

Chapter 7 Becoming a Teacher Study Guide

1. Under the provisions of educational laws, when are teachers most likely to face professional challenge?
2. What does a professional code of ethics for teachers say?
3. Teachers often find it necessary to take action in situations in which all the facts are not known or for which no single course of action can be called right or wrong. These situations are often referred to as WHAT?
4. Behaving ethically as a teacher is determined by what?
5. What are characteristics that delineate a "good" ethical decision?
6. What is an important part of a teacher's response to an ethical dilemma?
7. What are the legal rights concerning teachers?
8. Ms. Tamarack was fired from her teaching position because of her political position on such issues as abortion, right to die, and gays and lesbians in the military. What does this case illustrate?
9. What is the reason a teacher's certificate can be revoked?
10. What do nearly all states require for initial teacher certification?
11. What elements must a contract have between a teacher and a school district for it to be valid?
12. Nichie, the fifth-grade teacher at Pine Elementary, goes to court to protest the fact that she was assigned by her principal to sponsor the high school chess club. Nichie's contract made no reference to this assignment. How is the court most likely to respond?
13. What needs to be done in regard to the assignment of a teacher doing additional duties or responsibilities?
14. Doreen, a high school English teacher, filed suit to protest the fact that she was assigned by her principal to sponsor the high school newspaper and her contract made no reference to that assignment. What will the court most likely to decide?
15. What is the policy that provides teachers with job security?
16. According to the tenure laws, a teacher may be dismissed for what reasons?
17. To dismiss a teacher, a district must follow a step-by-step process known as _____?
18. What are the procedures that most states adhere to in dismissing a teacher?
19. Mr. Green is a tenured faculty member and is well respected by students. After a recent divorce, he moved in with Ms. Flowers, the secretary to the superintendent. At the end of the year, Mr. Green was notified that he was being dismissed because of immoral conduct; that is, living with a woman he was not married to. In order for this action to be supported by the court, what would have to be demonstrated?
20. One of Mr. Brouse's seventh-grade students broke his arm while on a field trip to the zoo. The boy's parents claimed that Mr. Brouse was negligent and took the matter to court. In regard to a case such as this, what would the court do?
21. What is the process through which school boards negotiate contracts with teacher organizations?
22. Some authorities suggest that academic freedom is a less powerful legal defense than it was in the past. When basing a defense on academic freedom, what must be true if the defendant expects to prevail?
23. When are teachers are afforded the greatest protection under the concept of academic freedom?
24. What best describes the application of the principle of "academic freedom"?
25. What are the rights of student teacher?
26. Depending on the statutes in a particular state, when may a student teacher act as a substitute teacher?
27. What are some good pieces of advice for student teachers?
28. What are the legal responsibilities of a teacher?
29. A civil wrong that "arises out of a breach of duty that is imposed by law" is known as _____.
30. What is the branch of law concerned with compensating an individual who suffers losses resulting from another's negligence?
31. In tort law, what would the results be if was harm inflicted on the injured party?
32. According to tort liability law, what may happen to an individual who is negligent and at fault in the exercise of his or her legal duty?
33. What is teacher liability and what can teachers be held accountable for?

34. The parents of Brittany are seeking \$500,000 from the local school district because Brittany graduated from high school with a fourth-grade reading level. What is this type of lawsuit called?
35. When a court considers a case involving tort liability, what must be present?
36. What do court cases involving tort liability of teachers focus on?
37. What are the indicators of child abuse and neglect among students?
38. In regard to reporting child abuse, what are teachers required to do?
39. What are physical indicators of physical abuse?
40. What are indicators of sexual abuse?
41. What may be a physical indicator of emotional maltreatment?
42. How can teachers use multiple copies of copyrighted material? What do the tests have to meet?
43. What doctrine was added by Congress when they revised the Copyright Act?
44. Material is published without restrictions on the Internet, what can teachers assume that the author has done?
45. What is a commercial software agreement that permits installation called?
46. Teachers view a home page on the Internet they are viewing a published copy of an original document and should remember what?
47. Addressing computer software, what does the Copyright Act that was amended in 1980 to state that teachers can/cannot do?
48. Establishing home pages on the Internet, teachers should be careful not to include what?
49. How may schools address dress code?
50. What are the rights guaranteed by the First Amendment?
51. Prior to 1988, how could school officials censor student literature?
52. Many have suggested that schools may have dress codes if they are what?
53. To protect themselves from legal challenges brought on by searches, teachers and other school authorities what should they do?
54. What is short term school suspension is usually defined as?
55. What are the criteria that is generally adhered to in expulsion cases?
56. A superintendent unknowingly violates the constitutionally guaranteed right to due process of a student whom she expels for violating the rule against using alcoholic beverages at a school function. What could happen to the superintendent?
57. Mr. Lochwood, a high school principal, suspects that a student has a gun in his locker. According to law, what can Mr. Lockwood do?
58. Under the provisions of the Family Education Rights and Privacy Act, what is the penalty for giving out personally identifiable information without prior written consent?
59. According to the Buckley Amendment, parents do not have a right to examine what?
60. How are schools legally bound to avoid discriminating against students?
61. In rulings on HIV/AIDS-related cases, what have the courts have stated?
62. According to considerable evidence what does corporal punishment actually do?
63. The Supreme Court in Davis v. Monroe County Board of Education ruled that school districts can be sued under Title IX in cases involving student-on-student sexual harassment if the district does what?
64. According to a survey by the American Association of University Women, what is the percentage of teenagers in school affected by sexual harassment?
65. In a 1996 verdict, a U.S. district court awarded almost \$1 million to a gay student was the first time. What did a federal jury find?
66. Where is the separation of church and state addressed?
67. What happened in the landmark case Engel v. Vitale?
68. What is home schooling, where can you homeschool and what are the regulations per state from homeschooling a child?
69. What are the issues motivating the "new breed" of home schoolers?

ESSAY SECTION.

Mr. Crowe has spent the last month trying to control the behavior of two of his students who are very disruptive when seated close together or working together in groups. Both girls are high achievers and very bright. Mr. Crowe made a decision to separate Patricia and Rosie by putting them in different reading groups. The result of this decision is that Rosie will be in a reading group that is lower than her achievement potential. Mr. Crowe believes this is the best solution for all students in the class.

70. Briefly describe why this is an ethical dilemma for Mr. Crowe. As a professional, what are your responsibilities in dealing with ethical decisions?
71. Briefly describe the concept of "due process." Use at least one example to illustrate a teacher's right to due process.
72. Briefly discuss whether or not student teachers have the same rights as teachers.
73. Describe three legal responsibilities of teachers.
74. When material is published on the Internet without restrictions, what assumption is implied and what obligation is incurred when that material is used?
75. One area of student expression that has generated frequent controversy is that of student publications. List three guidelines outlined by the courts for controlling student literature prior to publication.
76. Describe what is meant by freedom of expression.
77. What rights do students enrolled in private schools have as related to dress code?
78. Describe the claim against the school district in *Davis v. Monroe County Board of Education* (1999) that led the Supreme Court to rule that school districts can be sued under Title IX in cases involving student-on-student sexual harassment. Explain why the role of religion is so controversial in the schools.
79. Provide an overview of arguments against corporal punishment in the schools.
80. Explain why the role of religion is so controversial in the schools.
81. Discuss the prevalence of home schooling and the reasons why parents would choose to educate their children at home.
82. What is the legality of home schooling?

Laura is a tenured secondary English teacher who has been teaching at the local high school for 12 years. She is deeply respected and admired by students because of her innovative teaching methods and dynamic personality. Laura is a lesbian and is actively involved in local and state lesbian and gay organizations. When confronted in the past by the administration about her sexual orientation, she asserted that her sexual orientation has nothing to do with her ability to teach. Over the past 12 years, the membership on the school board has changed, reflecting a very conservative perspective. Two days ago, Laura received notice that she was being dismissed because she is a lesbian.

83. What is tenure?
84. Why is tenure important in Laura's case?
85. Discuss a court case that is similar to Laura's situation.
86. If Laura is to be dismissed, what are her due process rights?
87. What are the nine steps for dismissal of a teacher?