

SPECIAL PROJECTS SEMINAR
LAW REFORM ADVOCACY: PUBLIC SCHOOLS
Professor Charlow
Fall 2016

Syllabus

Course Description:

This course will explore in depth one or more public policy issues in need of legal reform and the processes through which such reform may be effectuated, focusing in particular on non-judicial fora. Students will interview interested stakeholders to determine their understanding of and interest in the selected issue(s), then work in small groups to conduct extensive research on the background and history of each issue, the relevant laws and regulations governing the matter, and the ways that different jurisdictions deal with the problem. The class will examine and debate the legal and policy implications of different positions on the subject. In the course of this study, students will learn how the legislative process—and, depending on the issue, perhaps also the administrative process—works at various governmental levels (local, state, federal), both in theory and in reality, and how citizens may influence their government. Students will draft and refine statements explaining the issue, the law, and their analyses of what might be accomplished to move the issue to an optimal resolution. The course will involve some out-of-class hours devoted not only to research and writing, but also to meeting with government officials, attorneys who work in relevant areas, and other knowledgeable parties. At the end of the term, the class will report to interested constituents, both orally and in writing, with a thorough analysis and, where appropriate, a “game plan” for law reform.

This semester the class will use public schools as the context for exploring law reform by focusing on one or more issues that are of significant importance to the academic mission and/or financial well-being of New York State public schools. Our interested stakeholders may be local school superintendents, members of a Board of Education, parents, teachers, taxpayers, and other similar parties. If appropriate, final presentations may be adapted for different constituents.

Learning Objectives:

By the end of this course, students should:

- have acquired a knowledge of the basic rules, doctrines, and policies used to enact, interpret, and enforce statutes and regulations;
- understand how legislatures operate, both in theory and in reality, including obstacles to effective operation;
- have perfected their ability to read, analyze, interpret, and argue for different interpretations of statutes and regulations;
- be able to formulate, debate, and effectively communicate different perspectives on controversial public policies;
- recognize the roles that various institutions and constituencies play in the understanding and development of law;
- know how to research legislation and legislative history;
- know how to gather relevant factual information and apply it to policy formation;

- understand how to prepare for and conduct client or constituent interviews;
- be able to identify legal issues in facts; apply rules, doctrines, and policy to facts; and weigh evidence to reach factual inferences and conclusions;
- be able to construct legal arguments and identify flaws in an argument;
- be able to present analysis orally and in writing, and argue orally and in writing, including knowing how to edit one's own and others' drafts of work product;
- know how to use policy to analyze and persuade;
- know how to formulate a realistic agenda for law reform;
- be able to work collectively with other professionals.

Professor's Contact Information & Office Hours:

office	100P
phone	(516) 463-5166
email	robin.charlow@hofstra.edu
secretary	Frances Avnet, Room 104

I maintain an “open door” policy instead of limited, specific office hours. You are welcome to stop by *any* time, separately or in groups, to ask questions about the course content or otherwise discuss school or related professional matters. Please formulate your questions beforehand so we can use the time productively. If you prefer to meet at a specific time, or are unsuccessful finding me in, feel free to contact me to set up an appointment that is convenient for you.

Although it is a rare occurrence, if there are any last minute or emergency announcements regarding class or the course, I will contact you by email. **You are expected to check your law school email account every day for any course-related communication.**

Electronics & Recording Policy:

You are encouraged to bring laptop computers to use in this class. We will occasionally work together during class on research and/or editing of a collective work product, which may be facilitated by electronic sharing services. Also, you may be assigned to be the class secretary on a given day, and may find it more effective to use a computer rather than handwritten notes for this purpose. **If you do not already have Word 2016 on your computer, please download it for free from the Hofstra website.** We will use this as our common editing medium so that you will all be familiar with the format I am told is most commonly used in law firms.

No other electronic devices should be used, unless you have my permission to do so. Also, **you may NOT record this class** without my express permission.

Attendance & Lateness:

The rules of the New York State Court of Appeals and the American Bar Association require law students to be in good and regular attendance in the courses for which they are registered. To

comply with these rules, you must attend at least 85% of the regularly-scheduled classes in this course. **Thus, you may miss no more than two class sessions.** I will provide dated sign-in sheets or otherwise keep attendance for each regularly-scheduled class. The Office of Student Affairs has authority to excuse class absences for religious reasons and in cases of truly compelling hardship. If you wish to claim a particular absence as excused, and thus not counted against your maximum number of allowable absences, you must take that issue up with the Office of Student Affairs – NOT with me or my secretary. My secretary will mark an absence as excused if and only if I receive a communication from the Office of Student Affairs to that effect.

If you exceed the permitted absences by not attending class or failing to sign in, you will be administratively withdrawn from the course. Any such withdrawal may have serious ramifications for your financial aid, academic standing, and date of graduation. Excessive absence may lead to additional sanctions, including but not limited to denial of certification of good and regular attendance to the New York State Board of Law Examiners or other state bar examiners.

You are expected to arrive on time and prepared for each class. Late arrivals are disruptive. For this and other reasons, please make every effort to arrive on time to class, and to return on time from a class break. **If you are repeatedly late to class, your grade may be lowered.**

Grading:

You will be graded on a variety of assignments, both individual and collective, as the semester progresses, as well as for class participation. When I cannot tell which individual is responsible for which portion of an assignment, the grade overall will be applied to all who participated. The final report produced by the class will be in lieu of a term paper or final examination, and the work leading up to and including this report will satisfy Writing Requirement II. Grades will comply with the parameters set by the Law School's mandatory grading policies, if applicable. I reserve the right to increase or decrease your letter grade by one increment (e.g., from a "B" to a "B+" or a "B-") based on excessive lateness or other serious and repeated breach of professional decorum or expectations (such as failing to complete assigned work in a timely manner).

Assignments:

Given the fluid nature of working on a real-life problem, most research, writing, interviewing, and other assignments will evolve week by week. What follows is a rough, tentative schedule for the semester, which will be augmented as we progress. Assignments for the first several classes are noted below and must be prepared in advance of each class. Reading packets of materials for the first two weeks will be made available in advance over the summer. ABA rules mandate that students be assigned a minimum of two hours of out-of-class work in preparation for each class hour, so expect a minimum of four hours of non-class work per week.

<u>Week</u>	<u>Date</u>	<u>Topic</u>
1	August 22	Legislative Process 1. Theory & Purpose of Legislatures (background reading)

2. NYS Legislature – organization, process, and critiques (background reading)
3. Legislative Research Training (conducted by Librarian Lisa Spar)

Assignment: Reading Packet #1 – Legislative Process

2 August 29 New York APPR/teacher evaluation system (reading & discussion)

Assignment: Reading Packet #2 – APPR background

3 September 12 Preparing for Constituent(s) Interview
Discussion of substantive questions to ask and how to organize the interview; “practice” interviewing and critique interviewers

Assignment: Read article distributed in class on 8/29.
Draft proposed questions for Superintendent interview on 9/19

4 September 19 Interview Superintendent (Dr. Melnick, North Shore Schools)
+ “Debrief” after interview

5 September 26 Research factual and legal background of our issue; contact and interview interested constituents, government officials, and other knowledgeable parties, meet with Hofstra Law alums who work in related fields (lobbyists, legislative staff, etc.);

6 October 10 study the issue in alternative jurisdictions; formulate and debate different policy positions on the issue; determine our group reform recommendation(s); draft and edit final report; prepare presentation of report and practice presenting. (Weeks 5 through 13).

7 October 17

8 October 24

9 October 31

10 November 7

11 November 14

12 November 21

13 November 28

14 December 5 Presentation of Report