



Unit Four

SCHOOL LAW & ETHICS

Word Wall

- Civil Right Act of 1964
- Academic Freedom
- Establishment Clause
- Engel v Vitale
- Lemon v Kurtzman
- Lemon Test
- Epperson V Arkansas
- Mifeasance
- Malfeasance
- Nonfeasance
- Educational Malpractice
- Pickering v Board of Education
- Copyright Act of 1976
- Fair Use
- Georgia Teacher Code of Ethics
- FERPA
- Due Process
- Corporal Punishment
- Zero Tolerance
- Tinker v Des Moines
- IDEA

Things to Know

- There are certain questions that are not allowed to be asked in interviews, based on the Civil Rights Act of 1964 and Title IX of the Education Amendment.
- Title IX also protects individuals from sexual harassment
- Teachers are protected by the right to free speech (academic freedom/academic expression)
- School sponsored religious activities are not allowed (Engel v Vitale, Lemon v Kurtzman)
- States/local school systems cannot pass laws which prohibit teachers from teaching curriculum that may be a part of their given curriculum (evolution: Epperson v Arkansas; Edwards v Aguillard)
- Teachers have liability. They are required to report things such as suspected child abuse or student injury. They must fulfill their job obligations in matters such as monitoring students both in and out of the classroom.
- Teachers can make remarks about their employer as long as the content is accurate. They have the right to join civic organizations, run for political office, and join professional organizations.
- Teachers in Georgia are not allowed to form or join a union and cannot strike.
- Teachers are expected to follow the Copyright Act of 1976.
- Title IX address equity in sports/coaches pay/facilities



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Things to Know

- Teacher behavior is addressed by the Georgia Professional Standards Commission (PSC) in the Teacher Code of Ethics.
- If a teacher/educator is in violation of the Code there are several actions that can be taken: warning, suspension, or revocation of certificate
- Student information is covered by FERPA. The general rule of thumb is to not discuss student information.
- Gender equity for students is covered under Title IX and has mostly affected athletics.
- Students that are disciplined by the school are entitled to due process (Goss v Lopez).
- The court has ruled that "reasonable" corporal punishment is allowable but the decision is left up to the states.
- Georgia allows corporal punishment although some school districts in the state do not allow it.
- Most states have zero-tolerance laws, establishing strict disciplinary procedures for drugs/alcohol/weapon violations at school.
- Students are protected by the Constitution on matters of freedom of speech (Tinker v Des Moines). The court also ruled that the school has the right to prohibit obscene speech (Bethel School District v Fraser)
- Students are protected from harassment by Title IX.
- Students can pray at school, read Scriptures, and bring a Bible.
- Students can meet other students for religious purposes, although the school maintains the right to assign adult monitors for such meetings.
- Students cannot be required to say the Pledge of Allegiance.
- Students can be searched for reasonable cause. Student lockers and cars can be searched under "in loco parentis" guidelines.
- The school has the right to oversee the content of a student newspaper if the paper is part of the school curriculum (Hazelwood School District v Kuhlmeir)
- Students with HIV or other disabilities are protected by IDEA