

**Indiana University
Request for a New Credit Certificate Program**

Campus: IU-Bloomington

Proposed Title of Certificate Program: Graduate Certificate in Education Law

Projected Date of Implementation: Fall 2013

TYPE OF CERTIFICATE: (check one)

- UNDERGRADUATE CERTIFICATES – These programs generally require 12-29 credits of undergraduate-level academic work.
- GRADUATE CERTIFICATES – These programs generally require 12-29 credits of graduate-level academic work or undergraduate academic work carrying graduate credit.
- POST-BACCALAUREATE CERTIFICATES –These programs generally require 12-29 credits of undergraduate-level academic work, although students enrolling in these programs must have completed their baccalaureate degrees.

I. Why is this certificate needed? (Rationale)

The School of Education has a unique concentration of faculty with an expertise in education law and students who are interested in the topic. Unlike IU, only a few other universities have more than one education law faculty member within their schools of education. We would like to expand an opportunity for students who may not currently be enrolled at IU/IUPUI to have access to education law courses by offering these courses. All of the proposed courses will be offered online which will allow international students as well as those living across the U.S. to enroll in the certificate program. School districts confront legal issues on a daily basis and research demonstrates that school personnel are often misinformed about the law (Schimmel & Militello, 2007). When teachers are uninformed about legal issues, they waste time dealing with issues that could have often been avoided. Additionally, school districts and institutions of higher education spend thousands of dollars each year in litigation that sometimes could be avoided with a better understanding of legal issues in education.

II. List the major topics and curriculum of the certificate.

A student must complete five courses (15 credit hours) to fulfill the requirements of the Education Law Certificate, including four required courses and one elective course. All of these courses will be offered online.

Course Title	Credit Hours
A608 Legal Perspectives on Education	3
A615 Advanced School Law	3

A675 Leadership in Special Education*	3
A600 Problems in Educational Leadership	3
One Graduate-level Elective Course (e.g., A720, H504, H520)	3
Total Credits	15

*A675 is required because special education is the most litigious area of school law; however, students may submit a petition to their advisor requesting that A675 is substituted for a course that is narrowly-tailored to the student's interest and future career plans. For example, a course in Higher Education Law, Politics of Education, History of American Education, etc. may be a better fit for certain students.

III. What are the admission requirements?

- Personal goal statement of 500-750 words that identifies why you are interested in education law
- Two letters of recommendation from someone who is knowledgeable about your academic performance and promise
- A current resume
- Undergraduate degree from an accredited institution with a minimum G.P.A. of 3.0
- One official transcript for every institution of higher education you have attended for 9 credit hours or more

International applicants must submit an official report of current TOEFL scores (less than 2 years old). Students will need a TOEFL score of 550 or higher for the written version, 213 or higher for the computer-based version, or 79 or higher for the internet-based version.

IV. List the major student outcomes (or set of performance based standards) for the proposed certificate.

Within the five courses, students will gain new knowledge about relevant issues in education law. The learning outcomes include:

Students will 1) identify legal issues occurring in educational institutions; 2) appreciate the importance of legal literacy; 3) understand legal principles and apply them to real life scenarios; 4) describe and analyze key principles of school/district/higher education policy as well as federal and state statutes and cases; 5) conduct legal research to stay abreast of evolving law; 6) collaborate with others to solve complex legal issues, 7) examine social justice issues involving socio-economic status, race, disability, sexual orientation, and gender, and 8) advocate for themselves, colleagues, students, and schools/districts/universities.

Throughout the courses, students will examine:

Student Expression Rights

- * Does a student have a First Amendment right to wear a shirt to school that say "Homosexuality is Shameful?"
- * Does a student have a First Amendment right post critical and hurtful commentary about other teachers and students on Facebook?
- * Does the First Amendment allow a male student to wear a dress to prom.

Teachers' Substantive Rights

- * Can a teacher be fired for a picture on the internet with a beer in hand?
- * Can a teacher be critical in a public setting about school district policy?
- * Can a teacher be fired for choosing to read Harry Potter in class?

Higher Education Law

- * To increase diversity, can universities have race-conscious student admissions policies in light of *Grutter v. Bollinger*, *Gratz v. Bollinger*, and *Fisher v. University of Texas*?
- * Must online learning be accessible to all students with disabilities under ADA?
- * What are the recent developments regarding intellectual property, confidentiality, and social media?

Special Education Law

- * Do discipline policies differ for students receiving services under IDEA?
- * What do school personnel need to know and understand about RTI requirements?
- * Can parents unilaterally move their children from a public school to a private school and require the public school district to pay for the placement?
- * What are the recent policies concerning restraint and seclusion?

Harassment/Bullying

- * Can school officials be liable for failing to address harassment under Title IX?
- * Can students receiving services under IDEA sue the school district for denying a student a Free, Appropriate Public Education when that student is severely harassed in the classrooms?
- * What are our ethical responsibilities in making students from marginalized groups (e.g., LGBT students, Students with Disabilities) feel safe in a harassment free environment?

Employment Discrimination

- * What happens when a teacher's contract is not renewed and the teacher believes it relates to race, gender, pregnancy, or sexual orientation?
- * What due process rights must be afforded to school personnel who are dismissed?
- * How does state law govern this area of law?

In addition to these topics, there are several others that will be addressed: FERPA, Copyright, the Rights of ELL students, race-conscious student assignment plans, discipline, search/seizure, church/state issues, teacher contracts and evaluations.

V. Explain how student learning outcomes will be assessed (student portfolios, graduate follow up, employer survey, standardized test, etc.) and describe the structure/process for reviewing assessment findings for the purpose of ensuring continuous improvement of the certificate.

Because these five courses already exist, the assessments will be the same as those already offered in our existing online courses. For example, in all courses there is a combination of papers, exams, podcasts, policy analyses, and other relevant assignments that assess the course objectives. In addition, we plan to survey the students two years after the program to gauge whether their coursework was relevant to practice. Based on this feedback, we will improve our offerings to ensure that our certificate is worthwhile.

VI. Describe student population to be served.

We plan to attract international students as well as students from across the U.S. Indiana University is already recognized as one of the stronger education law programs in the country. We imagine many of the applicants would be teachers and administrators in public and private schools who are interested in education law. The certificate is likely to fulfill Continuing Education Unit (CEU) credit as well. Also, with the rise in litigation involving school districts and institutions of higher education, we imagine attorneys may be interested in the certificate.

Further, the online format may be particularly attractive. For example, school leaders who are working full-time and need updated legal information are likely to appreciate the flexibility and content of the certificate. Prospective students may also live in areas where a concentration on education law is unavailable. We believe that many of the students who complete the certificate could then be recruited into our online master's program. We would advertise this certificate program through the Education Law Association and various outlets.

VII. How does this certificate complement the campus or departmental mission?

The Educational Leadership Program seeks to engage students in relevant legal and policy debates. In offering the new certificate program, we hope to engage teacher leaders, administrators, and policymakers to better understand legal issues that arise within education, how to articulate these issues and how to advocate for themselves, students, and others. The certificate examines the current legal issues and introduces students to legal reasoning and analysis. Its objectives are listed in IV above. By the end of the program, students will be able to analyze school legal problems by considering legal and ethical implications. In so doing, this certificate aims to involve students in academic discourse involving the democratic underpinnings of education. Part of IU's mission is to provide "broad access" to outstanding programs to students everywhere. The certificate's online availability is congruent with this mission.

VIII. Describe any relationship to existing programs on the campus or within the university.

Although not our intended audience, we believe that students in law, political science, sociology, SPEA, and other academic disciplines might be interested in this new certificate program. We also predict that students who enroll in the certificate will decide to apply to other Educational Leadership and Policy Studies degree programs such as Ed.D. in Educational Leadership or Ph.D. in Education Policy Studies. If accepted to other IU degree programs, students could request that the certificate courses may be used toward earning subsequent IU degrees.

IX. List and indicate the resources required to implement the proposed program. Indicate sources (e.g., reallocations or any new resources such as personnel, library holdings, equipment, etc.).

No new resources are necessary. These courses are already taught and we have plenty of instructors available.

X. Describe any innovative features of the program (e.g., involvement with local or regional agencies, or offices, cooperative efforts with other institutions, etc.).

The certificate program itself is innovative. We will be the first university in the country to offer such a certificate.

Graduate Certificate in Education Law Program of Studies

A student must complete five courses (15 credit hours) to fulfill the requirements of the Education Law Certificate, including four required courses and one elective course.

Contact Information

Name _____ ID Number _____
 Address _____ Phone _____
 Email Address: _____

Advisor Information

<u>Name</u>	<u>Signature</u>	<u>Title/Rank</u>	<u>Date</u>
_____	_____	_____	_____

MINIMUM OF 12 HOURS CREDIT EDUCATION LAW CORE COURSES

Course#	Course Title	Semester/Year	Credits	Grade
A608	Legal Perspectives on Education	_____	3	_____
A615	Advanced School Law	_____	3	_____
A675*	Leadership in Special Education	_____	3	_____
A600	Problems in Educational Leadership	_____	3	_____

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MINIMUM OF 3 HOURS CREDIT GRADUATE-LEVEL ELECTIVE COURSE

Course#	Course Title	School	Semester/Year	Credits	Grade

	Number of Hours Required	Number of Hours Student Completed
Core Courses	12	

13.32

One Graduate-level Elective	3	
TOTAL	15	