

LEGAL RESEARCH IN EDUCATION

HIED 80085

Fall Semester 2008

Kent State University; Kent Campus

Thursday; 5:30p-8:15p

Professor: Jarrod Tudor, Ph.D., J.D., LL.M., M.B.A.
Office: 415 College of Business Administration
Office hours: MWF: 8:00a-8:45a / R: 4:30p-5:30p / after class by appointment
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Course description.

This course is designed to provide students of education administration with skills in the field of legal research.

Course Mechanics.

This class will be taught in a very intensive manner. There will be several research exercises to be conducted throughout the term that will lead to the culmination of a 20-page research paper on an area of education law of the student's interest. The topic must be approved by the instructor. The paper must cite reference material in accordance with The Bluebook, must maintain 1-inch margins and be double-spaced. Ten percent of the student's grade is reserved for class participation.

Each day the class meets, with the exception of days that are reserved for the paper presentation, the class will begin with a brief discussion of the current legal news inside and outside of higher education. Students should bring their flashcards so that if copies of materials must be made, they can do so.

Policies.

1.) The grading scale employed in this class will be as follows:

A: 94.00-100	A- : 90.00-93.99	
B+: 87.00-89.99	B: 83.00-86.99	B- : 80.00-82.99
C+: 77.00-79.99	C: 73.00-76.99	C- : 70.00-72.99
D+: 67.00-69.99	D: 60.00-66.99	
F: 59.99 and below.		

2.) The instructor reserves the right to change the syllabus.

3.) The last day to withdraw from the course is **Sunday, November 2**. Withdrawal before the deadline results in a W on the official transcript; after the deadline, a grade must be calculated.

4.) Students have responsibility to ensure they are properly enrolled in classes. You are advised to review your official class schedule during the first two weeks of the semester to ensure you are properly enrolled in this class and section. Should you find an error in your class schedule, you must correct it with your advising office. If registration errors are not corrected and you continue to attend and participate in classes for which you are not officially enrolled, you are advised now that you will not receive a grade at the conclusion of the semester for any class in which you are not properly registered.

Grade Breakdown by Percentage.

Class Participation	10%
Research Assignments	30%
Research Paper Presentation	20%
Final Paper	40%

Teaching Philosophy.

The purpose of higher education is to build better citizens for a lifetime and not for the sole purpose of getting a job. The accomplished student will be able to participate in a democracy and know how to live well and smart. I believe that the value of any course taken in higher education should not solely focus on "what will be covered on the exam." I also do not believe that the sole value of an education is what is learned in the classroom. It is my belief that the student should embrace all topics discussed or covered in the classroom as all topics will contribute to the growth of the student both intellectually and socially. Additionally, education is a social endeavor. I would encourage students in higher education to learn from each other, in and out of class, just as they learn from the instructor. Without this dynamic, a great part of the educational journey and the college experience is lost.

Furthermore, the student in higher education should realize that a college degree, whether it is an associate's degree, a bachelor's degree, a law degree, a medical degree, or a graduate degree, gives him or her two vital possessions that can never be taken away: intellectual freedom and status. Intellectual freedom is an asset that allows a student to be able to understand the world around them and to become a critical thinker in a fast, ever-changing world (In other words, the educated citizen will know how to sift through the b.s. to get to the truth.). As well, there is an immediate status given to the college graduate. This status tells the world that the graduating student has been able to accept a great amount of responsibility to complete a rigorous plan of study and manage their personal life at the same time. It does not matter where the student receives the degree if the attended college or university does their job by requiring the student to pass this rigorous course of study. It is my responsibility to ensure that the university fulfills its responsibility to the student, the taxpayer and society so that this status bestowed upon the student is rightly deserved.

Textbooks.

1.) *Finding the Law*

12th edition

Authors: Berring & Edinger

Publisher: Thomson West

ISBN: 0-314-14579-6

2.) *The Bluebook*

18th edition, 2005

The Harvard Law Review Association

Gannett House

1511 Massachusetts Avenue

Cambridge, MA 02138

www.legalbluebook.com

Plagiarism.

As members of the community of higher education, we are all subject to the standards of academic integrity. As a student, you are subject to the Code of Student Conduct. Using another person's words, thoughts or ideas without proper attribution is plagiarism and a form of academic dishonesty, which is a violation of University policy. All students must become familiar with and abide by the University's policy on academic integrity, which prohibits cheating and plagiarism. You should review the Code as ignorance is not a defense should you face charges of academic dishonesty. For more information about University policy see The University Policy Register at <http://imagine.kent.edu/policyreg/> or download the Digest of Rules and Regulations from <http://www.kent.edu/CurrentStudents/> Further, I direct your attention to the APA style manual, pp. 349-350 for a statement on plagiarism and a helpful example of how to paraphrase. Finally, Indiana University offers a useful guide regarding plagiarism: <http://www.indiana.edu/~wts/pamphlets/plagiarism.shtml>

Student Disability Services

University policy 3342-3-18 requires that students with disabilities be provided reasonable accommodations to ensure their equal access to course content. If you have a documented disability and require accommodations, please contact the instructor at the beginning of the semester. Please note, you must first verify your eligibility for academic accommodation through Student Accessibility Services; they can be reached at 330-672-3391 and are located on the ground floor of the DeWeese Center. FMI about your rights and responsibilities, see <http://www.registrars.kent.edu/disability/Current/StudentHandbook/RightsReas.htm>

Course Outline: The course outline is designed to keep the student ahead of the instructor!

Week 1, August 28;

- Introduction to the course.
- Student introductions.
- Practice research areas assigned

Week 2, September 4;

- Court system structure and procedure
- Hierarchy of American law
- Chapter 1: The Context of Legal Research

Week 3, September 11;

- Chapter 2: The Reporter System
- Chapter 11: Research Strategies
- Case finding exercise
- Secondary authority exercise

Week 4, September 18;

- Chapter 4: Finding Cases
- Chapter 10: Secondary Authority
- Computer exercise; meet in library room 019

Week 5, September 25;

- Chapter 3: Case verification and updating
- Case verification exercise
- Paper topic due

Week 6, October 2;

- Chapter 5: Statutes
- Statutory research exercise

Week 7, October 9;

- Chapter 6: Legislative history
- Legislative history exercise

Week 8, October 16;

- Chapter 7: Constitutional law
- Constitutional law exercise
- Computer research exercise

Week 9, October 23;

- Chapter 8: Administrative and Executive Publications
- Administrative and executive publication exercise

Week 10, October 30;

- Chapter 9: Court Rules and Practice.
- Rules and practice exercise
- Forms exercise

Week 11, November 6;

- Citation exercises

Week 12, November 13;

- Citation exercises

Week 13, November 20; No class. Open research day.

Week 14, November 27; No class. Thanksgiving Day holiday.

Week 15, December 4; Presentation of Research

FINAL PAPER IS DUE AT 5:30P, THURSDAY, DECEMBER 11.