



**HIED 656:01W HIGHER EDUCATION AND THE LAW  
COURSE SYLLABUS: SPRING 2015**

**Instructor:** Dr. Jon Travis, Professor  
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**COURSE INFORMATION**

**Materials—Textbooks, Readings, Supplementary Readings:**

Textbook Required:

Olivas, M. A. (2006). *The law and higher education: Cases and materials on colleges in court* (3<sup>rd</sup> ed.). Durham, NC: Carolina Academic Press.

Optional and Supplementary resources:

Black, H., et al. (1992). *Black's law dictionary* (6<sup>th</sup> ed.). St Paul, MN: West Publishing.

Kaplin, W. A., & Lee, B. A. (2006). *The law of higher education* (4<sup>th</sup> ed.). San Francisco, CA: Jossey-Bass.

Westlaw Campus Research (accessed through the library databases) or hard copies of court reporters.

**Course Description:** Organic structure of the law, how to use legal resources, and significant issues and trends; past, present, and future; in higher education law.

**Student Learning Outcomes:**

Upon completion of this course, the student will be able to

1. Demonstrate an understanding of the basics of the legal system. Specifically, the student will be able to
  - 1.1 Identify and describe the sources of law in the United States.
  - 1.2 Describe the jurisdiction of each level in the judicial and legislative hierarchy, and their relationship to the U. S. Constitution.
2. Demonstrate skills in working with legal materials. Specifically, the student will be able to
  - 2.1 Identify and describe the Federal case reporters.
  - 2.2 Describe the meaning of each element in a case citation.
  - 2.3 Locate case reports and statutes using standard citations.
  - 2.4 Define commonly-used legal terminology.
  - 2.5 Read and understand case reports.
  - 2.6 Prepare briefs of case reports.
3. Demonstrate an understanding of the major legal issues that impact higher education, and the approach of agencies, legislatures, and courts to these issues. Specifically, the student will be able to
  - 3.1 Describe the legal governance of higher education.
  - 3.2 Define academic freedom and describe its applications and limitations.

- 3.3 Discuss the relationship of the law with college faculty.
- 3.4 Discuss the relationship of the law with college students.
- 3.5 Identify the legal constraints on discrimination, including harassment, and discuss the current role of affirmative action in higher education.

## **COURSE REQUIREMENTS**

### **Instructional Methods/Activities/Assessments**

Readings in the course text and in supplementary outside resources.

Completion of a proficiency test on the course syllabus and course introductory presentation and materials.

Participation in group discussion of reading assignments.

Submissions of 10 case briefs (cases described in text), as assigned by instructor.

Weekly tests (Weeks 4-14) over all assigned cases for the respective week.

All students must submit a paper that synthesizes the rules of law found in all of the case briefs from the text (note: not every case contributes a separate rule of law). At least one supporting case must be cited for each rule of law, and APA Style format is required.

### **Grading**

The following criteria will be utilized for student evaluation:

Case brief presentations (250 pts.—25pts. ea.)

Proficiency Test (100 pts.)

Weekly tests (200 pts.—20 pts. ea.)

Paper (50 pts.)

(Total possible--600 pts.)

The minimum number of points required for each grade are as follows:

A—540

B—480

C—420

(Please remember, no grade below a B may be applied to a doctoral degree.)

## **TECHNOLOGY REQUIREMENTS**

This course will be using the eCollege platform for course delivery and for all student submissions and discussion. All direct communication with the class and the professor will be conducted in the appropriate week's discussion session. Group discussions may utilize any technological link preferred by the individual group.

Access to the library's available databases via the student's MyLeo account will be required, unless the student prefers to use the library's holdings in person.

## **ACCESS AND NAVIGATION**

To access the eCollege platform, students should type the following address into their internet browser: <https://leo.tamuc.edu/login.aspx>.

Students will need their CWID and password to log in to the course. Students who do not know their CWID or have forgotten their password should contact Technology Services at 903.468.6000 or [helpdesk@tamuc.edu](mailto:helpdesk@tamuc.edu).

## COURSE AND UNIVERSITY PROCEDURES/POLICIES

All students enrolled at the University shall follow the tenets of common decency and acceptable behavior conducive to a positive learning environment (Texas A&M University-Commerce Procedure A12.08—see Student Guidebook, Policies and Procedures, Conduct).

All graduate students are expected to maintain high standards of academic integrity and honesty. Academic dishonesty, as defined in the Graduate Catalog, will incur a penalty commensurate with the severity of the infraction, from failure on the applicable assignment to failure in the course. A more severe infraction may also lead to a recommendation for suspension or expulsion.

A&M-Commerce will comply in the classroom, and in online courses, with all federal and state laws prohibiting discrimination and related retaliation on the basis of race, color, religion, sex, national origin, disability, age, genetic information or veteran status. Further, an environment free from discrimination on the basis of sexual orientation, gender identity, or gender expression will be maintained.

### **Students with Disabilities:**

The Americans with Disabilities Act (ADA) is a federal antidiscrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you have a disability requiring an accommodation, please contact the **Office of Student Disability Resources and Services, Texas A&M University-Commerce, Gee Library, Room 132, Phone (903) 886-5150 or (903) 886-5835, Fax (903) 468-8148 (StudentDisabilityServices@tamuc.edu)**

### **COURSE OUTLINE:**

*(Note: Subject to change)*

Topic	Text chapter
Course expectations; Overview of law; Understanding court cases	
Proficiency test	
Legal governance of higher education	1
Academic freedom	2
Academic freedom	2
Law & Faculty	3
Law & Faculty	3
Law & Faculty	3
Students & Law	4
Students & Law	4
Students & Law	4
Discrimination	5
Papers due	