

EDAP 7040
School Law
Spring 2007
The University of Georgia

Dr. Brook Whitmire

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Course Description:

This course examines legal principles applicable to public education, the legal structure of the public school system, and legal problems issues to students and teachers.¹

Course Objectives:

Students studying school law will:

1. Develop an awareness of American governance systems, sources of the law, and the role of courts in American education.
2. Explore legal principles, ideology, and jurisprudential maxims such as “we are a nation of laws, not men.”
3. Explore constitutional principles and their application to the public school context.
4. Review court decisions, statutory law, and administrative regulations regarding public education.
5. Review federal and state constitutions.
6. Converse and reflect on legal principles and their application to public schools.
7. Engage in legal research, and present and debate findings on legal problems related to public schools.

Course Outline:

The following is a list of the major topics we will study this semester. Topics appear in the general order they will be discussed, though flexibility with the timeline will be essential.

1. Federalism
2. Compulsory attendance laws
3. The Establishment Clause and the Free Exercise Clause
4. Religion and the public schools
5. Freedom of expression for teachers and students
6. Curriculum censorship
7. Use of public school facilities

¹ Please see <http://www.uga.edu/ovpi/index.htm> for the UGA policy on Academic Honesty, and <http://www.gradsch.uga.edu/> for other applicable rules and policies.

8. Student discipline and due process
9. Search and seizure law in public schools
10. Mandatory reporting statutes for abuse and neglect
11. Teacher contract law
12. Non-renewal and dismissal of teachers
13. Teachers' private lives
14. The Code of Ethics for Educators in Georgia
15. Academic freedom
16. Employment discrimination
17. School desegregation
18. Special education law
19. Tort law and teacher liability
20. School finance litigation

Assigned Readings:

1. Michael LaMorte, School Law: Cases and Concepts (Eighth Edition)
2. The U.S. Constitution, Georgia educational statutes, and other supplemental readings

Course Requirements and Evaluation:

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| 1. Attendance and active participation in class discussions | 30% |
| 2. Final Exam | 30% |
| 3. Individualized school law paper | 30% |
| 4. Relevant articles chosen and discussed by students | 10% |