

Teacher Handbook Assignment

After looking at both the student handbook and the teacher handbook, I decided that the teacher handbook was more relevant to the discussions and readings from class. There were so many briefs and laws that were in the teacher handbook that it was hard to choose just three. My teacher handbook is clearly separated into two distinct sections: one for the ins and outs of the school and one for ethics and law. So, it was fairly obvious which section was formed from case law and which section was formed to improve school culture (although both could be influenced by case law). We will be looking at the former.

The first was, actually, The First Amendment – in a way. In my teacher handbook on page 33, there is a title, 406 Public and Private Personnel Data. I advise you to notice the “personnel” vs. the “personal” data. This section defines what is viewed as public information that can be accessed by students, parents, community members, colleagues and more. It begins with the purpose of the policy, “...is to provide guidance to school district employees as to the data the school district collects and maintains regarding its personnel.” Teacher’s employment history, salary earnings, any existing complaints or charges against the teacher, veteran status and more are fair game; however, a teacher’s dependent information, address & phone number (except in an emergency with the government), and parking spaces. Really? Anyway, this seems to follow along The First Amendment in the way the you can say things about a teacher that are true and public knowledge, but just like you can’t yell, “FIRE!” in a crowded theater, you can’t yell, “HIS PARKING SPACE IS THERE! (Now let’s vandalize his car!)” without some form of repercussion.

Secondly, there are several whole sections reserved for non-discrimination, equal employment opportunities, background checks and more. All of these can be filed under the First, Fourth, Fifth, Eighth, Ninth and Fourteenth Amendments, the Equal Protection Clause, and more case law that had an impact with making sure all persons were protected. In the handbook, the “purpose” statement on page 26 says, “The purpose of this policy is to provide a fair employment setting for all persons to comply with state and federal law.” I know this is kind of boring to point out, but it may actually be the most important part of the handbook. If schools allow there to be bias amongst the teachers and administration, then it has the great potential to cause an unhealthy and unwanted environment. There is a book that I read in a different class at MSUM called, Shifting the Monkey, by Todd Whitaker. In this book he talks a lot about making sure that people do their part and own the responsibility of their jobs. The three questions he quotes throughout the book are, “Where is the monkey? Where *should* the monkey be? How do I shift the monkey to its proper place?” This feels more of an unwritten rule that is based on the written rules (Amendments listed above) to protect the work place and create equality.

The most obvious of all the case law implementations was on my handbook's page 27, 403 Discipline, Suspension, and Dismissal of School District Employees. Quite a bit of case law has been determined by some sort of educator malfeasance. For example, we can look at *Spears v. Jefferson Parish School Board* out of Alexander (p. 642-643). What seemed like a silly prank to a student that Coach Peyton and Coach Brooks thought they had rapport with, turned out to be a horrible situation that the student was put into. The coaches obviously took the matter too far, and the parents had some form of overreaction that resulted in a lawsuit. They played a practical joke on the student, using other students as well, to fake student deaths and, in some way, make the student feel guilty about it. This haunted that student throughout his life and case law was enacted. It is not clear if either coach was fired, but the fact that they used the common metaphor of "kill them" and then proceeded to act it out is worthy of discipline. With all of this said, they were protected by the district (which paid out over \$100,000) and neither had to pay anything to the family.

As stated before, our handbook consists of two parts: the legal side, and the everyday-be-an-educator side. I look forward to finding more parts of the handbook to relate to case law, amendments, and acts.