

**GEORGE MASON UNIVERSITY  
COLLEGE OF EDUCATION & HUMAN DEVELOPMENT  
EDUCATION LEADERSHIP PROGRAM  
EDLE 612, Section A02, Summer 2013  
EDUCATION LAW**

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**Office Hours:** By Appointment

**Schedule Information**

**Location:** George Mason University, Room L014  
Thompson Hall

**Meeting Times:** Tuesday & Thursday, 4:30 p.m. – 7:10 pm  
Saturday 9:00 a.m. – 12:05 p.m

**Course Description EDLE 612 Education Law**

Catalog description: Provides legal foundations of U.S. public schools. Examines general principles of statutory and case law and applies judicial decisions to educational environments. Focuses on legal responsibilities, constraints, and opportunities of public school officials. Includes a component on Special Education Law.

**Nature of Course Delivery**

A variety of instructional methods are used in this course including: large-and small-group instruction, cooperative learning activities, Internet assignments, lectures, guest practitioner presentations (if possible), individual presentations, case studies, role-play, and written and verbal assignments.

**National Standards and Virginia Competencies**

The course addresses VADOE Competencies, Educational Leadership Policy Standards (formerly the ISLLC Standards), and ELCC (NCATE) Standards dealing with the legal, ethical, and political context of education. Specific ELCC Standards addressed include: 5.1, 5.2, 5.3, 6.1, 6.2, and 6.3. Virginia competencies include: c(6) Legal issues and e(1) Philosophy of education that reflects honesty, fairness, caring, and equity. In addition to these competencies, candidates will develop an explicit understanding of Virginia's "Child Abuse and Neglect Recognition and Intervention Act (Code of Virginia 22.1-98). Such understanding will include:

1. Recognizing child abuse and neglect
2. Reporting child abuse and neglect
3. Intervention following a child protective services investigation

**General Goals**

*Content:* Legal problems with students, parents, and community organizations are increasing in both number and complexity, and official reactions and solutions to these problems are likely to be subjected to judicial

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review. A wrong step can land a school administrator in court—with the accompanying expense, notoriety and often, embarrassment. Litigation cannot be avoided entirely, but school systems, administrators and teachers can minimize strife and increase their chances of success in suits that are filed by knowing the law, anticipating problems and taking precautionary steps. Court decisions about school law along with new state and federal statutes have both increased dramatically in the last decade. Colleges and universities preparing prospective teachers and administrators have offered courses in school law. Some state legislatures and state boards of education have prescribed training in school law as one of the prerequisites for certification.

#### *Teaching and Learning:*

1. Discussion is an important part of this course. All candidates are expected to make multiple, thoughtful contributions to each class discussion, based on careful reading of the text and taking into account what classmates have previously said.
2. Writing is an important activity for many roles within schools. Therefore, the process of writing will be emphasized so that candidates will achieve the following objectives:
  - develop greater confidence in their ability to write expository, analytical, and persuasive prose;
  - learn how to review their own work and the work of others to eliminate errors and maximize clarity; and
  - produce written products immune to criticism from a skeptical public.

All written work is required to be submitted on time, as indicated below. All written work must be edited carefully before being submitted so that candidates are turning in their best work.

*Classroom Climate:* A positive climate depends on cooperation among all students and with the instructor. Candidates need to work together to ensure that everyone has the confidence to participate honestly and energetically. Every candidate is expected to:

1. be fully prepared for each class session;
2. be attentive to others and respond thoughtfully and respectfully;
3. work toward a common purpose;
4. persevere through the common challenge of understanding education law; and
5. affirm one another's successes and help one another overcome weaknesses.

#### **Course Objectives**

This course serves as the foundation for understanding the legal process related to education in the Master's sequence in Education Leadership. All of the program goals are active, to a greater or lesser degree, in this course. Students taking this course will:

1. Engage in reflective practice with regard to education law (internship-related assignments);
2. Strengthen and improve their communication skills through class discussion and paper writing
3. Understand the legal implications and responsibilities associated with cultural, economic, and learning diversity;
4. Reflect on the intersection of law and ethics and the ethical implications of applying education law to everyday situations in schools and school divisions; and
5. Learn how to use the Internet to obtain legal information.

#### **Student Outcomes**

The outcomes below are related to both suggested and required performances. All instructors are required to include the following four performances:

1. Legal Issue Analysis
2. Special Education Case Study Analysis
3. Code of Ethics Development
4. Ethical Case Study Analysis

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Students will focus on major legal and ethical issues in education. At the end of this course, successful students will be able to:

1. Verbally demonstrate an informed perspective on major topics in education law;
2. Analyze a case study involving the identification, placement and provision of programs and services for a student who is eligible pursuant to special education provisions;
3. Analyze key educational law issues in a manner that reveals comprehension of political, social, ethical, and legal influences, specifically the principles, laws, policies, cases & regulations that are applicable in education.

### **Relationship of Course Goals to Program Goals**

This course will enable students to develop knowledge, skills and dispositions that will prepare them to create and maintain learning environments that value diversity, continual knowledge acquisition, instructional leadership, innovative and ethical decision-making, reflective practice, and successful achievement of all school-aged youth.

### **Relationship of Course to Internship**

Although the internship is a separate course, the Education Leadership program has integrated “embedded experiences” into course work. This means that some of the work for this class is related to your internship. You may write about embedded experiences in your internship journal and Collective Record, but they can only count over and above the minimum 320 hours required for the internship.

### **Course Materials - Readings**

Text: LaMorte, M. W. (2012). School Law: Cases and concepts (10<sup>th</sup> ed.). Upper Saddle, NJ: Pearson.

The required text is available in the GMU Bookstore in the Johnson Center. Additional materials and hand-outs will be posted on Taskstream and/or distributed in class.

Virginia Code: <http://lis.virginia.gov/000/src.htm>

United States Code: <http://uscode.house.gov/search/criteria.shtml>

US Dept of Education: <http://www.ed.gov/index.jhtml>

George Mason University Library/LexisNexis Academic: <http://library.gmu.edu/>

Subscribe to National School Boards Association’s Council of School Attorneys’ Legal Clips: [http://legalclips.nsba.org/?page\\_id=2](http://legalclips.nsba.org/?page_id=2) (Weekly Digest)

### **Classroom Materials**

In order to successfully complete required assignments, students must have access to a personal computer with internet access, be able to use basic word processing and e-mail, and access appropriate websites (see recommended websites) for supplemental materials. **Correspondence by e-mail will use your Mason e-mail account.**

### **Outside-of-Class Resources**

Candidates are required to use Taskstream (<http://taskstream.gmu.edu>) as part of this course. Vital information for the course will be posted on Taskstream; and we will communicate regularly through this site. Candidates are required to submit their course assignments electronically using the Taskstream website. Online access is vital for the distance learning aspects of the course and is an important part of course participation grade. **All students are required to activate and monitor their GMU e-mail accounts.**

**Cancellation Policy:** If a cancellation is necessary, the class will be made up via an electronic activity. Specifically, candidates are expected to log-on to the computer in order to participate in an electronic discussion/activity as directed, which will replace the missed class.

## Course Requirements, Performance-based Assessment, and Evaluation Criteria

### Participation and Attendance (15 points)

Students are expected to attend every class for its entirety. **Maximum class participation points will be earned by students who attend all classes, are on time and do not leave early.** Part of your course grade is earned through ongoing assessment of your attendance, performance, communication and professional disposition in class discussions. Punctual attendance and regular class participation are vital to your success in this course. Participation includes, but is not limited to the following:

- Coming to class prepared (i.e., reading the assigned material)
- Demonstrate respect and civility (**avoid side conversations, multi-tasking, etc...**)
- Professional behavior and presentation
- Willingness to volunteer for a class activity
- Contributing to class discussion in a meaningful manner
- Sticking to the topic at hand
- Respect for others' responses and questions
- Use of appropriate problem solving techniques
- Appropriate use of allotted time
- Sharing experiences from work that are relevant to the class discussion

### Written Assignments (85 points)

Since this is a graduate-level class, **high quality work** must be demonstrated on all written assignments and is expected. Students should refer to the appendices and rubrics for specific guidance on written assignments. Candidates are expected to submit their work on time.

- |  |                                   |
|--|-----------------------------------|
| 1. Ethics Code and Case Study Analysis (25 points) | Directions & Due Date: Appendix A |
| 2. Legal Issue Analysis (35 points)                | Directions & Due Date: Appendix B |
| 3. Special Education Case Study (25 points)        | Directions & Due Date: Appendix C |

### Expectations for Written Work

Use appropriate grammar.  
Writing should be the caliber of a graduate student.  
Use Times Roman or Arial font and 12-point type size  
Include a cover page with name, date & assignment.  
Follow APA guidelines (double space, references, etc.).

Spell correctly.  
Type all work.  
Write clearly.  
Find a good proofreader!  
**Avoid plagiarism!!!!**

### Penalty for Late Work

All written work must be submitted on time to receive full credit. Late submission, of any duration whatsoever, will result in an automatic grade reduction as follows: on the first assignment a reduction five (5) points; late submission on the second assignment means a grade reduction of ten (10) points; and lateness on the third results in a fifteen (15) point reduction. Note that points will be deducted from the most heavily weighted section of the particular assignment.

*Grade Appeals:* Candidates must present grade appeals in writing and must put forth a reasonable written explanation that supports their request for a grade change.

<b><u>Grading Scale:</u></b>	A+	=	100 percent
	A	=	95 - 99 percent
	A -	=	90 - 94 percent
	B+	=	86 - 89 percent
	B	=	83 - 85 percent
	B-	=	80 - 82 percent
	C	=	75 - 79 percent
	F	=	74 percent or below

## George Mason University Policies and Resources for Students

- a. Academic integrity (honor code, plagiarism) – Students must adhere to guidelines of the George Mason University Honor Code [See <http://oai.gmu.edu/honor-code/>].
- b. Mason Email – Students are responsible for the content of university communications sent to their George Mason University email account and are required to activate their account and check it regularly. All communication from the university, college, school, division, and program will be sent to students solely through their Mason email account. Students must follow the university policy for Responsible Use of Computing [See <http://universitypolicy.gmu.edu/policies/responsible-use-of-computing/>].
- c. Counseling and Psychological Services – The George Mason University Counseling and Psychological Services (CAPS) staff consists of professional counseling and clinical psychologists, social workers, and counselors who offer a wide range of services (e.g., individual and group counseling, workshops, and outreach programs) to enhance students' personal experience and academic performance [See <http://caps.gmu.edu/>].
- d. Office of Disability Services – Students with disabilities who seek accommodations in a course must be registered with the George Mason University Office of Disability Services (ODS) and inform their instructor in writing at the beginning of the semester <http://ods.gmu.edu/>.
- e. Students must follow the university policy stating that all sound emitting devices shall be turned off during class unless otherwise authorized by the instructor.
- f. The Writing Center (Optional Resource) – The George Mason University Writing Center staff provides a variety of resources and services (e.g., tutoring, workshops, writing guides, handbooks) intended to support students as they work to construct and share knowledge through writing [See <http://writingcenter.gmu.edu/>].
- g. University Libraries (Optional Resource) – The George Mason University Libraries provide numerous services, research tools, and help with using the library resources [See <http://library.gmu.edu/>].

**Core Values Commitment:** The College of Education and Human Development is committed to collaboration, ethical leadership, innovation, research-based practice, and social justice. Students are expected to adhere to these principles.

\* For additional information on the College of Education and Human Development, Graduate School of Education, please visit our website [See <http://gse.gmu.edu/>].

\***Plagiarism:** Students must avoid plagiarizing the work of others. Specifically, when referencing a source or author, students must give appropriate source documentation; and when using direct quotes, students must use quotations, provide page numbers, and ensure that credit is given to the author of quoted material. If a student's work contains plagiarism, the student will receive no credit for the assignment.

**Draft of Weekly Schedule and Reading Assignments**

<b>Class</b>		<b>Topic</b>	<b>Readings</b>	<b>Assignments Due</b>
1	May 21	Review Syllabus & Course Intro to Law & Education Legal Brief (Reading & Analyzing Cases)	Powerpoints (hand-out)	
2	May 23	Educational Governance Compulsory Attendance Homeschooling Finding Cases & Legal Resources	Reading Assignment for 5/23: Governance & Attendance Powerpoints (Taskstream) TEXT: Preface, pp.1-24, Appendices A, B, C & D	
3	May 25	No Face-to-Face Class -- Memorial Day Weekend		<b>Review sample Ethical Case Study</b>
4	May 28	Discuss Ethics assignment  Law & Ethics Work on Ethics assignment – --Brainstorm ethical dilemmas --Discuss ethical codes	Reading Assignment for 5/28: Horner.Ethics and Bon. Crossroads articles (Taskstream) Law&EthicsPowerpoint (Taskstream)	<b>Bring a draft version of your Professional Code of Ethics</b>
5	May 30 <b>Online Activity</b>	No Face-to-Face Ethical Case Study	Reading Assignment for 5/30: Ethical Case Study (Communications Taskstream tab)	
6	June 1	Religion in Schools, Prayer, Equal Access Act	Reading Assignment for 6/1: Religion Powerpoint(Taskstream) TEXT: pp. 24-29, 33-55, 59-68, 75-77	<b>Ethics Assignment Due June 6, 2013</b>
7	June 4	Student Free Speech Rights Student Discipline FERPA & Defamation	Reading Assignment for 6/4: Free Speech, Discipline, FERPA Powerpoints (Taskstream) Case Study (assigned) TEXT: pp. 85-105, 108-129	
8	June 6	Search & Seizure Athletics and Bullying	Reading Assignment for 6/6: Search & Seizure, Extracurricular Powerpoints, Bullying articles (Taskstream) TEXT: pp. 129-146,148-152, 154-157	
9	June 8	Liability & Negligence Child Abuse Sexual Harassment	Reading Assignment for 6/8: Liability & Abuse and Harassment Powerpoints (Taskstream) TEXT: pp. 326-341, 345-349	
10	June 11	Teacher Employment Rights Free Speech Instructional Issues	Reading Assignment for 6/11: Employment, Speech & Instruction Powerpoints Taskstream) TEXT: pp. 158-179,183-185, 189-197, 200-205	<b>Legal Analysis Assignment Due June 14, 2013</b>
11	June 13	Employment Discrimination	Reading Assignment for 6/13: TEXT: pp. 206-209, 213-214, 217-220, 226-228	
12	June 15	Students with Disabilities	Reading Assignment for 6/15: Discrimination & Special Education Powerpoints (Taskstream)	

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			TEXT: pp. 254-277, 284- 286	
13	<b>June 18 Last Face- to-Face Class</b>	Desegregation Choice Plans, Homeless Students English Language Learners NCLB & ESEA	Reading Assignment for 6/18: Powerpoints & Articles (Taskstream) TEXT: pp. 229-240, 248-253, 312- 3315, 320-325 Bring article on NCLB/ESEA	
14	<b>June 20 Special Education Analysis</b>			<b>Special Education Analysis Assignment Due June 22, 2013</b>

NOTE: The above represents an approximation of the items to be covered and the respective dates. True coverage will depend on the pace of the discussion, the collective needs of students and the professor and the demands of time. You are expected, however, to keep pace with the calendar of assigned readings. **\*Online activities are in lieu of face-to-face class meetings.**

## APPENDIX A

### Ethics Code, Case Study & Analysis

This assignment has three parts as described below and in detail in the Ethical Case Study Rubric:

**DUE DATE: 6/6/2013**

**ASSIGNMENT VALUE: 25 Points**

#### **I. Develop a Code of Ethics.**

- A. Identify key ethical and legal principles, personal values, and provide a reference to the source of authority (e.g., theoretical, philosophical, personal beliefs, morals, etc...) for these principles and values.
- B. Examine several (2-3) existing codes of ethics and provide the name and link to these codes in reference list for this assignment. Explain the influence of these codes on your personal development of a code of ethics.
- C. Develop your own personal code of ethics.

#### **II. Identify and write about a case study that involved an ethical dilemma in your school system, then use your Code of Ethics to analyze the case study.**

- A. Identify the rights and interests of all individuals involved in the case study.
- B. Explain how you used your code of ethics to analyze the ethical dilemma in your case study.
- C. Your discussion should clearly demonstrate your commitment to confidentiality, sensitivity to diverse interests, and respect for rights, dignity, and integrity of others.

#### **III. Seek feedback from a colleague in your school system about how you used your Ethics Code to analyze the identified ethical dilemma.**

- A. Explain briefly why you chose this colleague and describe the general nature of the discussion.
- B. Share how your colleague reacted and any advice or insights that your colleague shared with you regarding the application of your ethics code to the case study analysis.

## Ethical Case Study Assessment Rubric

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
<b>ELCC 5.1</b> Candidates demonstrate understanding of need for integrity and fairness through the development of an ethical code based on ethical and legal principles. (15%)	The candidate develops a code of ethics that includes clearly identified ethical and legal principles from at least 3 different professional codes of ethics; and clearly explains how the developed code reflects understanding of the ethical and legal principles that are critical to school leadership.	The candidate develops a code of ethics that includes ethical and legal principles from 3 different professional codes of ethics; and explains how the developed code reflects general understanding of the ethical and legal principles that are critical to school leadership.	The candidate develops a code of ethics that includes ethical and legal principles from only 2 codes of ethics; and discussion of the developed code lacks evidence of understanding the ethical and legal principles that are critical to school leadership.	The candidate develops a code of ethics but fails to identify ethical and legal principles as the primary source and foundation of the code; discussion of the developed code lacks evidence of understanding the ethical and legal principles that are critical to school leadership.
<b>ELCC 5.3</b> Candidates understand and safeguards the values of democracy, equity, and diversity within the school. (25%)	The candidate thoroughly describes an ethical dilemma and carefully evaluates several school policies and procedures that would support resolution of the dilemma. The candidate demonstrates in-depth understanding of the need to promote democratic values, equity, and respect for diversity.	The candidate briefly describes an ethical dilemma and evaluates several school policies and procedures that would support resolution of the dilemma. The candidate demonstrates understanding of the need to promote democratic values, equity, and respect for diversity.	The candidate poorly describes an ethical dilemma and evaluates school policy and procedures that would support resolution of the dilemma. The candidate demonstrates limited understanding of the need to promote democratic values, equity, and respect for diversity.	The candidate fails to describe an ethical dilemma, and also fails to evaluate school policies and procedures that would support resolution of the dilemma. The candidate fails to demonstrate understanding of the need to promote democratic values, equity, and respect for diversity.
<b>ELCC 5.2</b> Candidates understand and can model principles of self-awareness, reflective practice, transparency, and ethical behavior as related to their roles within the school. (25%)	The candidate thoroughly describes discussion with a colleague to formulate a detailed leadership response to an ethical dilemma; and analyzes the leadership decision demonstrating specific awareness of established ethical standards and practices.	The candidate sufficiently describes discussion with a colleague to formulate a leadership response to an ethical dilemma; and analyzes the leadership decision, explaining established ethical standards and practices.	The candidate describes discussion with a colleague to formulate a leadership response to an ethical dilemma; and analyzes the leadership decision, explaining established ethical standards and practices.	The candidate fails to describe discussion with a colleague to formulate a leadership response to an ethical dilemma; and analyzes the leadership decision, explaining established ethical standards and practices.
<b>ELCC 5.4</b> Candidates understand and can evaluate the potential	The candidate uses the code of ethics to analyze the case and clearly demonstrates	The candidate applies the code of ethics to the case and demonstrates commitment to	The candidate inadequately applies the code of ethics to the case and fails to clearly	The candidate fails to apply the code of ethics to the case and fails to demonstrate

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
moral and legal consequences of decision making in the school. (25%)	commitment to confidentiality, sensitivity to diverse interests, and respect for rights, dignity, and integrity of others.	confidentiality, sensitivity to diverse interests, and respect for rights, dignity, and integrity of others.	demonstrate commitment to confidentiality, sensitivity to diverse interests, and respect for rights, dignity, and integrity of others.	commitment to confidentiality, sensitivity to diverse interests, and respect for rights, dignity, and integrity of others.
Writing and flow of thought are clear and thorough, content is scholarly and instructive. Paper is grammatically correct. (10%)	The paper is generally error-free, reflects extensive editing, proofreading, and graduate level work. Sentence structures and word choice are excellent.	The paper is generally error-free, reflects sufficient editing, proofreading, and graduate level work. Sentence structures and word choice are good.	The paper contains spelling and grammatical errors, reflects poor editing and proofreading, and is approaching graduate level work. Sentence structures and word choice are adequate.	The paper contains far too many spelling and grammatical errors, reflects poor editing and proofreading, and is approaching graduate level work. Sentence structures and word choice are poor.

## APPENDIX B

### Legal Issue Analysis

Candidates are expected to respond in long essay form (*4-6 pages double-spaced per question*) to questions #1 and #2. Be sure to adhere to the expectations for written work, the specific directions provided for each question, and to the general guidelines in the Legal Issue Analysis Rubric for each question. For each question below, carefully explain how you ~ assume the role of an assistant school principal ~ would proceed in this scenario given your astute legal knowledge. ☺

**DUE DATE: 6/14/ 2013**

**ASSIGNMENT VALUE: 35 Points**

**1. Students' Rights (Focus on free speech, search & seizure):** Focus on the key issues - **free speech and search & seizure**. Jane I. and Jack B. are two students who are suspected of being involved in a gang because of other kids with whom they are friends are suspected gang members. As the assistant principal you have been keeping a fairly close watch over them because of your gang suspicion and because of their recent discipline incidents – both students were suspended for fighting in the past month. You then witnessed both students after school, still on school grounds, handing papers out to a few other students. How would you proceed in your investigation of their distribution of papers? What if you suspected that they were promoting gang activities with the papers they were handing out to other students? Is this enough information to target Jane or Jack's lockers to find out additional information to support your investigation into their activities? Explain why or why not. Would Jane or Jack be able to claim that their free speech rights protect their right to distribute whatever papers they want as long as the papers are handed out after school? Be sure your responses to these questions are clearly supported using key cases, state statutes, and constitutional provisions. Conclude your discussion with sound legal and practical advice regarding the policies and/or school-wide practices that school administrators should adopt and follow in their quest to maintain a safe and secure school while also protecting the free speech rights of students.

**2. Non-constitutional issues (Focus on sexual harassment, child abuse, immunity, liability):** Identify and discuss the key cases and state and federal statutes that are applicable to the following fact pattern – focus on the issues identified – **sexual harassment, child abuse, immunity, liability**. You were conducting a safety inspection of the athletic fields and stadium area on Friday after school and observed an unusual incident on the soccer field. At first you just dismissed the interaction between coach and player; specifically you observed a hug that appeared to be intimate and lasted far too long. You have encouraged coaches to limit the degree of familiarity between coach and player given increasing news reports of inappropriate relationships. You are worried that what happened between the student-player and her coach was sexual harassment or maybe even child abuse. As the assistant principal, you realize that you have both an ethical and legal obligation to protect students from sexual harassment, to report suspected child abuse or sexual harassment, and to limit the school system's liability for negligence. At the same time, you are aware that the coach has rights also and so you are hesitant to risk ruining the coach's reputation if you simply misinterpreted the incident. Identify the various issues involved in this scenario and provide a careful discussion of the statutory laws, cases, school policies and ethical principles that guide your reasoning and ultimate resolution of issues.

## Legal Issue Analysis Assessment Rubric

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
Introduction (5%)	Analysis begins with a clear and concise statement of purpose. The introduction provides a comprehensive overview of the case study analysis for the reader.	Analysis begins with a general statement of purpose. The introduction provides a basic overview of the case study analysis for the reader.	Analysis begins with an unclear or limited statement of purpose. The introduction provides an incomplete overview of the case study analysis.	Analysis begins with a confusing and unclear statement of purpose. The introduction fails to provide an overview of the case study analysis.
<b>ELCC 3.3</b> Candidates understand and promote school-based policies and procedures that protect the welfare and safety of students and staff within the school. Candidates evaluate and propose implementation of discipline management plans (for staff and students). (10%)	The candidate identifies at least two school policies or procedures and thoroughly explains how these policies and procedures are applicable to promoting a safe school environment for staff and students. The candidate clearly evaluates and proposes the implementation of discipline management plans (for staff and students).	The candidate identifies at least two school policies or procedures and explains the school-based policies and procedures that are applicable to promoting a safe school environment for staff and students. The candidate evaluates and proposes the implementation of discipline management plans (for staff and students).	The candidate identifies a school policy or procedure but provides a limited explanation of how the policy or procedure is applicable to promoting a safe school environment for staff and students. The candidate evaluates but does not clearly propose the implementation of discipline management plans (for staff and students).	The candidate identifies a school policy or procedure but fails to explain how the policy or procedure is applicable to promoting a safe school environment for staff and students. The candidate fails to evaluate or propose the implementation of discipline management plans (for staff and students).
<b>ELCC 6.1</b> Candidates understand and can advocate for school students, families, and caregivers. (15%)	The candidate includes multiple citations of constitutional, statutory and case laws, policies, and regulations that inform decision making and advocacy for all members of the school community.	The candidate includes citations of constitutional, statutory and case laws, policies, and regulations that inform decision making and advocacy for all members of the school community.	The candidate includes citations of constitutional or statutory and case law, policies, and regulations that inform decision making and advocacy for all members of the school community.	The candidate omits citations of constitutional, statutory and case law, policies, and regulations that inform decision making and advocacy for all members of the school community.
<b>ELCC 6.2</b> Candidates understand and can act to influence local, district, state, and national decisions affecting student learning in a school environment. (15%)	The candidate's written analysis of political, social, economic, legal and cultural context is exemplary. The analysis includes clear & specific reference to the leader's communication practices to appropriate school stakeholders.	The candidate's written analysis of political, social, economic, legal, and cultural context is adequate. The analysis includes a general reference to the leader's communication practices to appropriate school stakeholders.	The candidate's written analysis of political, social, economic, legal, and cultural context is limited. The analysis includes a limited reference to the leader's communication practices to appropriate school stakeholders.	The candidate's written analysis of political, social, economic, legal, and cultural context is unacceptable. The analysis neglects to reference the leader's communication practices to appropriate school stakeholders.
<b>ELCC 5.1</b>	The candidate presents	The candidate presents	The candidate	The candidate

Candidates understand and can act with integrity and fairness to ensure that schools are accountable for every student's academic and social success. (15%)	a comprehensive discussion that includes specific references to the use of leadership practices characterized by fairness and integrity to ensure that school policies support the academic and social success of all students.	a general discussion that includes specific references to the use of leadership practices characterized by fairness and integrity to ensure that school policies support the academic and social success of all students.	presents a general discussion that includes implied references to the use of leadership practices characterized by fairness and integrity to ensure that school policies support the academic and social success of all students.	presents an inadequate discussion with no reference to the use of leadership practices characterized by fairness and integrity to ensure that school policies support the academic and social success of all students.
<b>ELCC 5.2</b> Candidates understand and can model principles of self-awareness, reflective practice, transparency, and ethical behavior as related to their roles within the school. (10%)	The candidate includes a thorough analysis of leadership decisions in terms of established ethical practices, self-awareness, reflective practice and transparency.	The candidate includes a general analysis of leadership decisions in terms of established ethical practices, self-awareness, reflective practice and transparency.	The candidate includes a limited analysis of leadership decisions in terms of established ethical practices or self-awareness or reflective practice or transparency.	The candidate omits an analysis of leadership decisions in terms of established ethical practices, self-awareness, reflective practice and transparency.
<b>ELCC 5.4</b> Candidates understand and can evaluate the potential moral and legal consequences of decision making in the school. (10%)	Candidate clearly demonstrates an in-depth understanding and awareness of the need to consider moral, ethical, and legal consequences of decisions that impact the school environment.	Candidate demonstrates a general understanding and awareness of the need to consider moral, ethical, and legal consequences of decisions that impact the school environment.	The candidate demonstrates limited understanding and awareness of the need to consider moral, ethical, and legal consequences of decisions that impact the school environment.	The candidate fails to demonstrate understanding and awareness of the need to consider moral, ethical, and legal consequences of decisions that impact the school environment.
Discussion of information and references is useful and instructive. (10%)	The candidate gathers numerous (8-10) high quality sources; provides clear and thorough discussion; and conducts critical evaluations of references.	The candidate gathers several (6-7) high quality sources; provides solid discussion; and conducts evaluations of references.	The candidate gathers several (6-7) but not high quality sources; provides some discussion; and conducts limited evaluations of references.	The candidate gathers insufficient and poor quality sources; provides insufficient discussion; and conducts insufficient evaluations of references.
Organization, mechanics and proofreading of the paper. (10%)	The paper is well-organized and error-free; non-discriminatory language is used, clear sentence structures are used. APA format is correct.	The paper is organized. Occasional grammatical or word errors are present. Non-discriminatory language and clear sentence structures are used. A few unclear word choices are present. APA format is used.	The paper is somewhat organized. Several errors are present. Language is discriminatory in nature. Sentence structures are unclear and word choices are confusing. APA format is incorrect.	The paper is poorly organized. Many errors and discriminatory language are present. Sentence structures are poor, word choices are confusing, and APA format is not used.

## APPENDIX C

### Special Populations Case Study Analysis

**DUE DATE: 6/22/2013**

**ASSIGNMENT VALUE: 25 points**

Candidates are expected to analyze the fact pattern that follows, by addressing the specific issues and procedural aspects related to the identification, placement and provision of programs and services for a student who may be eligible for services pursuant to state and federal special education provisions. The key facts, guiding questions, and format are included below. **Candidates must include specific references to key concepts, principles, laws, policies and regulations affecting the rights of students with disabilities.** Candidates may also interview a special education teacher or administrator and reference this interview as a personal communication to help gather the necessary information. The analysis should reveal that the candidate has a clear understanding of the school leader's responsibility to advocate for and protect the rights of all students.

#### **Fact Pattern**

Janelle finished the fifth grade at Edison Elementary in June 2011. She is currently attending middle school as a sixth grader. However, Janelle did not master the academic standards for fifth grade that are required for promotion into sixth grade. Nonetheless, the school and parents agreed to "place" Janelle in the sixth grade.

Janelle has a long history of academic difficulties in the school system. She has struggled with a variety of academic tasks since first grade. She has not met mastery criteria for promotion from grade to grade but instead has been "placed" into the next grade with an acceleration plan designed to bring her up to grade-level within a reasonable period of time. The school district has implemented a number of interventions to assist Janelle in reaching grade level goals but despite these efforts Janelle has not been successful in that regard.

Janelle is a charming and lively young lady who is eager to please and wants to do well. She is very good at watching body language and facial expressions of teachers and peers to compensate for when she doesn't know what to do in class. Janelle has a keen sense of awareness of interpersonal nuances and uses this ability to help her cope with school. However, Janelle also requires a lot of one-to-one teacher attention, frequent redirection, and curricular and instructional modifications and accommodations.

Janelle becomes easily frustrated and overwhelmed with academic tasks that are challenging for her. She has difficulty keeping still and paying attention, needs help completing assignments, has trouble organizing her ideas for writing tasks, and trouble concentrating for longer periods of time. Janelle's attention deficits are significantly limiting her academic progress and ability to learn.

In third grade the, Janelle's teacher recommend that Janelle be evaluated to determine if her academic and behavioral issues in school were an indication of a disability and if she would qualify for an IEP. Janelle needed frequent breaks during the evaluation process – at times Janelle was able to finish the testing planned for the day and other times she could not. The examiner met with Janelle six times before she was able to complete the evaluation. According to the results, Janelle had an overall IQ score of 86; her overall verbal score was an 81. The score of 81 placed her in the low average range for her age. Janelle's overall performance score was a 94. The score of 94 placed her in the average range for her age.

Janelle did not qualify for special education as a student with a learning disability in third grade because her scores did not meet the discrepancy between potential and performance required by state regulations. However, the IEE revealed that Janelle demonstrated areas of weakness in reading comprehension and writing. It is possible that the gap between Janelle's potential and performance may now have widened since the third grade IEE. She may now meet criteria as a student with a learning disability under IDEA. However, neither the school district nor Janelle's family can make that determination without a reevaluation.

Janelle appeared to meet criteria as a student with Attention Deficit Hyperactivity Disorder – Combined Type (“ADHD”). IDEA requires a medical diagnosis of ADHD by a physician for purposes of eligibility under IDEA. Following the IEE, school officials recommended a medical evaluation to address Janelle’s ADHD. However, Janelle’s mother did not follow through on this recommendation.

The school district began serving Janelle through its “504” program following the results of the third grade IEE. A number of instructional modifications and accommodations were specifically designed and implemented from third through fifth grades. Janelle was provided with small group instruction by specialists for reading and math in third, fourth and fifth grades. She received extra assistance and attention from teachers in the school’s Learning Lab. Janelle was also provided with individual tutoring and the opportunity to receive additional instruction during the summers. She did not always take advantage of the tutoring or summer programs to the extent she could have.

The school district also provided Janelle with special reading instruction using educational reading programs specifically designed for children with reading deficits. Her teachers received occupational therapy and behavioral consults and a specific behavior plan was implemented in fourth grade. She was provided with occupational therapy for a period of time to remediate weak handwriting skills. Janelle also participated in small group counseling to improve self-esteem in fourth grade.

Despite these various interventions Janelle continued to lag behind her peers academically by the end of fifth grade. Equally worrisome to school district staff was that Janelle began to exhibit some withdrawal behaviors along with her continued distractibility. At times, Janelle employed “baby talk”, indicative of a need to return to a time in her life when the demands were less. Janelle’s father recently passed away and this has been another challenge for Janelle to cope with.

Janelle’s mother had her evaluated by a developmental pediatrician this past March. The pediatrician concluded that Janelle had a “discreet learning disability,” is a slow processor (in reading), has a specific weakness in reading fluency and needed to work on both memory and reading skills. The pediatrician also noted that Janelle exhibits needs that go “beyond a 504 plan in school ...” (personal communication with pediatrician). The transition to middle school is expected to be difficult for Janelle. Middle school is a much larger, more complex educational environment. The support systems Janelle has enjoyed in elementary school are not always duplicated in the middle school setting. Janelle needs an updated evaluation so that the school district and her family can better identify her specific needs and abilities to ensure sound educational programming and decision-making.

## **Guiding Questions and Format**

### **Section I. Overview of Policies, Procedures and Programs**

1. Given the facts presented above, provide a general overview of the process used in your school system (or specifically in your school building) to initiate the provision of special education services. Be sure to include references to specific school district policies and procedures, as well as references to the relevant federal and state statutes controlling the provision of services to students with disabilities. Your overview may include a bulleted list of steps that are required or recommended in your school system (clearly identify the document or source for your list).
2. Identify 2-3 examples of the types of programs and/or services that are available in your school building or system for a student such as Janelle. Provide enough details here so that a teacher would know who to contact about getting assistance for Janelle; and so the teacher would have a general idea about the types of programs and/or services available for such a student.

### **Section II. Legal Obligations to Identify and Educate Students with Disabilities**

3. May the school district conduct a full and individual evaluation of Janelle T. despite the lack of parental consent? Explain why a school may want to evaluate Janelle. How could the school proceed without parental consent?
4. Briefly explain the child find requirements under IDEA. What does your school system do to meet the child find obligation?

**Section III. Free Appropriate Public Education (FAPE) and Individualized Education Program (IEP)** - *Given that you do not have sufficient information about Janelle to make specific recommendations, provide general explanations in this section about FAPE and the IEP process.*

5. According to IDEA and pertinent case law, what is FAPE? Explain the broad purpose of an IEP. Be sure to include references to the relevant state and federal statutes and to the controlling case decisions, and federal regulations.
6. Identify the key individuals who must be involved in the IEP team meeting and decision-making process. Support your response with reference to the controlling statutory and regulatory language.
7. Summarize the key components of an IEP. Use the forms provided by your school system as guidance. A bulleted list with clear and concise explanations of the key areas to be covered is one possible way to demonstrate your understanding of the key IEP components.

**Section IV. Placement Decisions** - *Given that you do not have sufficient information about Janelle to make a specific placement recommendation, provide a brief and general explanation of the legal mandates in this section.*

8. Provide a general explanation of how placement decisions are made. Be sure to include references and a discussion of the relevant federal statutes, case decisions, regulations, and school system policies and procedures that would be applicable when determining placement and the least restrictive environment (LRE).

**Section V. Practical Considerations and Summary**

9. Provide a summary and conclusion of your case study analysis.

## Special Populations Case Study Assessment Rubric

	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
<b>Introduction</b> 5%	Analysis begins with a clear and concise statement of purpose. The introduction provides a comprehensive overview.	Analysis begins with a brief statement of purpose. The introduction provides a basic overview.	Analysis begins with an unclear or limited statement of purpose. The introduction fails to provide a sufficient overview.	Statement of purpose is confusing and unclear. The introduction fails to provide an overview.
<b>ELCC 5.5</b> Candidates understand and can promote social justice within a school to ensure that individual student needs inform all aspects of schooling. 20%	The candidate's written analysis of school policies and practices is outstanding and reveals clear commitment to promote equity and social justice for all students.	The candidate's written analysis of school policies and practices is thorough and reveals commitment to promote equity and social justice for all students.	The candidate's written analysis of school policies and practices is sufficient and reveals commitment to promote equity and social justice for all students.	The candidate's written analysis of school policies and practices is minimal and fails to reveal commitment to promote equity and social justice for all students.
	<b>Exceeds Expectations 4</b>	<b>Meets Expectations 3</b>	<b>Approaching Expectations 2</b>	<b>Falls Below Expectations 1</b>
<b>ELCC 6.2</b> Candidate understands local, district, state, and national decisions affecting student learning. 20%	The candidate provides extensive discussion of the local, district, state and national policies, laws and court decisions that affect student learning.	The candidate provides sufficient discussion of the local, district, state and national policies, laws and court decisions that affect student learning.	The candidate provides limited discussion of the local, district, state and national policies, laws and court decisions that affect student learning.	The candidate provides insufficient discussion of the local, district, state and national policies, laws and court decisions that affect student learning.
<b>ELCC 5.4</b> Candidates understand and can evaluate the potential moral and legal consequences of decision making in the school. 15%	The candidate identifies at least 3-4 ethical (moral) and legal principles from highly relevant sources that support decision making about the identified topic/issue.	The candidate identifies at least 3-4 ethical (moral) and legal principles from appropriate sources that support decision making about the identified topic/issue.	The candidate identifies 2-3 ethical (moral) and legal principles from acceptable sources that reasonably support decision making about the identified topic/issue.	The candidate identified only 2 ethical (moral) and legal principles from questionable sources that insufficiently support decision making about the identified topic/issue.
<b>ELCC 6.1</b> Candidate advocates for school students, families, and caregivers. 15%	The candidate's written analysis includes clear and specific reference to the leader's role as an advocate committed to overcoming	The candidate's written analysis includes several references to the leader's role as an advocate committed to overcoming complex causes of	The candidate's written analysis includes minimal reference to the leader's role as an advocate committed to overcoming complex causes of	The candidate's written analysis fails to include references to the leader's role as an advocate committed to overcoming complex causes of

	complex causes of poverty and disadvantages in education.	poverty and disadvantages in education.	poverty and disadvantages in education.	poverty and disadvantages in education.
Discussion of information and references is useful and instructive 15%	The candidate gathers at least 8 high quality reference sources; provides clear & thorough discussion; and explains applicability of references.	The candidate gathers 6-8 references, but not all are from high quality sources; provides solid discussion; and explains applicability of references.	The candidate gathers at least 6 references sources, but few are from high quality sources; provides some discussion; and weakly explains applicability of the references.	The candidate gathers insufficient and poor quality sources; provides insufficient discussion; and poorly explains applicability of the references.
Organization, mechanics and proofing of the paper 10%	The paper is well-organized and error-free; non-discriminatory language is used, clear sentence structures are used. APA format is correct.	The paper is organized. Occasional grammatical or word errors are present. Non-discriminatory language and clear sentence structures are used. A few unclear word choices are present. APA format is used.	The paper is somewhat organized. Several errors are present. Language is discriminatory in nature. Sentence structures are unclear and word choices are confusing. APA format is incorrect.	The paper is poorly organized. Many errors and discriminatory language are present. Sentence structures are poor, word choices are confusing, and APA format is not used.