EDUCATION LAW

Mr. Canner
spring 2007

SYLLABUS


Other Readings: The readings assigned in the Casebook are supplemented by materials available on (or linked to) the course’s TWEN page.

Class Meetings: This is a 3-credit course, with meetings scheduled in Room 207 on Tuesdays and Thursdays from 1 – 2:15 p.m.

Preparation and Attendance: Complete preparation, timely class arrival and attendance, and active participation are expected.

Examination: A three-hour, open book examination will be administered on Tuesday, May 1, beginning at 8:15 a.m. in Room 207.

Contacting Mr. Canner: Workday telephone: (303)492-1967
Email: alan.canner@colorado.edu

Office Hours: Room 450
Tuesdays, 2:30 – 3:30 p.m.
Thursdays, 10:30 – noon and 2:30 – 3:30 p.m.
and by appointment
Chapter One: SCHOOLING AND THE STATE

Tuesday, January 16
Introduction to the course, purposes of education, and history of the common school.

[Read as background excerpts from Aristotle and from EDUCATION IN THE UNITED STATES: A DOCUMENTARY HISTORY (available on course’s TWEN page, Course Materials) and Casebook, pp. 1 - 9 (to “Notes and Questions,” left column)]

Thursday, January 18
Compulsory Schooling
Pierce v. Society of Sisters
Wisconsin v. Yoder

[Read Casebook, pp. 10 (bottom right column) - 14 (to 3., middle right column); 23 (right column) - 40 (to 3., right column)]

Tuesday, January 23
State Regulation of Nonpublic Schools
Farrington v. Tokushige
Meyer v. Nebraska
Fellowship Baptist Church v. Benton
Ohio v. Whisner

[Read Casebook, pp. 19 (middle left column) - 23 (bottom left column); 44 (bottom right column) - 56 (bottom right column)]

Thursday, January 25
State Regulation of Home Schooling
Care and Protection of Charles
Stephens v. Bongart
State v. Massa

[Read Casebook, pp. 58 (middle right column) - 75 (middle left column)]

Chapter Two: SOCIALIZATION AND STUDENT AND TEACHER RIGHTS

Tuesday, January 30
Religious Socialization
Abington Sch. Dist. v. Schempp
Lemon v. Kurtzman
Wallace v. Jaffree

[Read Casebook, pp. 124 - 142 (to 2., right column)]
Thursday, February 1

Agostini v. Felton
Lee v. Weisman

[Read Casebook, pp. 110 (middle left column) - 120; 143 (middle right column) - 148 (to 2., right column)]

Tuesday, February 6

Edwards v. Aguillard

[Read Casebook, pp. 148 (from 2., right column) - 165]

Thursday, February 8

Moral Socialization
Smith v. Bd. of Sch. Comm’rs
Mozert v. Hawkins County Bd. of Educ.

Political Socialization
West Virginia State Bd. of Educ. v. Barnette

[Read Casebook, pp. 166 - 182 (to 2., right column); 189 (middle right column) - 196 (bottom left column)]

Tuesday, February 13

Bd. of Educ., Island Trees Union Free Sch. Dist. No. 26 v. Pico
Crosby v. Holsinger

[Read Casebook, pp. 196 (bottom left column) - 212 (to 6., right column); 218 (from 4., right column) - 224 (middle left column)]

Thursday, February 15

Student Expression
Bethel Sch. Dist. No. 403 v. Fraser

[Read Casebook, pp. 224 (middle left column) - 239 (to 2., left column)]

Tuesday, February 20

Hazelwood Sch. Dist. v. Kuhlmeier

Academic Freedom and Teachers’ Rights of Expression

[Read Casebook, pp. 239 (bottom left column) - 255 (to 3., left column)]
Thursday, February 22


Access to School Facilities
Bd. of Educ. v. Mergens

[Read Casebook, pp. 293 (bottom left column) - 297 (bottom right column); 261 (right column) - 279 (to 5., left column); 283 (from 7., right column) - 285 (to 3., left column); “Statement of Principles re: Religious Expression and Activity in the Public Schools” (available on course’s TWEN page, Course Materials)]

Chapter Three: THE DISCIPLINARY PROCESS

Tuesday, February 27
Searching for Evidence of the Infraction
New Jersey v. T.L.O.
Vernonia Sch. Dist. 47J v. Acton

[Read Casebook, pp. 305 - 325 (bottom left column)]

Thursday, March 1
Procedural Due Process
Bd. of Regents v. Roth
Perry v. Sindermann

[Read Casebook, pp. 325 (right column) - 337 (through 9., right column)]

Tuesday, March 6
Suspension and Expulsion
Goss v. Lopez
Ingraham v. Wright
Bd. of Curators v. Horowitz

Implementing Due Process Safeguards
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g
34 C.F.R. Part 99

[Read Casebook, pp. 337 (bottom right column) - 345 (to 6., right column); 346 (bottom left) - 360 (to C., right column); Scan 20 U.S.C. § 1232g]
Chapter Four:  EQUAL EDUCATIONAL OPPORTUNITY AND RACE

Thursday, March 8
The American Dilemma: “First Generation” Issues
Brown v. Bd. of Educ.  (Brown I)
Brown v. Bd. of Educ.  (Brown II)
Green v. County Sch. Bd.

[Read Casebook, pp. 363 - 381 (to C., left column)]

Tuesday, March 13
Keyes v. Sch. Dist. No 1

[Read Casebook, pp. 381 (from C., left column) - 397 (to 4., right column)]

Thursday, March 15
Milliken v. Bradley

Unitary Status
Freeman v. Pitts

[Read Casebook, pp. 399 (middle right column) - 410 (to 6., left column); 418 (from VI., right column) - 427 (to “Notes and Questions,” right column)]

Tuesday, March 20
“Second Generation” Problems
Hobson v. Hansen

[Read Casebook, pp. 484 - 507 (through left column)]

Chapter Five:  GENDER EQUITY

Thursday, March 22
Search for a Constitutional Standard
U.S. v. Virginia

[Read Casebook, pp. 546 (from II., left column) - 549 (through left column); 556 (bottom left column) - 572 (to 5., right column)]

Tuesday, March 27 [no class]

Thursday, March 29 [no class]
Tuesday, April 3
Title IX
Force v. Pierce City R-VI Sch. Dist.
Davis v. Monroe County Bd. of Educ.

[Read Casebook, pp. 572 (bottom right column) - 585 (to 6., right column);
607 (from “Notes and Questions,” right column) - 617 (to “Notes and Questions,”
left column)]

Chapter Six:  EQUAL EDUCATIONAL OPPORTUNITY BEYOND RACE AND GENDER

Thursday, April 5
Ethnicity and National Origin
Lau v. Nichols
Castaneda v. Pickard

[Read Casebook pp. 637 (from II., right column) - 648 (to 3., right column)]

Tuesday, April 10
Plyler v. Doe

Students with Disabilities

[Read Casebook, pp. 670 (from “Notes and Questions,” left column) -
680 (bottom right column); 688 (middle right column) - 693]

Thursday, April 12
Southeastern Community College v. Davis
Bd. of Educ. v. Rowley
Honig v. Doe

[Read 698 (middle right column) - 713 (to b., left column);
725 (middle right column) - 730 (middle left column)]

Chapter Seven:  EQUAL EDUCATIONAL OPPORTUNITY AND SCHOOL FINANCE

Tuesday, April 17
Interdistrict Inequalities
Serrano v. Priest
San Antonio Indep. Sch. Dist. v Rodriguez

[Read Casebook, pp. 775 (from II., right column) - 797 (to 6., left column)]
Thursday, April 19
Abbott v. Burke
Intradistrict Inequalities
Hobson v. Hansen
Right to a Free Public Education
Kadrmas v. Dickinson Public Schools

[Read Casebook, pp. 827 (from D., left column) - 836 (to 2., left column);
837 (from III., right column) - 842 (to C., right column);
845 (from IV., right column) - 850 (to V., right column)]

Chapter Eight: EDUCATIONAL GOVERNANCE AND THE LAW

Tuesday, April 24
Educational Malpractice
Peter W. v. San Francisco Unified Sch. Dist.

Commercials in the Classroom
Dawson v. East Side Union High Sch. Dist.

No Child Left Behind Act

[Read Casebook, pp. 932 (from 2., left column) - 938 (to IV., right column);
987 (from 2., left column) - 994]

Thursday, April 26 [last class meeting]
Questions and Review