# Course Description

This course examines the basic legal concepts common to college student affairs administrators. Topics include the history of higher education law, basic legal theories and their applications in higher education, the student–institutional amendments and federal regulations in the context of student affairs, and legal considerations in student academic issues.

# University Learning Outcomes (ULO)

* **ULO1:**Knowledge of Human Cultures and the Physical and Natural World
* **ULO2:**Intellectual and Practical Skills
* **ULO3:**Personal and Social Responsibility
* **ULO4:**Integrative and Applied Learning­
* **ULO5:**Immersed in the Critical Concerns of the Sisters of Mercy of the Americas

# Program Learning Outcomes (PLO)

* **PLO1**: Articulate an educational organization's mission, goals, and guiding principles that distinguish the organization from others.
* **PLO2**: Understand the foundational base of organizational theory, and demonstrate the ability to bridge theory and practice.
* **PLO3**: Given scenarios of conflict, choose ethical courses of action, consistent with Gospel values.
* **PLO4**: Synthesize and analyze data to reveal relations and causality, and convert raw data into actionable information.
* **PLO5**: View problems and challenges through the lens of a scientist, seeking evidence-based conclusions.
* **PLO6**: Practice and model steward leadership in transforming organizations to better serve all constituents.
* **PLO7**: Demonstrate facility in the application of technology to solve problems, analyze and synthesize data, and manage information.

# Course Learning Outcomes (CLO)

* **CLO1:** Explain the American legal system as it relates to higher education.
* **CLO2:** Develop skills for analyzing, synthesizing, and communicating legal issues and ideas salient to the legal aspects of higher education.
* **CLO3:** Perform and interpret the legal research necessary to remain current on legal issues affecting higher education professionals.
* **CLO4:** Recognize and assess liability issues as they relate to student, administrative, and academic affairs.
* **CLO5:** Demonstrate the ability to apply core legal reasoning relating to issues in higher education.

# Student Expectations

Students are expected to do the following:

* Ask probing and insightful questions related to course content.
* Make meaningful and relevant connections and application to their own learning process.
* Be productive and contributing members of class discussions.

# Required Course Materials

Kaplin, W. A., & Lee, B. A. (2014). *The law of higher education* (5th ed). San Francisco, CA. Jossey-Bass.

ISBN-13: 978-1118036624

# Suggested Point Values

|  |  |  |
| --- | --- | --- |
| **Assessment** | **Point Value** | **Due** |
| **Week 1** |  |  |
| Discussion: Sources of Higher Education Law | 20 |  |
| Discussion: Knowing the Law | 20 |  |
| Group Discussion: Current Case Law Article Review | 50 |  |
| Week One Journal | 30 |  |
| **Week 2** |  |  |
| Discussion: Abiding by FERPA | 20 |  |
| Group Discussion: Current Case Law Article Review | 50 |  |
| Discussion: Growth of Technology | 20 |  |
| Paper: Civil Discourse or Hate Speech | 30 |  |
| **Week 3** |  |  |
| Group Discussion: Current Case Law Article Review | 50 |  |
| Discussion: Race-Blind Approach to Admissions Policies | 20 |  |
| Paper: Financial Aid Program Evaluation | 30 |  |
| Paper: Student Life Interview | 50 |  |
| **Week 4** |  |  |
| Paper: Gender Neutral Bathrooms | 30 |  |
| Case Study: Students With Disabilities | 30 |  |
| Discussion: Effective Administration | 20 |  |
| Group Discussion: Student With Disabilities Scenario | 50 |  |
| Paper: Human Resource Interview | 50 |  |
| **Week 5** |  |  |
| Discussion: Academic Standards | 20 |  |
| Group Discussion: Current Case Law Article Review | 50 |  |
| Paper: Academic Program Leader Interview | 50 |  |
| **Week 6** |  |  |
| Discussion: Student Code of Conduct | 20 |  |
| Discussion: Student Misconduct | 20 |  |
| Group Discussion: Current Case Law Article Review | 50 |  |
| Discussion: Review 8 Scenarios and Create a Graphic | 20 |  |
| **Week 7** |  |  |
| Discussion: Regulating Student Organizations | 20 |  |
| Group Discussion: Current Case Law Article Review | 50 |  |
| Action Plan: Campus Challenge | 130 |  |
| **Total Points** | **1000** |  |

**Grading Scale**

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| --- | --- |
| **Grade** | **Range** |
| A | 93–100 |
| A- | 90–92 |
| B+ | 87–89 |
| B | 83–86 |
| B- | 82–80 |
| C+ | 77–79 |
| C | 73–76 |
| C- | 70–72 |
| D+ | 67–69 |
| D | 63–66 |
| D- | 60–62 |
| F | 59 |

# Course Schedule

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| --- | --- | --- |
| **Week** | **Start** | **End** |
| One | <insert start date> | <insert end date> |
| Two |  |  |
| Three |  |  |
| Four |  |  |
| Five |  |  |
| Six |  |  |
| Seven |  |  |

# Weekly Learning Modules

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| **Week One: Understanding Higher Education Law** | | |
| ***Learning Objectives*** | ***Alignment*** | |
| * 1. Describe how higher education law has developed over time. | CLO1 | |
| * 1. Differentiate the internal and external governance of higher education. | CLO1 | |
| * 1. Identify sources of law that affect higher education institutions in the United States. | CLO1, CL04 | |
| * 1. Explain the foundational concepts concerning case law. | CLO1, CL05 | |
| ***Resources, Activities, and Preparation***  *Utilize these resources and complete these activities in preparation for your graded assignments.* | ***Alignment*** | ***AIE*** |
| **Readings and Videos**  **Read** the following sections of *The Law of Higher Education*:   * General Introduction: The Study of Higher Education Law * Part One: 1 Overview of Higher Education Law * Appendix A: Constitution of the United States of America * Appendix B: The American Court System * Appendix C: Reading and Analyzing Course Opinions * Appendix D: Glossary of Legal Terms of *The Law of Higher Education*   **Watch** the following video:   * [Current Legal issues in Student Affairs](https://www.youtube.com/watch?v=t50bofsgDN8) (59:20) | 1.1, 1.2, 1.3, 1.4 | N/A |
| **Institutional Staff Interviews**  During this course, you will be required to conduct interviews of people in key institutional roles at higher education institutions.  **Prepare** to schedule interviews with people in the following roles:   * Student-life administrator (Week Three) * Human resources administrator (Week Four) * Academic program leader (Week Five)   **Review** the instructions in each week for more detail.  *Note:*If you are having difficulty scheduling the interviews, consider asking a member of your collaborative work group if you could participate in their interview. You may also contact your course instructor to identify possible solutions or alternatives. | N/A | N/A |
| **Collaborative Work Groups**  You will be assigned to a collaborative work group during this course to help build a community of support and encouragement. Collaborative work groups can be used for advice, support, encouragement, and synthesizing concepts learning during each week.  Elevate your level of work by contributing new and different approaches to problems faced during the course. Use your collaborative work groups to improve your collective work by providing meaningful feedback that will challenge each group member to grow as an educational leader. | N/A | N/A |
| **Tutorials**  During this course, you will be asked to use and participate in various technologies to complete activities and assignments.  **Review** the tutorials available on Blackboard, as needed.  **Click** the **Technology Tutorials** button from the menu on the left. | N/A | N/A |
| **Weekly Participation and Discussion**  The purpose of the weekly discussions is to provide you with a way to synthesize the concepts presented in this course. Each week, you will respond to the discussion questions with a substantive post of 200 to 250 words that addresses all the prompts for the question by 11:59 p.m. EST of the listed due date. By the conclusion of each week, Sunday at 11:59 p.m. EST, you will make at least 1 substantive comment of 100 to 150 words to 3 of your classmates’ posts for each assigned discussion question. Your comments must further the discussion by following the RISE model for meaningful feedback. It is recommended that you check in periodically throughout the week to ensure that you are meeting the participation requirement.  **Review** the RISE Model for Peer Feedback, located on Blackboard. |  |  |

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| ***Supplemental Resources and Activities***  *Explore these optional resources to deepen your understanding.* | | ***Alignment*** | ***AIE*** |
| **Adobe Connect Live Discussion**  **Review** [Adobe Connect Resources](https://sites.gmercyu.edu/student-resources/adobe-connect-resources/).  **Participate** in the scheduled live session with the course instructor. This session will provide an overview of the course and discuss the major assignments in the course.  **Prepare** to ask questions concerning the content of the week and the course as a whole.  *Note:* A recorded lecture will be made available to those who are unable to attend the live session. | |  | Live Discussion: lecture and discussion = **1 hour** |
| ***Graded Assignments***  *Complete these graded assessments by the end of the week unless specified otherwise.* | | ***Alignment*** | ***AIE*** |
| **Discussion: Sources of Higher Education Law**  **Respond** to the following in the Sources of Higher Education Law discussion forum by Thursday:   * How has the evolution of higher education created the complex relationship between internal governance, including the creation of internal law and the role of external governance?   **Post** constructive criticism, clarification, additional questions, or your own relevant thoughts to 3 of your classmates' posts by Sunday. | | 1.1 | Discussion: one post and replies to three other posts = **1 hour** |
| **Discussion: Knowing the Law**  **Read** the following:  “Educators need not learn to know the law like lawyers know the law, to analyze problems like lawyers do, or to perform the functions that lawyers perform. In real-world settings, there are (or should be) lawyers available to do these things. Educators, administrators, and public policy-makers have different roles to play roles in which it is more critical to know about the law than to know the law; more critical to know how to analyze problems from their own discipline’s perspective, against the backdrop of law, than to analyze problems from the lawyer’s perspective; and more critical to know how to work with lawyers in performing the educator’s, administrator’s, or public policy maker’s functions, than to perform the lawyers’ functions for them.” (Kaplin & Lee, 2014)  **Respond** to the following in the Knowing the Law discussion forum by Thursday:   * What are your reactions or thoughts about the quote?   **Post** constructive criticism, clarification, additional questions, or your own relevant thoughts to 3 of your classmates' posts by Sunday. | | 1.2 | Discussion: one post and replies to three other posts = **1 hour** |
| **Group Discussion: Current Case Law Article Review**  **Read** the Week One Court Opinion document available on Blackboard.  **Analyze** the court opinion using the guidelines found in Appendix C: Reading and Analyzing Course Opinions of *The Law of Higher Education*.  **Post** your analysis to the collaborative work group assigned to you by Thursday.  **Review** your groupmates’ analyses, and **provide** meaningful feedback by Sunday. | | 1.3, 1.4 | Analysis and Discussion: **2 hours** |
| **Week One Journal**  **Access** your institution’s policy and procedure manuals.  **Examine** your institution’s policy on identifying situations where seeking external legal counsel is recommended.  **Write** a 250- to 300-word journal response to the following:   * Are the policies and guidelines set by your institution clear? Why or why not? * What, if any, challenges do you see with your institution’s policies? * What recommendations do you have, if any, to clarify institutional policies related to seeking external legal counsel? | | 1.3, 1.4 | Private Post: **.5 hours** |
| **Total** |  |  |  |

# Faculty Notes

**Course Setup**

**General Questions and Discussion Forum:** This course includes a discussion forum for general questions, comments, and concerns. This forum is intended for any course-related commentary not found within a specific weekly discussion. This forum is not graded. Make sure to monitor this forum for student posts. You are encouraged to make an announcement advertising this forum and monitor and post regularly to build engagement.

**Adobe Connect:** Consider posting an announcement asking students to submit any questions or topics they'd like addressed ahead of time. The instructor can then utilize those questions that come up in the first part of the week to tailor the live Adobe Connect class session that would be scheduled toward the later part of the week. That 1-hour synchronous session will allow students the opportunity to go over any questions they had with the homework and clarify any misconceptions they have about the course content. All Adobe Connect sessions should be recorded and a link to the recording be posted to the course page so any student who misses the session can review it later in the week.

*Note:* It is the instructor’s choice as to what day they will schedule the Adobe Connect Live Session, but it is recommended that they schedule this session for Wednesday of the week so students have plenty of time to review their homework prior to the deadline on Sunday.

**Institutional Staff Interviews**

If you are unable to assist a student who is struggling to find someone available to interview, contact the program Chair Raymond Bandlow, Ph.D., for assistance at [bandlow.r@gmercyu.edu](mailto:bandlow.r@gmercyu.edu).

**Collaborative Work Groups**

* Set up collaborative work groups of 3 to 4 students. You will see that some group forums already exist. Add or remove forums as needed, depending on your class size.
* Assign students to the group discussion forums.
* Post an announcement identifying the teams by Monday.
* Consider adding a Groups button to the right menu for quick access to the collaboration area.
  + Click the **+** symbol from the menu on the right.
  + Click **Tool Link** from the drop-down menu that appears.
  + Name the button.
  + In the **Type** field, click the drop-down menu and select *Groups*.
  + Check the box next to Available to Users.
  + Click **Submit**.

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| Week Two: Civil Liberties in Higher Education | |  |  |
| ***Learning Objectives*** | | ***Alignment*** | |
| * 1. Determine the implications of students’ free speech under the First Amendment principles. | | CLO2 | |
| * 1. Diagnose the implications of student privacy protection under the Federal Educational Rights and Privacy Act (FERPA). | | CLO2 | |
| * 1. Explain the implications of Religious Freedom on a college campus. | | CLO2, CLO4, CLO5 | |
| * 1. Describe Civil Liberties in Higher education. | | CLO1, CLO3 | |
| ***Resources, Activities, and Preparation***  *Utilize these resources and complete these activities in preparation for your graded assignments.* | | ***Alignment*** | ***AIE*** |
| **Readings and Videos**  **Read** the following sections of *The Law of Higher Education*:   * Part One: 1.6 Religion and the Public Private Dichotomy * Part One: 2 Legal Planning and Dispute Resolution–Section 2.1 Legal Liability * Part Four: 7 The Student-Institution Relationship–Section 7.8 Student Records    + 7.8.1 Family Educational Rights and Privacy Act (FERPA)   + 7.8.2 State law   + 9.4 Student Protest and free Speech   + 9.5 Speech Code and hate speech   + Part Five: 11 The College and Government   **Watch** the following videos:   * [Student Privacy 101: FERPA for Parents and Students](https://www.youtube.com/watch?v=nhlDkS8hvMU) [4:03] * [3 Myths About HIPPA & FERPA – Saks Institute 2014 Soring Symposium](https://www.youtube.com/watch?v=Mo4yivJzx70) [38:52] | | 2.1, 2.2, 2.3, 2.4 |  |
| ***Supplemental Resources and Activities***  *Explore these optional resources to deepen your understanding.* | | ***Alignment*** | ***AIE*** |
| **Readings and Videos**  **Read the following resources:**   * [Northern Virginia Community College: Discrimination Against Political and Religious Student Groups](https://www.thefire.org/category/cases/religious-liberty/) * [“What are Civil Liberties? - Definition, Examples & Cases”](https://study.com/academy/lesson/what-are-civil-liberties-definition-examples-cases.html) * [Campus Clashes Over Free Speech](https://www.chronicle.com/items/biz/resource/ChronFocus_FreeSpeech_2018_i.pdf)   **Watch** the following video:   * [“What are Civil Liberties? - Definition, Examples & Cases”](https://study.com/academy/lesson/what-are-civil-liberties-definition-examples-cases.html) (7:14) | |  |  |
| ***Graded Assignments***  *Complete these graded assessments by the end of the week unless specified otherwise.* | | ***Alignment*** | ***AIE*** |
| **Discussion: Abiding by FERPA**  **Respond** to the following prompts in the Abiding by FERPA discussion forum by Thursday:   * Describe a situation you have encountered at your place of employment when you had to refer to the Family Educational Rights and Privacy Act (FERPA). * What steps did you take to address the situation within the context of abiding by FERPA regulations? * Are there any additional recommendations you would make now with respect to this situation?   **Post** constructive criticism, clarification, additional questions, or your own relevant thoughts to 3 of your classmates' posts by Sunday. | | 2.4 | Discussion: **1.5 hours** |
| **Group Discussion: Current Case Law Article Review**  **Read** the court article, *Keefe v. Adams - Eighth Circuit*.  **Formulate** a response to question 3 from the Week Two Court Opinion document.  **Post** your analysis to the collaborative work group assigned to you by Thursday.  **Review** your groupmates’ analyses, and **provide** meaningful feedback by Sunday. | | 2.1 | Analysis and Discussion: **2 hours** |
| **Discussion: Growth of Technology**  **Read** “[Can the First Amendment Survive the Internet?](http://chronicle.com/article/Can-the-First-Amendment/151191/)” by Erwin Chemerinsky from the *Chronicle of Higher Education*.  **Respond** to the following prompt in the Growth of Technology discussion forum by Thursday:   * What insights does the article provide for the effective administration of network and computer communication policies in higher education institutions?   **Provide** meaningful feedback to three of your classmates’ posts by Sunday. | | 2.1 | Discussion: 1.5 hours |
| **Civil Discourse or Hate Speech?**  **Review** the following:   * [Controversial Christian preachers return to campus, get drowned out by Kanye West songs](http://www.thedp.com/article/2016/10/christian-protesters-return-campus) * [Aden & The Gang Return](https://www.youtube.com/watch?v=SJndhHcx5WQ) * [What’s Missing From Stories on Campus Free Speech?](https://www.ewa.org/blog-higher-ed-beat/whats-missing-stories-campus-free-speech) * [Messy but Essential](https://www.insidehighered.com/views/2017/11/20/why-we-need-protect-free-speech-campuses-essay) * [Bridging the Divide: The Role of Free Speech on College Campuses](http://www.saturdayeveningpost.com/2018/01/18/culture/politics/bridging-divide-role-free-speech-college-campuses.html)   **Write** a 250- to 400-word evaluation that answers the following question:   * Formulate a response to this question: Is this speech considered civil discourse, hate speech, or religious freedom?   **Include** specific case law to support your position. | | 2.1, 2.3, 2.4 |  |
| **Total** |  |  |  |

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| Week Three: Liability Challenges: Student–Institutional Relationships | |  |  |
| ***Learning Objectives*** | | ***Alignment*** | |
| * 1. Determine the constraints and compliance challenges for formulating admissions policies. | | CLO3 | |
| * 1. Distinguish the institution’s risk in managing financial aid administration policies. | | CLO3 | |
| * 1. Analyze the policy implications of campus computer networks, computer communications, and student rights to privacy. | | CLO4 | |
| * 1. Explain liabilities related to on-campus housing. | | CLO3 CL05 | |
| ***Resources, Activities, and Preparation***  *Utilize these resources and complete these activities in preparation for your graded assignments.* | | ***Alignment*** | ***AIE*** |
| **Readings and Videos**  **Read** the following sections in Part Four: 7 The Student-Institution Relationship of *The Law of Higher Education*:   * Part Four: 7 The Student-Institution Relationship–Section 7.1 The Legal Status of Students   + 7.1.1 Overview   + 7.1.2 The age of majority   + 7.1.3 The contractual rights of students   + 7.1.4 Student academic freedom   + 7.1.5 Students’ legal relationship with other students * 7.2 Admissions * 7.3 Financial Aid * 7.4 Student Housing * 7.5 Campus Computer Networks * 7.6 Campus Security Move to week 4 * 7.7 Other Support Services * 7.8 Student Records | | 3.1, 3.2, 3.3 |  |
| ***Supplemental Resources and Activities***  *Explore these optional resources to deepen your understanding.* | | ***Alignment*** | ***AIE*** |
| **Readings**  **Read** the following resources:   * [Beyond Awkward Silence](https://www.insidehighered.com/news/2012/03/20/rutgers-clementi-case-shows-pitfalls-social-media-poor-roommate-communication) | | 3.4 |  |
| ***Graded Assignments***  *Complete these graded assessments by the end of the week unless specified otherwise.* | | ***Alignment*** | ***AIE*** |
| **Group Discussion: Current Case Law Article Review**  **Read** [Racial Bullying and Roommates](https://www.insidehighered.com/news/2017/11/03/experts-discuss-residence-life-best-practices-after-u-hartford-harassment-charges).  **Formulate** suggestions for the University of Hartford with regard to its policies on residence halls or student conduct.  **Post** your analysis to the collaborative work group assigned to you by Thursday.  **Review** the analyses posted by your groupmates’ and provide meaningful feedback by Sunday. | | 3.4 | Analysis and Discussion: **2 hours** |
| **Discussion: Race-Blind Approach to Admissions Policies**  **Read** the [Policy on Affirmative Action in Schools](https://www.nytimes.com/2018/07/03/us/politics/trump-affirmative-action-race-schools.html) by Erica L. Green, Matt Apuzzo, and Katie Benner in *the New York Times*.  **Respond** to the following prompts in the Admission Procedures discussion forum by Thursday:   * If you were in a position in the admissions office of a college or university, what would your reaction or thoughts be about reversing affirmative action policy in admissions? * Would this change your admissions requirements?   **Post** constructive criticism, clarification, additional questions, or your own relevant thoughts to 3 of your classmates' posts by Sunday. | | 3.1 | Discussion: **1.5 hours** |
| **Financial Aid Programs Evaluation**  **Imagine** that you just accepted an administrative position at an institution that provides gender-conscious and race-conscious financial aid programs to support increased diversity and to remediate prior discrimination at the institution. As a new administrator, you have been asked to review these policies.  **Write** a 250- to 400-word evaluation of the financial aid programs, detailing your reasons for supporting or not supporting the program.  **Include** specific case law to support your position. | | 3.2 | Private Submission: **.5 hours** |
| **Student Life Administrator Interview**  **Conduct** an interview with a student life administrator such as the dean of students or residence life director.  **Identify** the following in your interview:   * What are two major challenges the administrator faces today related to the practice of student administrative and academic affairs? * What administrative procedures are in place to address these challenges and situations?   **Evaluate** the administrator’s use of internal governance processes for decision making.  **Write** a 250- to 350-word summary of the interview and your evaluation by Sunday. | | 3.1, 3.2, 3.3 and 3.4 | Interview & Private Submission: **2 hours** |
| **Total** |  |  |  |

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| Week Four: Civil Rights in Higher Education | |  |  |
| ***Learning Objectives*** | | ***Alignment*** | |
| * 1. Identify the laws supporting services for students with disabilities. | | CL04 | |
| * 1. Analyze situations regarding students with disabilities, nondiscrimination, and affirmative action decisions. | | CLO3 | |
| * 1. Explain the foundation of affirmative action and discrimination law. | | CLO2, CL05 | |
| * 1. Evaluate the institution’s role in meeting the federal regulations contained within Title IX, the Cleary Act, and the Violence against Women Act. | | CLO3, CL04 | |
| * 1. Describe the challenges of accommodating transgendered students. | | CL03 | |
| ***Resources, Activities, and Preparation***  *Utilize these resources and complete these activities in preparation for your graded assignments.* | | ***Alignment*** | ***AIE*** |
| **Readings and Videos**  **Read** the following sections of *The Law of Higher Education*:  Part Two     * 4.6 Affirmative Actions   Part Four   * 7.6 Campus Security * 7.7 Other Support Services   Part Four   * 8.4 Academic Accommodations for Students with Disabilities * 8.5 Sexual Harassment of Students by Faculty Members   **Read** the following Dear Colleague letters from the United States Department of Education Office for Civil Rights:   * April 4, 2011 Dear Colleague Letter * [April 24, 2013 Dear Colleague Letter](https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201304.html) * [September 22, 2017 Dear Colleague Letter](file:///C:\Users\altemose\Desktop\September%2022,%202017%20Dear%20Colleague%20Letter) | | 4.1, 4.2 4.3 and 4.4 |  |
| ***Supplemental Resources and Activities***  *Explore these optional resources to deepen your understanding.* | | ***Alignment*** | ***AIE*** |
| **Read**   * [Department of Education Issues New Interim Guidance on Campus Sexual Misconduct](https://www.ed.gov/news/press-releases/department-education-issues-new-interim-guidance-campus-sexual-misconduct) * [Q&A on Campus Sexual Misconduct](https://www2.ed.gov/about/offices/list/ocr/docs/qa-title-ix-201709.pdf) * [Why Trans\* Students Matter](https://www.chronicle.com/article/Why-Trans-Students-Matter/239305) * [The transgender bathroom controversy: Four essential reads](http://theconversation.com/the-transgender-bathroom-controversy-four-essential-reads-72635)   **Watch** the following video:   * [It’s Time for the Law to protect victims of gender violence](https://www.ted.com/talks/laura_l_dunn_it_s_time_for_the_law_to_protect_victims_of_gender_violence#t-129324) (6:14) | | 4.3, 4.4 and 4.5 |  |
| ***Graded Assignments***  *Complete these graded assessments by the end of the week unless specified otherwise.* | | ***Alignment*** | ***AIE*** |
| **Gender Neutral Bathrooms**  **Click** this link to explore the multimedia display of a faculty member’s questions about gender neutral bathrooms.  **Read** [The Status of Trans Rights in 2018](https://www.naspa.org/rpi/posts/the-status-of-trans-rights-in-2018).  **View** [Ivan Coyote: Why We need gender Neutral bathrooms](https://www.ted.com/talks/ivan_coyote_why_we_need_gender_neutral_bathrooms).  **Write** a 250- to 350-word paper responding to the faculty request. Include the most current case law, and submit by Sunday | | 4.3 4.5 |  |
| **Case Study: Students With Disabilities**  **Read** the following articles from the *Chronicle of Higher Education*:   * [Federal Case Over Banning a Student’s Therapy Dog Illustrates Thicket of Disability Rules](http://chronicle.com/article/Federal-Case-Over-Banning-a/129349/) by Sara Lipka * [Colleges Lock Out Blind Students Online](http://chronicle.com/article/Blind-Students-Demand-Access/125695/) by Marc Parry   **Read** the following article from the Keiss Library:  Hebel, S. (2001). [How a landmark anti-bias law changed life for disabled students](http://libproxy.gmercyu.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=eft&AN=507750916&site=ehost-live). *Chronicle Of Higher Education, 47*(20), A23–A25.  **Write** a 500- to 700-word paper examining the evolution of laws supporting services for students with disabilities.Include the following:   * An explanation of how the laws have changed the way institutions operate and provide support services * Possible changes institutions of higher education may face in the next decade   **Submit** your paper to Blackboard by Sunday. | | 4.1, 4.2 | Case Study: **2 hours** |
| **Discussion: Effective Administration**  **Read** the following articles:   * [Sexual Assault on Campus: 9 Views on What Will Signal Progress](http://libproxy.gmercyu.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=102115869&site=ehost-live). (2015). *Chronicle of Higher Education, 61*(31), 3. * Kingkade, T. (2013, April). [Dear Colleague Letter on Retaliation Against Sexual Assault Victim-Advocates Puts Schools on Notice](http://www.huffingtonpost.com/2013/04/29/dear-colleague-letter-retaliaton-sexual-assault_n_3179768.html). *The Huffington Post*. * [New Instructions on Title IX](https://www.insidehighered.com/news/2017/09/25/education-department-releases-interim-directions-title-ix-compliance). (2017). *INSIDE HigherEd*.   **Respond** to the following prompts in the Effective Administration discussion forum by Thursday:   * What administrative or policy changes have occurred at your institution since the Dear Colleague letters were published? * How did this affect policies at your institution?   **Provide** meaningful feedback to 3 of your classmates’ posts by Sunday. | | 4.3, 4.4 | Discussion: **1.5 hours** |
| **Group Discussion: Students With Disabilities Scenario**  **View** the “[Disability Awareness Project: Professional Ethics in the Classroom](https://www.youtube.com/watch?v=_8TiCKY-gV0)” [5:14] video.  **Discuss** with your collaborative work group, the recommendations you would make to the instructor featured in the video.  **Post** your group’s conclusions to the Students with Disabilities discussion forum by Thursday.  **Review** the other groups’ posts, and **provide** meaningful feedback by Sunday. | | 4.1, 4.2 | Scenario Analysis & Discussion: **2 hours** |
| **Human Resource Administrator Interview**  **Conduct** an interview with a human resources administrator.  **Identify** the following in your interview:   * What policies and procedures are in place in the human resource department for handling complaints about faculty by students? * What guidelines are in place to inform HR professionals when legal council needs to be notified? * How have the changes to the Dear Colleague Letter affected your institution?   **Evaluate** the administrator’s use of internal governance processes for decision making.  **Write** a 250-to 350-word summary of your interview evaluation by Sunday. | | 4.1, 4.2, 4.3 4.4 and 4.5 | Interview & Private Submission: **2 hours** |
| **Total** |  |  |  |

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| Week Five: Academic Issues | |  |  |
| ***Learning Objectives*** | | ***Alignment*** | |
| * 1. Justify an institution’s legal right to establish and enforce academic standards. | | CLO2, CLO3 | |
| * 1. Compare the procedures of academic sanctions between public and private institutions. | | CLO3, CLO4 | |
| * 1. Evaluate legal implications of academic dismissals. | | CLO3, CLO4 | |
| ***Resources, Activities, and Preparation***  *Utilize these resources and complete these activities in preparation for your graded assignments.* | | ***Alignment*** | ***AIE*** |
| **Read and Videos:**  **Read the following resources:**   * Part Four: 8 Student Academic Issues of *The Law of Higher Education*.   **Watch** the following video:   * Academic Sanctions Lecture [4:16] | | 5.1, 5.2, 5.3 |  |
| ***Supplemental Resources and Activities***  *Explore these optional resources to deepen your understanding.* | | ***Alignment*** | ***AIE*** |
| **Read** [All US college professors deserve academic freedom, not just the privileged few with tenure](https://qz.com/437194/all-us-college-professors-deserve-academic-freedom-not-just-the-privileged-few-with-tenure/).  **Watch** the following videos:   * [Freedom of Speech and Academic Freedom on Campus: Why It Matters and How It's Being Threatened (58:25)](https://www.youtube.com/watch?time_continue=1&v=1ebefJf16jc) * [Academic Freedom, Freedom of Speech and Rise of the Right Wing](https://vimeo.com/213681484) (41:22) | | 5.1 |  |
| ***Graded Assignments***  *Complete these graded assessments by the end of the week unless specified otherwise.* | | ***Alignment*** | ***AIE*** |
| **Discussion: Academic Standards**  **Read** the following article:   * Hill, D. (2011). [A contentious triangle: Grading and academic freedom in the academy](http://libproxy.gmercyu.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=eue&AN=508206380&site=ehost-live). *Higher Education Quarterly*, *65*(1), 3–11. doi:10.1111/j.1468-2273.2010.00465.x. * [Ensuring Academic Integrity in Higher Ed](https://www.universitybusiness.com/article/ensuring-academic-integrity-higher-ed)   **Respond** to the following question in the Academic Standards discussion forum by Thursday:   * What insights does the article provide for academic administrators concerning academic grading, application of academic standards, and the rights of students?   **Post** constructive criticism, clarification, additional questions, or your own relevant thoughts to 3 of your classmates' posts by Sunday. | | 5.1 | Discussion: **1.5 hours** |
| **Group Discussion: Current Case Law Article Review**  **Read** the Week Five Case Study document available on Blackboard.  **Formulate** a response to the following:   * Does the law constrain the provost in her decision-making on the matter? Provide rationale for your response. * Is there any other information the provost would need to have before ruling on the petition? Provide rationale for your response. * If the provost denies the petition, what arguments might the student make to establish grounds for suing the school? What relief could the student request? Provide rationale for your response.   **Post** your analysis to the collaborative work group assigned to you by Thursday.  **Review** your groupmates’ analyses, and **provide** meaningful feedback by Sunday. | | 5.3 | Analysis and Discussion: **2 hours** |
| **Paper: Academic Program Leader Interview**  **Conduct** an interview with an academic program leader such as the chief academic officer, academic dean, or discipline chair.  **Identify** the following in your interview:   * What are the major challenges the administrator faces today related to the practice of student administration and academic affairs? * What administrative procedures are in place to address these challenges?   **Evaluate** the administrator’s use of internal governance processes for decision making.  **Write** a 250- to 350-word summary of interview evaluation by Sunday. | | 5.1, 5.2 and 5.3 |  |
| **Total** |  |  |  |

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| Week Six: Student Disciplinary Issues | |  |  |
| ***Learning Objectives*** | | ***Alignment*** | |
| * 1. Justify the guidelines for establishing systems for codes of student conduct. | | CLO2, CLO3 | |
| * 1. Analyze the implications of due process on disciplinary rules and regulations. | | CLO2, CLO3 | |
| ***Resources, Activities, and Preparation***  *Utilize these resources and complete these activities in preparation for your graded assignments.* | | ***Alignment*** | ***AIE*** |
| **Readings**  **Read** the following resource:   * Part Four: 9 Student Disciplinary Issues of *The Law of Higher Education* | | 6.1, 6.2 |  |
| ***Graded Assignments***  *Complete these graded assessments by the end of the week unless specified otherwise.* | | ***Alignment*** | ***AIE*** |
| **Discussion: Student Code of Conduct**  **Watch** the [Boise State University Student Code of Conduct](https://www.youtube.com/watch?v=PRL2K8kwIag) (3:36).  **Locate** and review your institution’s student code of conduct.  **Respond** to the following question in the Student Code of Conduct discussion forum by Thursday:   * How does your institution address publishing the student code of conduct? What is the process of for students who violate the code of conduct?   **Post** constructive criticism, clarification, additional questions, or your own relevant thoughts to 3 of your classmates' posts by Sunday. | | 6.2 | Discussion: **1.5 hours** |
| **Discussion: Student Misconduct**  **Read** the following articles:   * [Former Student Sues Brown U., Saying He Was Punished After a False Rape Allegation](http://chronicle.com/article/Former-Student-Sues-Brown-U/65044/) by Elyse Ashburn * [McCormick versus Brown University Opinion and Order](https://www.leagle.com/decision/infdco20100601a62) from the United States District Court for the District of Rhode Island * [Brown University, Elite Ivy League School, Raises Questions with Handling of Rape Allegations](http://www.foxnews.com/us/2010/05/31/brown-university-elite-ivy-league-school-raises-questions-handling-rape-199169598/) by the Associated Press   **Respond** to the following question in the Student Misconduct discussion forum by Thursday:   * As the administrator responsible for student conduct and allegations of student misconduct, what steps would you have taken to address this situation if it were brought to your attention?   **Provide** meaningful feedback to 3 of your classmates’ posts by Sunday. | | 6.1 | Discussion: **1.5 hours** |
| **Group Discussion: Current Case Law Article Review**  **Read** the Week Six Case Study document available on Blackboard.  **Formulate** a response to the following:   * Is the policy valid? * Can it validly be applied to each of the identified students? * What changes in the policy’s wording, or its particular applications, would be advisable?   **Post** your analysis to the collaborative work group assigned to you by Thursday.  **Review** your groupmates’ analyses, and **provide** meaningful feedback by Sunday. | | 6.1, 6.2 | Analysis and Discussion: **2 hours** |
| **Discussion: Review 8 Scenarios and Create a Graphic**  In today’s increasingly litigious society, colleges face a variety of serious legal concerns that affect the organization. Included are matters of student discipline, ADA compliance, institutional and personal liability, discrimination and harassment, considerations of race and diversity, managing complex federal student financial aid programs, and now campus safety concerns, as well. Therefore, it has become imperative that college leaders remain vigilant to the challenges.  As a new president of the college, your leadership style is to meet with campus community to accurately assess the pulse of the college. As a result of many community forums and individual meetings, the following 8 scenario presented themselves.   1. Henry 2. Ruth 3. Joe 4. Ron 5. Betsy 6. Sarah 7. Sheila 8. LaToya   **Click** on each of the 8 scenarios, and **select** the one that is most disturbing to you and needs immediate attention. Explain why in 200 to 300 words. Additionally, create a diagram, picture, or any kind of graphic that demonstrates your reasoning and priority of concerns to address from first to last.  **Post** your text and graphic to the discussion by Thursday  **Provide** meaningful feedback to at least 3 of your classmates by Sunday. You will be using this feedback to help you in your action plan presentation due next week. | |  | Private Submission: **1 hour** |
| **Total** |  |  |  |

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| Week Seven Liability Issues: Greek Life, Athletics, and Student Organizations | |  |  |
| ***Learning Objectives*** | | ***Alignment*** | |
| * 1. Evaluate the students’ rights to organize. | | CLO2, CLO3 | |
| * 1. Analyze institutional recognition and regulation of student organizations. | | CLO2, CLO3 | |
| * 1. Analyze legal liability issues of Greek life, athletics, and student organizations | | CLO2, CLO3, CL04 | |
| ***Resources, Activities, and Preparation***  *Utilize these resources and complete these activities in preparation for your graded assignments.* | | ***Alignment*** | ***AIE*** |
| **Readings**  **Read** the following resource:   * Part Four: 10 Rights and Responsibilities of Student Organizations and Their Members in *The Law of Higher Education* | | 7.1, 7.2, 7.3 |  |
| ***Graded Assignments***  *Complete these graded assessments by the end of the week unless specified otherwise.* | | ***Alignment*** | ***AIE*** |
| **Discussion: Regulating Student Organizations**  **Read** the following articles:   * [Mean Girls: Humiliating Hazing Still a Problem at College Sororities](http://www.foxnews.com/entertainment/2014/09/25/mean-girls-dangerous-hazing-growing-problem-at-college-sororities/) by Hollie McKay from Fox News * [Banning Frats?](https://www.insidehighered.com/news/2014/09/30/should-colleges-ban-fraternities-and-sororities) by Jake New from Inside Higher Education * [Rutgers Bans Fraternity, Sorority House Parties in Wake of Alcohol-Related Problems](http://www.foxnews.com/us/2015/04/07/rutgers-bans-house-parties-at-its-fraternities-and-sororities-after-alcohol/) by Associated Press from Fox News   **Respond** to the following questions in the Regulating Student Organizations discussion forum by Thursday:   * What insights do the articles provide to assist administrators in addressing the regulation of student organizations? * Do you believe the media has helped bring the situation to light? Why or why not? * How would you address the media if your institution were facing a similar situation as seen in the articles? * To what extent would you include legal in your response to the media?   **Post** constructive criticism, clarification, additional questions, or your own relevant thoughts to 3 of your classmates' posts by Sunday. | | 7.1, 7.2 7.3 | Discussion: **1.5 hours** |
| **Group Discussion: Current Case Law Article Review**  **Read** the Week Seven Case Study document available on Blackboard.  **Formulate** a response to the following:   * Has the college complied with Title IX’s requirement that it effectively accommodate the interests and abilities of female students?   **Post** your analysis to the collaborative work group assigned to you by Thursday.  **Review** your groupmates’ analyses, and **provide** meaningful feedback by Sunday. | | 7.1, 7.2 and 7.3 | Analysis and Discussion: **2 hours** |
| **Action Plan: Campus Challenge**  Now that you have heard from your colleagues in the Discussion Board from Week 6, it is time for you, as the president, to prioritize the top three liabilities to address.  **Identify** your top three liabilities.  **Analyze** the problem using the following questions as a guide:   * Which issues—academic, administrative, or legal—are most critical to the resolution of the problem? * Provide rationale for your selections. * What case law surrounds the issues?   **Policy**   * What are the issues, such as issues of academic policy and administrative policy, presented by this problem? * In what ways are the academic and administrative policy issues interrelated with the legal issues?   **Legal**   * What are the legal issues presented by this problem? In what order should the legal issues be addressed? * Would you consult legal counsel? Why or why not? * If you would consult counsel, what specific questions would you ask? What specific advice or service would you request?   **Develop** an action plan that incorporates potential strategies to address your selected three problems. Your action plan should apply topical information about the problem based on the readings and activities of the course and be 1,750 to 2,450 words.  **Report** the following in your action plan:   * Case summary and course action for the institution * Academic and administrative policy issues presented by the problem * Legal issues that affect the policies or problem * Action steps to address the problem immediately * Action steps to address future challenges regarding the problem   **Include** the following in your action plan:   * 10 resources outside of course readings and the interviews * Title page * Table of contents * Reference list   **Submit** your action plan by Sunday. | | 7.1, 7.2 and 7.3 | Presentation: **2 hours** |
| **Total** |  |  |  |