

# Contemporary Issues in Higher Education Law

3rd edition

Richard Fossberg  
Suzanne Eckert  
Editors

EDUCATION LAW ASSOCIATION

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# Contemporary Issues In Higher Education Law 3rd Edition

**William A. Kaplin, Barbara A. Lee, Neal  
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## **Contemporary Issues In Higher Education Law 3rd Edition:**

**Contemporary Issues in Higher Education Law** Richard Fossey, Suzanne Eckes, 2015 Users of the 2nd Edition from 2011 have found the book a practical all in one guide covering higher education law as it affects students faculty and non faculty employees and administrators The new edition provides a useful resource that reflects trends in the law details current case law on a particular subject and provides guidance on institutional policy for both public and private higher education institutions This is an excellent text for courses in higher education law providing board members administrators faculty and students with a basis for informed decision making that will reduce the risk of liability through a preventive law approach The 3rd Edition contains a new chapter on religious colleges and universities a complete listing of hundreds of cases cited constitutional and federal statute references Study questions and answers will be compiled in a separate guide for use by instructors *Contemporary Issues in Higher Education Law* Joseph Beckham, David Dagley, 2005

*Encyclopedia of Education Law* Charles J. Russo, 2008-06-27 CHOICE Outstanding Academic Title for 2009 A welcome addition to any public or academic library this set would also be of use in a law library where educational law might need to be explored and reviewed at a more basic level than other legal texts Sara Rofofsky Marcus Queensborough Community Coll Bayside NY Smaller educational legal summaries exist and a couple of texts deal with Supreme Court cases about education but this set provides a unique combination of general educational legal issues and case specific information It should be a welcome addition to academic and large public libraries Also available as an ebook Booklist The Encyclopedia of Education Law is a compendium of information drawn from the various dimensions of education law that tells its story from a variety of perspectives The entries cover a number of essential topics including the following Key cases in education law including both case summaries and topical overviews Constitutional issues Key concepts theories and legal principles Key statutes Treaties e g the Universal Declaration on Human Rights Curricular issues Educational equity Governance Rights of students and teachers Technology Biographies Organizations In addition to these broad categories anchor essays by leading experts in education law provide more detailed examination of selected topics The Encyclopedia also includes selections from key legal documents such as the Constitution and federal statutes that serve as the primary sources for research on education law At the same time since education law is a component in a much larger legal system the Encyclopedia includes entries on the historical development of the law that impact on its subject matter Such a broadened perspective places education law in its proper context in the U S legal system **A Practitioner's Guide to Supporting Graduate and Professional Students**

Valerie A. Shepard, April L. Perry, 2022-02-24 This guide helps faculty and student affairs practitioners better serve graduate and professional school students as they navigate what can be an isolating taxing and unfamiliar context Providing actionable strategies as well as a common language for practitioners to advocate for themselves and for their students this book is a quick start manual that defines current issues around graduate and professional student development Drawing together

current resources and research around post baccalaureate student outcomes this book explores the diverse student needs of graduate and professional students and provides a clear understanding of their social personal and psychological development and how to support their success Case studies showcase specific examples of practice including a holistic development model for graduate training integrating academic personal professional and career development needs promising practices for engagement a diversity equity and inclusion approach to access and outcomes how graduate schools can be important partners to student affairs professionals and examples of assessment in action This book provides tools resources communication strategies and actionable theory to practice connections for practitioners professionals and faculty at all levels who work to support post baccalaureate student thriving Appendix available for download online at [www.routledge.com/9780367639884](http://www.routledge.com/9780367639884) on the tab that is entitled Support Material

**Higher Education: Handbook of Theory and Research** Laura W. Perna, 2023-02-24 Published annually since 1985 the Handbook series provides a compendium of thorough and integrative literature reviews on a diverse array of topics of interest to the higher education scholarly and policy communities Each chapter provides a comprehensive review of research findings on a selected topic critiques the research literature in terms of its conceptual and methodological rigor and sets forth an agenda for future research intended to advance knowledge on the chosen topic The Handbook focuses on a comprehensive set of central areas of study in higher education that encompasses the salient dimensions of scholarly and policy inquiries undertaken in the international higher education community Each annual volume contains chapters on current important issues pertaining to college students and faculty organization and administration curriculum and instruction policy diversity issues economics and finance history and philosophy community colleges advances in research methodology and other key aspects of higher education administration The series is fortunate to have attracted annual contributions from distinguished scholars throughout the world

*The Law of Higher Education* William A. Kaplin, Barbara A. Lee, Neal H. Hutchens, Jacob H. Rooksby, 2019-04-04 Your must have resource on the law of higher education Written by recognized experts in the field the latest edition of The Law of Higher Education offers college administrators legal counsel and researchers with the most up to date comprehensive coverage of the legal implications of administrative decision making In the increasingly litigious environment of higher education William A Kaplin and Barbara A Lee s clear cogent and contextualized legal guide proves more and more indispensable every year Two new authors Neal H Hutchens and Jacob H Rooksby have joined the Kaplin and Lee team to provide additional coverage of important developments in higher education law From hate speech to student suicide from intellectual property developments to issues involving FERPA this comprehensive resource helps ensure you re ready for anything that may come your way Includes new material since publication of the previous edition Covers Title IX developments and intellectual property Explores new protections for gay and transgender students and employees Delves into free speech rights of faculty and students in public universities Expands the discussion of faculty academic freedom student academic freedom and

institutional academic freedom If this book isn't on your shelf it needs to be *Raising a Cautionary Flag* Todd A. DeMitchell, Richard Fossey, Terri A. DeMitchell, 2022-10-28 Nearly 50 years ago a California court heard a complaint from a recent high school graduate who alleged that he could not read at a level that would allow him to apply for let alone hold a meaningful job He asserted that the public school district was negligent and that his prospects for a productive life were diminished by their negligence The court disagreed and educational malpractice was cast outside the schoolhouse gate and an educational malpractice wall was erected In sum both federal and state courts have constructed a sturdy wall against the recognition of educational malpractice lawsuits However recent advances in research on instruction statistical analyses that some have argued can identify substandard teaching may have cracked the wall Thus confluence of events may lead to demolishing the educational malpractice wall constructed over the past half century The authors of *Raising a Cautionary Flag Educational Malpractice and the Professional Teacher* explore the judicial reticence to recognize educational malpractice as a viable tort of negligence They review the concept of what constitutes a professional what is malpractice and how is it related to the professional malpractice of physicians and attorneys and the potential responses to education malpractice They conclude by raising a cautionary flag about breaching the judicial wall *The Law of Higher Education, A Comprehensive Guide to Legal Implications of Administrative Decision Making* William A. Kaplin, Barbara A. Lee, Neal H. Hutchens, Jacob H. Rooksby, 2019-04-01 You must have resource on the law of higher education Written by recognized experts in the field the latest edition of *The Law of Higher Education Vol 1* offers college administrators legal counsel and researchers with the most up to date comprehensive coverage of the legal implications of administrative decision making In the increasingly litigious environment of higher education William A Kaplin and Barbara A Lee's clear cogent and contextualized legal guide proves more and more indispensable every year Two new authors Neal H Hutchens and Jacob H Rooksby have joined the Kaplin and Lee team to provide additional coverage of important developments in higher education law From hate speech to student suicide from intellectual property developments to issues involving FERPA this comprehensive resource helps ensure you're ready for anything that may come your way Includes new material since publication of the previous edition Covers Title IX developments and intellectual property Explores new protections for gay and transgender students and employees Delves into free speech rights of faculty and students in public universities Expands the discussion of faculty academic freedom student academic freedom and institutional academic freedom Part of a 2 volume set If this book isn't on your shelf it needs to be *Intellectual Property, Faculty Rights and the Public Good* Samantha Bernstein-Sierra, Adrianna Kezar, 2017-04-17 Explore the different forms that intellectual property IP has taken in higher education in recent years and how to navigate the changing landscape for faculty members and university administrators Due to technological advancements and the rise of neo liberal policies influenced by academic capitalism faculty members are finding their rights being renegotiated often without their input Through patents copyrights distance education programs and MOOCs universities and publishers are

seeking to gain a competitive advantage in a market largely dominated by profit generation All this is putting the university's public mission in tension with increasingly profit driven university management practices This volume Presents policy trends in university IP regulation over the past 40 years Examines the utility of IP rights in higher education Considers the implications of knowledge ownership in the academic profession and Details the IP barriers that faculty encounter when attempting to share their work This is the 177th volume of the Jossey Bass quarterly report series New Directions for Higher Education Addressed to presidents vice presidents deans and other higher education decision makers on all kinds of campuses it provides timely information and authoritative advice about major issues and administrative problems confronting every institution **The Handbook of Student Affairs Administration** George S. McClellan, Judy Marquez

Kiyama, 2023-01-23 The foremost scholars in student affairs discuss issues facing the field today approaches to those issues and skills necessary to enact the approaches Professionals in student affairs administration need practical timely and applied information on the myriad issues they encounter in supporting the success of the students and the institutions they serve In the Handbook of Student Affairs Administration the top scholars in the field share the latest information methods and advice on addressing these issues The book is sponsored by NASPA the leading professional organization for student affairs in higher education This fifth edition has been updated to reflect current and effective techniques in student affairs administration including new chapters on anti oppressive frameworks and equity in praxis access for students with disabilities men and masculinities support for students mental health and well being and student employment as learning integrated work There is also an emphasis throughout on adult learners online learners part time students and transfer students Chapter authors of diverse gender ethnicity sexual orientation experiential background and type of institution offer broader perspectives Learn about the dominant organization and administration models in student affairs Stay up to date on core competencies and professional development models Discover research based strategies for addressing both emerging and lasting issues in student affairs Instructor resources available The Handbook of Student Affairs Administration is a comprehensive and thoughtful resource with expert insight on the issues facing student affairs This is one handbook students and professionals in the field won't want to go without Curriculum Development in the Postmodern Era Patrick

Slattery, 2012-12-06 First Published in 2006 Routledge is an imprint of Taylor Francis an informa company **Higher Education in the United States** James J. F. Forest, Kevin Kinser, 2002-06-21 Surveys the changing landscape of American higher education from academic freedom to virtual universities from campus crime to Pell Grants from the Student Privacy Act to student diversity In the years following World War II college and university enrollment doubled students revolted faculty unionized and community colleges evolved Tuition and technology soared as did the number of first generation minority and women students These changes radically transformed the American system of postsecondary education Today that system is in trouble Its aging professoriate prepares for retirement but low academic salaries can no longer attract the

best minds to replace them A flood of corporate dollars funds commercial research but money for basic research the seedbed of American scientific preeminence has dried up Colleges and universities also face heated competition with for profit education providers for students faculty and external financial support along with the costs of providing remedial education to growing numbers of students who are unprepared for postsecondary education Higher Education in the United States provides a comprehensive analysis of these issues and others that scholars and practitioners of higher education study discuss and grapple with on a daily basis **Resources in Education** ,2000-04 *Higher Education* ,1956 **Handbook of Research on Advancing Critical Thinking in Higher Education** Wisdom, Sherrie,Leavitt, Lynda,2015-07-17 The importance of critical thinking has surged as academics in higher education realize that many students upon entering college lack the critical thinking skills necessary to succeed While much has been written regarding the lack of critical thinking less has been written on the success of methods implemented to develop this fundamental skill The Handbook of Research on Advancing Critical Thinking in Higher Education explores the effective methods and tools being used to integrate the development of critical thinking skills in both undergraduate and graduate studies Due to the difficulties associated with teaching critical thinking skills to learners of any age this publication is a crucial addition to the scholarly reference works available to pre service and early career teachers seasoned educational professionals professors across disciplines curriculum specialists and educational administrators *Controversies in Affirmative Action* James A. Beckman,2014-07-23 An engaging and eclectic collection of essays from leading scholars on the subject which looks at affirmative action past and present analyzes its efficacy its legacy and its role in the future of the United States This comprehensive three volume set explores the ways the United States has interpreted affirmative action and probes the effects of the policy from the perspectives of economics law philosophy psychology sociology political science and race relations Expert contributors tackle a host of knotty issues ranging from the history of affirmative action to the theories underpinning it They show how affirmative action has been implemented over the years discuss its legality and constitutionality and speculate about its future Volume one traces the origin and evolution of affirmative action Volume two discusses modern applications and debates and volume three delves into such areas as international practices and critical race theory Standalone essays link cause and effect and past and present as they tackle intriguing and important questions When does affirmative action become reverse discrimination How many decades are too many for a temporary policy to remain in existence Does race or gender based affirmative action violate the equal protection of law guaranteed by the Fourteenth Amendment In raising such issues the work encourages readers to come to their own conclusions about the policy and its future application

*Understanding Authority in Higher Education* Dean O. Smith,2015-01-22 Within the complex environment of higher education administrators and faculty members face daunting challenges in their unique domains of institutional governance Many of the greatest challenges arise from basic misunderstandings of authority and its limitations by administrators and

faculty members alike These misunderstandings are the primary source of disruptive confusion mistrust and mismanagement Consequently an institution's governance would improve significantly if its personnel clearly understand the fundamental principles of authority To bring about this improvement Understanding Authority in Higher Education clarifies issues of authority in an academic setting Throughout it introduces basic concepts of higher education administration and then examines the limits of authority in context Pedagogically the book strives continuously to ascertain whether authority is used properly from a legal perspective emphasizing the influence of academic cultural norms on legal principles and vice versa But Understanding Authority in Higher Education goes further than law textbooks by using real and anecdotal case studies to examine aspects of authority that don't appear in court proceedings those that lie beyond the reach of the law In these cases the book explores the anthropology the behavior and the culture of authority in the academic environment

**For-Profit Colleges and Universities** Guilbert C. Hentschke, Vicente M. Lechuga, William G. Tierney, 2023-07-03 Do for-profit colleges and universities FPCUs pose a threat to traditional providers of higher education or do they play a vital role at a time when the capacity of public and private non-profits to meet demand is constrained With the US no longer the leader in developing a college educated workforce can FPCUs help redress the competitive gap What can be learned from the management practices and growth of FPCUs that now number close to 3 000 institutions in the US whose increase in enrollments has outpaced that of traditional institutions and who now grant around 8% of all degrees This book offers a clear-eyed and balanced analysis of for-profit colleges and universities reviewing their history business strategies and management practices setting them in the context of marketplace conditions the framework of public policy and government regulations and viewing them in the light of the public good Individual chapters variously explore FPCU's governance how they develop courses and programs and the way they define faculty work present findings from in-depth interviews with part-time and full-time faculty to understand how external forces and the imperative of profit generation affect faculty roles and responsibilities of faculty analyze policy considerations that affect FPCUs including federal regulation and oversight accountability and assessment and the legal and regulatory issues FPCUs face internationally and finally address the notion of academic freedom and the distribution of public monies to FPCUs Looking beyond FPCUs current strategy of offering career programming to non-traditional students the book reveals how they are positioning themselves to meet future market needs by developing new programs targeting a wider group of students Recognizing that FPCUs are more developing than fully developed the authors convey both the current state and the unresolved issues facing these businesses and in so doing surface enduring topics that face all of post-secondary education

**Besieged** William G. Howell, 2005-04-01 School boards are fighting for their survival Almost everything that they do is subject to regulations handed down from city councils state boards of education legislatures and courts As recent mayoral and state takeovers in such cities as Baltimore Chicago and New York make abundantly clear school boards that do not fulfill the expectations of other political players may be stripped of what few



independent powers they still retain Teachers unions exert growing influence over board decision making processes And with the passage of the No Child Left Behind Act the federal government has aggressively inserted itself into matters of local education governance B esieged is the first full length volume in many years to systematically examine the politics that surround school boards A group of highly renowned scholars relying on both careful case studies and quantitative analyses examine how school boards fare when they interact with their political superiors teachers unions and the public For the most part the picture that emerges is sobering while school boards perform certain administrative functions quite well the political pressures they face undermine their capacity to institute the wide ranging school reforms that many voters and local leaders are currently demanding

**Accountability in Higher Education: Navigating Current Issues and Trends** Singleton, Topeka Small, 2025-03-28 Accountability in higher education has become a critical issue as higher education institutions face scrutiny over student outcomes financial transparency and the value of a college degree As the cost of tuition is on the rise and student debt growing the concerns on equitability and the concerns of student engagement have left many in the public to lose trust in higher education From government regulations to accreditation standards and data driven assessment models accountability measures are evolving to ensure that higher education remains both effective and accessible As the public become more distrustful of higher education discussing the problems issues is effective in seeking change Accountability in Higher Education Navigating Current Issues and Trends explores the current trends and issues with accountability in higher education It discusses how accountability in higher education is essential and is the most impactful This book covers topics such as accountability diversity and inclusion and educational training and is a useful resource higher education professionals who seek to know more about navigating the landscape of accountability in higher education

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## **Table of Contents Contemporary Issues In Higher Education Law 3rd Edition**

1. Understanding the eBook Contemporary Issues In Higher Education Law 3rd Edition
  - The Rise of Digital Reading Contemporary Issues In Higher Education Law 3rd Edition
  - Advantages of eBooks Over Traditional Books
2. Identifying Contemporary Issues In Higher Education Law 3rd Edition
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Contemporary Issues In Higher Education Law 3rd Edition
  - User-Friendly Interface

4. Exploring eBook Recommendations from Contemporary Issues In Higher Education Law 3rd Edition
  - Personalized Recommendations
  - Contemporary Issues In Higher Education Law 3rd Edition User Reviews and Ratings
  - Contemporary Issues In Higher Education Law 3rd Edition and Bestseller Lists
5. Accessing Contemporary Issues In Higher Education Law 3rd Edition Free and Paid eBooks
  - Contemporary Issues In Higher Education Law 3rd Edition Public Domain eBooks
  - Contemporary Issues In Higher Education Law 3rd Edition eBook Subscription Services
  - Contemporary Issues In Higher Education Law 3rd Edition Budget-Friendly Options
6. Navigating Contemporary Issues In Higher Education Law 3rd Edition eBook Formats
  - ePub, PDF, MOBI, and More
  - Contemporary Issues In Higher Education Law 3rd Edition Compatibility with Devices
  - Contemporary Issues In Higher Education Law 3rd Edition Enhanced eBook Features
7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Contemporary Issues In Higher Education Law 3rd Edition
  - Highlighting and Note-Taking Contemporary Issues In Higher Education Law 3rd Edition
  - Interactive Elements Contemporary Issues In Higher Education Law 3rd Edition
8. Staying Engaged with Contemporary Issues In Higher Education Law 3rd Edition
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Contemporary Issues In Higher Education Law 3rd Edition
9. Balancing eBooks and Physical Books Contemporary Issues In Higher Education Law 3rd Edition
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Contemporary Issues In Higher Education Law 3rd Edition
10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
11. Cultivating a Reading Routine Contemporary Issues In Higher Education Law 3rd Edition
  - Setting Reading Goals Contemporary Issues In Higher Education Law 3rd Edition
  - Carving Out Dedicated Reading Time

12. Sourcing Reliable Information of Contemporary Issues In Higher Education Law 3rd Edition
  - Fact-Checking eBook Content of Contemporary Issues In Higher Education Law 3rd Edition
  - Distinguishing Credible Sources
13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
14. Embracing eBook Trends
  - Integration of Multimedia Elements
  - Interactive and Gamified eBooks

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