Instructor: Veronica Jones Baldwin, Ph.D.
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Office Location: Matthews Hall, 214E
Office Phone: (940)369-8287
In-Person Office Hours: Tuesdays and Wednesdays, 12:30-3:30 p.m.
By appointment; most questions can be addressed via e-mail
Online meeting option: https://unt.zoom.us/j/3195992323; Zoom ID: 319-599-2323

*This syllabus is current as of January 2020 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. Students will summarize current research and case law in higher education as it relates to students and risk management.
2. Students will explain areas of risk in their work by analyzing case law.
3. Students will plan a program to eliminate or minimize risk to students in a particular area of higher education.
4. Students will apply case law to a scenario to make an informed decision that has legal implications in higher education administration.
REQUIRED TEXT


In addition, you will use case reports provided through Nexis Uni (https://iii.library.unt.edu/record=b5879738-S12) as well as readings from current books, journals, monographs, and newsletters available online.

RECOMMENDED READING (These books are not required but were helpful in the preparation of this course.)


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 as part of a group for one week. For that week, your group will cover all topic areas and law cases on the syllabus. Your group will be selected no later than the second class session. Your group will provide an overview/summary of all of the cases for that week, including any key terms, the main issue(s) of each case, any facts that the court used to come to a decision, and the decision of the court. You will conclude by providing an activity for the class. More detailed requirements will be given at a later date.

CASE APPLICATION (20 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 on Canvas.

**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 on Canvas by **March 3, 2020**.

**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 law (at least five 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. It will be submitted electronically through Turnitin on Canvas on **April 30, 2020**.

**CASE APPLICATION PRESENTATIONS (15 points):** Each student is required to make one oral presentations – a 15-minute formal presentation on a selected program, service, or activity risk management they would implement as a result of the case application paper 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  
2. Case Application  
3. Midterm Exam Paper  
4. Final Exam Paper  
5. Case Application Presentation  

**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. All assignments must be submitted to Canvas (some requiring verification of originality through Turnitin; an originality score of more than 15% will result in a rewrite). Please also email me a backup copy of your assignments to ensure that I receive it in the event that there is a Canvas malfunction. 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 Baldwin and you
are turning in the midterm, please name the file for your assignment “Baldwin_midterm.” This will help me keep track of individual students’ assignments instead of receiving a large group of assignments with the same file name. **All assignments unless otherwise noted are due by 4:00 pm on the due date.**

**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.

**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.

Note: Life happens! I understand that things may come up in your personal life that will affect your efforts in class. As a former graduate student I understand, and I deal with life stress as well. Please contact me if something is going on so that we can discuss and see if arrangements can be made for special circumstances or emergencies. I am here to support you, so please keep me in the loop!

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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 Access

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 Access website at https://disability.unt.edu/. 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 Canvas 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 Canvas 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. Because of Texas Senate Bill 212, as a UNT employee, I am required by law to report sexual misconduct, relationship violence, stalking, and crimes. I cannot keep those things confidential if you reveal any of those to me. If you need a confidential resource available on campus or in the local community then I can refer you. 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. 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) 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.

Additional Student Support

Any student who has difficulty affording groceries or accessing food to eat every day, or who lacks a safe and stable place to live, and believes this may affect their performance in the course, is urged to contact the Dean of Students located on the 4th floor of the Union, Suite 409 or by calling 940-565-2648. Furthermore, please notify me if you are comfortable doing so. This will enable me to provide additional resources that I may possess.
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<tr>
<th>DATE</th>
<th>ASSIGNMENTS</th>
<th>DUE DATES</th>
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| January 14 | **Introductions**  
Review of Syllabus  
Introduction to Student Risk Management and Nexis Uni  
Public v. Private  
Personal Risk v. Institutional Risk  
Selection of Discussion Weeks |           |
| January 21 | **US Constitutional Amendments:**  
Miller, 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 28 | **Regulatory Challenges:**  
Miller, 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).  
Garrett v. Board of Trustees of the University of Alabama, 507 F.3d 1306 (2007). |           |
| February 4 | **Discriminatory Practices:**  
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<th>Date</th>
<th>Topic</th>
<th>Cases</th>
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<td></td>
<td><strong>Responsibilities of the College or University for Safety</strong></td>
<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 18</td>
<td><strong>Torts:</strong></td>
<td>March 1</td>
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<td><strong>Student Activities &amp; Athletics – Focus on Torts &amp; Safety</strong></td>
<td>Miller, 71-81</td>
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<td>Stinemans 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 25</td>
<td><strong>Hazing &amp; Student Organizations</strong></td>
<td>Miller, pp. 83-93</td>
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<td>Pi Lambda Phi v. University of Pittsburgh, 229 F.3d 435 (3rd Cir. 2000).</td>
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<td><strong>Midterm Distributed</strong></td>
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<td>March 10</td>
<td>Spring Break- NO CLASS</td>
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<td>Counseling Services</td>
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<td>Providing a Safe Environment</td>
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<td>March 24</td>
<td>Higher Education Law Conference March 23-24- NO CLASS</td>
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<td>Attend two sessions and prepare to report back on March 31</td>
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<td>March 31</td>
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<td>Miller, 129-134&lt;br&gt;Contract Management</td>
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| April 7 | **Contracts:**  
**Student Discipline**  
**Financial Aid**  
George Mason Univ. v. Malik, 2018 Va. LEXIS 41 (Va., Apr. 18, 2018). | **Case Application Paper Due**  
Prep for Presentation on April 21/April 28 |
| --- | --- |
| April 14 | **Academic Dismissal, Cheating, & Integrity**  
Board of Curators of the University of Missouri v. Horowitz, 435 U.S. 78 (1978).  
Doe v. University of Southern California, 28 Cal. App. 5th 26 (2018). | **Final Exam Distributed** |
| April 21 | **Resources:**  
**Facilities**  
**Money Management**  
**Physical Environment**  
Miller, pp. 187-217  
**Summary**  
Miller, pp. 219-232  
**Case Application Presentations** |  |
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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.