SYLLABUS FOR EDUCATION LAW AND POLICY (LAW 638)
William S. Boyd School of Law
University of Nevada, Las Vegas
Fall 2016

1. General Information

a. Required Text: The text for the course is Black, *Education Law: Equality, Fairness and Reform*

b. Class Meeting Time/Location: Wednesday, 1:30-3:25 PM, Room 105

2. Course Description

Using educational equality, broadly defined, as an organizing principle, this seminar focuses on the law and policy of public education in the United States. The focus will be primarily on public elementary and secondary education. We will examine issues related to: race and ethnicity, immigration status, language, gender, and disability as it bears on educational equality; discipline, freedom of expression, and religion in the context of student rights; and, federal authority, curricular control, and alternatives to traditional public education in response to educational reform efforts. The course grade will be based primarily on completion of a research paper. The Capstone Writing Requirement can be satisfied through this course.

3. Learning Outcomes

Education in the United States is increasingly a regulated industry. Understanding the system by which we educate the nation's children requires understanding a significant and complex hierarchy of laws and policy at the federal, state and local level. This course will examine the interplay of law with fundamental areas of education policy and practice. Upon completion of the course students should be able to: demonstrate, orally and in writing, an understanding of fundamental education law concepts; appreciate both the hierarchy and the interaction between state and federal law as it relates to essential aspects of education policy and practice; identify how questions of education policy become issues of law; and, compare and critique existing legal approaches to certain specific key area of education policy in practice.

4. Course Requirements

- Each student will be responsible for serving as a "discussion co-leader" on one topic area during the course of the semester. As the discussion co-leader, you will play a primary role regarding class discussion on the assigned topic for the particular class session. The role of co-leader can take a variety of forms. For example, you may choose to take primary responsibility for presenting a segment of the assigned materials and determining the format for coverage of that segment. Or, you may take the lead as the designated "go to person" on questions put to the class or on discussion problems we address as a class. I will meet briefly with each of you in advance of your assigned week to discuss how you will be involved in presenting the topic for your assigned week. I have noted in the syllabus readings from the text on each of the topics we will address. As co-leader you

can be creative in designing a presentation format for the segment you lead. You will also have the option, with my approval, of supplementing or substituting readings for certain of those in the readings list.

- Each student will complete a research paper on a chosen topic. The research paper will be a minimum of 25 pages in length, including footnotes. Prior to submitting the final paper, you will be required to submit to me: (1) a summary topic statement (1-2 paragraphs in length) of your proposed subject, (2) a bibliographical outline, and (3) a 2-3 page abstract of the paper. **[See the handout "Tips on Preparation of Seminar Papers" for additional details and due dates.]**

- Those of you seeking to fulfill the capstone writing requirement for graduation may do so through this course. If you are seeking to satisfy the writing requirement for graduation, in lieu of the abstract, you must complete a full first draft which you will submit to me for comment and feedback.

- During the last class meeting each student will give 20 minute presentation on his or her research paper.

- You may choose to complete your research paper on an issue(s) related to the topic on which you lead the class discussion. However, you are <u>not required</u> to do so.

- <u>Overall</u> class participation will count for a portion of the final course grade. Therefore, it is expected that each student will actively participate in <u>all</u> class discussions not only in those for which the student serves as discussion co-leader.

5. Attendance Policy

Class attendance is mandatory. I will circulate an attendance sign-in sheet at the start of each class period. It is the responsibility of each student to sign in for each class. Since class meets only once per week, attendance at each session is important and will be taken into consideration in the overall class participation portion of the final grade.

6. Final Course Grade

The final grade in the course will be based: 25% on the research paper presentation; 25% on class participation (which includes, but is not limited to, participation as discussion co-leader); and, 50% on the research paper.

7. UNLV-required Disclosures

Academic Misconduct—Acceptance to the William S. Boyd School of Law (the Law School) represents much more than admission to the study of an intellectual discipline. The privilege of admission comes with a unique set of responsibilities, not only to fellow students, but to the Law School, to the legal profession, and to the public. The legal profession demands the highest degree of trustworthiness, honesty and public integrity. As future members of that profession, students of the Law School are bound to observe

principles that reflect the same high standards that govern the practice of law. This Student Honor Code (the Honor Code) sets forth conduct that is prohibited, and it establishes minimum standards for student professional responsibility. The standards of conduct in the Honor Code are in addition to the standards set forth in the UNLV Student Conduct Code and the Law School Student Policy Handbook. Violations of the Honor Code will be subject to the procedures and sanctions of the Honor Code, as set forth below. https://portal.law.unlv.edu/files/portal/Student%20Handbook.12-13.Honor%20Code.pdf

Academic integrity is a legitimate concern for every member of the campus community; all share in upholding the fundamental values of honesty, trust, respect, fairness, responsibility and professionalism. By choosing to join the UNLV community, students accept the expectations of the Student Academic Misconduct Policy and are encouraged when faced with choices to always take the ethical path. Students enrolling in UNLV assume the obligation to conduct themselves in a manner compatible with UNLV's function as an educational institution.

An example of academic misconduct is plagiarism. Plagiarism is using the words or ideas of another, from the Internet or any source, without proper citation of the sources. See the *Student Academic Misconduct Policy* (approved December 9, 2005) located at: https://www.unlv.edu/studentconduct/student-conduct.

Academic Success Program/CASE—The Boyd Academic Success Program assists students in removing barriers to academic success. This includes reviewing past exams, giving sample exams or hypotheticals, evaluating study habits, and assisting with time and stress management issues.

The Academic Success Program also provides a series of pre-bar exam lectures to assist in preparing to take the bar, as well as opportunities for thoughtful feedback and individualized assistance in bar preparation through the bar prep period. More information can be found here: https://law.unlv.edu/academics/asp/current-students

Copyright—The University requires all members of the University Community to familiarize themselves with and to follow copyright and fair use requirements. You are individually and solely responsible for violations of copyright and fair use laws. The University will neither protect nor defend you nor assume any responsibility for employee or student violations of fair use laws. Violations of copyright laws could subject you to federal and state civil penalties and criminal liability, as well as disciplinary action under University policies. Additional information can be found at: http://www.unlv.edu/provost/copyright.

Disability Resource Center (DRC)—The UNLV Disability Resource Center (SSC-A 143, http://drc.unlv.edu/, 702-895-0866) provides resources for students with disabilities. If you feel that you have a disability, please make an appointment with a Disabilities Specialist at the DRC to discuss what options may be available to you. If you are registered with the UNLV Disability Resource Center, bring your Academic Accommodation Plan from the DRC to the law school Registrar's office to develop

strategies for implementing the accommodations to meet both your needs and the requirements of the course.

Law Library—The Wiener-Rogers Law Library provides resources to support students' access to information. Reference librarians are available for consultation in person or by phone or email. For library services and resources, see https://law.unlv.edu/law-library and https://law.unlv.edu/academics/law-library/student.

Religious Holidays Policy—Any student missing class quizzes, examinations, or any other class or lab work because of observance of religious holidays shall be given an opportunity during that semester to make up missed work. The make-up will apply to the religious holiday absence only. It shall be the responsibility of the student to notify the instructor **within the first 14 calendar days of the course for fall and spring courses (excepting intersession courses), or within the first 7 calendar days of the course for summer and modular courses,** of his or her intention to participate in religious holidays which do not fall on state holidays or periods of class recess. For additional information, please visit: http://catalog.unlv.edu/content.php?catoid=6&navoid=531.

Rebelmail—Rebelmail is UNLV's official email system for students. It is one of the primary ways students receive official university communication such as information about deadlines, major campus events, and announcements. All UNLV students receive a Rebelmail account after they have been admitted to the university. Students' email prefixes are listed on class rosters. The suffix is always @unlv.nevada.edu. The law school has two general email lists for students: INFO and ADMIN-MSGS. Some faculty will use TWEN or personal gmail groups to send specific class messages.

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TOPIC AREAS and READINGS

Week 1: (Aug. 31)	No Class
Week 2 (Sept. 7)	General Introduction Education Law and the Challenge of Inequality, pp. 1-16; Home Schooling, 1006-1022
Week 3 (Sept. 14)	Race, pp. 17-23, 26-27, 30-33, 44-52, 67-74, 101-104,108-124, 129-140
Week 4 (Sept. 21)	Poverty, pp. 153-173, 177-183,190-200, 215-223, 257-263, 276-283 **Paper Topic Statement Due**
Week 5 (Sept. 28)	Ethnicity, Language and Immigration Status, pp. 285-315, 330-341
Week 6 (Oct. 5)	Gender, pp. 343-360, 405-420, 429-442, [? Note 448-459 substitute Higdon article?]
Week 7 (Oct. 12)	Students with Disabilities, pp. 467-485, 490-516, 521-536 **Bibliographical Outline Due**
Week 8 (Oct. 19)	**No Class: Campus-Wide Cancellation for Presidential Debate**
Week 9 (Oct. 26)	Discipline, pp. 545-556, 566-572, 591-596, 604-616, 622-637
Week 10 (Nov. 2)	Freedom of Expression, pp. 649-687, 705-716, 727-734 **Abstract or 1st Draft Due**
Week 11 (Nov. 9)	Religion in Schools, pp. 745-776, 789-808, 839-868
Week 12 (Nov. 16)	Creation and Control of the Curriculum, pp. 871-897, 907-919 Federal Reform, Accountability and Testing, pp. 937-946, 952-964
Week 13	Charter Schools and Vouchers, pp. 965- 970, 979-986, 993-1006, readings on (Nov. 23) NV's ESA Program [to be distributed]
Week 14 (Nov. 30)	Make-up Class: Presentations on Research Papers **[This Wednesday runs on a Friday schedule]** **Final Papers Due**

** **NOTE: No Class Meeting: August 31 and October 19 (Campus-Wide Class Cancellation Due to Presidential Debate)**