



MIDWESTERN STATE UNIVERSITY
A Member of the Texas Tech University System

Course Syllabus
EDLE 5623 School Law and Personnel
EDLE 5623 Section DX1/X20
West College of Education
Spring 2023, Jan 17-May 5

Contact Information

Instructor: Dr. Stephanie Zamora-Robles
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Office hours:

Student Support Hours

Mondays and Wednesdays: 10:30 am-12:00 pm
Tuesdays: 10:00 am -12:00 pm

Other

Monday- Friday: Student Appointments as Needed

Teaching

Monday/Wednesday: 2:30-3:50 PM

Instructor Response Policy

The best way to contact me is through text message or email. I usually respond quickly. You can expect a response within 24 hours; however, it could be a little longer on weekends or holidays.

Textbook & Instructional Materials

Required:

Kemerer, F., & Crain, J (2016). *Texas documentation handbook: Appraisal, nonrenewal, termination* (6th ed.). Texas School Administrators' Legal Digest.

Walsh, J., Kemerer, F., & Maniotis, L. (2018). *The educator's guide to Texas school law* (9th ed.). The University of Texas Press. ISBN: 978-0-9852527-5-5

Course Description

A study of the rights and responsibilities of teachers, students, and laws related to special education, school governance, staff discipline, and dismissal. In addition, the course will cover the major laws and court decisions which have shaped the operation of schools today.

Student Learning Objectives

At the conclusion of this course, students will:

1. Understand local, state, and federal laws.
2. Recognize key education-related provisions of the U.S. Constitution, federal statutes, Texas Constitution and statutes, including provisions of the Texas Education Code.
3. Learn key court rulings that establish school law parameters at the campus level.
4. Understand how Board policies and administrative regulations/directives translate the law into real work requirements and application.
5. Develop a rudimentary knowledge of basic legal terminology and the court system so administrators can decipher legal materials and effectively participate in basic school law related discussions, workshops, and conferences.

Course Standards and Examination Domains/Competencies

All Midwestern State University Education Leadership courses are developed according to the TAC Principal Standards §241.15. These standards frame the required course knowledge and skills to develop the competencies required for highly effective instructional leaders in today's schools.

Texas Administrative Code (TAC) Chapter 241, RULE §241.15

(Link: [TAC Chapter 241. Principal Certificate](#))

EDLE Competency 006: ****Invest and manage time to prioritize the development, support, and supervision of the staff to maximize student outcomes.***

EDLE Competency 006: ****Create leadership opportunities, define roles, and delegate responsibilities to effective staff and administrators to support campus goal attainment.***

EDLE Competency 006: ****Implement effective, appropriate, and legal strategies for the recruitment, screening, hiring, assignment, induction, development, evaluation, promotion, retention, discipline, and dismissal of campus staff.***

EDLE Competency 010: ****Applies local, state, and federal laws and policies to support sound decisions while considering implications related to all school operations and programs (e.g., student services, food services, health services, and transportation).***

EDLE Competency 011: *Implements policies and procedures that require all campus personnel to comply with the Educators' Code of Ethics (TAC Chapter 247).*

EDLE Competency 011: *Models and promotes the highest standard of conduct, ethical principles, and integrity in decision-making, actions, and behaviors.*

EDLE Competency 011: ****Applies legal guidelines (e.g., in relation to students with disabilities, bilingual education, confidentiality, and discrimination) to protect the rights of students and staff and to improve learning opportunities.***

Note: Asterisk and bolded standards represent critical knowledge and skills required for school leadership; thereby, will be assessed more frequently on Principal as Instructional Leader TExES 268.

Texas Administrative Code (TAC) Chapter 228, RULE §228.30 Educator Preparation Curriculum

(Link: [TAC Chapter 228, Rule 228.30](#))

Code of Ethics- §228.30 (1) the code of ethics and standard practices for Texas educators, pursuant to Chapter 247 of this title (relating to Educators' Code of Ethics), which include:

- (A) professional ethical conduct, practices, and performance;
- (B) ethical conduct toward professional colleagues; and
- (C) ethical conduct toward students;

Appropriate Boundaries- §228.30 (7) appropriate relationships, boundaries, and communications between educators and students;

Texas Administrative Code (TAC) Chapter 149, Rule §149.2001

(Link: [TAC Chapter 149. Principal Standards](#))

The skills and competencies captured in the Texas administrator standards as indicated in 19 TAC Chapter 149, Subchapter BB.

National Educational Leadership Preparation Standards

NELP 2.2: Understand and demonstrate the capacity to evaluate, communicate about, and advocate for ethical and legal decisions.

NELP 5.3: Understand and demonstrate the capacity to communicate through oral, written, and digital means within the larger organizational, community, and political contexts when advocating for the needs of their school and community.

NELP 6.3: Reflectively evaluate, communicate about, and implement laws, rights, policies, and regulations to promote student and adult success and well-being. NELP 7.1: Collaboratively develop the school's professional capacity through engagement in recruiting, selecting, and hiring staff.

NELP 7.2: Engage staff in a collaborative professional culture designed to promote school improvement, teacher retention, and the success and well-being of each student and adult in the school.

See Appendix A for a complete list of standards, competencies, and other expectations.

Expectations

Learning Effort

Regular online participation is required. Please monitor your email account at least every 24 hours in order to maintain contact with your instructor. Please attend to discussion posts in a timely manner. Professional dialogue opportunities and active participation are part of this class and will be considered part of the grade.

Reading and Presentation

This course requires a great deal of reading. The summary of case law in American Public School Law and The Educator's Guide are great resources. Students are encouraged to use a variety of presentation methods as part of the briefing that are to be shared via D2L or Flipgrid.

Assignments

Key Assessment: Human Resources Hiring Plan and Case Studies

As you lead the people in your school, it is important that you are aware of legal considerations in human resource management. You will create

a Human Resources Legal Plan to demonstrate your understanding in this area.

You will search the Texas Administrative Code as it relates to the issues of *Hiring, Teacher Induction, Teacher Discipline* and *Teacher Dismissal*. For each of the four issues, you will then describe the policies and procedures that you will follow and/or put into place to ensure adherence to the law in these areas. As you begin to think about policies and procedures, consult with your principal or district HR personnel to see what is already in place. Do not just list policies and procedures. Describe how you would implement them.

Evaluating and Grading

- **Discussion:** Each of the five *Discussion* questions provides a forum to dialogue with colleagues on a legal issue covered in each module.
- **Quizzes:** Each of the eight *Quizzes* consists of 10 true-false, fill-in-the-blank, multiple-answer, multiple-choice formatted questions to ensure prompt recall of basic school law facts and concepts.
- **TEXES Patterns Quizzes:** Each of the five TEXES Patterns Quizzes consists of between 1-3 multiple choice questions covering legal patterns discussed in each module.
- **Key Assessment:** Develop a Human Resources Legal Plan for the hiring and retention of qualified teachers along with two case studies/scenarios.

Assessment and Assignment Points

- Discussion 250 points: 5 posts @50 points each
- Quizzes 800 points: 8 quizzes @100 points each
- TEXES Patterns Quizzes 250 points: 5 quizzes @ 50 points each
- Key Assessment 300 points

Final Grade Calculations Total Points= 1600

Point Range	Course Grade
1440-1600 points	A
1280-1439 points	B
1120-1279 points	C
960-1119 points	D
Below 960 points	F

Additional Course and University Information

Projects Required

EDLE 5623 has one key assessment that must be uploaded to TK20 for Texas
1/5/2022

Principal Certification candidates.

Attendance/Participation

Active participation in class is paramount to your success in this course. The purpose of the course is to attain knowledge. Read the assigned chapters, supplementary materials, court cases, view the videos/presentations, and the like in preparation for class. Failure to submit all assignments may result in failing the course.

Candidates/Students are required to complete assignments within the timeframes established for each assignment. Attendance for this online course is determined by ***logins to D2L** and timely completion of assignments.

Regular online participation is required. Please attend to discussion posts in a timely manner. Professional dialogue opportunities are part of this class; timely participation will be considered part of the grade.

Absence Policy for Online Courses

Because this is an online course, attendance will be taken in the form of your participation in discussions and submission of assignments. Failure to submit three (3) assignments on-time and/or submission of incomplete assignments are considered evidence of lack of dependability and are taken seriously. Candidates will receive a grade of F on the third missing or incomplete assignment based upon the discretion of Dr. Robles.

Instructor Drop

An instructor may drop a student any time during the semester for excessive absences, for consistently failing to meet class assignments, for an indifferent attitude, or for disruptive conduct. The instructor must give the student a verbal or written warning prior to dropping the student from the class. An instructor's drop of a student takes precedence over the student-initiated course drop of a later date. The instructor will assign a grade of either W or F through the first 8 weeks of a long semester, the first 6 weeks of a 10-week summer term, or the 11th class day of a 4 or 5-week summer term consisting of 20 days. After these periods, the grade will be an F. The date the instructor drop form is received in the Office of the Registrar is the official drop date.

Quality Requirements

"Turning in" all assignments is not enough to insure an "A" in the course. Quality of work turned in on time is the most important criterion for receiving an "A."

Expectations for Written Work

- Correct grammar, punctuation, and spelling are expected on all written assignments (although web discussions are not held to the high standard of a research project or other written assignment). APA style should be followed.
 - All written work should be completed in a professional style. Using correct spelling and grammar are important writing skills you must know well because your students will learn from you. Therefore, all written assignments will have 10% -20% of the grade based on spelling and grammar. Expectations are for quality work.
 - Written assignments should be done in Microsoft Word and turned in as an attachment on D2L.
 - Discussions should be completed within the D2L discussion space and not uploaded as an attachment (unless defined by specific directions).
 - Due dates should be honored in order to receive the highest score.
 - When referring to the ideas of others, works should be cited using the APA format.

Adhering to Professional Ethics

When using professional sources in your writing, please cite sources you have used or ideas you have adapted when completing assignments. Use of copyrighted materials must adhere to legal and ethical guidelines. If part of an assignment is submitted for credit in more than one course, both professors must pre-approve this dual credit and the dual use should be referenced clearly on both assignments.

Mutual Respect

Remember that there are other human beings reading your postings, so treat everyone with respect. Do not post anything you would not be willing to communicate face to face. Distance conveys a degree of anonymity. It is for this reason that we must be cognizant of our postings online. Become familiar with the following guidelines regarding both online discussions and email messages.

- Use appropriate language. Excessive use of "chat" or "instant messaging" jargon is not acceptable for D2L discussions.
- Read existing follow-up postings and do not repeat what has already been said.
- Inappropriate and/or offensive language, especially comments that might be construed as racist or sexist, are not appropriate and will be dealt with on an individual basis.

- Be careful with humor and sarcasm. One person's humorous comment can be another person's rude or degrading remark.
- Do not use all caps in an online environment. Using all caps is considered SHOUTING.
- Use proper spelling, capitalization, grammar, usage, and punctuation. Utilize the Spell Check feature.

Submission of Assignments

All assignments must be submitted to the assignment page for this course in D2L or assigned third party software. A minimum of 5 points will be deducted for assignments not submitted through D2L or the assigned third party software.

Student Handbook

Refer to: [Student Handbook-2022-23](#)

Academic Misconduct Policy & Procedures

Academic Dishonesty: Cheating, collusion, and plagiarism (the act of using source material of other persons, either published or unpublished, without following the accepted techniques of crediting, or the submission for credit of work not the individuals to whom credit is given). Additional guidelines on procedures in these matters may be found in the Office of Student Conduct. [Office of Student Conduct](#)

Extra Credit

No extra credit assignments will be given or accepted.

Late Work

Work should be turned in on the designated due date. This is especially important for discussion posts. If an emergency arises and you need additional time on an assignment that does not involve the participation of your peers, please reach out to Dr. Robles to make arrangements. Please note, points may be deducted.

Important Dates

Last day for term schedule changes: Jan 17-20, 2023

Deadline to file for graduation: May graduation Feb 20, 2023

Last Day to drop with a grade of "W": Mar 27, 2023

Refer to: [Drops, Withdrawals & Void](#)

Desire-to-Learn (D2L)

Extensive use of the MSU D2L program is a part of this course. Each student is expected to be familiar with this program as it provides a primary source of communication regarding assignments, examination materials, and general course information. You can log into [D2L](#) through the MSU Homepage. If you experience difficulties, please contact the technicians listed for the program or contact your instructor.

Online Computer Requirements

Taking an online class requires you to have access to a computer (with Internet access) to complete and upload your assignments. It is your responsibility to have (or have access to) a working computer in this class.

****Assignments and tests are due by the due date, and personal computer technical difficulties will not be considered reason for the instructor to allow students extra time to submit assignments, tests, or discussion postings.*** Computers are available on campus in various areas of the building as well as the Academic Success Center. Our online classes can be accessed from any computer in the world that is connected to the internet. Contact your instructor immediately upon having computer trouble. If you have technical difficulties in the course, there is also a student helpdesk available to you. The college cannot work directly on student computers due to both liability and resource limitations however, they are able to help you get connected to our online services. For help, log into [D2L](#).

Change of Schedule

A student dropping a course (but not withdrawing from the University) within the first 12 class days of a regular semester or the first four class days of a summer semester is eligible for a 100% refund of applicable tuition and fees. Dates are published in the [Schedule of Classes](#) each semester.

Refund and Repayment Policy

A student who withdraws or is administratively withdrawn from Midwestern State University (MSU) may be eligible to receive a refund for all or a portion of the tuition, fees and room/board charges that were paid to MSU for the semester. HOWEVER, if the student received financial aid (federal/state/institutional grants, loans and/or scholarships), all or a portion of the refund may be returned to the financial aid programs. As described below, two formulas (federal and state) exists in determining the amount of the refund. (Examples of each refund calculation will be made available upon request).

Services for Students with Disabilities

In accordance with Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, Midwestern State University endeavors to make reasonable accommodations to ensure equal opportunity for qualified persons with disabilities to participate in all educational, social, and recreational programs and activities. After notification of acceptance, students requiring accommodations should make application for such assistance through Disability Support Services, located in the Clark Student Center, Room 168, (940) 397-4140. Current documentation of a disability will be required in order to provide appropriate services, and each request will be individually reviewed. For more details, please go to [Disability Support Services](#).

College Policies

Campus Carry Rules/Policies

Refer to: [Campus Carry Rules and Policies](#)

Smoking/Tobacco Policy

College policy strictly prohibits the use of tobacco products in any building owned or operated by WATC. Adult students may smoke only in the outside designated-smoking areas at each location.

Alcohol and Drug Policy

To comply with the Drug Free Schools and Communities Act of 1989 and subsequent amendments, students and employees of Midwestern State are informed that strictly enforced policies are in place which prohibits the unlawful possession, use or distribution of any illicit drugs, including alcohol, on university property or as part of any university-sponsored activity. Students and employees are also subject to all applicable legal sanctions under local, state and federal law for any offenses involving illicit drugs on university property or at University-sponsored activities.

Grade Appeal Process

Update as needed. Students who wish to appeal a grade should consult the Midwestern State University [MSU Catalog](#)

Notice

Changes in the course syllabus, procedure, assignments, and schedule may be made at the discretion of the instructor.

Course Schedule

Week or Module	Date Available	Assignment Due Date
Introduction Module	January 17, 2023	January 22, 2023 <ul style="list-style-type: none"> • Introductions Due • Must have textbooks by this date
Module 1 <ul style="list-style-type: none"> • Overview of Federal Government and Education • Overview of State Government and Education • Overview of Local Government and Education • Student Rights Part I & II • Use of School Facilities • Equal Access Act (EAA) 	January 23, 2023	February 5, 2023 <ul style="list-style-type: none"> • Quiz #1 • TExES Patterns Quiz #1 • Discussion #1
Module 2 <ul style="list-style-type: none"> • Attendance • Instruction • Rights of Parents • Special Education • Documentation 	February 6, 2023	February 19, 2023 <ul style="list-style-type: none"> • Quiz #2 • Quiz #3 • TExES Patterns Quiz #2 • Discussion #2
Module 3 <ul style="list-style-type: none"> • Student Discipline • Curbing Violence in Schools • Desegregation • Family Educational Rights and Privacy Rights Acts (FERPA) • Texas Public Information Act (TPIA) • Personnel 	February 20, 2023	March 5, 2023 <ul style="list-style-type: none"> • Quiz #4 • Quiz #5 • TExES Patterns Quiz #3 • Discussion #3
Mid-Term Module	March 6, 2023	March 19, 2023 <ul style="list-style-type: none"> • Begin working on Key Assessment
Module 4 <ul style="list-style-type: none"> • Sexual Harassment • First Amendment and Teacher Rights • Fair Labor Standards Act (FLSA) • Divorced Parents • Child Protective Services • Police • UIL Booster Club Guidelines • UIL and TEA Eligibility Guidelines 	March 20, 2023	April 2, 2023 <ul style="list-style-type: none"> • Quiz #6 • Quiz #7 • TExES Patterns Quiz #4 • Discussion #4
Module 5 <ul style="list-style-type: none"> • Texas School Finance • Special Issues • Nutrition • Drug Testing • Legal Liability 	April 3, 2023	April 16, 2023 <ul style="list-style-type: none"> • Quiz #8 • TExES Patterns Quiz #5 • Discussion #5
Key Assessment <ul style="list-style-type: none"> • Human Resources Legal Plan 	April 17, 2023	April 30, 2023 <ul style="list-style-type: none"> • Human Resources Plan

References/Scientifically-Based Research/Additional Readings:

- Kemerer, F., & Crain, J (2016). *Texas documentation handbook: Appraisal, nonrenewal, termination* (6th ed.). Texas School Administrators' Legal Digest.
- NPBEA. (2018). *National Educational Leadership Preparation (NELP) Program Standards - Building Level*. Retrieved from: [Article](#).
- Texas Education Agency. (2020). *TExES Preparation Manual*. Retrieved January 8, 2022, from [Article](#).
- Texas Education Agency. (2018). *Chapter 241. Certification as Principal*. Retrieved January 8, 2022, from [Article](#).
- Walsh, J., Kemerer, F., & Maniotis, L. (2018). *The educator's guide to Texas school law* (9th ed.). The University of Texas Press. ISBN: 978-0-9852527-5-5

Appendix A: Standards/Competencies

Course Objectives or Student Learning Outcomes	Standard or Competency
1. Students will gain an understanding of how local, state, and federal laws impact education.	<p>EDLE Competency 010: <i>*Applies local, state, and federal laws and policies to support sound decisions while considering implications related to all school operations and programs (e.g., student services, food services, health services, and transportation).</i></p> <p>NELP 6.3: <i>Reflectively evaluate, communicate about, and implement laws, rights, policies, and regulations to promote student and adult success and well-being.</i></p> <p>TAC §228.30 (1) <i>the code of ethics and standard practices for Texas educators, pursuant to Chapter 247 of this title (relating to Educators' Code of Ethics), which include:</i></p> <ul style="list-style-type: none"> (A) <i>professional ethical conduct, practices, and performance;</i> (B) <i>ethical conduct toward professional colleagues; and</i> (C) <i>ethical conduct toward students;</i> <p>TAC §228.30 (7) <i>appropriate relationships, boundaries, and communications between educators and students;</i></p>
2. Students will recognize key education-related provisions of the U.S. Constitution, federal statutes, Texas Constitution and statutes, including provisions of the Texas Education Code.	<p>EDLE Competency 010: <i>*Applies local, state, and federal laws and policies to support sound decisions while considering implications related to all school operations and programs (e.g., student services, food services, health services, and transportation).</i></p> <p>EDLE Competency 011: <i>*Applies legal guidelines (e.g., in relation to students with disabilities, bilingual education, confidentiality, and discrimination) to protect the rights of students and staff and to improve learning opportunities.</i></p> <p>NELP 2.2: <i>Understand and demonstrate the capacity to evaluate, communicate about, and advocate for ethical and legal decisions.</i></p>
3. Students will identify key court rulings that establish school law parameters at the campus level.	<p>EDLE Competency 010: <i>*Applies local, state, and federal laws and policies to support sound decisions while considering implications related to all school operations and programs (e.g., student services, food services, health services, and transportation).</i></p> <p>EDLE Competency 011: <i>*Applies legal guidelines (e.g., in relation to students with disabilities, bilingual education, confidentiality, and discrimination) to protect the rights of students and staff and to improve learning opportunities.</i></p>

<p>4. Students will understand how Board policies and administrative regulations/directives translate the law into real work requirements and application.</p>	<p>EDLE Competency 006: <i>*Invest and manage time to prioritize the development, support, and supervision of the staff to maximize student outcomes.</i></p> <p>EDLE Competency 006: <i>*Create leadership opportunities, define roles, and delegate responsibilities to effective staff and administrators to support campus goal attainment.</i></p> <p>EDLE Competency 006: <i>*Implement effective, appropriate, and legal strategies for the recruitment, screening, hiring, assignment, induction, development, evaluation, promotion, retention, discipline, and dismissal of campus staff.</i></p> <p>EDLE Competency 011: <i>Implements policies and procedures that require all campus personnel to comply with the Educators' Code of Ethics (TAC Chapter 247).</i></p> <p>NELP 6.3: Reflectively evaluate, communicate about, and implement laws, rights, policies, and regulations to promote student and adult success and well-being.</p> <p>NELP 7.1: <i>Collaboratively develop the school's professional capacity through engagement in recruiting, selecting, and hiring staff.</i></p> <p>NELP 7.2: <i>Engage staff in a collaborative professional culture designed to promote school improvement, teacher retention, and the success and well-being of each student and adult in the school.</i></p>
<p>5. Students will develop a rudimentary knowledge of basic legal terminology and the court system to decipher legal materials and effectively participate in basic school law related discussions, workshops, and conferences.</p>	<p>EDLE Competency 010: <i>*Applies local, state, and federal laws and policies to support sound decisions while considering implications related to all school operations and programs (e.g., student services, food services, health services, and transportation).</i></p> <p>EDLE Competency 011: <i>*Applies legal guidelines (e.g., in relation to students with disabilities, bilingual education, confidentiality, and discrimination) to protect the rights of students and staff and to improve learning opportunities.</i></p> <p>NELP 2.2: <i>Understand and demonstrate the capacity to evaluate, communicate about, and advocate for ethical and legal decisions.</i></p> <p>NELP 5.3: <i>Understand and demonstrate the capacity to communicate through oral, written, and digital means within the larger organizational, community, and political contexts when advocating for the needs of their school and community.</i></p> <p>NELP 6.3: <i>Reflectively evaluate, communicate about, and implement laws, rights, policies, and regulations to promote student and adult success and well-being.</i></p>

Appendix B: Assignment Standard Alignment

Assignment/Module/ Course Activities	Course Objectives	Standard or Competency
Discussions	1, 2, 3, 4, 5	EDLE Competency 010, 011 NELP 2.2, 5.3, 6.3 Code of Ethics- §228.30 (1) Appropriate Boundaries- §228.30 (7)
Quizzes	1, 2, 3, 4, 5	EDLE Competency 010, 011, 011, 011 NELP 6.3
TExES Patterns Quizzes	1, 2, 3, 4, 5	EDLE Competency 010, 011, 011, 011 NELP 6.3
Human Resources Legal Plan	1, 2, 4	EDLE Competency 006, 006, 006, 011 NELP 2.2, 7.1, 7.2