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TED 400-02
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Legal Issues on Education

Some people have dreamed all their life to become teachers and pass the knowledge one has to the next generation. Most of us think, that being a teacher is only impart a lesson to scholars, help pupils be successful on the subject, and most importantly enjoy teaching our passion. Once teaching candidates begin a Teaching Credential Program, we discover that there are many responsibilities we need to learn how to deal with, in order to have a successful teaching career. For instance, we need to learn how to do lesson plans, how to take care of ELLs, pupils with IEPs, we also need to learn strategies on classroom management, and one could say that is only the beginning of a teaching career. Besides acquiring that knowledge, we also need to understand the effects of teaching disposition, how to deal with legal issues on education, and furthermore comprehend how bullying affects students.

I believe one of the most important elements of a teacher are his/her dispositions. I think disposition is the most important element because it cannot be measure, but it can create a healthy environment or an intimidating atmosphere. Some of the most important dispositions are, being a caring, genuine, energetic, kind, humorous, positive, and been an embracing teacher. These characteristics are ways of helping scholars feel optimistic and animated in a classroom, if students feel comfortable, they will feel more motivated to learn the subject. When teachers have these kind of qualities, they tend to be a role-model to their colleges. Other aspect of disposition is the Development as a Professional Educators, which means maintaining a proficient conduct and show integrity not only in the classroom but also in the community. Educators also need to interact in a proper way with pupils and families outside the classroom, for example when seen

around the community greet them, and show respect. According to Letitia, Mary and Dick Usher in their article *Nurturing Five Dispositions of Effective Teachers*, they believe there are “Five Dispositions of Effective Teachers, 1. Empathy: seeing and accepting the other person’s point of view. 2. Positive View of Others: believing in worth, ability and potential of others. 3. Positive View of Self: Honors the internal dignity and integrity of self and holds positive expectations for his/her own actions. 4. Authenticity: Feeling a sense of freedom and openness that enables her or him to be a unique person in honesty and genuineness. 5. Meaningful Purpose and Vision: Committing to purposes that are primarily person-centered, broad, deep, freeing and long range in nature” (Usher, 3. 2013) To proceed, Council for the Accreditation of Educator Preparation (CAEP) who believes in building relationships to improve education. They define professional disposition as “professional attitudes, values, and beliefs demonstrated through both verbal and non- verbal behaviors.” Since, educators need to interact with students, families, and the community, showing an optimistic performance will support the learning of pupils. CAEP, also declares that there are two professional dispositions educators need to consider, which are: “fairness and the belief that all students can learn”. This means no discrimination against any culture or linguistic background.

Legal issues are big responsibilities teachers have, because reporting and taking actions on events that are illegal help saves scholars’ lives and sanity. Teachers need to follow some legal requirements. For example, they need to follow states instructional days, which usually are 180 days unless schools have alternative days. Some school districts ask their teacher to be at school 15 minutes before and after school hours. Also, teachers need to supervise their students at all times while on duty. If for some reason the teacher needs to step outside the classroom a credentialed adult needs to stay and supervise the scholars. When it comes to tutoring, teachers

can refer students to school tutoring, or they can tutor those pupils in their classroom with parental permission on a voluntary basis. Teachers are responsible of reporting accidents that occur during supervision hours. When it comes to reporting, teachers must report to the administration and law enforcement agencies suspected cases of child abuse and suspected signs of injuries or suspected sexual harassment. Corporal punishment is against the law, teachers may not use physical force to admonishment a student, but teacher may hold scholar's hands to break up a fight or defend themselves. If a teacher refuses to supervise pupils, report accidents, child abuse, sexual harassment it is consider negligence and it may result of teacher suspension or dismissal. Another responsibility teachers have is to report the attendance office if a student is a absent frequently, and record attempts of contacting parents. When it comes to scholar suspension, the maximum days a pupil can be suspended from a class are two days, and only the administration has the right to expel a student due to violations of the school district, Education Code and/or CA Penal Code. Once a teacher is hire, he/she is in probation for two or three years, and after that critical time has passed they may obtain their tenure. This does not mean that they can't be fire, the teacher may lose his/her teacher credential for illegal conduct. When a teacher is suspected of be under the influence or alcohol or drugs they may be refer to district physician for further attention. There are legal requirements for parents and scholars assigned by the state. If a student commits vandalism, scholars or their parents are liable, and it may result in suspension from the school or expel from the district. Another way a scholar may be expel from the school is if the school administration finds out that a pupil possesses alcohol or drugs inside the school. To proceed, scholars are protected by the AB 537 act which expresses that no discrimination is allow based on sex, ethnic group identification, race, ancestry, nation origin, religion, color, or mental or physical disability. If a scholar qualifies for an IEP plan they can get

accommodations and/or modification, and in order for that to happen all teachers need to know which of their students has an IEP. The EDIA expresses that all scholars should be held for high challenging expectations. In the article, *Understanding Teacher Candidate Dispositions: Reflecting to Build Self-Awareness*, the authors, Deborah L. Schussler, Lisa M. Stooksberry, and Lynne A. Bercaw explained, “More specifically, intellectual dispositions involve the learning expectations teachers establish for all students, decisions around curriculum (e.g., what to teach), decisions around instruction, beliefs about how scholars learn, and an understanding of one’s role as a professional” (pg. 352. 2010) All pupils should be set with high expectations, with the accommodated curriculum and targeting pupils’ way of learning. Teacher should create a healthy environment where everybody can feel secure, and acts of intolerance are not accepted.

Another issue, educators need to understand, is how do deal with bullying in their classrooms. It is said that schoolchildren learn best when they are in a safe and orderly classroom. Children who are bullied are more likely than other children to have cognitive deficits, and due to that they score lower on tests that involves verbal memory and execute function and they are more likely to fall into depression. The idea of Increasing Motivation with the Climate and Instructional Variables proposes that maintaining a safe, and orderly learning environment establishes a high level of students’ involvements in learning activities. When children are exposed to bullying, they are more likely to under-perform in school, and they develop unhealthy issue in their adulthood. There are many children who fall into a deep depression due to bullying and they end up coming suicide. A study found higher levels of bullying in America more than any other country. There are some types of bullying everybody needs to identify. First, there is one-on-one bullying which is more prevalent in elementary school and it can take place in person or online, it could be physical or emotional bullying.

Second, is pack bullying, which is undertaken by a group and the way it works it is the same as one-on-one bullying. Physical bullying may take the form of pushing, shoving, hitting, fighting, spitting, and tripping. A lot of gay bullying is known as gender-policing, which is the imposition of enforcement of normative gender expressions on someone who is perceived as not acting “normal”. There is also emotional bullying, which involves factors as insults, derogatory remarks, name calling, and teasing. Attempts to ostracize the victim, as ignoring them or making them feel left out, and it can be done in person or online. Some of the causes of bullying is an anxiety disorder that can develop after exposure to a frightening event or dealing with physical harm, and it is known as post-traumatic stress. As of now, there are two mediums of bullying which are: face-to-face which is a confrontation among the victim the perpetrator, and cyber bullying, which takes place online, though email, chat, social networking services, text messages, etc. The outcomes of e-bullying are the similar to real-life bullying except that face-to-face is done only when they see each other, and e-bullying can be done all the time. Nearly, 35% students, have been threatened online, and almost one in five had had it happened more than once. In the article, *Risk factors for involvement in cyber bullying: Victims, bullies and bully-victims*, the authors, Faye Mishna, Mona Khoury Kassabri, Tahany Gadalla, and Joanne Daciuk, explained, “We suggest two main characteristics unique to cyber bullying that may contribute to more youth being involved as bully and victim: the dramatically increasing access and use of technology by children and youth and the lack of face to face interaction and associated social cues” (pg. 8. 2011). This means, that the access to technology, and the lack of interaction with other people, is the cause of cyber-bullying which can be as equal or more harmful than face-to-face bullying. To continue, the targets of bullying can be students with disabilities, homophobic, racist, and religious. An estimate 66% of U.S. middle school pupils say that are teased at least

one a month because of their race, ethnicity, gender, religion, size, class, sexual orientation or disability. LGBTQ youth are up to four times more likely to attempt suicide than their heterosexual peers due to bullying. There is an act that protect them, AB 537 act, this law added LGBTQ to a nondiscrimination policy. Sadly about 31% of the students who are bullied said that they reported the incident and their school staff did nothing. When scholars are being bullied sometimes the anger is out of their hands, and 2/3 of recent school shooting attackers had expressed that they had previously been bullied. In those cases, it is said that the experience of bullying appeared to play a major role in motivating the attacker.

Legal issues on education are topics that are very delicate. Pupils depend on the teacher not only to learn the content, but they also need their teacher to create a healthy environment for them. They need their teachers to help them with some problems they might have at home. Reporting illegal issues is not something someone enjoys, but it must be done to help those who are being maltreated. Most importantly, students need to feel that their teachers are on their best disposition to help them anytime they need them.

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