

SIMON FRASER UNIVERSITY
Education 445-4
LEGAL CONTEXT OF TEACHING
(E1.00)
(Cat. #83090)

Fall Semester, 1993
(September 7 - December 6)
Thursday
16:30-20:20
Location: MPX 8651

Instructor: David Handelman
Office: MPX 9508
Telephone: 291-5992

PREREQUISITE: 60 hours of credit

COURSE DESCRIPTION

This course is designed to provide education students, teachers, counsellors and administrative officers with a comprehensive understanding of the legal issues and potential legal liabilities encountered in the B.C. public school system. Special attention is devoted to the legal dimensions and consequences of routine classroom and administrative activity. The course also provides students with a basic introduction to the legal terminology used in the lectures and seminars. No prior knowledge of the law or the legal system is required. Topics to be discussed will include:

- The School Act and the Teaching Profession Act
- Negligence and Supervisory Activity
- Educational Malpractice
- Special Education Placements and the Law
- Student Discipline and Due Process
- Sexual Abuse by School Board Employees
- Aids and School Personnel
- The Canadian Charter of Rights and Freedoms and Education
- Teacher Discipline and Union Grievances

REQUIRED TEXTS:

1. Alex J. Proudfoot and Lawrence Hutchinson
Teacher Beware: A Legal Primer for the Classroom Teacher
(Calgary, Detselig Press, 1988)
2. Michael Manley-Casimir and Terri Sussell
Courts in the Classroom: Education and the Charter of Rights and Freedoms
(Calgary, Detselig Press, 1986)
3. Terri Sussell
Controversies in School Law—A Handbook for School Administrators
(Vancouver, Eduserv, 1990)

COURSE REQUIREMENTS

Students will be evaluated on the basis of class participation, an in-class presentation, and a research paper.

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This course is primarily for educators: teachers, administrators, counsellors, librarians, and anyone else with an interest in serving students and staying within the law. Students who have taken this course have commented on the gulf dividing the disciplines of law and education. To date, there has been too little dialogue between their members. This course is designed to enable students to take steps toward closing this gap and improving their legal literacy. Former Chief Justice Bora Laskin remarked: "It's very important to have a citizenry which is socially literate and social literacy involves some appreciation of the legal system." The legal context of teaching is important to day to day life in classrooms, the staffroom and other school-related settings. This course will provide a framework for weighing the legal factors in daily decision-making.

- Unit 1 Intersection of Law and Education
- Unit 2 Part One: Teacher Rights and Responsibilities
Part Two: Negligence, Intentional Torts, and Educational Malpractice
- Unit 3 Student and Parent Rights and Responsibilities
- Unit 4 Criminal Law and Wrap Up

PREREQUISITE: 60 hours of credit.

REQUIRED TEXTS:

B.C. Ministry of Education. *B.C. School Act*.

B.C. Ministry of Education. *School Regulations*.

Proudfoot, Alex J. & Hutchings, Lawrence. *Teacher Beware: A Legal Primer for the Classroom Teacher*. Calgary: Detselig, 1988.

Manley-Casimir, Michael E. & Sussel, Terri A. *Courts in the Classroom: Education and the Charter of Rights and Freedoms*. Calgary: Detselig, 1986.

COURSE REQUIREMENTS:

Four assignments and one major project.

11/02/93

COURSE INSTRUCTOR RESERVES THE RIGHT TO MAKE CHANGES WITHOUT NOTICE.

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