Instructor: Veronica Jones, Ph.D.
Email: veronica.jones@unt.edu
Office Location: Matthews Hall, 214E
Office Phone: (940)369-8287
In-Person Office Hours: Tuesdays and Wednesdays, 12-3 p.m.
By appointment preferred; most questions can be addressed via e-mail

*This syllabus is current as of January 2019 as a working document. I reserve the right to change this syllabus at any time. You will be able to access updated versions on the Canvas website.

DESCRIPTION OF THE COURSE

This course will examine legal aspects and risk management of student-related issues in higher education. Topics include, but are not limited to, federal and state laws and their legal implications as they relate to areas such as student rights and responsibilities, privacy, freedom of speech, academic freedom, due process, and harassment.

OBJECTIVES OF THE COURSE

1. To help higher education administrators become familiar with the current research and case literature on higher education law as it relates to students and risk management.

2. To help higher education administrators in recognizing areas of risk in their work.

3. To help higher education administrators plan events, programs, and procedures that eliminate or minimize risk to students.

4. To help students develop an informed perspective on legal implications of work in higher education administration.
REQUIRED TEXT


In addition, you will use case reports provided through Lexis Nexis as well as readings from current books, journals, monographs, and newsletters available online.

RECOMMENDED READING


CLASS NORMS:

1. I strive to create a supportive learning environment that nurtures individual and group differences and encourages engaged, honest conversations. It is my intent that everyone feels comfortable to share and explore ideas. In the course of class discussions, I welcome disagreements in the spirit of critical thinking and challenging ideas, but please remember to be respectful of other points of view, whether you agree with them or not. In this class, derogatory comments based on race, ethnicity, class, gender, sexual orientation etc. will not be tolerated. Please be aware of your social positionality, and utilize reflection of self and others to gain a deeper understanding of course topics.

2. If you look through the class schedule, you will see that you will be required to do reading BEFORE attending the class. This will allow us to do other activities in class. Some of the work we will do in class will involve working with other students in groups or pairs – so if you do not prepare adequately before class, you will not only hurt your chances to learn, but you will also affect the learning of other students. While we will deliberately revisit some topics and ideas in class, we will probably not be able to cover everything in the readings. The readings are for your benefit and will ultimately make you successful in your assignments; therefore, you need to read. All discussion should be grounded in the text.

3. Because this course will rely heavily on in-class discussion and activities, you are expected to attend ALL classes. Punctual attendance at all class sessions is your obligation. Please let me know at least two weeks ahead if you need to miss class because of a religious observance. Absences will affect your understanding of concepts as well as your ability to successfully complete assignments. You are responsible for getting in-class activity notes or activities from Canvas or from a classmate.
4. Please limit use of personal devices to accessing class materials or taking notes during class instruction and/or learning. Laptops can cause a distraction to you as well as your peers and instructor, so refrain from use when classmates are presenting. Excessive web surfing and inappropriate use of laptops will affect your class engagement points. Place all cell phones on silent and use only during appointed breaks.

5. Food and drinks in class are welcomed, but please make sure to clean up.

**COURSE EXPECTATIONS AND EVALUATION**

**CLASS ATTENDANCE, ENGAGEMENT, AND DISCUSSION (20 points):**

**Attendance and Engagement (10 points): You cannot miss more than 2 classes and still pass the course.** Late, unexcused, or non-negotiated tardy arrivals (more than 3 incidents over the entire semester) will result in a significant reduction of your participation grade. There is no option to make up missed class time. I reserve the right to request that a student be dropped from the course with a grade of “WF” upon the accumulation of the stated number of unexcused absences. An absence may be excused for the following reasons: a religious holy day; active military service; participation in an official university function; illness or other extenuating circumstances; pregnancy and parenting under Title IX; and when the University is officially closed by the President. The student is responsible for requesting an excused absence in writing as early in the semester as possible, and personally delivering to me satisfactory evidence to substantiate the excused absence.

Class engagement includes all of the following: actively listening, reading of all required materials, and thoughtfully contributing to the class dialogue, activities, and group work. Your contribution to class discussions is essential to your learning and growth as a graduate student. In considering your level of class engagement, please be aware of your ability to raise thoughtful questions, to listen and respond to your classmates’ ideas, and to increase or decrease your level of participation if necessary based on others around you. Weekly readings should be completed prior to the class meeting for which they are assigned. In addition to these readings, students are encouraged to provide additional materials and resources to stimulate discussion. Short activities will be used to account for attendance and engagement.

**Discussion Leading (10 points):** Each student will be responsible for leading discussion on at least one topic area. Topic areas will be selected no later than the second class session and discussion requirements will be given at a later date.

**CASE APPLICATION (15 points):** Each student will prepare a five-page review of a case associated with one topic of student law/risk management. In that paper, you will (a) discuss the major points of the case in question (b) relate that case to a campus student issue, and (c) recommend how you would plan program, services, etc. to limit or eliminate risk in that program. Be very specific as to how you would identify the risk and address each step of the planning process to minimize that risk. The case application will be submitted electronically through Turnitin.
MID-TERM EXAM (20 points): You will be given a scenario for which you will have to identify the risks apparent, relate those risks to specific cases (at least three for a minimum of a five-page paper; not including cover page and references) and state how you would address the dilemma presented in the scenario. You will have time between classes to complete the exam. It will be submitted electronically through Turnitin by March 6, 2019.

FINAL EXAM (25 points): In the final exam you will be given an additional scenario for which you will identify the risk, find pertinent case studies (at least four for a minimum of seven-page paper; not including cover page and references), and address how you, as a higher education administrator would approach the issue in your planning and execution of programs and services to students. The final exam paper should reflect progress in your thinking from the mid-term exam. The final will be due on May 2, 2019.

CASE APPLICATION PRESENTATIONS (20 points): Each student is required to make one oral presentations – a 10-minute formal presentation on a selected program, service, or activity risk management they would implement as a result of the case application completed earlier in class. More specific information on the requirements for this final presentation will be distributed and discussed in class.

Assignment Breakdown:
1. Attendance/Participation/Discussion 20 points
2. Case Application 20 points
3. Midterm Exam Paper 20 points
4. Final Exam Paper 25 points
5. Case Application Presentation 15 points
   TOTAL 100 points

Grade Scale (for Course Grade):
A = 90–100
B = 80 – 89.99
C = 70 – 79.99
D = 60 – 69.99
F = 59.99 or below

Turning in Assignments: All written assignments must be submitted both through Turnitin and by email on the due date. The emailed copy will be returned to you with the assigned points. The electronic copy should be submitted to Canvas for verification of originality. An originality score of more than 15% will result in a rewrite. Exams are considered to be papers. For all emailed assignments, please name your individual assignments with your last name: “Last Name_assignment” before the file extension. For example, if your last name is Jones and you are turning in the case review, please name the file for your assignment “Jones_casereview.” This will help me keep track of individual students’ assignments instead of receiving a large group of assignments with the same file name.

Make-up Work/Late Assignments: Assignments must be turned in on the due date. Assignments turned in within one day of the due date will result in a 10% reduction to the
assignment grade; assignments turned in within two days of the due date will result in a 40% reduction to the assignment grade. Assignments will not be accepted (0 points awarded) more than two days following due date. No extra credit assignments are available in the course, so please contact me in advance if you anticipate a problem. There are no exceptions to these assignment deductions, so please plan in advance to have your assignments turned in on time.

**Writing Style:** All written work for this course and all graduate courses must be original work and conform to the American Psychological Association Style Manual (2010), 6th Edition. All papers must be typed and double-spaced with 1-inch margins on all sides, Times New Roman in size 12 font. The page number count for papers does not include the cover page or the reference list and points will be deducted for pages under the required number. Please make sure you work is properly formatted and proofread before submitting assignments. In addition to being clear, concise, and organized, written work should be reflective, analytical, and incorporate literature and research from the course as well as outside readings to support discussion and arguments. I am available to discuss your writing if you have any concerns, so please schedule appropriate time before assignments are due.

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**COLLEGE OF EDUCATION ADA NON-DISCRIMINATION POLICY**

The University of North Texas College of Education does not discriminate on the basis of disability in the recruitment and admission of students, the recruitment and employment of faculty and staff and the operation of any of its programs and activities as specified by federal laws and regulations. The designated representative for the Department of Counseling, Development and Higher Education is Dr. Jan Holden. Copies of the College of Education ADA Compliance document are available in the Dean’s Office, 214 Matthews Hall.

The student has the responsibility of informing the course instructor of any disabling condition that will require modifications to avoid discrimination. The University of North Texas provides academic adjustments and auxiliary aids to individuals with disabilities, as defined under the law, who are otherwise qualified to meet the institution’s academic and employment requirements. For assistance call (940) 565-2456. TDD access is available through Relay Texas: 1-800-735-2989.

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**Succeed at UNT:**

- Show Up
- Find Support
- Take Control
- Be Prepared
- Get Involved
- Be Persistent

**Academic Integrity and Academic Dishonesty**

Academic Integrity is defined in the UNT Policy on Student Standards for Academic Integrity. Academic Dishonesty includes cheating, plagiarism, forgery, fabrication, facilitating academic
dishonesty, and sabotage. Any suspected case of Academic Dishonesty will be handled in accordance with University policy and procedures. Possible academic penalties range from a verbal or written admonition to a grade of “F” in the course. Further sanctions may apply to incidents involving major violations. The policy and procedures are available at: http://vpaa.unt.edu/academic-integrity.htm.

**Acceptable Student Behavior**

Student behavior that interferes with an instructor’s ability to conduct a class or other students' opportunity to learn is unacceptable and disruptive and will not be tolerated in any instructional forum at UNT. Students engaging in unacceptable behavior will be directed to leave the classroom and the instructor may refer the student to the Dean of Students to consider whether the student's conduct violated the Code of Student Conduct. The university's expectations for student conduct apply to all instructional forums, including university and electronic classroom, labs, discussion groups, field trips, etc. The Code of Student Conduct can be found at www.deanofstudents.unt.edu

**Disability Accommodation**

The University of North Texas makes reasonable academic accommodation for students with disabilities. Students seeking accommodation must first register with the Office of Disability Access (ODA) to verify their eligibility. If a disability is verified, the ODA will provide you with an accommodation letter to be delivered to faculty to begin a private discussion regarding your specific needs in a course. You may request accommodations at any time, however, ODA notices of accommodation should be provided as early as possible in the semester to avoid any delay in implementation. Note that students must obtain a new letter of accommodation for every semester and must meet with each faculty member prior to implementation in each class. Students are strongly encouraged to deliver letters of accommodation during faculty office hours or by appointment. Faculty members have the authority to ask students to discuss such letters during their designated office hours to protect the privacy of the student. For additional information see the Office of Disability Accommodation website at http://www.unt.edu/oda. You may also contact them by phone at 940.565.4323.

**EagleConnect**

All UNT students should activate and regularly check their EagleConnect (e-mail) account. EagleConnect is used for official communication from the University to students. Many important announcements for the University and College are sent to students via EagleConnect. For information about EagleConnect, including how to activate an account and how to have EagleConnect forwarded to another e-mail address, visit https://eagleconnect.unt.edu. This is the main electronic contact for all course-related information and/or material.

**Emergency Notifications and Procedures**

UNT uses a system called Eagle Alert to quickly notify students with critical information in the event of an emergency (i.e., severe weather, campus closing, and health and public safety
emergencies like chemical spills, fires, or violence). In the event of a university closure, please refer to Blackboard for contingency plans for covering course materials.

**Observation of Religious Holy Days**

If you plan to observe a religious holy day that coincides with a class day, please notify your instructor as soon as possible.

**Retention of Student Records**

Student records pertaining to this course are maintained in a secure location by the instructor of record. All records such as exams, answer sheets (with keys), and written papers submitted during the duration of the course are kept for at least one calendar year after course completion. Course work completed via the Blackboard online system, including grading information and comments, is also stored in a safe electronic environment for one year. Students have the right to view their individual record; however, information about students’ records will not be divulged to other individuals without proper written consent. Students are encouraged to review the Public Information Policy and the Family Educational Rights and Privacy Act (FERPA) laws and the University’s policy.

**Sexual Discrimination, Harassment, & Assault**

UNT is committed to providing an environment free of all forms of discrimination and sexual harassment, including sexual assault, domestic violence, dating violence, and stalking. If you (or someone you know) has experienced or experiences any of these acts of aggression, please know that you are not alone. The federal Title IX law makes it clear that violence and harassment based on sex and gender are Civil Rights offenses. UNT has staff members trained to support you in navigating campus life, accessing health and counseling services, providing academic and housing accommodations, helping with legal protective orders, and more.

UNT’s Dean of Students’ website offers a range of on-campus and off-campus resources to help support survivors, depending on their unique needs: [http://deanofstudents.unt.edu/resources_0](http://deanofstudents.unt.edu/resources_0). Esther Oppong is UNT’s Student Advocate and she can be reached through e-mail at SurvivorAdvocate@unt.edu or by calling the Dean of Students’ office at 940-565-2648. You are not alone. We are here to help.

**Student Perceptions of Teaching (SPOT)**

Student feedback is important and an essential part of participation in this course. The student evaluation of instruction is a requirement for all organized classes at UNT. The survey will be made available during weeks 13 and 14 of the long semesters to provide students with an opportunity to evaluate how this course is taught. Students will receive an email from "UNT SPOT Course Evaluations via IASystem Notification" ([no-reply@iasystem.org](mailto:no-reply@iasystem.org)) with the survey link. Students should look for the email in their UNT email inbox. Simply click on the link and complete the survey. Once students complete the survey they will receive a confirmation email.
that the survey has been submitted. For additional information, please visit the spot website at www.spot.unt.edu or email spot@unt.edu.

Campus Carry Notification [if applicable]

The class meets in a UNT facility in which the legal carrying of a concealed firearm by an LTC permit holder is prohibited. Please refer to campuscarry.unt.edu for more information.
### CLASS SCHEDULE

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<tr>
<th>DATE</th>
<th>ASSIGNMENTS</th>
<th>DUE DATES</th>
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| January 15 | **Introductions**  
Review of Syllabus  
Selection of Discussion Topics  
Introduction to Student Risk Management and Lexis-Nexis  
Public v. Private  
Personal Risk v. Institutional Risk |           |
| January 22 | **US Constitutional Amendments:**  
Millier, pp.1-42  
**Students and Free Speech**  
Alexander, pp 217-275, to be posted online  
Gilles v. Davis, 427 F.3d 197 (3rd Cir. 2005).  
| January 29 | **Regulatory Challenges:**  
Millier, pp. 43-68  
**Federal and State Regulations**  
**Financial Aid - FERPA**  
**Student with Disabilities**  
Southeastern Community College v. Davis, 99 S. Ct. 2361 (1979); 601 Ed. 2d 980.  
Wong v. Regents of the University of California, 410 F.3d 1052 (2005).  
United States ex rel. Main v. Oakland City College, 426 F.3d 914 (2005).  
Garrett v. Board of Trustees of the University of Alabama, 507 F.3d 1306 (2007). |           |
| February 5 | **Discriminatory Practices:**  
<table>
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<tr>
<th>Date</th>
<th>Topic</th>
<th>Cases</th>
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<tbody>
<tr>
<td></td>
<td><strong>Clergy Act</strong></td>
<td>Mississippi University for Women v. Hogan, 458 U.S. 718 (1982).</td>
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<td>Iota Xi Chapter of Sigma Chi Fraternity v. George Mason University, 993 F.2d 386 (4th Cir. 1993).</td>
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<td>Dambrot v. Central Michigan University, 55 F.3d 1177 (6th Cir. 1995).</td>
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<td>Spears v. Grambling State University, 111 So. 3d 392 (2012).</td>
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<td>February 19</td>
<td><strong>Torts:</strong> Student Activities &amp; Athletics – Focus on Torts &amp; Safety</td>
<td>Miller, 71-81</td>
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<td>Stineman v. Fontbonne College, 664 F. 2 1082 (8th Cir. 1981).</td>
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<td>Ross v. Creighton University, 957 F.2d 410 (7th Cir. 1992).</td>
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<td>Nova Southeastern University, Inc. v. Gross, 758 So. 2d 86 (2000).</td>
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<td>February 26</td>
<td><strong>Hazing &amp; Student Organizations</strong></td>
<td>Miller, pp. 83-93</td>
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<td>Ramstad Amendment to the 1992 Higher Education Act (to be handed out in class)</td>
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<td><strong>Midterm</strong></td>
<td>Distributed</td>
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### Pi Lambda Phi v. University of Pittsburgh, 229 F.3d 435 (3rd Cir. 2000).


### Justice for All v. Faulkner, 410 F.3d 760 (2005).


### Chi Iota Colony of Alpha Epsilon Pi Fraternity v. City University of New York, 502 F.3d 136 (2nd Cir. 2007).


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<th>Date</th>
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<tr>
<td>March 5</td>
<td><strong>Tort Issues</strong></td>
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<td></td>
<td><strong>Alcohol and Other Drugs</strong></td>
<td>Miller, pp. 95-105</td>
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<td>Bradshaw v. Rawlings, 612 F. 2d 135 (3rd Cir. 1979)</td>
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<td>Robertson v. State ex rel. Department of Planning and Control, 747 So. 2d 1276 (1999)</td>
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<td><strong>Search and Seizure</strong></td>
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<td>Moore v. Troy State, 284 F. Supp. 725 (M.D. Ala. 1968)</td>
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<td>Piazzola v. Watkins, 442 F. 2d 284 (5th Cir. 1971)</td>
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<td>March 12</td>
<td><strong>Spring Break- NO CLASS</strong></td>
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<td>March 19</td>
<td><strong>Reading Day- NO CLASS</strong></td>
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<td>March 26</td>
<td><strong>Torts:</strong></td>
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<td><strong>Counseling Services</strong></td>
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<td><strong>Providing a Safe Environment</strong></td>
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<td>Miller, pp. 107-125</td>
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<td>Barnes v. Zaccari, 669 F. 3d 1295 (2012)</td>
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<td>April 2</td>
<td><strong>Contracts:</strong></td>
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<td><strong>Off-Campus Behavior of Students</strong></td>
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<td>Miller, 129-134</td>
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<td><strong>Contract Management</strong></td>
<td>Miller 135-144</td>
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<td><strong>Employment Issues</strong></td>
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<td><strong>Staff Training</strong></td>
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<td>Miller, pp. 145-164</td>
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| April 9  | **Contracts:**  
            **Student Discipline**  
            Miller, pp. 165-173  
            Marston v. Gainesville Sun Publishing Co., Inc., 341 So. 2d 783  
            Ahlum v. Administrators of Tulane Educational Fund, 617 S.2d  
            **Financial Aid**  
            Grasty v. Colorado Technical University, 7th Cir. Ill. (2014).  
              | **Case Review**  
              **Paper Due**  
              Prep for  
              Presentation on  
              May 1 |
| April 16 | **Academic Dismissal, Cheating, & Integrity**  
            Board of Curators of the University of Missouri v. Horowitz, 435  
            Regents of the University of Michigan v. Ewing, 474 U.S. 214  
            (1985).  
            Nash v. Auburn University, 812 F. 2d 655 (11th Cir. 1987).  
            Tobias v. University of Texas at Arlington, 824 S.W. 2d 201 (Tx.  
            Goodreau v. Rector and Visitors of the University of Virginia, 116  
| April 23 | **Resources:**  
            **Facilities**  
            **Money Management**  
            **Physical Environment**  
            Miller, pp. 187-217  
            **Summary**  
            Miller, pp. 219-232  
| April 30 | **Case Review Presentations**                                        |
| May 2    | **FINAL EXAM DUE**                                                    |

Portions of this syllabus adapted from Bush, V. B. (2016, Spring) EDHE 6850 Student Risk Management in Higher Education, University of North Texas, Denton, TX.