1. **Catalog Description**
   
   Course number: CSD 5760  
   Title: Legal Issues in Student Affairs  
   Meeting times and credit: 3-0-3  
   Terms to be offered: Spring  
   Short title: Legal Issues SA  
   Course description: Adequate preparation as a higher education professional requires that students be exposed to a variety of legal components affecting higher education. This course is designed to acquaint entry-level student affairs practitioners with fundamental legal issues that influence the functioning of colleges and universities.  
   
   Prerequisite: None

2. **Objectives of the Course**

   American society demands that professionals interacting with the public have a clear understanding of their professional rights and obligations. This course is designed to appraise pre-service preparation students in student affairs about the law which applies to their professional practice. Upon completion of this course, students should be able to demonstrate mastery of the following aspects of the legal and ethical issues related to college student affairs practice:
   
   a. the basic sources of postsecondary education law.  
   b. the court systems and processes governing administration of law in the United States.  
   c. the distinctions between public and private institutions of higher education.  
   d. the sources and scope of authority in higher education governance.  
   e. the basic issues involved in tort liability, contractual liability, and liabilities for violations of federal constitutional rights for both institutions and individuals.  
   f. the application of legal principles in institutional and personal relationships with students, including student admissions, financial aid, discipline, academic regulations, protests, organizations, press, first amendment rights, housing, athletics, records, and safety.  
   g. federal regulation of postsecondary education.  
   h. civil rights compliance.  
   i. application of professional codes of ethics in student affairs practice.

**Instructional Model:**

This course will use a problem-solving approach to teaching. Instructional activities will include dialogue with class members, individual and group case studies, problem finding and problem solving. Discussion, case study, inquiry and cooperative learning are instructional methods that will be used. Students will be responsible for careful reading of the assigned materials so that informed discussion can take place.

**Learning Model:**

This graduate level course will use the constructivist information-processing model of learning. Students will be expected to reflect on the readings, classroom discussion,
and out-of-class work to develop their understanding of higher education law as it applies to student affairs practice.

3. **Outline of the Course**

   **Assessment:**
   
   Assignment # 1: Case Analysis: Students should prepare two case analyses (4-6 pages each). The analyses should include identification of the case name, the parties, statement of the facts (that precipitated the lawsuit), prior legal history (after the lawsuit was filed), the legal questions presented, the decision of the court, and the legal analysis the court used in its decision. The case analysis will represent 20% of the course mark.

   Assignment # 2: Problem-Solving Paper: Students will work in pairs or triads in developing a comprehensive paper designed to address a particular problem facing a college or university. The paper should be 15-25 pages in length. The problem-solving paper will represent 40% of the course mark.

   Assignment # 3: Students will write one-page abstracts of 10 journal articles or court cases related to the law and higher education. These abstracts should cover a variety of legal issues related to student affairs practice and should be as current as possible in their application of law. Abstracts as a group will represent 20% of the course mark.

   Assignment # 4: A mid-term and final examination will be given. These examinations will be comprehensive in nature and will cover relevant course content. Each examination will represent 10% of the course mark.

**Course Outline:**

**UNIT ONE: The Legal Context of Higher Education**

a. Class Introduction and Basics of Judicial System (1 week)

b. How to analyze a case (1 week)

c. The College and Trustees, Administrators, and Staff (1 week)

**UNIT TWO: The College and Its Students**

d. The Legal Status of Students, Admissions and Financial Aid (1 week)

e. Student Support Services, Disciplinary Rules and Regulations, Procedures for Suspension, Dismissal, and Other Sanctions (1 week)

f. Student Protest and Demonstrations; The Special Problem of Hate Speech; Student Organizations and the Student Press (1 week)

g. Student Housing and Athletics (1 week)

h. Student Files and Records, Grades, Credits, and Degrees (1 week)

i. Campus Security (1 week)

**UNIT THREE:**

j. Codes of Ethics for Student Affairs Professionals (1 week)

k. Federal Regulations, Part One (1 week)

l. Federal Regulations, Part Two (1 week)

m. Federal Aid-to-Education Programs (1 week)

n. Civil Rights Compliance (1 week)

o. Campus Technology and the Internet (1 week)

p. Final Examination
4. **Implementation**  
a. Faculty member to whom the course may be assigned:  
The Department of Counseling and Student Development will advertise for a new full time position with experience to teach this course.

b. Specification of any additional costs to students:  
No additional costs to the students.

c. Text and supplementary materials to be used, including publication dates:  
Selected monographs published by the National Association of College and University Attorneys, and the National Association of Student Personnel Administrators.

d. Term to be first offered:  
The course will first be offered in Spring, 2002.

5. **Rationale**  
a. Purpose and need:  
The proposed revisions in the curriculum of the Eastern Illinois University college student affairs master's program follow the recommendations of an External Review carried out in 1999 using the Council for the Advancement of Standards in Higher Education criteria for pre-service preparation programs in college student affairs.

a. Justification of the level of the course and a list of prerequisites:  
This course will be offered to students at the graduate standing.

b. Similarity to existing courses and/or effect upon programs in other departments:  
The Department of Educational Administration offers a course on the law (EDA 6810), but its focus is K-12 education. There is no other course in the University which focuses upon legal issues in higher education.

c. Requirement or elective:  
This course will be offered as a requirement for the Master of Science in College Student Affairs.

6. **Community College Transfer**  
A community college course will not be judged equivalent to this course.

7. **Date approved by the Department:** September 27, 2000

8. **Date approved by the College of Education and Professional Studies Curriculum Committee:** October 9, 2000

9. **Date approved by the CAA:** NA

10. **Date approved by CGS:** November 28, 2000