

School District Superintendents' and Attorneys' Perceptions of the Most Important Educational Law Issues Impacting Agricultural Science Teachers

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Abstract

Teachers are tasked with the important role of educating and empowering the Nation's youth. Although teaching is a rewarding vocation, teachers are subjected to risk and liabilities on a daily basis. The rising number of school-based litigation and the litigious nature of today's society bolster the need for teachers to abide and understand the administrative, statutory, judicial, and constitutional laws mandated in the state of Texas. Aside from the general liabilities faced by educators, agricultural science teachers are exposed to additional liabilities due to their unique professional responsibilities. A systematic delivery of educational law training could potentially aid in improving the educational law competency of teachers in Texas. However, educational law training is only viable if the most pertinent educational law issues are being addressed. To identify the most important educational law issues, this Delphi study involved the inquiry of school district superintendents' and attorneys' opinions of the most important educational law issues. The panel indicated teacher rights, student discipline, special education, and teacher's communication with students as the most important general educational laws issues. Moreover, the issues of student safety/supervision, communication with parents and superiors, and financial responsibility were the most important agricultural education-related issues faced by teachers.

Keywords: educational law issues; agricultural education

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Introduction

Teachers are tasked with the important role of educating and empowering the Nation's youth. The field of education can be a rewarding profession, but teachers are subjected to risk and liabilities on a daily basis. The litigious manner of society today has inundated public schools with legal problems caused by legislation and litigation (Alexander & Alexander, 2012; Biegel, 2009; Imber & Gayler, 1988; Schug, 2018). For example, in 1970, approximately 300 school districts were named as parties in lawsuits. In 2001, the number of school district-related lawsuits escalated to over 1,800 (Redfield, 2003). The drastic increase of school-based litigation prompts the question:

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what is the cause for the skyrocketing number of legal issues in our schools? Based on a review of the literature, the answer to this question is not clear or concise. Previous researchers have asserted factors contributing to the increase of school litigation include the lack of teacher training (Schimmel & Militello, 2007), increase of special education mandates (Ahearn, 2002; Greene, 2007; Leonard, 2007; Wagner, 2008; Zirkel, 2006), courts' increased recognition of teacher and student rights (Babcock, 2009; Lupini & Zirkel, 2003; Reglin, 1992), and an increase of state and federal legislation (Biegel, 2009; Koch, 1997).

In the educational environment "law and education are not only intertwined, they are inseparable" (Heubert, 1997, p. 538). McCarthy (2016) posited that law remains to play "an increasingly significant role" (p. 565) in educationally-based policy. Teachers are expected to understand and abide by the administrative, statutory, judicial, and constitutional laws which affect the operation of schools (Walsh, Kemerer, & Maniotis, 2014). These four sources of educational law provide guidelines on educational issues such as students' rights, teachers' rights, employment contracts, student discipline, and statutory immunity. Although the laws and regulations are publicly available to teachers, they are perpetually changing due to current legislation and state and federal court decisions—which bolsters to the complexity of educational law (Schimmel, Stellman, & Fischer, 2011). Schimmel et al. (2011) stated "educators ignore the law at their peril since the U.S. Supreme Court has ruled that teachers and administrators may be held personally liable... for violating students clearly established constitutional rights" (p. xii). Therefore, it is imperative teachers have a working knowledge of current laws and regulations and are cognizant of ongoing augmentations to school law (Schimmel et al., 2011).

Along with the general liabilities associated with the general education setting, agricultural science teachers are exposed to additional liabilities due to their unique professional responsibilities. These responsibilities include maintaining a school farm, working with livestock, transporting students (in school and personal vehicles), hosting after-school events (e.g., practices for judging contests), and serving as chaperones for overnight trips (Hainline, Ulmer, Ritz, Burris, & Gibson, 2015; Kessell, Scott, Lawver, & Frazee, 2005).

Previous studies around the nation have concluded teachers have an inadequate level of educational law knowledge (Bounds, 2000; Koch, 1997; Littleton, Higham, & Styron, 2001; O'Connor, Yasik, & Horner, 2016; Paul, 2001; Wagner, 2008). Previous researchers and educational law professionals have reported that teachers are poorly informed because they received minimal to no training on education law in their teacher preparation programs, obtain "legal advice" from colleagues who are misinformed or uninformed, are governed by laws which did not exist when they were students, and have had little training in applying education law during their professional careers (Fischer, Shimmel, & Stellman, 2007; Schimmel et al. 2011).

If teachers have a low level of educational law knowledge, what programs or events could be implemented to narrow the legal knowledge gap? According to the literature, legal literacy can be acquired through pre-service teacher preparation programs (Imber, 2008; Littleton, 2008; Mirabile, 2013), in-service professional development events (Bounds, 2000; Harris, 2001; Imber, 2008; Koch, 1997; Littleton, 2008; Mirabile, 2013), and professional organizations (Bounds, 2000; Mirabile, 2013).

In regard to pre-service teacher preparation, previous studies reported teacher training in educational law was inconsistent in most states (Mirabile, 2013; Schimmel & Militello, 2007). In fact, Nevada is the only state which requires pre-service teachers to take an educational law course (Gajda, 2008). Further, Bon, Schimmel, Eckes, and Militello (2008) indicated only eight percent of teacher preparation programs in the nation offer an educational law course for undergraduates.

Along with recommendations supporting the implementation of educational law courses, numerous researchers have proposed the enactment of educational law professional development events. Moreover, previous research indicated periodic professional development training was the most popular and effective method to close the legal knowledge gap (Bounds, 2000; Harris, 2001; Koch, 1997). Imber (2008) recommended state certification agencies and school districts develop interactive online tutorials to provide periodic educational law training for teachers.

The notion of providing innovative professional development for teachers was supported by research priority five, efficient and effective agricultural education programs, of the American Association for Agricultural Education National Research Agenda (Thoron, Myers, & Barrick, 2016). Research priority five indicated the need for professional development improvement in agricultural education. Thoron et al., (2016) indicated “The knowledge and skill needed by agricultural education professionals, including university faculty, will continue to grow as our society and the needs of stakeholders continue to become more complex” (p. 45). Providing professional development to in-service teachers and career preparation for pre-service teachers is only viable if the most pertinent issues are addressed. Therefore, this study sought to determine the important educational law issues, which pose the greatest threat to Texas Agricultural Science Teachers based on the perceptions of school district superintendents and attorneys in Texas.

Theoretical Framework

This research study was guided by the protection motivation theory (Rogers, 1983) which evaluates how individuals process threats and decide how to cope with the danger associated with the threat. The protection motivation theory has been widely used to assess the cognitive mediating process of individuals, such as promoting the determinants of online safety behavior (Boehmer, LaRose, Rifon, Alhabash, & Cotton, 2015), promoting healthy behavior (Dinoff & Kowalski, 1999), and increasing food safety behavior (Zhang & Steiner, 2010). In the context of this study, the protection motivation theory guided the assessment of Texas Agricultural Science Teachers’ cognitive processing of educational law threats (e.g., litigation). Previous literature in agricultural education has indicated teachers encountered personal and professional threats when performing day-to-day duties and responsibilities. For example, responsibilities such as supervising students in a laboratory settings, performing maintenance and safety evaluations of equipment and tools, taking students to off-campus events (e.g., field trips or conferences), and administering student discipline have been noted as areas of increased liability for agricultural science teachers (Dyer & Andreasen, 1999; Kessell et al., 2005; Reneau & Poor, 1983; Tummons, Langley, Reed, & Paul, 2017).

The protection motivation theory (see Figure 1) is comprised of three distinct components: (1) sources of information, (2) cognitive mediation processes (i.e. threat appraisal process & coping appraisal process), and (3) coping modes (i.e., adaptive or maladaptive coping) (Crossler, 2010).

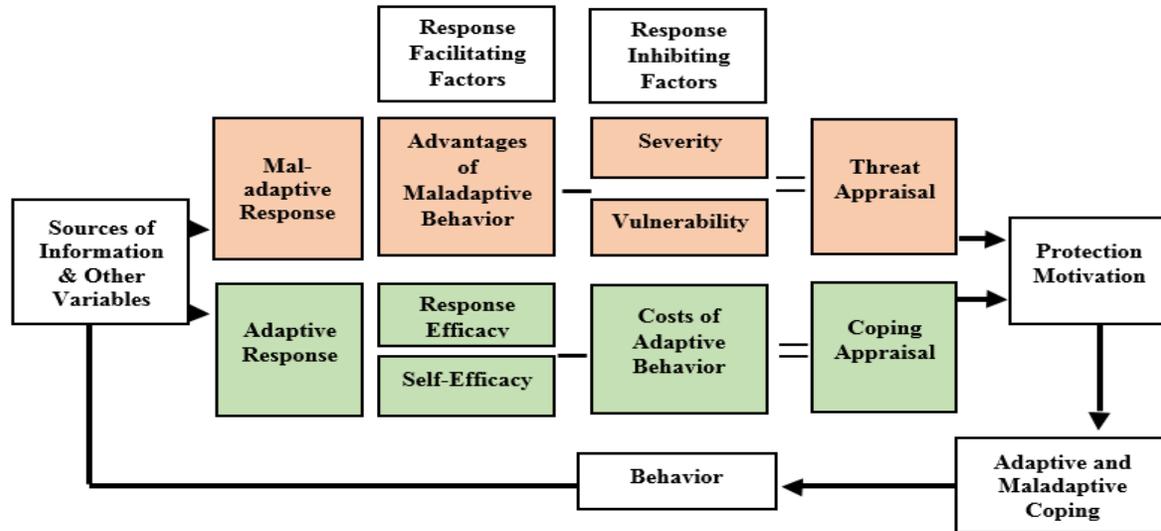


Figure 1. A Schematic Representation of Protection Motivation Theory (Rogers, 1983).

In essence, the sources of information serve as the catalyst to propel an individual to engage in the cognitive mediating processes. The first cognitive mediating process, the threat appraisal process, occurs when an individual evaluates the factors which heighten or lower their susceptibility to a threat. According to Floyd, Prentice-Dunn, and Rogers (2000), the threat appraisal process precedes the coping appraisal process because an individual must identify and assess a threat before evaluating coping options to mitigate the threat. When an individual perceives a threat to be severe and feels vulnerable to the threat's danger, they are more likely to consider factors (i.e., response efficacy, self-efficacy, and cost of adaptive behavior) of the coping processes to mitigate a threat (Floyd et al., 2000). The two cognitive mediation processes (i.e., coping and threat appraisal processes) are mediated by protection motivation, which is the individual's intention to perform adaptive coping behaviors (to protect the self or others) or maladaptive coping behaviors (not to protect the self or others) (Crossler, 2010; Milne, Sheeran, & Orbell, 2000).

Information sources in the protection motivation theory serve as the educational elements of the model and constitute the inputs for the cognitive mediation processes (i.e., threat appraisal process and coping appraisal process). The sources of information in the protection motivation theory are generally comprised of intrapersonal (e.g., previous experiences or personality aspects) and environmental (e.g., verbal persuasion, fear appeal, or observational learning) sources (Floyd et al., 2000; Milne et al., 2000). The main focus of this study was to identify the most important educational law issues which have the propensity to impede the professional security of Texas Agricultural Science Teachers. The identified legal issues will serve as a source of information to engage teachers in cognitive mediating processes associated with legal liability in the school-based setting.

Purpose and Objectives

The purpose of this Delphi study was to identify important educational law issues which present a risk to the professional security of Texas Agricultural Science Teachers. The following objectives guided this Delphi study:

1. Identify important general education law issues for Texas Agricultural Science Teachers.

2. Identify important educational law issues specific to the field of agricultural education for Texas Agricultural Science Teachers.

Method

This study was structured using the Delphi method to obtain a general consensus among school district attorneys and school district superintendents on the important educational law issues, in general, and specifically related to agricultural education, which are most relevant to current teachers. The Delphi technique is a method for building a consensus among a panel using a series of questionnaires for data collection (Linstone & Turoff, 1975).

In theory, the Delphi process should be iterated continuously until a consensus has been achieved (Hsu & Sandford, 2007). Historically, the traditional Delphi technique was comprised of four rounds (Young & Hogben, 1978). Yet, a multitude of research indicated that two (Gustafson, Shukla, Delbecq, & Walster, 1973; Roberson, Collins, & Oreg 2005) to three (Fan & Cheng, 2006; Ludwig, 1997) iterations are sufficient to reach a consensus and collect the needed information. Schmidt (1997) indicated not having enough iterations may result in meaningless results, and having too many iterations may cause sample fatigue and tax resources. This educational law study was structured as a three-round Delphi study, based on the high utilization of this iteration amount in previous research. An open-ended questionnaire was developed for the first round of the study. The second and third round of the Delphi study was conducted using a questionnaire with four-point scaled item responses (1 = *Not Important*; 2 = *Somewhat Important*; 3 = *Important*; 4 = *Extremely Important*) for each of the items generated in round one.

Population

Stitt-Gohdes and Crews (2004) indicated the “careful selection of the panel of experts is the keystone to a successful Delphi study” (p. 5). Individuals are deemed eligible to be included to participate in a Delphi study if they have related experiences and backgrounds concerning the target issue, are capable of contributing meaningful inputs, and are willing to revise their initial judgments to attain a consensus (Oh, 1974; Pill, 1971). The panel of experts in this study consisted of school district attorneys and superintendents. Selection criteria were used to guide the nomination process of the educational law Delphi experts. The selection criteria for membership of attorneys on the panel was threefold: (a) the attorney must be licensed to practice law in Texas, (b) the attorney must be involved in school law, (c) and the attorney must serve as general counsel for a school district or professional teaching association in Texas. The criteria for selecting superintendents included: (a) the individual must currently serve as a superintendent of a school district in Texas, (b) the individual must reside over a school district with an agricultural science program, and (c) the superintendent must have previous teaching experience in school-based agricultural education.

A snowball sampling technique was employed to identify experts for the Delphi panel. Three superintendents, with an agricultural education background, were identified as having extensive experience in educational law and met the selection criteria. Each superintendent was asked to identify four to five additional superintendents with an agricultural education background. After receiving the nominations from the superintendents, the additional subjects ($n = 15$) were vetted using the established selection criteria.

Similar to the nomination process to identify superintendents, attorneys were also selected with a snowball sampling technique. Three individuals with an extensive educational law experience were asked to identify four to five additional attorneys who fit the specified selection criteria. At the conclusion of the snowball selection process, a total of 14 school district and

professional teacher association attorneys were identified. The nomination process was conducted separately for the superintendents and attorneys, but all recruited participants served on the same Delphi panel. The contact information (i.e., name, phone number, email address) of the prospective participants was collected from the nominators. If the person who made the nomination lacked the nominees' contact information, publicly available directories were used to identify the contact information of the nominees. At the conclusion of the nomination process, all nominated experts were contacted, and 20 agreed to participate on the panel of experts.

In regard to the appropriate number of subjects to be included in a Delphi study, Ludwig (1997) indicated that the number of experts is "generally determined by the number required to constitute a representative pooling of judgments and the information processing capability of the research team" (p. 52). A consensus on the number of optimal subjects in a Delphi study is non-existent in previous literature, although a multitude of previous Delphi studies have involved between 10 and 15 participants (Brungs & Jamieson, 2005; Keil, Tiwana, & Bush, 2002; Ludwig, 1997; Nambisan, Agarwal, & Tanniru, 1999).

Instrumentation

Three instruments were used in the research study, one for each round. The round one instrument consisted of two open-ended questions:

1. "What legal issues (in general) are most relevant for teachers today?"
2. "What legal issues (specifically related to agricultural education) are most relevant for teachers today?"

Responses from the open-ended instrument were reviewed and duplicate responses were consolidated, resulting in the identification of 52 unique educational law issues. The second round instrument was developed using the individual items that resulted from round one. Each item was accompanied by a four-point scale rating (1 = *Not Important*; 2 = *Somewhat Important*; 3 = *Important*; 4 = *Extremely Important*). Participants were asked to review the items and indicate the level of importance for the professional security of an agricultural science teacher, they associated with each issue. The instrument also included an open-ended question which asked participants to identify any other educational law issues not included in the second round survey instrument. No additional issues were put forth by the experts on the second round instrument.

At the conclusion of the second round, the items were analyzed to determine if they met the threshold for consensus. Similar to consensus criteria used in previous agricultural education Delphi studies (Lundry, Ramsey, Edwards, & Robinson, 2015; Ramsey, 2009), items which received a score of 3 (*Important*) or 4 (*Extremely Important*) from at least 75% of the school district superintendents and attorneys, were considered to have met consensus. The items which received a score of 3 (*Important*) or 4 (*Extremely Important*) by 51% to 74% of the educational law experts were presented on the third round survey for reassessment. The items which received less than 51% agreement of importance were excluded from further consideration.

The experts reevaluated items (i.e., items which received 51% or more, but less than 75% agreement of importance in the second round) on the third round instrument. Similar to the second round instrument, participants were asked to indicate the level of importance they associated with each educational law issue, on a four-point scale (1 = *Not Important*; 2 = *Somewhat Important*; 3 = *Important*; 4 = *Extremely Important*). All three rounds of the Delphi were constructed and distributed on the Qualtrics online survey platform.

Validity and Reliability

The content validity of the open-ended questionnaire, used in the first round of the Delphi study, was validated by a panel of experts. The panel included five faculty members in the Texas Tech University Department of Agricultural Education and Communications, one faculty member in the Department of Educational Leadership at Texas Tech University, and a currently-practicing school district attorney. The panel of experts were asked to review the content of the instruments used in the first and second rounds of the study, to determine the appropriateness of each item, and to identify any other questions that might be relevant to the study. According to Goodman (1987), content validity can also be established in a Delphi study by carefully selecting participants who have an interest in the topic of the study. Accordingly, the school district superintendents and attorneys, which served on the educational law Delphi panel, were carefully selected based on the aforementioned selection criteria. In regard to concurrent validity, Hasson, Keeney, and McKenna (2000) indicated the implementation of successive rounds in a Delphi study increases concurrent validity. Based on this assertion, the three-round Delphi technique implemented in this study bolstered the concurrent validity. Dalkey, Rourke, Lewis, and Snyder (1972) noted Delphi panels with 11 or more members would render a reliability of at least 0.70, and a panel of 13 members would yield a reliability with a correlation coefficient of 0.90. Based on these recommendations, the panel size in this study (Round 1, $n = 20$; Round 2, $n = 14$; Round 3, $n = 13$) was large enough to achieve a reliability of 0.90.

Data Collection

The first round instrument of this Delphi study was sent to the panel members using the Qualtrics instrument distribution feature. In addition to the first round instrument, the participants were sent a recruitment letter and a study information sheet, explaining the purpose of the study and an explanation of the Delphi technique. Six days after the round one instrument was disseminated, non-responders were sent a reminder email to encourage their participation in the study.

The second round Delphi instrument was sent to the 20 educational law experts who participated in the first round of the Delphi study. Experts which failed to respond to the first round instrument were excused from the study and were not asked for any further input in the following rounds. Similar to the distribution of the first instrument, the Qualtrics[®] survey platform was used to disseminate the survey instruments. A reminder email was sent to non-respondents six days after the initial round two instrument was distributed. Of the 20 participants invited to participate in round two, 14 subjects (70% response rate) completed the second round instrument.

The final Delphi instrument was sent to the participants who participated in the second round ($n = 14$) of the study. A subsequent email was sent out a week later to encourage the school district superintendents and attorneys to participate in the third round of the Delphi. A total of 13 educational law experts participated in the final round of the Delphi, yielding a response rate of 92.8%. The 13 educational law experts provided input in all three rounds of the Delphi process.

Data Analysis

At the conclusion of data collection, data was transferred to IBM[®] SPSS[®] (Version 22) for data analysis. The data analysis for the first round of the Delphi entailed the organization of experts' responses to the two open-ended questions. Duplicate responses were removed by the researchers. In the second and third rounds of the Delphi study, the frequency and percentage of scale responses were evaluated to determine which educational law issues reached consensus (i.e.,

Important or *Extremely Important* was indicated by at least 75% of school district superintendents and attorneys).

Results

Round One Findings

At the conclusion of round one, 82 educational law issues were indicated for the first question, “what legal issues (in general) are most relevant for teachers today?” Forty-nine issues were provided for the second question, “what legal issues (specifically related to agricultural education) are most relevant for teachers today?” Fifty-two (33 issues pertaining to question one and 19 issues associated with question two) educational law issues were retained for examination in the second round after duplicate responses were eliminated. The educational law issues were then organized into seven educational law categories (i.e., student discipline, student safety/supervision, teacher communication, special education, teacher rights, liabilities of teachers, and teacher’s duty to report) predicated by Walsh et al. (2014). Dillman, Smyth, and Christian (2009) indicated the grouping of similar items on an instrument can assist participants in processing the items.

Round Two Findings

On the second round instrument, first-round participants were asked to indicate the level of importance they associated with each educational law issue. Of the 33 issues identified for the first question, 16 educational law issues were considered to have met consensus (i.e., received a score of 3 *Important* or 4 *Extremely Important* by 75% or more of the school district superintendents and attorneys). The general educational law items with the highest levels of agreement on importance by the panel of experts were inappropriate communication with parents and students via text messaging, inappropriate contact between educators and students (verbal, physical, & on social media), and student discipline in school. Items associated with special education (i.e., properly following Individualized Education Programs [IEPs], Behavioral Intervention Plans [BIPs], accommodations and modifications) and teacher contract and employment rights were also perceived to be important educational law issues by the panel of experts (see Table 1).

Table 1

Round Two and Three Findings: Important Law-Based Issues Related to General Education and Agricultural Education

Educational Law Issue	Category	^c %
Inappropriate communication with parents and students via text messaging. ^a	General	100
Inappropriate contact between educators and students (verbal, physical, & on social media). ^a	General	100
Student discipline in school. ^a	General	100
Supervising students on an overnight stay (providing proper supervision when students are “out of view”). ^a	Ag. Ed.	100
Communication with parents. ^a	Ag. Ed.	92.9
Complying with special education mandates (IEPs). ^a	General	92.9
Financial literacy among teachers in regard to proper management/handling of money (fundraising, budget, and public funds). ^a	Ag. Ed.	92.9

Table 1

Round Two and Three Findings: Important Law-Based Issues Related to General Education and Agricultural Education Continued...

Proper accommodation and modification of curriculum for students with disabilities. ^a	General	92.9
Properly dealing with students' behavioral issues (BIPs). ^a	General	92.9
Student risk assessment in activities. ^a	Ag. Ed.	92.9
Student safety in the agricultural mechanics shop. ^a	Ag. Ed.	92.9
Student safety in the agricultural science classroom. ^a	Ag. Ed.	92.9
Student supervision at extracurricular events (leadership development events, career development events, convention). ^a	Ag. Ed.	92.9
Student transportation (in school or personal vehicles). ^a	Ag. Ed.	92.9
Teacher contract rights. ^a	General	92.9
Understanding teacher employment contracts and compensation. ^a	General	92.9
Communication with supervisors and administrators. ^a	Ag. Ed.	92.3
Educator code of ethics. ^a	General	85.7
Liabilities associated with the handling of livestock animals (on and off-campus). ^a	Ag. Ed.	85.7
Sexual harassment. ^a	General	85.7
Student code of conduct (at school and on extracurricular events). ^a	Ag. Ed.	85.7
Student confidentiality (FERPA). ^a	General	85.7
Student discipline on extracurricular activities. ^a	Ag. Ed.	85.7
Student safety at school farm. ^a	Ag. Ed.	85.7
Student supervision at livestock shows. ^a	Ag. Ed.	85.7
Dealing with booster club/support organizations. ^b	Ag. Ed.	84.6
Operating and maintaining a motorized vehicle. ^b	Ag. Ed.	84.6
Bullying. ^a	General	78.5
Duty to report suspected child abuse and neglect under state law. ^a	General	78.5
Harassment issues based on sex, race, color, religion, national origin, age, disability, and protected activity (includes employee-to-student and student-to-student harassment). ^a	General	78.5
Statutory immunity issues under state law. ^a	Ag. Ed.	78.5
Title IX complaints. ^a	General	78.5
Understanding school district/board policy (laws impact policy then policy impacts local decisions). ^a	General	78.5
Liability of dealing with hostile and empowered students. ^b	General	76.9
Supplemental duties as an extracurricular sponsor. ^b	Ag. Ed.	76.9

Note. ^a Statements that reached consensus in round two. ^b Statements that reached consensus in round three. ^c % = Percent of expert agreement.

Fifteen educational law issues, specifically related to agricultural education (i.e., question two) met consensus in the second round of the Delphi. The issues which received the highest levels of agreement on importance by the expert panel were supervising students on an overnight stay, communication with parents, financial literacy regarding proper management/handling of money, and student risk assessment in activities student safety in the agricultural mechanics shop and classroom. Moreover, student supervision at extracurricular events (e.g., convention or career development events) and student transportation (i.e., school and personal vehicles) were

educational law issues which also received ratings of high importance by the school district attorneys and superintendents.

Round Three Findings

In the final round of the Delphi study, participants ($n = 13$) were asked to evaluate 10 items from the second round which received a score of 3 (*Important*) or 4 (*Extremely Important*) by 51% or more of the participants. Similar to the second round, a consensus was operationalized by having at least 75% of Delphi participants who perceived the issue to be *important* or *extremely important*. A consensus was reached for four additional issues in the third round. One issue (i.e., liability of dealing with hostile and empowered students) was associated with general educational law issues, and three issues (i.e., dealing with booster club/support organizations (84.6% agreement), operating and maintaining a motorized vehicle (84.6% agreement), and supplemental duties as an extracurricular sponsor (76.9% agreement)) which met consensus in the third round were related to educational law issues linked to agricultural education. A total of 35 educational law issues reached consensus of importance after the three rounds of the Delphi were finalized.

Conclusions and Implications

The school district superintendents and attorneys reached consensus on the importance of 17 general educational law issues. Although these educational law issues are not exclusively related to agricultural science teachers, they have the potential to pose a threat to the professional security of these teachers. A narrow focus on educational law issues solely in an agricultural education context would neglect to examine important issues agricultural science teachers face as classroom instructors. Based on Walsh et al. (2014) main areas of educational law which were used to categorize the items in this study, the experts reached the strongest consensus with items belonging to the teacher rights, student discipline, special education, and teacher communication categories.

The issue of teacher rights has previously been indicated (Imber, 2008; Schimmel & Militello, 2007) as an educational law issue which teachers need to be competent in. Based on the findings of previous studies (Paul, 2001; Reglin, 1992; Schimmel & Militello, 2007), teachers have inadequate knowledge of legal issues regarding their rights as teachers. Imber (2008) asserted "Teachers who misunderstand their personal rights may put their jobs at risk" (p. 96). Conversely, Heubert (1997) noted that a teacher who does not understand their professional rights could potentially fail to exercise their authority fully.

The panel of experts also identified the issue of student discipline as being one of the most important current educational law issues. This finding coincides with the results of previous studies (Bon et al., 2008; Wagner, 2008) which asserted student discipline was an educational law issue of great importance. Student discipline has been linked to burnout (Evertson & Weinstein, 2006) and job dissatisfaction (Mitchell & Arnold, 2004) of teachers. Teachers' self-efficacy in classroom management and student discipline was found to be lowest in novice teachers (Evertson & Weinstein, 2006; Mitchell & Arnold, 2004). Along with classroom management, the issue of student discipline encompasses school district policies and management procedures. According to Walsh et al. (2014), the Texas Education Code (T.E.C. § 37.00I (a)) requires Texas school districts to adopt a student code of conduct which specifies student conduct standards. Walsh et al. (2014) asserted the student code of conduct "is a basic rule of due process that students can only be punished for misconduct after they are advised that such conduct is prohibited" (p. 305). It is important that agricultural science teachers understand the policies in their district's student code of conduct, to ensure student's rights of due process are not infringed. A disciplinary decision,

made by a teacher or administrator, can have long-term implications on the future of a student, and their perception of the educational system (Kajs, 2006).

Similar to findings of Bon et al. (2008), the experts indicated special education was an important educational law issue. Court cases, involving special education, have drastically increased over the years (Ahearn, 2002; Leonard, 2007; Wagner, 2008; Zirkel, 2006; Zirkel & D'Angelo, 2002). The number of level one hearings (i.e., hearings initiated at the state level), which involved special education disputes, increased 92% over a nine-year period (Ahearn, 2002). Mirabile (2013) indicated the increase in litigation involving special education was likely due to the emphasis on the quality of special education services mandated by the Individuals with Disabilities Education Improvement Act (IDEA, 2004) and the No Child Left Behind Act (2001).

Furthermore, a lack of vital special education training has also been cited (Brookshire, 2002; Singletary, 1996) as a contributor to the increase of special education litigation. The mainstreaming of special education students in regular education classrooms, such as an agricultural science classroom, establishes a need for agricultural science teachers to have a working knowledge of special education law. Previous agricultural education research has indicated agricultural science teachers generally have a low competency in regard to working with special education students (Andreasen, SeEVERS, Dormody, & VanLeeuwen, 2007; Sorensen, Tarpley, & Warnick, 2010) and need special education training (Cotton, 2000).

Another educational law issue identified by the panel of experts was teacher communication and contact with students. Of the 17 educational law issues which reached consensus for the first objective of this study, two of the highest rated issues were related to inappropriate communication with students. This issue is explicitly addressed in the Texas Teacher Code of Ethics (TAC §247.2.) and the Texas Penal Code (i.e., §§ 21.12 & 33.021). The importance of this issue is supported by Shakeshaft (2004), who conducted a synthesis of the literature on educator-student sexual misconduct. Findings of this study indicated that over 4.5 million students in the U.S. experience some form of sexual misconduct from an educator between kindergarten and the 12th grade. Bon, Bathon, and Balzano (2013) noted the number of sexual misconduct cases has increased due to social media. Texas Agricultural Science Teachers need to be mindful about keeping ethical boundaries with students and taking precautions to avoid accusations.

Objective two sought to identify important educational law issues related to agricultural education. A consensus was reached by the panel of experts on 18 educational law issues specifically related to agricultural education. The issues which reached the highest level of consensus were related to the main educational law categories (Walsh et al., 2014) of student safety, student supervision, communication with superiors and parents, and financial responsibility.

The safety and supervision of students was identified as an important agriculturally related educational law category in this study. It is likely the concern for student safety is intensified due to inquiry-based learning, which occurs in classrooms, horticultural facilities, agricultural mechanics shops, school farms, and other off-campus locations. This assumption supports findings by Dyer and Andreasen (1999) who suggested laboratories are potentially hazardous places for both work and study. Further, taking students on extracurricular trips poses a special concern for teachers in terms of student safety (Greene, 1998).

In addition to student safety, the school district superintendents and attorneys indicated communication with parents and supervisors was an important educational law issue. Responsibilities of an agricultural science teacher, such as classroom instruction, FFA advisement, SAE supervision, booster club advisement, and chaperoning overnight trips, heightens the need for

quality communication between agricultural science teachers and parents. Although parent involvement has been found to enhance student achievement (Van Voorhis, 2001) and student behavior (Simon, 2001), teachers have become fearful of legal issues when dealing with demanding parents (Wagner, 2008).

Along with parent communication, communication with supervisors and administrators was also identified as an important educational law issue, related to agricultural education. The need for professional communication with administrators is further exacerbated when considering the portion of agricultural science teachers with two governing bodies; their campus school administration, and district career and technical education (CTE) administration. According to Robin Painovich, the executive director of the Career and Technical Association of Texas, roughly 400 (R. Painovich, personal communication, February 21, 2017) out of the 1,203 (Texas Education Agency, 2018) school districts in Texas have CTE directors and coordinators. The various responsibilities and expectations set forth by the different administrative entities might hinder an agricultural science teacher's ability to adhere to all expectations and properly communicate with each supervisor.

Financial responsibility of agricultural science teachers was another important educational law issue identified by the panel of experts. The importance of this educational law issue is explicitly expressed in the Texas Teacher Code of (TAC §247.2., Standard 1.2.), which states educators "shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage" (p. 1). The various job responsibilities of an agricultural science teacher require them to handle money. These responsibilities might include collecting fundraising money, handling budget money, handling student money for purchasing livestock, or handling travel funds. The management and handling of money present an inherent risk of liability for agricultural science teachers.

Limitations of the Study

The evaluation of reliability of a Delphi study serves as a limitation because this technique yields judgments, not measurements. A measurement consists of an error component and a true score. The error component of measurements consists of random variables, which tend to cancel each other out (Woudenberg, 1991). In contrast to the error component of measurement, the error component of judgement is influenced by situation- and person-specific factors (i.e., bias). To abate the effects of situation-specific biases, the recruitment procedure, background information, design of the instrument, the number of rounds, and the content of the first-round questionnaire was standardized. Furthermore, the Delphi instrument was administered under equal circumstances and in the same period of time. Person specific-bias were present in this study. Consequently, future applications of this method can be interpreted as a new instrument of measurement (Woudenberg, 1991). Because of these factors, the reliability of the Delphi technique was a key limitation to this study.

The state-specific laws and rules presented by the experts served as a limitation to the scope of this study. Aside from issues associated with federal laws and rules (e.g., No Child Left Behind Act, 2001), the educational law issues identified in this study are limited to Texas educational settings and are not intended to be generalized beyond state lines.

Recommendations for Additional Research

Redfield (2003) reported, "the legal issues confronting schools are legion" (p. 614). This study supported the notion that there is a multitude of educational law issues which are important

to agricultural science teachers in Texas. Although the panel of experts perceived these educational law issues to be currently important, the importance of the identified issues may change over time due to new legislation and court decisions at the local, state, and federal levels. Mirabile (2013) indicated the need for a systematic and comprehensive method for keeping pace with changes in the law, due to the influence of legislation on the educational system. Additional studies are needed to identify educational law issues which arise in the future years; therefore, additional research should be periodically conducted to stay abreast of important educational law issues.

The findings of this study identified the most important educational law issues, which Texas teachers currently face. Yet, this research does not examine teachers' perceived importance or competency of these identified issues. Based on previous findings (Bounds, 2000; Paul, 2001; Wagner, 2008), teachers possess a dismal understanding of legal issues and education law pertaining to their jobs. Furthermore, Littleton et al. (2001) found Texas teachers possessed an inadequate level of educational law knowledge. Therefore, further research should examine Texas Agricultural Science Teachers' perceived competencies and levels of importance they associate with the identified educational law issues. Additionally, an educational law needs assessment of pre-service and in-service agricultural science teachers should be conducted on a state-by-state basis.

Additionally, former studies have indicated pre-service educational law courses (Ogletree & Garrett, 1981), in-service educational law workshops (Bounds, 2000; Harris, 2001; Koch, 1997), affiliation with professional organizations (Bounds, 2000), and years of teaching experience (Bounds, 2000; Koch, 1997) bolster teachers' competency in educational law. Further research should explore the influence of background and demographic characteristics on agricultural science teachers' perceived competency of educational law.

Recommendations for Practice

Whether or not an agricultural science teacher has received formal educational law training, a teacher must achieve a working knowledge of the laws which govern them. Agricultural science teachers should do their due diligence by reading the student and teacher handbooks provided by the school district. When an issue arises which is not explicitly addressed in a handbook, a teacher should consult a knowledgeable superior (Greene, 1998) before making an uninformed decision. Aside from student issues, teachers need to understand their professional rights such as teacher contracts and compensation.

It is recommended that agricultural science teachers familiarize themselves with district policies, state torts, federal laws, and landmark Supreme Court decisions. District's board policy manuals contain policies which govern the operation of the district. For example, the infractions which constitute "good cause" for teacher termination are established at the local level. In regard to state statutes, teachers can use the Texas Education Code (TEC) as a resource for constructing a working knowledge of educational laws. Along with resources on the local and state level, teachers should enhance their familiarity with constitutional laws and educationally-related Supreme Court decisions.

School administrators can also play an instrumental role in the enrichment of teacher's knowledge of educational law issues. To assist in this effort, Administrators could potentially include aspects of educational law training during in-service. In most districts, it is customary for teachers to be required to attend campus-based in-service workshops at the beginning of the school year. This would serve as a wonderful platform to provide teachers with the essential knowledge they need to avoid educationally-based liabilities. Administrators should use the findings of this

Delphi study as a guide to determine which educational law issues should be addressed in the proposed in-service events. Furthermore, administrators should collaborate with the legal staff (e.g., school district attorney) of their district to assist in the development and implantation of the educational law training. The Vocational Agriculture Teachers Association of Texas (VATAT) legal staff and resources should be leveraged by administrators to provide training exclusively for agricultural science teachers.

Teacher educators and professional teacher organizations (i.e., VATAT, Texas Classroom Teachers Association (TCTA), Texas State Teachers Association (TSTA), & the National Association of Agricultural Educators (NAAE)) should collaborate to inform teachers about important educational law issues. This collaboration could potentially encompass the development of pre-service educational law courses and the implementation of educational law professional development events for Texas Agricultural Science Teachers. Littleton (2008) indicated 88% of the teaching force had three or more years of teaching experience, which implied a large portion of the teaching force is far removed from pre-service preparation. Therefore, it is important to provide periodic educational law training for Texas Agricultural Science Teachers. Periodic educational law training, a proven effective method (Bounds, 2000; Harris, 2001; Koch, 1997), will provide teachers up-to-date information on current educational law issues.

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