

# Professional Educators of Tennessee



## Legal Questions: How do I protect myself?

Where are the days when a student knew if he got in trouble at school, he was facing twice the disciplinary action at home? In school district after school district across the country it seems the all too frequent words heard by teachers and administrations is "liability" or "lawsuit."

There is an all time high of charges of harassment, abuse and discrimination by parents against teachers. Coaches are being accused of bias and unfairness when every student is not given equal playing time. Claims for verbal and physical violence against a student are becoming even more common, often in face of clear fact disputing such claims.

The number of parents making such charges remains in the minority, but even one such incident will often ruin a teaching career or drive a good teacher from the classroom because of the publicity.

What can a teacher do to protect himself/herself and minimize such incidents?

1. Know board policies related to the teaching position, particularly those policies that are relevant to student conduct, grading, communication with parents, classroom management, etc.
2. Never meet with a student of the opposite sex alone.
3. Keep parents informed through regular communication with the home; especially in the age of websites and e-mail many teachers are finding it useful to post class syllabus, activities and class assignments on a personal website so that parents can be informed without a significant cost.
4. Communicate to students that you will be in regular communication with their parents.
5. Keep the school administration apprised of any unusual circumstances that occur during the day, which involve student conduct or communication with you.
6. Document, document, and document.

Document the basis for a lower than normal grade. For example, a student who plagiarized part of an assignment received a lower grade. The teacher was challenged by the parents and had to justify the basis for the grade, i.e. "why this many points off." Fortunately because the teacher had kept copies and documented well the plagiarism she was able to justify the grade and maintain the necessary administrative support against the parent. (I won't comment on a parent who believes a grade should be raised even though the student plagiarized.)

Document through regular notes classroom conduct, assignments and participation if those factors are relevant in the grade given.

Document and tape any conversation with a student of the opposite sex if it impossible to have a witness present.

7. Request that positive comments from parents and supportive students be reduced to writing for placement in your personnel file.

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