EDUCATION LAW

Mr. Canner
Spring 2009

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 three-credit course, with meetings scheduled in Room 207 on Tuesdays and Thursdays from 2:30 – 3:45 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, April 28, beginning at 8:15 a.m. in Room 206.

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

Office Hours: Room 450
By appointment or drop-by (other than the hour before classes)
Chapter One:  SCHOOLING AND THE STATE

Tuesday, January 13
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); Casebook, pp. 1 - 3 (to top, left column)]

Thursday, January 15
Compulsory Schooling
Pierce v. Soc’y 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 20
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 22
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 27
Religious Socialization
Abington Sch. Dist. v. Schempp
Lemon v. Kurtzman
Wallace v. Jaffree
[Read Casebook, pp. 124 - 142 (to 2., right column)]

Thursday, January 29
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 3
  Edwards v. Aguillard
  Moral Socialization
  Mozert v. Hawkins County Bd. of Educ.
  [Read Casebook, pp. 148 (2., right column) - 165; 173 - 182 (to 2., right column)]

Thursday, February 5
  Political Socialization
  Bd. of Educ., Island Trees Union Free Sch. Dist. No. 26 v. Pico
  [Read Casebook, pp. 189 (middle right column) - 212 (to 5., left column)]

Tuesday, February 10
  Student Expression
  Bethel Sch. Dist. No. 403 v. Fraser
  [Read Casebook, pp. 218 (4., right column) - 239 (to 2., left column)]

Thursday, February 12
  Hazelwood Sch. Dist. v. Kuhlmeier
  Morse v. Frederick
  [Read Casebook, pp. 239 (bottom left column) - 250 (middle left column); Morse v. Frederick (available on course’s TWEN page, Course Materials)]

Tuesday, February 17
  Access to School Facilities
  Bd. of Educ. v. Mergens
  Lamb’s Chapel v. Center Moriches Union Free Sch. Dist.
  [Read Casebook, pp. 261 (right column) - 279 (to 5., left column); “Statement of Principles re: Religious Expression and Activity in the Public Schools” (available on course’s TWEN page, Course Materials)]

Thursday, February 19
  Academic Freedom and Teachers’ Rights of Expression
  [Read Casebook, pp. 250 (middle left column) - 255 (to 3., left column); 293 (bottom left column) - 297 (bottom right column)]
Chapter Three: THE DISCIPLINARY PROCESS

Tuesday, February 24

Searching for Evidence of the Infraction

New Jersey v. T.L.O.
Vernonia Sch. Dist. 47J v. Acton
Bd. of Educ. of Indep. Sch. Dist. No. 92 v. Earls

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

Thursday, February 26

Procedural Due Process

Bd. of Regents v. Roth
Perry v. Sindermann

[Read Casebook, pp. 325 (right column) - 335 (to 7., right column)]

Tuesday, March 3

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

[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 5

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 10

Keyes v. Sch. Dist. No 1
Milliken v. Bradley

[Read Casebook, pp. 381 (C., left column) - 397 (to 4., right column); 399 (middle right column) - 409 (to 5., left column)]
Thursday, March 12
Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1
Unitary Status
Freeman v. Pitts
[Read Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1 (available on course’s TWEN page, Course Materials); Casebook, pp. 418 (VI., right column) - 427 (to “Notes and Questions,” right column)]

Tuesday, March 17
“Second Generation” Problems
Hobson v. Hansen
[Read Casebook, pp. 484 - 501 (to 3., left column)]

Chapter Five: GENDER EQUITY

Thursday, March 19
Search for a Constitutional Standard
U.S. v. Virginia
[Read Casebook, pp. 546 (II., left column) - 549 (through left column);
556 (bottom right column) - 572 (to 5., right column)]

Tuesday, March 24 [no class]

Thursday, March 26 [no class]

Tuesday, March 31
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 (2., right column) - 617 (to “Notes and Questions,” left column)]

Chapter Six: EQUAL EDUCATIONAL OPPORTUNITY BEYOND RACE AND GENDER

Thursday, April 2
Ethnicity and National Origin
Lau v. Nichols
Castaneda v. Pickard
[Read Casebook pp. 635 - 648 (to 3., right column)]
Tuesday, April 7

Plyler v. Doe
Students with Disabilities

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

Thursday, April 9

Southeastern Cmty. Coll. v. Davis
Bd. of Educ. v. Rowley
Honig v. Doe

[Read 698 (2., 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 14

Interdistrict Inequalities
Serrano v. Priest
San Antonio Indep. Sch. Dist. v Rodriguez

[Read Casebook, pp. 775 (II., right column) - 797 (to 6., left column)]

Thursday, April 16 [FCQ]

Abbott v. Burke
Right to a Free Public Education

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

Chapter Eight:  EDUCATIONAL GOVERNANCE AND THE LAW

Tuesday, April 21

Educational Malpractice
Peter W. v. San Francisco Unified Sch. Dist.
Commercials in the Classroom
Dawson v. E. Side Union High Sch. Dist.
No Child Left Behind Act

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

Thursday, April 23  [last class meeting]

Questions and Review