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**Determination of the Level of Knowledge
Possessed by Vocational Agriculture Teachers
Concerning Classroom Liability**

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Litigations against teachers were recorded as early as 399 B.C. Socrates was charged by his fellow citizens with "corruption of the young," and at the hands of a jury of 501 members, he was found guilty (Strickland, Phillips, and Phillips, 1976). While it was difficult to pinpoint the actual number of lawsuits to date, there has been a substantial increase. Hogan (1974) stated,

In more than one hundred years between 1789 and 1896, there were 3,096 cases which have affected the organization, administration, and programs of the schools. By contrast, in the last five-year period, between 1967 and 1971, there were 3,510 such cases. Almost five hundred more cases in this five-year period (3510) than in the previous one hundred-year period (3096). (p. 7)

Fetter and Patton (1979) indicated that during the period 1973 to 1976, there were more than four hundred personal liability actions, involving more than 1500 school officials. Along with the increase in the number of lawsuits against teachers, there has been an increase in the size of settlements (Simpson, 1977). In a recent study involving 100 Indiana public schools, the mean settlement for lawsuits against schools was \$12,240.50 (Fetter and Patton, 1979). It was not uncommon to find settlements of \$100,000 or more, especially where personal injury was involved.

Once the lawsuit is filed against the teacher or school representative's name, regardless of the outcome, the damage is done.

"The courts have said that educators have three major obligations to their students: (a) adequate supervision, (b) proper instruction, and (c) maintenance of equipment" (Connors, 1981, p. 10). Connors (1981) further stated that educators can protect themselves in these situations by documentation.

A review of the literature highlighted many situations of legal controversy that were divided into four problem areas. They are: (a) teachers' supervisory responsibilities, (b) teachers' duties when using materials and equipment, (c) corporal punishment, and (d) teachers' sources of legal protection (Connors, 1981; Kallen, 1971; Strickland, 1976).

Purpose of the Study

The purpose of this study was to determine the level of knowledge possessed by secondary vocational agriculture teachers concerning liability as related to the education setting. The specific objectives were to:

1. Identify the major problem areas of liability.
2. Determine the specific liability questions for the problem areas.
3. Determine the vocational agriculture teacher's knowledge of the liability questions which could lead to teacher liability.

Methodology

All vocational agriculture teachers who participated in the 1981 Illinois Association of Vocational Agriculture Teachers' Conference were included as the population for this study. Three hundred vocational agriculture teachers in Illinois participated in the conference. Of the 180 vocational agriculture teachers present at the second session, 148 teachers (82.2%) completed the questionnaire.

A questionnaire was used to gather the data. The 20 liability questions were developed as a result of a literature review, reviewing questionnaires used in other studies, and utilizing university educational law personnel, teacher educators, and a practicing lawyer. The questionnaire was divided into two sections. Section A contained eight questions which gathered data concerned with respondents' characteristics, and Section B contained the 20 questions concerning the four problem areas of liability.

The single-page questionnaire was distributed at the beginning of the second general session meeting of the 1981 Illinois Association of Vocational Agriculture Teachers' Conference. Oral instructions were given in addition to the written instructions included on the questionnaire. The questionnaires were collected at the conclusion of the second session.

The data were tabulated and summarized. Statistical Package for the Social Sciences (SPSS) (Nie, Hull, Steinbrenner, & Bent, 1975) was used in the analysis of the data. Means and percentages were computed.

Findings

Characteristics of the Vo Ag Teachers

The mean age of the teachers was 34.7 years with a range of 20 to 65 years of age. One hundred forty-two (96%) of the teachers were males, and seven were females (4%). The teachers had a mean

of 11.0 years of vocational agriculture teaching experience with a range from less than one year to 34 years. One hundred five (70.9%) of the teachers had not received educational law training, while 43 (29.1%) of the teachers had received educational law training. Eighty-three (56%) of the teachers had earned a bachelor's degree; 59 (40%) had earned a master's degree, and six (4%) teachers had earned advanced certificates. The final question of Section A, concerning the teachers' experience with a lawsuit, revealed only one teacher had experienced a lawsuit, and this teacher was found not legally responsible.

Results of the Liability Questions

Table 1 shows the means and percentages of the 20 questions concerning liability. Only four questions had n of less than 148. One teacher failed to answer question one, and one teacher failed to answer question 13. Question nine was not responded to by two teachers. Question 20 was lacking 16 responses. Refusal to answer questions nine and 20 may have been due to the absence of an "I am not sure" choice.

Four Problem Areas Concerning Liability

The data gathered concerned the four major problem areas of liability. The problem areas were: Teachers' supervisory responsibilities, teachers' duties when using special material and equipment, corporal punishment, and teachers' sources of legal protection.

Teachers' supervisory responsibilities. Supervisory questions 1, 5, 9, 13, and 17 had a mean of 78.9 percent correct and a range of 56.8 to 95.9 percent correct response. The supervisory questions and percent correct are shown in Table 2. Although 142 teachers (95.9%) believed the teacher may be found liable for failure to act to avoid an injury to a student, only 84 teachers (56.8%) believed in an emergency, the teacher has the legal duty to administer first aid.

Teachers' duties using materials and equipment. The problem area of teachers' duties when using materials and equipment is shown in Table 3. The four questions are presented with the number and percent of correct responses. Analysis of these data yielded a mean of 61.6 percent of correct responses. The percent correct for each question within this problem area ranged from 14.9 percent to 98.6 percent. Only 22 teachers (14.9%) stated that "it is the duty of the teacher to provide proper machine guards for shop machinery", while 146 teachers (98.6%) answered that "it is the duty of the shop teacher to either maintain the machinery and tools in safe condition or to report unsafe conditions to the proper personnel."

Table 1
 Vocational Agriculture Teachers' Responses to
 20 Liability-Related Questions*
 N=148

Questions	Responses	Number	Percentage correct
1. In an emergency, the teacher has the legal duty to administer first aid.**	+True	84	56.8
	False	46	
	I am not sure	17	
2. The teacher may punish a student for acts committed off of school property and out of school hours.	+True	22	14.9
	False	115	
	I am not sure	11	
3. Damages awarded against a teacher are limited to the amount of insurance that covers the teacher.	True	5	87.2
	+False	129	
	I am not sure	14	
4. It is the duty of the teacher to provide proper machine guards for shop machinery.	True	122	14.9
	+False	22	
	I am not sure	4	
5. A teacher may be found liable for failure to act to avoid an injury to a student.	+True	142	95.9
	False	0	
	I am not sure	6	
6. A teacher can be held legally liable for punishment that would be reasonable for a normal child but is dangerous because of unknown special physical impairment of the individual.	+True	111	75.0
	False	14	
	I am not sure	23	
7. Safety tests are legally valuable as evidence of a student being knowledgeable of the proper safety procedures.	+True	104	70.3
	False	31	
	I am not sure	13	
8. Use of personal equipment in the school shop presents little legal hazard.	True	10	85.1
	+False	126	
	I am not sure	12	
9. The most frequent basis for litigation against teachers is insufficient or improper.**	Use of equipment/ materials	11	84.5
	+Supervision of students	125	
	Administration of corporal punishment	10	
10. A teacher administering corporal punishment need not have another teacher present.	True	7	89.9
	+False	133	
	I am not sure	8	

Table 1 (cont.)
 Vocational Agriculture Teachers' Responses to
 20 Liability-Related Questions*
 N=148

Questions	Responses	Number	Percentage correct
11. Teachers, as public employees of the school district, are immune from lawsuits stemming from teaching duties.	True	2	97.3
	+False	144	
	I am not sure	2	
12. It is the duty of the shop teacher to either maintain the machinery and tools in safe condition, or to report unsafe conditions to the proper personnel.	+True	146	98.6
	False	2	
	I am not sure	0	
13. A teacher is not legally required to inform substitute teachers of students with special physical problems or special discipline problems.**	True	22	71.6
	+False	106	
	I am not sure	19	
14. When administering corporal punishment, the witness should be certified personnel.	+True	109	73.6
	False	22	
	I am not sure	17	
15. Illinois law does not require a board of education to insure teachers against financial loss from a lawsuit.	True	72	29.1
	+False	43	
	I am not sure	33	
16. The majority of school shop accidents involve power machinery.	+True	70	47.3
	False	62	
	I am not sure	16	
17. If a student leaves the school grounds and is subsequently injured, the school district and the supervising teacher may be held liable.	+True	127	85.8
	False	12	
	I am not sure	9	
18. When administering corporal punishment, a teacher should give advance warning as to the reason for using that discipline.	+True	129	87.2
	False	3	
	I am not sure	16	
19. A teacher is protected from liability for damages if the parents of the students have signed a field trip permission slip.	True	22	77.0
	+False	114	
	I am not sure	12	
20. The minimum dollar limit of liability insurance that the school boards in Illinois must have for each teacher is.**	0 dollars, Illinois law does not require a minimum dollar limit	86	20.9
	+100,000 dollars	31	
	200,000 dollars	15	

*Mean = 68.2 percent correct responses for the sample.

**Questions 1, 9, 13, and 20, N does not equal 148. This was due to refusal to answer. +Correct response.

Table 2
 Vocational Agriculture Teachers' Number and Percentage of Correct
 Responses to Questions Concerning Teachers'
 Supervisory Responsibilities
 N=148

Supervisory responsibility question	Correct response	Number correct	Percent correct
1. In an emergency, the teacher has the legal duty to administer first aid.	True	84	56.8
5. A teacher may be found liable for failure to act to avoid an injury to a student.	True	142	95.9
9. The most frequent basis for litigations against teachers is insufficient or improper	Supervision of students	125	84.5
13. A teacher is not legally required to inform substitute teachers of students with special physical problems or special discipline problems.	False	106	71.6
17. If a student leaves the school grounds and is subsequently injured, the school and supervising teacher may be held liable.	True	127	85.8
Mean = 78.9 percent correct responses.			

Table 3
 Vocational Agriculture Teachers' Number and Percentage of Correct
 Responses to Questions Concerning Teachers'
 Duties When Using Materials and
 Equipment
 N=148

Using materials and equipment question	Correct response	Number correct	Percent correct
4. It is the duty of the teacher to provide proper machine guards for shop machinery.	False	22	14.9
8. Use of personal equipment in the school shop presents little legal hazard.	False	126	85.1
12. It is the duty of the shop teacher to either maintain the machinery and tools in safe condition, or to report unsafe conditions to the proper personnel.	True	146	98.6
16. The majority of school shop accidents involve power machinery.	True	70	47.3
Mean = 61.6 percent correct responses.			

Corporal punishment. Table 4 presents the number and percent of correct responses by the teachers for each question that pertain to corporal punishment. With a range of 14.9 percent correct responses to 89.9 percent correct responses, this problem area had the second highest number of percent of correct responses. Only 22 teachers (14.9%) understood that "the teacher may punish a student for acts committed off of school property and out of school hours." Of the 148 teachers, 133 knew that "a teacher administering corporal punishment need not have another teacher present," even though it is advisable.

Table 4
 Vocational Agriculture Teachers' Number and Percentage
 of Correct Responses to Questions Concerning
 Corporal Punishment
 N=148

Corporal punishment question	Correct response	Number correct	Percent correct
2. The teacher may punish a student for acts committed off of school property and out of school hours.	True	22	14.9
6. A teacher can be held legally liable for punishment that would be reasonable for a normal child but is dangerous because of unknown special physical impairment of the individual.	True	111	75.0
10. A teacher administering corporal punishment need not have another teacher present.	False	133	89.9
14. When administering corporal punishment, the witness should be certified personnel.	True	109	73.6
18. When administering corporal punishment, a teacher should give advance warning as to the reason for using that discipline.	True	129	87.2
Mean = 68.1 percent correct responses.			

Teachers' sources of legal protection. The problem area, "teachers' sources of legal protection" was composed of six questions. Table 5 includes the questions that dealt with teachers' sources of legal protection and the number and percent of correct responses for each question. The range was 20.9 percent of 97.3 percent correct responses for the individual questions. Only 31 teachers (20.9%) realized that "there was a \$100,000 minimum dollar limit that school boards in Illinois must have for each teacher." One hundred forty-four teachers (97.3%) knew that teachers are not immune from lawsuits stemming from teaching duties.

Table 5
 Vocational Agriculture Teachers' Number and Percentage of
 Correct Responses to Questions Concerning
 Teachers' Sources of Legal Protection
 N=148

Legal protection questions	Correct response	Number correct	Percent correct
3. Damages awarded against a teacher are limited to the amount of insurance that covers the teacher.	False	129	87.2
7. Safety tests are legally valuable as evidence of a student being knowledgeable of the proper safety procedures.	True	104	70.3
11. Teachers, as public employees of the school district, are immune from lawsuits stemming from teaching duties.	False	144	97.3
15. Illinois law does not require a board of education to insure teachers against financial loss from a lawsuit.	False	43	29.1
19. A teacher is protected from liability for damages if the parents of the students have signed a field trip permission slip.	False	114	77.3
20. The minimum dollar limit of liability insurance that the school boards in Illinois must have for each teacher is:	\$100,000	31	20.9
Mean = 63.6 percent correct responses			

Summary of Findings

The findings of the study are summarized below:

1. The vocational agriculture teachers answered 68.2 percent of the 20 questions on the questionnaire correctly.

2. The problem area that pertained to teachers' duties when using special materials and equipment was the most misunderstood. The second most misunderstood problem area concerned teachers' sources of legal protection. Corporal punishment was the third most misunderstood problem area. Finally, teachers' supervisory responsibilities was the least misunderstood of the problem areas.
3. There was a large variation in the number of correct responses by question within three of the four problem areas. This included the areas of teachers' duties using materials and equipment, corporal punishment, and teachers' sources of legal protection.

Recommendations

1. Special efforts should be made to provide all prospective teachers and practicing teachers with current educational law training.
2. New educational law information should concentrate on teachers' duties when special materials and equipment are used, teachers' sources of legal protection, corporal punishment, and teachers' supervisory responsibilities.
3. Present educational law training programs should be re-evaluated and restructured so as to provide complete information.
4. Further studies of teachers' knowledge of educational law and factors affecting their knowledge of liability should be conducted.
5. Further study is needed to determine why the wide range of variance in correct responses within each of the problem areas occurred.

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