

ROWAN UNIVERSITY CURRICULUM PROPOSAL

PROPOSAL TITLE: Legal Issues in Higher Education

CHECK APPROPRIATE: UNDERGRADUATE GRADUATE SEMESTER HOURS

SPONSOR(S): Educational Leadership Department

DEPARTMENT/TELEPHONE # 4701

CHECK ONE: COURSE MINOR PROGRAM CONCENTRATION SPECIALIZATION
 ACHIEVEMENT CERTIFICATE CERTIFICATION PROGRAM MAJOR PROGRAM

Step #1 (Department)

Approved (Date) 9/26/97

Not Approved (Date)

Edward W. White, Jr.
Dept. Curriculum Chr.

10/7/97
Reviewed (Date)

Edward W. White, Jr.
Dept. Chr.

Step #2 (Receipt)

SCC# 97-98-62

10-17-97
Date Received Senate

J. Reeves
Senate Curriculum Chr.

Step #3 (School)

Reviewed Date: 11/3/97

Recommend to Approved

Recommend NOT to Approve

Forward for Open Hearing:

WITHOUT Reservations

WITH Reservations:

Comments:

L. Marcus
School Committee Chr.

Step #4 (Academic Dean): Recommended NOT Recommended Conditionally Recommended (See Comments)

Comments:

Dean Signature/Date K. E. King 11/12/97

Step #5 (Senate Curriculum Committee): Open Hearing Date: 2-20-98 Approved by Curriculum Committee Date _____

Returned to Sponsor(s) for the following reason:

Step #6 (Senate) Date announced/voted on at Senate: 2/24/98 If voted on: Approved NOT Approved

Date forwarded to Executive Vice President/Provost 2/25/98

Senate Curriculum Committee chair Signature/Date: J. Reeves 2/25/98

Course Proposal

1. Details:

- a. Course Title: Legal Issues in Higher Education
- b. Sponsors: Educational Leadership Department
- c. Credit hours: 3
- d. Course level: Master's
- e. Curricular effect: Major Requirement; part of Student Personnel Services higher education track
- f. Prerequisite: Higher Education Administration or permission of instructor
- g. Suggested time & scale of implementation: Fall 1999
- h. Adequacy of present staff: The staffing plan for the Educational Leadership Department permits the addition of this course.
- i. Adequacy of library resources: The library development plan for the Ed.D. in Educational Leadership will provide sufficient resources to support this course.
- j. Short term evaluation: N/A: new course

2. Rationale: The existing MA in Community College Education is being converted to an MA in Higher Education and its existing track for administration will be replaced with a track in higher education administration. This change is being made to accommodate students who currently enroll in the master's program for school (K-12) administrators or in the administration track of the Community College Education program, but whose career interests are more broadly focused on higher education. Courses in this track would also serve an emerging higher education track in the Student Personnel Services program (which, too, is currently K-12 focused, but which enrolls many students who plan careers in higher education).

3. Essence of the Course

- a. Objectives: The objective of this course is to acquaint students with the current and emerging legal issues in higher education with a focus on student rights, student life, and general administration legal concepts (excluding legal issues regarding institutional expenditures), as well as how and when the law applies differentially to public and independent institutions of higher learning. It will deepen students' understanding of such legal concepts as federalism, legislative intent, judicial review, and *stare decisis*, and will explore the conflict between individual and group rights. One focus will be on

applying the law to administrative practice.

b. Topical Outline/Content

- (1) Legal principles
 - (a) Federalism
 - (b) Legislative intent
 - (c) Judicial review
 - (d) *Stare decisis*
 - (e) The conflict between individual rights and group rights
- (2) First Amendment issues
 - (a) Academic freedom
 - (b) Issues regarding the regulation of speech on campus
 - (c) The conflict between religious liberty and the Establishment Clause
- (3) Equity issues
 - (a) Considerations of merit and special attention
 - (b) Admissions and financial aid
 - (c) Hiring, promotion, and conditions of employment
 - (d) Hostile environment and issues of racial/ethnic and sexual harassment
 - (e) Issues concerning disabled and special needs students
- (4) Ethics and conflict of interest

c. Evaluation and grading procedure of students: Students will write two papers on topics pertinent to the course and will orally present those papers to the class. Utilizing a common interview protocol, they will also interview a higher education administrator about one of the topics for the course, will prepare a written interview report and will orally present the report to the class. The quality of the written work, oral presentations, and class participation will serve as the basis for the grade.

d. Course evaluation: Student evaluations, departmental curriculum review, program review.

4. Results of Consultations: The curriculum for the administration track in the MA in Higher Education has been reviewed by an external consultant, Dr. Jonathan D. Fife, Professor of Higher Education Administration at George Washington University and Director of the ERIC Clearinghouse on Higher Education. His written report states that the track "is a strong program as currently being recommended." He concluded that through careful assessment during the implementation process, Rowan "could easily develop one of the outstanding Master's programs in higher education in the nation." Regarding this course, he wrote, "a course on legal issues in higher education should be mandatory for all students in higher education and student life administration."

In addition, the curriculum for the administration track in the MA in Higher Education has been developed in consultation with the Student Personnel Services Program in the Special Education Department. A letter of support from the chair of that department is included, as is a letter from the dean of the Graduate School.

Legal Issues in Higher Education

Catalogue Description: This course examines the legal principles that guide the administration of higher education. Students will study current and emerging legal issues in higher education, focusing primarily on student rights, student life, and general administration legal concepts.

Prerequisite: Higher Education Administration or permission of instructor