

1. Record Nr.	UNINA9910790714603321
Autore	Kaplin William A
Titolo	The law of higher education : student version // William A. Kaplin, Barbara A Lee
Pubbl/distr/stampa	San Francisco, California : , : Jossey-Bass, , 2014 ©2014
ISBN	1-119-03720-4 1-118-75586-3 1-118-75596-0
Edizione	[Fifth edition.]
Descrizione fisica	1 online resource (947 p.)
Collana	The Jossey-Bass higher and adult education series The law of higher education
Altri autori (Persone)	LeeBarbara A
Disciplina	344.73/074
Soggetti	Universities and colleges - Law and legislation - United States School management and organization - Law and legislation - United States Universities and colleges - United States - Administration
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record.
Nota di bibliografia	Includes bibliographical references and indexes.
Nota di contenuto	The Law of Higher Education; Copyright; Notice to Instructors; Notice of Web Site and Periodic Supplements for the Student Version; Contents; Crosswalk for the Student Version of The Law of Higher Education, Fifth Edition; Preface; How the Student Version Was Developed; Developments in Higher Education Law since the Publication of the Fourth Edition; Organization and Content of the Student Version; A Note on Nomenclature; Recommendations for Using the Student Version and Keeping Up-to-Date; Endnote; Acknowledgments; The Authors; General Introduction: The Study of Higher Education Law A. The Universe of Education Law B. The Governance of Higher Education; C. Sources of Higher Education Law; D. The Legal Relationships Within Institutions of Higher Education; E. The Law/Policy Distinction; F. The U.S. Legal System as It Relates to Higher Education Law; Part One: Perspectives and Foundations; 1 Overview of Higher Education Law; Section 1.1 How Far the Law Reaches and How Loudly It Speaks; Section 1.2 Evolution of Higher Education Law; Section 1.3 The Governance of Higher Education; 1.3.1 Basic concepts and distinctions;

1.3.2 Internal governance; 1.3.3 External governance
Section 1.4 Sources of Higher Education Law 1.4.1 Overview; 1.4.2 External sources of law; 1.4.2.1 Federal and state constitutions; 1.4.2.2 Statutes; 1.4.2.3 Administrative rules and regulations; 1.4.2.4 State common law; 1.4.2.5 Foreign and international law; 1.4.3 Internal sources of law; 1.4.3.1 Institutional rules and regulations; 1.4.3.2 Institutional contracts; 1.4.3.3 Academic custom and usage; 1.4.4 The role of case law; 1.4.5 Researching case law; Section 1.5 The Public-Private Dichotomy; 1.5.1 Overview; 1.5.2 The state action doctrine 1.5.2.1 When private post secondary institutions may be engaged in state action 1.5.2.2 When students, employees, and others may be engaged in state action; 1.5.3 Other bases for legal rights in private institutions; Section 1.6 Religion and the Public-Private Dichotomy; 1.6.1 Overview; 1.6.2 Religious autonomy rights of religious institutions and their personnel; 1.6.3 Government support for religious institutions; 1.6.4 Religious autonomy rights of individuals in public post secondary institutions; Section 1.7 The Relationship Between Law and Policy; 2 Legal Planning and Dispute Resolution Section 2.1 Legal Liability 2.1.1 Overview; 2.1.2 Types of liability; 2.1.3 Agency law; 2.1.4 Enforcement mechanisms; 2.1.5 Remedies for legal violations; 2.1.6 Avoiding legal liability; 2.1.7 Treatment law and preventive law; Section 2.2 Litigation in the Courts; 2.2.1 Overview; 2.2.2 Judicial (academic) deference; 2.2.3 Managing litigation and the threat of litigation; Section 2.3 Alternative Dispute Resolution; 2.3.1 Overview; 2.3.2 Types of ADR; 2.3.3 Applications to colleges and universities; Section 2.4 Institutional Management of Liability Risk; 2.4.1 Overview and suggestions
2.4.2 Risk management strategies

Sommario/riassunto

Based on the fifth edition of the indispensable guide to the laws that bear on the conduct of higher education, this student edition provides an up-to-date textbook, reference, and guide for coursework in higher education law and programs preparing higher education administrators for leadership roles. This student edition contains a glossary of key terms and an appendix on how to read legal material for the non-law student. Each chapter is introduced by a discussion of key terms and ideas the students will encounter.
