

DEPAUL UNIVERSITY COLLEGE OF LAW
SCHOOL LAW
SPRING 2009

Professor Klaper
OM724
312.362.6832

Office Hours: Mon. 11:50a.m.- 12:50p.m.
2:00p.m. - 4:00p.m.
Wed. 12:00p.m. - 2:00p.m.
Fri. 11:50a.m.- 12:50p.m.

Required Book:

Kaufman, EDUCATION LAW, POLICY, AND PRACTICE

Course Objectives:

This course will provide both a theoretical and practical overview of current, important issues in school law affecting grades K-12. We will examine the relationship between law and public policy in both public and independent schools.

Course Method:

The class will be taught through a combination of lecture, discussion, student-led discussion, and the practical application of skills and knowledge learned throughout the semester. The course will follow the syllabus, but allow room for modification depending on the availability of speakers who can join us for certain topics.

Attendance / Class Preparation:

Class attendance is mandatory. Students are expected to regularly attend class, prepare reading assignments in advance of class, and be prepared to discuss the assignments and problems during class. Active, intelligent discussion by thoughtful and prepared class participants is what will make this class interesting as so many of the issues in School Law are tied to emotion and go to the heart of individual value systems. Courteous debate is encouraged as an important component of this class. Class participation will comprise **20%** of each student's final grade.

TWEN:

I use TWEN (The West Educational Network) as an important tool to communicate with my classes. You will be required to register for and check the School Law TWEN site regularly for posted messages, class materials, questions, etc. Additionally, you must make sure that your email address on TWEN is correct.

Laptop Use:

Laptops are a luxury. Laptops are permitted in class for the sole purpose of taking notes. I require your full attention in class. Computer use for email, reading the newspaper, games, IM, etc. is distracting both to you and to others. Further, it is disrespectful to the speaker and to your colleagues. If you are found to be using your laptop for a purpose other than taking notes, you will be asked to leave class for that day, and you will forfeit the privilege of bringing a laptop back for remainder of semester.

Electronic Device Use:

Cell phones, pagers, blackberries, etc. are not welcome in this class no matter the volume or ring setting. Please **turn off all of these devices and put them away prior to class.** If your cell phone or other device goes off during class, you will be dismissed from the rest of the class. If I must dismiss you from class more than once for inappropriate laptop or cell phone use, I will reduce your final grade by at least a half letter.

Evaluation:

Grades in School Law will be based on several factors: the **final exam** (50% of your grade), **three 2-3 page (maximum 800 words) position/reaction papers throughout the semester** (10 points each), and upon class participation as described above. In the second week of the course, I will give you the opportunity to earn up to 10 extra points for the semester. You will have the option of individually or in small groups signing up to serve as the leader of the first 20-30 minutes of a given class based upon the topic for one of your position papers. The position paper will include reference to the cases and materials you have read for your class, historical or current events, mainstream legal analysis, etc. You will be required to email me your position paper and any other additional class materials that you want to use in that class for posting on TWEN **at least 48 hours in advance of the given class** (10 points).

Sign-up for the opportunity to lead a class will occur in the month of January, and will close on January 28th. Students will be required to live up to their obligation to lead the class, however, if a student wishes to withdraw from presenting, the student may do so up until one week prior to the planned presentation. If a student withdraws from presenting less than a week prior to the presentation, the student's grade will be lowered by 10 points.

As to the final exam, the answers to the final exam questions must reflect that you can recognize the relevant School Law issues, can understand and analyze their legal and policy implications, and can apply the rule to the facts of the case before you in a clear, logical manner.

Weekly Assignments (subject to revision):

Date	Topic	Reading
1/12	Introduction to the Structure of the American Education System	pp. 7-10, 15-24
1/14	Right to Public Education	pp. 65-100
1/19	No class – MLK Day Activities	
1/21	* Equitable Funding of Public Education	pp. 100-127
1/26	* Speaker – School Finance and Funding	
1/28	Limits of Public Education – * Homeschooling and Compulsory Education	pp. 28-46, 62-64

2/2	* Homeschooling – Government Control	pp.46-62
2/4	Religion and Education * Shared Resources	pp. 135-168
2/9	* Shared Resources Revisited	pp.169-181
2/11	* Private Choice and Vouchers	pp. 182-201
2/16	* Religious Observance in School/Moment of Silence	pp. 203-218
2/18	* Speaker -- Moment of Silence	
2/23	* Religion in Curriculum	pp.218-246
2/25	* Pledge of Allegiance	pp.246-264
3/2	* Use of School Facilities	pp. 267-293
3/4	School Governance	pp. 305-313
3/9	* School Boards	pp. 375-393
3/11	* State/Local Control	pp. 320-338
3/16	* Student/Teacher Discipline	pp. 338-44; 354(#6) – 356; 582-593
3/18	Spring Break	
3/19	Spring Break	
3/23	* Condemnation/Zoning Limits of Power	pp. 362-367
3/25	Rights and Responsibilities of Students * Racial Segregation and Desegregation	pp. 409-34
3/30	* Gender Equality	pp. 442-482
4/1	* Freedom of Expression	pp. 536-557
4/6	* Speaker – Discipline and the 1 st Amendment	
4/8	* Freedom from Unreasonable Searches and Seizures	pp.557-579
4/13	Students with Disabilities	pp. 603-624
4/15	* Special Ed and Related Services	pp. 625-641
4/20	* Speaker – Special Ed Law in Illinois	
4/22	* Students with Special Needs – The practical side	pp. 649-664
4/27	Flex-class	

**Reaction / Position Papers
&
Presentations**

- I. Reaction Papers (2 worth up to 10 points each)
 - A. Can be regarding what we discussed in class or a subissue of what we discussed in class.
 - B. Can also be something that you think needed more coverage than what we discussed in class.
 - C. Can include outside research, current events, scholarly publications, etc.

- II. Position Papers (1 worth up to 10 points)
 - A. Prospective in nature
 - B. Based on an upcoming reading, so should be submitted in advance of that class (or on the day of class, prior to the start of the class).
 - C. Shall include outside research such as scholarly publication, current events, current cases, Illinois (or another jurisdiction)-specific information.
 - D. Can be on subissue within reading for class.

- III. General Paper Requirements
 - A. Must cite anything that did not come from your own brain.
 - B. Must use proper grammar.
 - C. Reaction papers can be turned in on your own schedule, but within the following guideline:
 - 1. Reaction Paper #1 – must be turned in no later than class time on 2/18.
 - 2. Reaction Paper #2 – must be turned in no later than class time on 4/8.
 - D. Position papers can be turned in anytime during the semester up until class time on 4/22.
 - E. Papers must be turned in as a hard copy. Electronic copies will not be accepted.

- IV. Presentations (optional – up to 10 points)
 - A. Should be based on your Position Paper.
 - B. Turn in Position Paper and any other outside reading that you want the class to do to me at least 48 hours prior to class so that I can post it on TWEN.
 - C. Can be on main issue of reading, or can be on a subissue.
 - D. NOT just a review of cases in the book – can review holdings/reasonings/tests as a foundation for discussion, but need to go further than that.
 - E. Bring in material from position paper, current relevance, current cases, policy concerns, etc.
 - F. 20-30 minutes, but can go longer if discussion is particularly stimulating.