

**PORTLAND STATE UNIVERSITY
GRADUATE SCHOOL OF EDUCATION
DEPARTMENT OF COUNSELOR EDUCATION**

COUN 547: School Law

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Term: Winter 2014
Location: TBD
Time: January 31, 2014
February 7, 2014
4 pm – 9 pm

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Office hours: Upon Request

Course Description

Course designed for Continuing School Counselor Licensure Candidates. Students will review court rulings, federal and state law, and sample school board policies regarding a range of legal issues impacting the work of school counselors. Class is limited to 20 students. The course will be taught in two five-hour sessions.

Disability Access Information

It is the University's goal that learning experiences be as accessible as possible. If you require accommodations (e.g. special seating, interpreter, note-taker, etc.), please inform me immediately. Students with disabilities should register with the PSU Disability Resource Center (503-725-4150) to document their need for accommodations and obtain support services. I will work with you to arrange the supports you need in this class.

Graduate School of Education Conceptual Framework

Vision: Preparing professionals to lead life-long learning and development within our diverse communities.

1. Diversity and Inclusiveness - Advocacy for Fairness and Respect.

- 1.1 Candidates work effectively with diverse populations.
- 1.2 Candidates promote inclusive and therapeutic environments.

2. Research based practices and professional standards - Professionalism.

- 2.1 Candidates critically analyze and implement research-based practices.
- 2.2 Candidates demonstrate appropriate professional knowledge, skills, and dispositions.

3. Impact on Learning and Development - Commitment to learning.

- 3.1 Candidates ensure that all learners and clients succeed.
- 3.2 Candidates use technology to enhance learning and development.
- 3.3 Candidates influence policy and provide leadership for organizations.

4. Evidence-informed decision making - Reflection.

- 4.1 Candidates use evidence to address problems of practice and make informed educational and therapeutic decisions.

Course Objectives

Upon completion of the course, student will develop familiarity with legal principles that impact the daily work of school counselors. The student will complete the course with an understanding of laws relating to student privacy, the First Amendment, duty to warn, student discipline, bullying and harassing, drug testing, religious accommodation and other current legal topics. This course does not address laws impacting special education students.

CACREP STANDARDS ADDRESSED

Standard 1. Foundations

2. Understands ethical and legal considerations specifically related to the practice of school counseling.
3. Knows roles, functions, settings, and professional identity of the school counselor in relation to the roles of other professional and support personnel in the school.

B. Skills and Practices

1. Demonstrates the ability to apply and adhere to ethical and legal standards in school counseling.

Required Materials

There is an instructor-compiled packet for each session consisting of legal overviews, legal guidance memorandum and relevant articles. These will be available from Clean Copy before the start of Session One. Reading packets are reviewed during each session. Students are expected to review ASCA Ethics between Session One and Session Two.

Grading: This is a pass/no pass course. Students are expected to attend both sessions and actively participate in the discussion and case study.

Course Schedule

First Session

- First Amendment Overview
 - Freedom of Religion in Public Schools
 - Dress Codes
- Student Conduct Issues
 - Bullying, Cyberbullying and Harassment
 - Student Discipline
 - Search and Seizure/Confiscated Items
 - Restraint & Seclusion
- Student Records: Privacy, Access and Retention
- Parental Rights and Responsibilities
 - Custody Issues
- Reporting Obligations
 - Child Abuse
 - Threats of Violence
- Review American School Counselor Association (ASCA) Ethics Reading for next class
 - Each student to come up with two ethics questions/scenarios to discuss with class at next session

Second Session

- ASCA Ethics Review and questions/scenarios
- Miscellaneous
 - Attendance requirements

- Age-based rights
- Subpoenas
- Military Recruiting
- Overview of Oregon and Federal courts
- Rights of Gay, Lesbian, Bisexual, Transgender and Questioning Students
- Rights of Homeless Students
- Rights of Undocumented Students
- Final Scenario

Course and University Policies

Late Assignments	No make-ups or late turn-ins are allowed
Attendance and Tardiness	As this course is taught in only two sessions, students must attend both sessions to receive credit.
Classroom Demeanor and Courtesy	<p>Students are expected to actively contribute to the classroom discussion. Students are encouraged to come with questions from their experiences working in schools.</p> <p>You may want to make reference to the Student Conduct Code: http://www.pdx.edu/sites/www.pdx.edu/education/files/gse_handbook_student_conduct.pdf</p>
Incompletes	<p>A student may be assigned an Incomplete (I) grade by an instructor when all of the following four criteria apply:</p> <ol style="list-style-type: none"> 1. Quality of work in the course up to that point is C level or above. 2. Essential work remains to be done. "Essential" means that a grade for the course could not be assigned without dropping one or more grade points below the level achievable upon completion of the work. 3. Reasons for assigning an Incomplete must be acceptable to the instructor. The student does not have the right to demand an Incomplete. The circumstances must be unforeseen or be beyond the control of the student. An instructor is entitled to insist on appropriate medical or other documentation. In no case is an "Incomplete" grade given to enable a student to do additional work in order to raise a deficient grade. 4. A written agreement, signed by both the student and the instructor, should include a statement of the remaining work to be done to remove the Incomplete grade, and the date, not to exceed one year from the end of the term of enrollment for the course, by which work must be completed in order to earn credit toward the degree. The instructor may specify the highest grade which may be awarded upon completion; the grade awarded should not exceed the level of achievement attained during the regular course period. <p>http://www.pdx.edu/ogs/incomplete-grades</p>
Academic Integrity	<p>The following constitutes conduct as proscribed by Portland State University for which a student or student organization or group is subject to disciplinary action:</p> <p>(1) Obstruction or disruption of teaching, research, administration, disciplinary procedures or other University activities, including the University's public service</p>

	<p>functions or other authorized activities on University-owned or -controlled property, or any other location where teaching, research, administration, disciplinary procedures or other University activities take place.</p> <p>(2) All forms of academic dishonesty, cheating, and fraud, including but not limited to: (a) plagiarism, (b) the buying and selling of course assignments and research papers, (c) performing academic assignments (including tests and examinations) for other persons, (d) unauthorized disclosure and receipt of academic information and (e) falsification of research data.</p> <p>PSU Student Conduct Code # 577-031-0136</p>
Returning student work	<p>Due to FERPA guidelines, student work must be directly returned to each student (either face to face or via electronic or “snail” mail). If students want a hard copy of their work returned, they should provide a stamped, self-addressed envelope large enough to hold the assignments to be returned.</p>
Student Health Insurance	<p>PSU provides students taking 5 or more inload, non self-support credits per term (1 credit for international students) with the mandatory PSU/Aetna Student Health Insurance Plan.</p> <p>See http://www.pdx.edu/shac/insuranceplan for more information.</p> <p>Students may waive the insurance but must provide proof of enrollment in a comparable insurance policy offered through another company. Students only need to waive out once per academic year.</p> <p>All eligible students will be charged for insurance <u>unless they waive out by the waiver application deadline, the second Sunday of each term.</u></p> <p>See http://www.pdx.edu/shac/insurancewaiver for specific information and directions about waiving the health insurance, and a link to the online waiver application.</p> <p>Contact insurancehelp@pdx.edu for more information.</p>
22. Safe Campus Module	<p>Portland State University desires to create a safe campus for our students. As part of that mission, PSU requires all students to take the learning module entitled <i>Creating a Safe Campus: Preventing Gender Discrimination, Sexual Harassment, Sexual Misconduct and Sexual Assault</i>. See http://www.pdx.edu/sexual-assault/safe-campus-module</p>
LGBTQ Resolution Statement	<p>As part of its commitment to social justice and human dignity, the Curriculum and Instruction Department demonstrates LGBTQ advocacy through inclusive policies and practices that are both intentionally proactive and strategically responsive.</p>
Counselor Ed Policy Statement	<p>Department Policy Statement: The counseling profession requires a high level of personal integrity, self-awareness, and personal maturity. Demonstrating professionalism in classroom behavior, as well as</p>

being present and engaged in classroom activities, is expected at all times as a graduate student in Counselor Education.

Students are expected to attend all class meetings; however, one absence is not considered excessive. Students whose beliefs, religious practices, or lifestyles may conflict with class attendance from time to time should discuss such issues with the course instructor at the beginning of the term. If possible, arrangements should be made to make up missed attendance-related assignments and experiences. It is up to the student and instructor to negotiate a satisfactory solution with respect to absences.

Students and faculty are expected to maintain an atmosphere in which controversial issues, germane to the subject matter, can be examined and discussed. In exercising this freedom of expression, faculty and students are expected to exercise appropriate restraint and show respect for the opinion of others.

The Counselor Education program seeks to balance providing care and support, high expectations, and opportunities for participation in meaningful activities. All students are expected to participate in constructing a respectful learning environment in the classroom. Arrive to class on time, stay for the entire class, come back from breaks on time, turn off cell phones, etc. Be mindful of what might detract from the learning experience of students and faculty alike (e.g., talking to fellow students during lecture).

All students in the program must demonstrate behavior that is consistent with the Ethical Standards put forth in 2005 by the American Counseling Association:

<http://www.counseling.org/Resources/CodeOfEthics/TP/Home/CT2.aspx>

Failure to do so can result in termination from the program.