.
4. Be clear, complete, and effective.
5. Carefully analyze and synthesize material and ideas borrowed from sources. In addition, the sources of the borrowed material should be correctly acknowledged to avoid plagiarism (see Plagiarism).

### **Academic Honesty**

Violations of the Honor Code are serious. They harm other students, your professor, and the integrity of the University. Alleged violations will be referred to the Office of Judicial Affairs. If found guilty of plagiarism, a student might receive a range of penalties, including failure of an assignment, failure of an assignment and withholding of the final course grade until a paper is turned in on the topic of plagiarism, failure of the course, or suspension from the University.

Violations of Academic Integrity: Violations of the principle include, but are not limited to:

- Cheating: Intentionally using or attempting to use unauthorized materials, information, notes, study aids, or other devices in any academic exercise.
- Fabrication and Falsification: Intentional and unauthorized alteration or invention of any information or citation in an academic exercise. Falsification is a matter of inventing or counterfeiting information for use in any academic exercise.
- Multiple Submissions: The submission of substantial portions of the same academic work for credit (including oral reports) more than once without authorization.
- Plagiarism: Intentionally or knowingly presenting the work of another as one's own (i.e., without proper acknowledgment of the source).
- Abuse of Academic Materials: Intentionally or knowingly destroying, stealing, or making inaccessible library or other academic resource materials.
- Complicity in Academic Dishonesty: Intentionally or knowingly helping or attempting to help another to commit an act of academic dishonesty.

Plagiarism includes, but is not limited to:

- Copying or borrowing liberally from someone else's work without his/her knowledge or permission; or with his/her knowledge or permission and turning it in as your own work.
- Copying of someone else's exam or paper.
- Allowing someone to turn in your work as his or her own.
- Not providing adequate references for cited work.
- Copying and pasting large quotes or passages without properly citing them.

While AI technologies can be useful tools for research and learning, the Academic Honesty policies still apply when using these technologies. Students should not use AI technologies to write essays or create responses to

exam questions. Additionally, students should always give proper credit to sources when using information obtained through AI tools or other sources. Plagiarism, including using AI-generated content without proper attribution, is a violation of academic integrity. Such actions are not only dishonest, but also undermine the value of the education being provided.

### **Title IX Compliance**

Chaminade University of Honolulu recognizes the inherent dignity of all individuals and promotes respect for all people. Sexual misconduct, physical and/or psychological abuse will NOT be tolerated at CUH. If you have been the victim of sexual misconduct, physical and/or psychological abuse, we encourage you to report this matter promptly. As a faculty member, I am interested in promoting a safe and healthy environment, and should I learn of any sexual misconduct, physical and/or psychological abuse, I must report the matter to the Title IX Coordinator. If you or someone you know has been harassed or assaulted, you can find the appropriate resources by visiting Campus Ministry, the Dean of Students Office, the Counseling Center, or the Office for Compliance and Personnel Services.

### **Disability Access**

The University is committed to providing reasonable accommodations for all persons with disabilities. This syllabus is available in alternate formats upon request. Students who need accommodations must be registered with Student Disability Services. Students with special needs who meet criteria for the Americans with Disabilities Act (ADA) provisions must provide written documentation of the need for accommodations to Kokua Ike: Center for Student Learning by the end of week three of the class, in order for the instructor to plan accordingly. Failure to provide written documentation will prevent your instructor from making the necessary accommodations. If you would like to determine if you meet the criteria for accommodations, contact [ada@chaminade.edu](mailto:ada@chaminade.edu).

### **Attendance Policy**

As stated in the Chaminade University Catalog, students are expected to attend all classes for courses in which they are registered. Students are expected to attend all classes in which they are registered. The student should notify their instructors when illness or other extenuating circumstances prevents them from attending class and make arrangements to complete missed assignments. Not meeting the attendance requirements may result in lowering of the grade, withdrawal from the course, or failing the course. The instructor will specify and enforce expectations for online participation and receipt of assignments appropriate to the design of the course.

### **Excused Absences**

Since it is expected that students will participate in all class sessions, excused absences are only granted in exceptional situations where evidence is provided by the student to the instructor. Students should notify their instructors when a situation prevents them from attending class and make arrangements to complete missed assignments. While notification of the instructor by a student that he/she will be absent is courteous, it does not necessarily mean the absence will be excused.

### Unexcused Absences

Chaminade University student policy states that in cases where unexcused absences are equivalent to more than a week of classes, the instructor has the option of lowering the grade.

### **Credit Hour Policy**

This is a three-credit hour course requiring 135 clock hours of student engagement, per the official CUH Credit Hour Policy. Students enrolled in this course are anticipated to spend 15 hours reviewing lectures, 30 hours of reading materials, 50 hours researching and preparing case studies, and 40 hours researching relevant state and federal case law and policies.