UNIVERSITY OF ILLINOIS AT SPRINGFIELD
CAMPUS SENATE AY 2004/2005
RESOLUTION 34-12

University of Illinois at Springfield
Educational Leadership Program
Proposal Outline for Graduate Certificate
In Legal Aspects of Education

Executive Summary:

The Educational Leadership (EDL) Program is proposing a Graduate Certificate in Legal Aspects of Education. It will require completion of 18 hours of graduate coursework. This Graduate Certificate will provide a way for UIS to recognize students who complete a substantial number of hours in this unique series of courses focused on the increasingly important legal aspects of education.

The courses currently exist and all are offered online.

Background:

Under the leadership of Dr. Margaret Noe, UIS faculty and staff worked with members of the Illinois Education Association to create a series of ten courses highlighting legal aspects of education. The development of these courses two years ago was prompted by discussions with the Illinois Education Association in an attempt to remove the barriers of accessibility and time for educators seeking a high-quality, applicable, informative knowledge base specifically dealing with the legalities of education. The first course was offered in the spring of 2003. These courses make up a portion of the Master of Arts in Teacher Leadership elective courses. Currently, the Educational Leadership Program offers a Master of Arts in Educational Leadership and a Master of Arts in Teacher Leadership. The M.A. in Teacher Leadership (MTL) is a degree delivered completely online. MTL offers a series of courses in Legal Aspects of Education, in addition to the required and other elective offerings.

This series of courses offers advanced training at the graduate level, not only to the current Educational Leadership Program students in both the administrative and teacher leadership degrees, but also to anyone wanting training in the Legal Aspects of Education, especially in Illinois. This series of courses has been most beneficial to those educators holding prominent roles in their district’s collective bargaining units, state
educational professional organizations, and/or leadership positions within their school districts.

The majority of students are residents of Illinois; however, students do represent educators from several states and foreign countries. These graduate courses have supported themselves. The demand has been very consistent and is currently rising. Participants have included public and private school teachers, educational support staff, pupil-personnel service staff, parents, board members, advocates, and administrators.

These courses meet all the UIS graduate guidelines, and while the courses are very valuable, due to the other department requirements, many of the current students do not have the opportunity to take all ten courses while they are UIS students. Thus, the Educational Leadership Program would like to be able to offer a graduate certificate to students who complete all of the Legal Aspects of Education courses, whether they are UIS degree-seeking students at the time or not.

By offering this certificate, UIS would be showing good faith to present students who know they would have the opportunity to return to UIS to complete the series of coursework. Also, UIS would be allowing non-degree seeking students to experience online graduate work, which may influence their future academic goals with the university.

This program would provide opportunities for educational leaders to increase their knowledge base about legal issues for today’s educational leaders and also enable them to meet their statutory mandated requirements for professional development and certification.

A. Purpose of certificate: Objectives and Learning Outcomes

The purpose of a Legal Aspects certificate program is to prepare collaborative, proactive educational leaders committed to improving the quality of educational legal knowledge in a variety of organizational contexts. The Legal Aspects certificate program is designed to acquaint UIS students with fundamental legal issues that impact Illinois elementary and secondary school districts. Adequate preparation as a professional educator requires exposure to a variety of the legal components affecting elementary and secondary education.

These courses are delivered in an online format consistent with UIS graduate level standards. The courses will be characterized by lectures, text reading, discussions, and projects, with an emphasis on research and writing. Courses will focus on select topics that school teachers would most likely encounter that are associated with governance in the educational workplace, federal and state roles, responsibilities of the regional office of education, local education agencies and boards of education, school finance, school restructuring, charter school, vouchers, proprietary schools, home schooling, and site based management, teacher qualifications and certification and employment issues, recruitment, interviews, hiring, contracts, orientation,
mentoring, supervision, evaluation, discipline, tenure, records and dismissal, current
issues in education, high stakes testing, NCLB, certification, educational funding,
school choice, vouchers, alternative education, school consolidation, and educational
technology, special education, collective bargaining, teaching law to K-12 students
and analyzing courts and legal case studies.

A more complete and detailed list of objectives can be found in Appendix A.

B. Target Audience

This certificate is aimed at teachers seeking to advance their professional education
credentials. Many students in the Teacher Leadership and Educational Leadership
degree programs take these courses as electives. This certificate allows them, as well
as non-degree seeking students, the opportunity to take coursework which will give
them a well-rounded view of the legal perspectives in education. Online delivery of
the coursework means that students from a broad geographic region can enroll and
benefit from their courses.

C. Proposed Curriculum

To earn the Graduate Certificate in Legal Aspects of Education, students would have
to complete 18 hours, including at least nine of the following courses:

EDL 574 Critical Legal Issues in Education
EDL 575 Legal Aspects of Special Education
EDL 576 Minimizing Legal Risks in the Education Workplace
EDL 577 Schools in the Legal System
EDL 578 Educational Workplace: Employability Issues
EDL 579 Collective and Interest Based Bargaining
EDL 580 Teacher, Parent, and Student Rights
EDL 581 Legal Responsibilities for the Education Workplace
EDL 582 Political Action and Advocacy
EDL 583 Teaching Law in K-12 Schools

D. Relation to Degree Programs

Legal Aspects courses are currently being used routinely as elective courses in the
graduate degrees of Teacher Leadership and Educational Leadership. They are also used
by students in Public Administration and Individual Option degrees.

E. Occupational and/or Student Demand
In addition to students taking these courses as part of a degree program, some of the students are taking these courses to help prepare themselves for positions in their local education associations, as well as positions for the Illinois Education Association.

Spring 2003
Offered 4 courses and had 47 enrollments
Summer 2003
Offered 3 courses and had 53 enrollments
Fall 2003
Offered 4 courses and had 49 enrollments
Spring 2004
Offered 4 courses and had 60 enrollments
Summer 2004:
Offered 5 courses and had 90 enrollments
Fall 2004
Offered 5 courses and had 80 enrollments

F. Staffing and Resource Requirements

Because establishing this new certificate program requires no additions or deletions in the existing course offerings, no additional resources will be required to effect this change. Any additional resources needed to meet the expected growth in enrollment will be covered by increased tuition revenue or addressed by internal reallocation.

This program will continue to be delivered by the seven full-time faculty of the Educational Leadership Program, as well as adjunct faculty adhering to the graduate faculty policy of the Graduate Council.

Currently, the faculty responsible for the teaching of these courses is:

   Dr. Margaret Noe
   Dr. Frank Kopecky
   Dr. Mary Loken
   Dr. Linda Searby
   Dr. Leonard Bogle
   Brian Schwarz, Head Legal Counsel for Illinois Principal Association
   Dr. Sandy Mills
   Barbara Van-Dyke Brown
   Joanna Tweedy-Wilmore

G. Administrative Issues

1. Responsible Administrative Unit

   The faculty and staff in the Educational Leadership Program will continue to manage those participating in this certificate program.
2. Admissions

a.) Eligibility

Students must be approved by the Educational Leadership Program. To be admitted to the Legal Aspects in Education Graduate Certificate program, students must provide evidence of a completed a bachelor’s or master’s degree.

b.) Admissions process

Participants will complete the standard UIS graduate application forms and supply the official transcript from the college or university where they earned a bachelor’s or master’s degree (one or the other). The transcript will only be used to verify that participants qualify for graduate status. Participants need to have the official transcripts mailed directly from the school to the UIS Office of Admissions and Records.

The UIS admissions office will collect the application form and transcripts and forward them to the Educational Leadership Program for evaluation. They will then be reviewed by the EDL Admissions Committee. Once the committee verifies that the required transcripts have been received, the students will then be notified that they may participate in the graduate certificate program.

3. Advising

Currently, the person advising all students taking Legal Aspect courses is the Master of Arts in Teacher Leadership (MTL) Coordinator. Since nothing will change in the process of advising, the MTL Coordinator will continue to advise students within this certificate program.

4. Tracking

Currently, the person tracking all students taking Legal Aspect Courses is the MTL Coordinator. This person will continue to tracking these persons as well as their admission to the certificate program.
1. EDL 574 Critical Legal Issues in Education

**Description**

This course is designed to explore the critical legal issues in the education workplace. Topical discussions could include areas of policy, legislation, recent court cases, or current issues school reform. These issues could include such “hot topics” as high stakes testing, NCLB, certification, educational funding, school choice, vouchers, alternative education, school consolidation, educational technology, etc.

**Goals and/or Objectives**

1. Identify and discuss current legal issues in education.
2. Articulate an understanding of policy development of educational issues.
3. Research educational issues and articulate a position regarding a complex educational problem.
4. Prepare reflection papers addressing critical education issues.
5. Analyze complex education issues and reflect disparate points of view.

2. EDL575 Legal Aspects of Special Education

**Description**

The course will include a discussion of the legal rights of students with disabilities and the corresponding responsibilities and obligations of schools and educational personnel for meeting their educational needs. The course will include specific legal components inherent with the identification and education of students with disabilities including adaptations of classroom instructional methodology for students with disabilities in the regular education classroom.

**Goals and/or Objectives**

1. Define legal terms covered in the Individuals with Disabilities Act (IDEA).
2. Discuss characteristics, identification, and methods of assessment.
3. Discuss the procedures for discipline regarding children with disabilities.
4. Discuss the due process rights of parents and children under IDEA.
5. List methods teachers could use to adapt classroom instruction to meet the individual needs of children with disabilities in the regular classroom.
3. EDL576 Minimizing Legal Risks in the Educational Workplace

**Description**

The course will include a discussion of tort liability issues for employees in the educational workplace. Discussion will include ways to identify and reduce risk exposure for educational employees, types of liability, immunity and indemnification of educational employees.

**Goals and/or Objectives**

1. Discuss liability issues relating to supervision of students in the educational setting.
2. List and discuss types of liability claims and possible defenses against those claims.
3. List and define the kinds of damages that can be awarded by the courts.
4. Suggest ways that school employees can reduce liability exposure.
5. Define and discuss legal terms relating to liability, immunity and indemnification.

4. EDL577 Schools in the Legal System

**Description**

EDL 577 entails an examination of the legal system and education. This course will provide students with an introduction to law and the legal system. It is designed to be an introductory course for a series of school law courses. Basic legal topics will be explored using educational issues and illustrations.

**Goals and/or Objectives**

1. Demonstrate an understanding of law, legal institutions and legal terminology.
2. Discuss the governing structure of schools and educational policy issues.
3. Master basic legal research and basic legal skills such as reading citations and briefing cases.
5. Discuss legislative, administrative and judicial processes and such basic concepts as statutory interpretation and precedent.

5. EDL578 Educational Workplace: Employee Issues

**Description**

This course will discuss the workplace requirements and issues governing the employment, hiring, dismissal and job security of educational personnel. The course will include an examination of testing, certification, and licensing requirements, performance evaluations and fair labor standards.
Goals and/or Objectives

1. Discuss the legal requirements for employment in Illinois public schools.
2. List the elements of a teacher evaluation plan as required by Illinois Statute including ratings and the required components of a teacher remediation plan.
3. Differentiate between the rights of probationary and tenured teachers.
4. Discuss the roles and responsibilities of teachers and ISBE regarding the certification of teachers.
5. Discuss the rights and responsibilities of employers under the Fair Labor Standards Act.

6. EDL579 Collective and Interest Based Bargaining

Description

This course will concentrate on the issues involved with bargaining rights relative to the educational workplace. The course will include a discussion of the legal rights and responsibilities of employers and employees under the Illinois Educational Labor Relations Act and strategies such as interest based bargaining will be highlighted.

Goals and/or Objectives

1. Identify critical legal components of the Illinois Educational Labor Relations Act (IELRA).
2. Discuss the roles and responsibilities of employees and employers under the IELRA.
3. Discuss the legal role of the IELRB.
4. Discuss various strategies relative to interest based bargaining.

7. EDL580 Teacher, Parent, and Student Rights

Description

The course will include a discussion of the rights and responsibilities of teachers, parents and students. Topics for discussion will include fundamental freedoms of expression, religion, association, due process, discrimination, free speech, publications, and academic freedom.

Goals and/or Objectives

1. Cite and discuss the Constitutional Amendments that offer protections to parents, students and teachers.
2. Discuss the rights and responsibilities of students and teachers relative to freedom of expression.
3. Discuss the rights and responsibilities of students and teachers regarding religious freedoms in schools.
4. Discuss the due process rights afforded parents, students and teachers in schools.
5. Discuss the protections offered students and teachers against discrimination.
8. EDL581 Legal Responsibilities for the Educational Workplace

Description

This course will include address responsibilities of educators in the educational workplace. The course will include statutorily mandated legal information as required and pragmatically needed for educators to respond effectively in the educational setting.

Goals and/or Objectives

1. Identify legal issues in the workplace and discuss the implications for educational personnel.
2. Define the rights and responsibilities of students, parents, and teachers in the educational setting.
3. Discuss legal issues of school code and criminal code as they pertain to the educational setting.
4. Analyze hypothetical situations and discuss appropriate responses and consequences.

9. EDL582 Political Action and Advocacy

Description

The course will include a discussion of the role of the educational employee as an advocate for issues affecting education and children. The role of the educational employee in the politics of education will be discussed. This course is designed to analyze policy issues relevant to the educational workplace by using legal advocacy research and related resources.

Goals and/or Objectives

1. Identify and discuss current national, state and local policy issues affecting the educational workplace.
2. Research educational policy issues including diverse opinions and positions of advocacy.
3. Structure and advance a position of advocacy through the governmental process.
4. Prepare reflective position papers on a variety of educational issues.
5. Formulate arguments and defenses for a political debate on current educational issues.

10. EDL583 Teaching Law in K-12 Schools

Description

This course will assist educators to integrate law and legal materials into the school curriculum. Law-related educational resources will be examined with a demonstration of common law-related methods. Emphasis will be placed application of secondary sources of law.

Goals and/or Objectives
1. Develop law related education materials and resources.
2. Apply basic legal processes and utilize primary and secondary legal materials.
3. Demonstrate strategies for introducing law related materials into the curriculum.
4. Illustrate law related methods such as the case method, mock trial and the use of legal professionals.
5. Develop skills in presenting policy and constitutional issues; legislative, administrative and judicial processes; and such basic concepts as statutory interpretation and precedent.