Martha Novoa TED 400 Legal Issues in Education Assignment April 14, 2018

My Professional Role and Responsibilities as an Education Professional

As an educator, I will be entrusted with the care of people's most valuable possession; their children. I must therefore be worthy of such a role and keep students safe, help the helpless, and do my part for them to be successful in school and in life. I must also be held to a higher standard because I will serve as a role model and a mandated reporter so my responsibilities as an education professional will be strict with severe repercussions if not obeyed. I understand and will comply with all laws concerning professional conduct, moral fitness, including the responsible use of social media and other digital platforms, and tools. I always thought that I would be given a handbook with all the rules and laws that I had to obey on my first day as a Teacher, but I have now realized with this assignment that it takes research on my part to get educated and to never stop researching because the laws keep changing. The more I learned though the more scared I am of making an innocent mistake, but I am not alone, "Such uncertainty, misunderstanding, and fear, contributes to a growing concern among educators about being sued and the increasing numbers of educators who are purchasing liability insurance" (Wagner, 2007). The lessons from Professor Sapp and the research for this assignment have prepared me with the basic knowledge of the Laws and obligations that I will need to fulfill when I become an educator.

The Dispositions to Teach

I am a candidate for a Teaching Credential and throughout my training, I will be evaluated for teaching content, classroom management, and the most important will be my disposition to teach. My attitude, beliefs, and perceptions will speak volumes for how effective I will be as a teacher and the caliber of my character. I know I am fair, I can learn and change, that I am caring, attentive, genuinely involved, and happy in life and eventually with my students but that means nothing if my peers and evaluators don't see me as having positive professional dispositions. My disposition cannot be faked and planned, it is constant and follows me wherever I go and comes out in everything I do and so I must always be the best that I can be because I will be entrusted with the education of children, the future of our society someday. "Being effective as a teacher means not only being proficient with teaching processes that lead to student products, but also being a person who can facilitate positive change in people's lives" (Taylor, Wasicsko, 2015). I know that the NCATE expects from me to be fair and to have the true belief that all students can learn, and I believe that those core attitudes are essential for high achievement and the success of my students so of course I will live by them. I have the support of the College of Education at Cal State Dominguez Hills to become an effective teacher because I am being trained to implement culturally relevant pedagogy in my curriculum, to have high expectations for all my students, to build a home and school partnership, to differentiate my teaching, and to be a professional that collaborates well with colleagues. I am inspired to be a life-long learner that will always share the new knowledge with my students to keep them at the top of their studies and me at the top of my game.

General Legal Requirements for the Teacher

I know that there are 180 instructional days determined by the state and that some districts may have alternative days. There are instructional minutes determined by the state like 90 minutes of ELA and they differ depending on grade level. I will be expected to be at school at least 6 hours and sometimes minutes before and after school. I will be responsible for students while on duty. I must always be on the lookout for student's safety and I can not ignore a fight and must call for help. I will never leave students unsupervised in a classroom and there must always be a credentialed adult supervising students, no one else. High academic achievement is my expectation and sometimes tutoring is necessary. I can refer students for after school tutoring. I can offer after school tutoring in my classroom with parent's permission on a voluntary basis. I will always ensure proper supervision of students that are under my care afterschool and the doors to my classroom will be in the open position for transparency. I understand that I must make a report of all accidents no matter how minor they are, that occur in my class or during my supervision duties. I will be a mandated reporter and as such, having a suspicion of abuse will make me report it to Child Protective Services and/or law enforcement agencies whether there are visible signs of injuries or not because just having a suspicion makes me responsible. I know that there are federal and state laws as well as the school district that I will be working with, so I will abide. I have attached my Certificate of Completion Award for completing the Mandated Reporter Educators Training online. I will explain the sexual harassment policy to my students and abide by the policy. I will report any "reported" sexual harassment issues confided to me by my students. I hope to form a respected bond with my students where they feel safe in confiding in me if they need help and I know how to get help for them. I would never but I know that corporal punishment is prohibited completely. I will never use physical force to punish a student. I am allowed to restrain a student by holding a student's arm but only to defend myself. I know that attendance is very important not only for academic reasons but to keep a school running, so chronic absences without an excuse is bad and it is illegal. I am responsible for logging attendance everyday and notifying the Main Office of prolonged absences. I will keep a log of the attempts made to contact the family and all other

documentation regarding the case because the Student Attendance and Review Board will need supporting documents to make a determination in the case. If I need to, I can give out detentions to my students. The student can be detained up-to 15 minutes after school. If I need to detain the student longer, I will need parental consent. I can also refer my students to detention afterschool if my school offers the program for detention with a counselor/dean/administrator. I have the option with office referral to suspend a student for two days from my class, the day of and the following day if necessary. School Administrators can suspend a student for a total of 20 days in one school year. As a teacher, I should focus on building relationships of respect with my students to avoid issues of suspension and chronic absenteeism. I will employ strategies like restorative justice to manage my class and not cause chaos where my students misbehave to the point of suspensions. I will not exclude students from school participation as punishment only administration has the right to exclude a student and it is typically used for health and/or safety concerns. Only District Administration has the right to expel a student from the district due to violations in the Education Code and/or California Penal Code. Finally, I will deemed negligent and will be suspended or dismissed as a teacher if I refuse to supervise students, if I leave students alone in the class, if I leave students alone when assigned to supervision duty, if I fail to report an accident, if I fail to report suspected child abuse, if I fail to report alleged sexual harassment, and if I fail to report illegal possessions.

Teacher Requirements from the School and District

I will be seeking employment within the Los Angeles Unified School District. The following are all the requirements of me when I start working in an LAUSD school. As a new teacher, I will be on a two-year probationary period. I will be tenured after receiving a good review and serving two years and one day as a teacher. Being tenured means protection of

employment, that I will be able to have the freedom to speak the truth to power and not fear retaliation. I am aware of my teaching credential license can be revoked due to fraud, child endangerment, and felony offenses. I understand to seek legal counsel. I also know that if revocation occurs the revocation is irreversible. I am aware that a Leave of Absence is permitted under certain circumstances like sabbaticals for personal-education advancement. Under the Education Code and district policies, maternity leave, illness, and death in the family are permitted for a Leave of Absence as well. I will have to use textbooks adopted by the state of California, approved by LAUSD, and determined by my school. I am able though to incorporate supplemental texts if the district and my school approve. I will abide by my school's rules about video and audio materials. As far as first-aid, I will administer whenever needed. I will fulfill my obligation to earn a child and adult CPR and first-aid certification in order to receive my teaching credentials obeying the SB 2042 credential policy. I will immediately be dismissed if I possess or use drugs. If I am ever suspected of being under the influence of something, I will be referred to district physicians for further attention. I know that there is a clear separation between state and church so if I violate this policy, I will be written up for insubordination, so I will never recommend one religion over another and will never impose my religious views on my students.

Parent and Students Rights and Responsibilities

I will never tolerate physical or verbal abuse from a parent or a student and I will fill out a report. I understand that if a student attacks me, the student is liable and can be arrested for assault which may lead to expulsion proceedings. I also understand that if a parent attacks me, the parent is liable and can be arrested for assault which may lead to criminal charges. I am aware that the family make-up of my students can be complicated, and parental custody can be as well. I will never release my student to anyone who comes to my class and will send them to the office. I will let administration release my student to parents before the end of the school day because they are the only ones to have the right. If I see a stranger on campus without a visitor's pass, I will direct them to get a visitor's pass or notify administration/security. I know that vandalism caused by students makes their parents liable and that the student may be suspended and possibly expelled from the district. I am obligated to report all signs or acts of vandalism which includes graffiti. If possible, I will take a picture for reporting purposes. Only my Administrators have the right to search student's possessions like backpacks if they have reasonable cause suspecting possession of alcohol or drug abuse. I am aware that police have the right to search but only with a warrant. The repercussions of possessing alcohol or drugs on a student may lead to suspension or possible expulsion from the district. I know that all students are entitled to due process. Students have the right to be heard orally and with written statements. Students have the right to know the alleged accusations against him or her and who is the accuser or the accusers. And the student has the right to have counsel and/or parent present.

Basic Understanding of Special Education Law and other Laws

I understand the law AB 537 that is the California Student Safety and Violence Prevention Act of 2000 which adds to the California Education Code that there will be no discrimination or harassment against a student based on perceived sexual orientation and gender identity, ethnicity, race, ancestry, nationality, religion, color, or mental or physical disability. I understand the Individuals with Disabilities Education Improvement Act (IDEIA) mandates that my school must teach students with disabilities in the least restrictive environment that they can learn in depending on their needs with the hope that most exceptional students can remain in the general education setting. I will receive some training during my teaching credential program on how to best teach students with disabilities but there is still a need for more training. I am aware of what an Individualized Educational Plan is because my son had an IEP for six years of his education. So, I know firsthand that it is a legal document that states academic goals and all the accommodations and modifications that need to be obeyed as I teach students with IEP's so that the students' progress adequately. Knowledge and complying with Special Education Law is essential to ensure students rights. If I have any questions, I know that I can ask a special education colleague or administrator for clarification if I don't understand the information contained on the IEP. I know that I must be present in every IEP meeting because I need to be a part in developing, reviewing, and revising the IEP plan. If I am unable to be present another general education teacher can take my place for the meeting. My grading under an IEP plan needs to be according to the specifications in the IEP. I will never penalize the student for the accommodations received. I will hold high expectations of all my students including students with disabilities because student's academic achievement is increased. It is my job to provide all my students a safe classroom where intolerance is unacceptable. I will have a classroom community where all my students will feel they are valuable members of a learning environment that is free of harassment and discrimination.

Digital Literacy Responsibilities

I will incorporate early in the school year lessons covering digital citizenship so that my students have a strong foundation to work from when using technology at school and home with the hope that they stay safe online as they grow up in life. I feel that it will be my responsibility to teach my students all about the digital world. I will no longer teach writing a letter in cursive handwriting but instead I will teach my students how to type an email, so it will fall on me to

teach them the basics of technology use and the dangers associated with them as well. I will constantly update my technology skills/knowledge and incorporate them in my daily classroom routines and curriculum. Instead of cursive letters on my walls there will be technology safety reminders and good etiquette for online comments to address cyberbullying. I will also provide support for my parents to help their children succeed in school and on the use of technology so that they can help me too at home. This partnership will help our future community members have successful lives, "Parents have to be more involved...(with this) delicate process of shaping a digital culture in collaboration with administrators, teachers, and tech professionals...It will take a village" (Hollandsworth, 2011).

My Oath...

{My name is Martha Novoa and I am a candidate for a Teaching Credential and I take responsibility for student academic learning outcomes. I am aware of my own personal values and biases and I recognize ways in which these values and biases affect the teaching and learning of my students. I resist racism and acts of intolerance. I will appropriately manage my professional time spent in teaching responsibilities to ensure that my academic goals are met. I understand important elements of California and federal laws and procedures pertaining to the education of English Learners, gifted students, and individuals with disabilities, including implications for their placement in classrooms. I can identify cases of child abuse, neglect, or sexual harassment. I will maintain a non-hostile classroom environment. I will carry out laws and district guidelines for reporting such cases. I understand and implement school and district policies and state and federal law in responding to inappropriate or violent student behavior.

As a candidate for a Teaching Credential, I understand and honor legal and professional obligations to protect the privacy, health, and safety of students, families, and other school professionals. I am aware of and act in accordance with ethical considerations and I model ethical behaviors for students. I understand and honor all laws relating to professional misconduct and moral fitness} (Sapp, 2018)

References

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