Department of Counseling & Higher Education  
EDHE 6850 Student Risk Management in Higher Education  
COURSE SYLLABUS  
Spring 2017 • Tuesdays, 4 pm – 6:50 pm • Auditorium Building 218

Instructor Contact Information:  
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(940) 597-8997 cell  
(940) 565-4873 office

Office Hours: TTH, 12-3 pm  
Sycamore 288  
By appointment preferred

DESCRIPTION OF THE COURSE  
This course will examine student risk management in U.S. higher education. Its focus will include, but not be limited to, issues of student rights and responsibilities, FERPA, freedom of speech, harassment, academic freedom, and due process.

OBJECTIVES OF THE COURSE  
At the end of this course, students will be able to…

1. Identify current research and case literature on higher education law pertinent to students and risk management.

2. Recognize and identify areas of risk in their work as a higher education administrator.

3. Develop events, programs, and procedures as a higher education administrator that eliminates or minimizes risks to students.

4. Employ 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  
A PERSONAL NOTE ON COMMUNICATION
My office hours are Tuesdays and Thursdays from 12-3 pm. However, I am on campus most days. If you would like to meet outside of office hours, do not hesitate to ask. Email is the best way to contact me. I strive to respond to all emails within a 24-hour period. If I have not responded to your email within this time period, feel free to contact me again. I expect that prior to contacting me you will do your due diligence in researching the answer to your question by consulting the syllabus, consulting Blackboard, or consulting other classmates. Text messages are always welcome, but please refrain from texting me after 10 pm.

It is strongly recommended that you visit with me during office hours at least once this semester to discuss your progress in the course. Connecting with faculty builds your professional network. Discussing your work progresses your path to becoming a contributing scholar and practitioner. One-on-one time allows us to address challenges early on. I can help you obtain the grade you desire if you talk to me ahead of time.

LATE ASSIGNMENTS
All assignments are due by the start of class on the assigned date. This holds true even when you plan to be absent from class. Each week an assignment is past due, a full letter grade will be deducted. An assignment that is one week past due will receive a grade no higher than a ‘B’, two weeks past due will receive no higher than a ‘C’, and so on. Assignments past due more than three weeks will not be accepted.

EXPECTATIONS FOR WRITTEN ASSIGNMENTS
Papers should be original work submitted using American Psychological Association (APA) style (6th edition) for citations and references. The page number count for papers does not include the cover page or the reference list. The expectation is that all pages designated in the assignment will be full pages of text, excluding charts and tables. Points will be deducted for pages under the required number. All written assignments should be double-spaces with no triple spacing between headings.

*Syllabus adapted from Dr. V. Barbara Bush EDHE 6850, Spring 2016.*
COURSE REQUIREMENTS

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<thead>
<tr>
<th>Requirement</th>
<th>Points</th>
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<tr>
<td>Attendance/Participation</td>
<td>10 points</td>
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<tr>
<td>Discussion Leader</td>
<td>10 points</td>
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<td>Case Review</td>
<td>20 points</td>
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<td>Media Analysis</td>
<td>15 points</td>
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<td>Final Project</td>
<td>25 points</td>
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<tr>
<td>Final Presentation</td>
<td>20 points</td>
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<td><strong>TOTAL</strong></td>
<td><strong>100 POINTS</strong></td>
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ATTENDANCE
A portion of the course grade is determined by the quality and quantity of classroom participation; therefore, attendance is essential. Any work missed as a result of an unexcused absence may be made up by completing an additional assignment that demonstrates the student’s understanding of the material missed. The student should propose a potential assignment and receive prior approval from the instructor.

In addition, you are expected to remain fully engaged throughout the class. That means no texting, Web searching, side conversations, or other such distractions unless they are directly related to course assignments.

DISCUSSION LEADING
Each student will be responsible for leading discussion on as many as two reading assignments during the first seven weeks of the course. In addition to analyzing the readings, students will identify a corresponding article from the Chronicle of Higher Education, Inside Higher Ed, or similar source to present to the class. Topic areas will be selected no later than the second class session.

CASE REVIEW
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 review will be submitted electronically through Turnitin.

MEDIA ANALYSIS
Select a TV show or movie that is set in a college environment (e.g. Dear White People, Legally Blond, House Bunny, Revenge of the Nerds, Rudy, Old School, Drumline, Greek, Felicity, Drumline, A Different World, etc.) Write a 4-5 page paper critically analyzing the depiction of college and the portrayed adherence or violation to local, state, or federal laws and policies. Include the cases or laws that support your findings, as well as suggestions for how the institution should have handled the situation.
**FINAL PROJECT**
Write a 20-30 page paper that analyzes a current higher education and the law policy issue such as hate speech, hazing and student organizations, or bullying and student code of conduct. Interview relevant administrators from a campus who has recently dealt with the selected issue. The paper should include background research on the issue, a description of how various institutions are dealing with the issue, best practices or policies, and a recommended policy for the universities to implement. Topics must be approved by the instructor before Spring Break.

This assignment may be completed in pairs. However, each individuals responsibilities must be clearly outlined and substantial.

**FINAL PRESENTATIONS**
Each student is required to make a formal presentations on their final paper - 10 minutes for individuals 20 minutes for pairs. More specific information on the requirements for this final presentation will be distributed and discussed in class.

**COURSE SCHEDULE (subject to change)**

<table>
<thead>
<tr>
<th>DATE</th>
<th>COURSE READINGS</th>
<th>DUE</th>
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<tbody>
<tr>
<td>1/17</td>
<td>Introductions, Review of Syllabus, Selection of Discussion Topics, Introduction to the Framework</td>
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</table>
| 1/24 | **US Constitutional Amendments**  
Miller, p. 19-42  
*Harnish v. Widener University School of Law* (2013)  
**Students and Free Speech**  
*Healy v. James*, 408 U.S. 169 (1972)  
*Gay Student Services v. Texas A&M University*, 737 F.2d 1317 (5th Cir. 1984) cert. denied, 105 S.Ct. 160 (1985)  
*Pi Lambda Phi v. University of Pittsburg*, 229 F.3d 435 (3rd Cir. 2000)  
*Justice for All v. Faulkner* (5th Circ. 2005)  
*Gilles v. Davis*, 427 F.3d 197 (3rd Cir. 2005)  
*Tatro v. University of Minnesota*, 800 N.W.2d 811 (Minn. Ct. App. 2011) | |
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<tr>
<th>DATE</th>
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| 1/31  | **Regulatory Challenges**  
Miller, p. 43-68  
**Federal and State Regulations**  
**Financial Aid**  
**FERPA**  
*Doe v. Gonzaga University* (U.S. 2000)  
**Students with Disabilities**  
*Southeastern Community College v. Davis* (1979)  
*Johnson v. University of Iowa* (2005)  
*Wong v. Regents of the University of California* (2005)  
*United States ex rel. Main v. Oakland City College* (2006)  
*Board of Trustees of the University of Alabama v. Garrett* (2001)  
*Cloud v. Trustess of Boston University*, 720 F.2d 721 (1st Cir. 1983) |     |
| 2/7   | **Discriminatory Practices**  
*Kimel v. Florida Board of Regents* (2000)  
*Iota Xi Chapter of Sigma Chi Fraternity v. George Mason Iota University*, 993 F.2d 386 (4th Cir. 1993)  
*Dambrot v. Central Michigan University*, 55 F.3d 1177 (6th Cir. 1995)  
*Toll v. Moreno* (1982)  
*Spears v. Grambling State University*, 111 So. 3e 392 (2012)  
(S.D.Tex. 1997)  
| 2/14  | **Regulatory - Responsibilities of the College of University for Safety**  
**Clery Act & Due Process**  
*Havlik v. Johnson & Wales University* (2007)  
*Nash v. Auburn University*, 812 F.2d 665 (11th Cir. 1987)  
*Osteen v. Henley*, 13 F.3d 221 (7th Cir. 1993) |     |
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<tr>
<td>3/14</td>
<td><strong>SPRING BREAK - NO CLASS MEETING</strong></td>
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<td>3/21</td>
<td><strong>Work with partners on final project</strong></td>
<td>Media Review Due</td>
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<td>3/28</td>
<td>HIGHER ED LAW CONFERENCE or ACPA CONVENTION</td>
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| 4/4    | **Torts - Counseling and Helping Services**  
Providing a Safe Environment  
Miller, p. 107-125  
| 4/11   | **Contracts - Off-Campus Behavior of Students**  
*Miller*, 129-134  
**Contract Management**  
*Miller* 135-144  
**Contracts - Employment Issues, Staff Training**  
Miller, p. 145-164  
**Financial Aid**  
*Grasty v. Colorado Technical University* (2014)                                                                                                        |                                                                     |
| 4/18   | **Contracts - Student Discipline**  
*Miller*, p. 165-173  
*Ahlum v. Administrators of Tulane Educational Fund*, 617 S.2d 96  
(La. App. 1993)  
**Academic Standing, Dismissal**  
*Sylvester v. Texas Southern University*, 957 F. Supp. 944  
*Board of Curators of the University of Missouri v. Horowitz*, 435 U.S. 78 (1978)  
**Academic Integrity, Plagiarism, Cheating, & Discipline**  
*Piazzola v. Watkins*, 442 F.2d 284 (5th Cir. 1971)  
*Moore v. Student Affairs Comm. of Troy State University*, 284 F. Supp. 725 (D.C. Ala. 1968)  
*Commonwealth v. Carr* (Mass. 201)                                                                                                                      |                                                                     |
| 4/25   | **Resources: Facilities**  
*Money Management**  
*Physical Environment*  
*Miller*, pp. 177-217                                                                                                                                 |                                                                     |
| 5/2    | **Final Presentations**                                                                                                                                                                                          |                                                                     |
| 5/9    | **Final Paper Due**                                                                                                                                                                                              |                                                                     |
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.

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.

Student Perceptions of Teaching (SPOT)

Completion of an online students’ perceptions of teaching is a requirement for all organized classes at UNT. This short survey will be made available to you near the end of the semester, providing you a chance to comment on how this class is taught. I am very interested in the feedback I get from students, as I work continually to improve my teaching. I consider your completion of this online survey to be an important part of your participation in this class.

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 Accommodation (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.

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.

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

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. Renee LeClaire McNamara 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.