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# A study of the perceptions of school administrators regarding educational law, legal policies and procedures.

Juliann Kerrigan

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A STUDY OF THE PERCEPTIONS  
OF SCHOOL ADMINISTRATORS REGARDING  
EDUCATIONAL LAW, LEGAL POLICIES AND PROCEDURES

A Dissertation Presented

by

JULIANN KERRIGAN

Submitted to the Graduate School of the  
University of Massachusetts in partial fulfillment  
of the requirements for the degree of

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May, 1987

School of Education

A STUDY OF THE PERCEPTIONS  
OF SCHOOL ADMINISTRATORS REGARDING  
EDUCATIONAL LAW, LEGAL POLICIES AND PROCEDURES

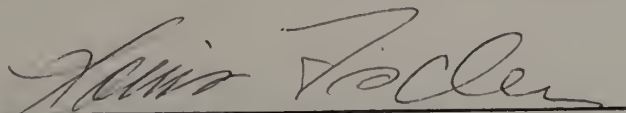
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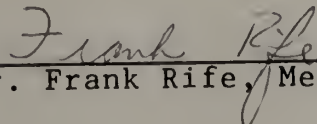
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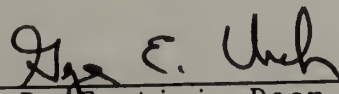
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ABSTRACT

A STUDY OF THE PERCEPTIONS  
OF SCHOOL ADMINISTRATORS REGARDING  
EDUCATIONAL LAW, LEGAL POLICIES AND PROCEDURES

May, 1987

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This study was intended to provide administrators; elementary, middle/junior high and high school principals with an awareness of rights and responsibilities and to help motivate principals to translate basic legal concepts into actual practice. The study involved educational law as it was directly applicable and involved elementary, middle/junior high and high school principals. It presented specific legal principles that have been established and can be relied on for direction in many school areas.

The research was intended to provide information about how education practice can be improved, so that

it comports with the objectives of legal policy. It was meant to assist elementary, middle and high school principals to become more responsive to the realities of the education organization in relation to the legal policies of education.

A survey questionnaire was developed and validated by a pilot-study committee. The population consisted of individuals in similar situations to those for whom the final instrument was intended. The final instrument was mailed to three hundred principals at the elementary, middle and high school levels, in both urban and rural school systems, who had been selected from the twelve counties in Massachusetts. The Statistical Package for the Social Sciences Computer Program was employed, utilizing FREQUENCIES, CROSSTABS and CHI SQUARE sub-programs.

The findings indicated school administrators; principals at the elementary, middle and high school levels do not feel they are adequately informed about the laws that affect them and their schools. They also reveal that administrators themselves feel that information regarding education law would assist them, for they feel that there is a definite need for them to be informed about the laws that



affect them in their positions as principals. It was also implied by the results of the study that knowledge of fundamental legal principles regarding education law would assist them in making administrative decisions.

The findings of the study indicated that administrative training of principals at all levels, in both urban and rural school systems should include courses, seminars or workshops on educational law and policy.

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## CHAPTER I

### INTRODUCTION

#### Statement of the Problem

Administrators make judgements based on professional training. Legal intervention in public education is escalating and recent upheavals in the law have had a profound impact on every school in the nation.

Legal concerns of education two decades ago generally revolved around rather mundane issues of administrative law. This has been expanded by the innovative application of constitutional principles which have broadened the legal rights of both students and teachers.

The legal fulcrums on which the student-teacher-school relationship balances requires constant reevaluation and attention so as to protect basic human rights and, at the same time, permit public schools to progress in their appropriate pursuits.

Courts and legislatures have reshaped much of educational policy.<sup>1</sup> Some school personnel may be aware of the burgeoning litigation and legislation,

and some are familiar with the names of a few landmark Supreme Court cases. Nonetheless, many administrators harbor misunderstandings regarding the basic legal concepts that are being applied to educational questions. As a result, they are often uncertain about the legality of daily decisions they must make in the operation of schools.<sup>2</sup>

Laws are not created in a vacuum. They reflect social and philosophical attitudes of society. Laws are made by human beings who have personal opinions and biases. Also, the law is not static, but is continually evolving as courts reinterpret constitutional provision and legislatures enact new laws. In addition, some questions confronting school personnel have not yet been addressed by the Supreme Court.

In spite of unresolved issues, certain legal principles have been established and can be relied on for direction in many school situations. It is important for administrators to become familiar with these principles and to use them as guides to action. With knowledge of the logic underlying the law, school personnel may become more confident in making decisions involving legal questions.

The material presented in this study is meant to

assist school personnel in understanding the application of the law; it is not meant to substitute for legal counsel. Administrators confronting legal problems should seek the advice of a competent attorney. There is no failsafe way to predict the course of courts and legislatures. Given the dynamic nature of the law, it is difficult to keep administrators updated to current legal developments.

School personnel cannot plead "ignorance of the law" as a valid defense for illegal action.<sup>3</sup> Administrators should be aware of the constraints placed on their rule making prerogatives by school board policies and federal and state constitutional and statutory provisions.

The authority for the establishment and control of American public education is grounded in law. State and federal constitutional and statutory provisions furnish the framework within which daily operational school decisions are made. There must be a legal basis for all school practices, and policies established at any level of education must be consistent with legal mandates from higher authorities.

### Purpose of the Study

The purpose of this study was to collect data from school administrators regarding educational law and educational policy, and then determine how both educational law and policy interact with administrators in their positions as school administrators.

This study presents specific legal principles that have been established and can be relied on for direction in many school areas. It involved educational law as it was directly applicable and involved school administrators.

This study investigated the following questions:

1. Are school administrators adequately informed about the laws that affect their schools?
2. Is there a need for school administrators to be informed about the law that affects them and their schools?
3. Can information regarding educational law assist administrators and help them to be more effective in their administrative role?
4. Will knowledge of fundamental legal principles regarding education law

assist administrators in making administrative decisions?

5. Should administrative training include some knowledge of educational Law?

### Significance of the Study

The significance of this study was to provide an awareness of rights and responsibilities to motivate administrators to translate basic legal concepts into actual practice. The authority for the establishment and control of American public education is grounded in law. State and federal constitutional and statutory provisions furnish the framework within which daily operational school decisions are made.

Administrators should be aware of the legalization of dispute resolution processes and be mindful of the different audiences within this scope. Their work involves, either directly or indirectly, work with legislative bodies, federal regulatory agencies, state education departments, school boards, other administrators, teachers, parents and students.

This study was intended to provide information about how education practice can be improved so it

comports with the objectives of legal policy. The study was intended to assist administrators to become more responsive to the realities of the education organization in relation to the legal policies of education.

#### Clarification and Delimitation

This study was limited to three hundred school administrators throughout the Commonwealth of Massachusetts.

It was acknowledged that this study does not attempt to create law, nor influence the interpretation of the laws.

Whereas this study examines Commonwealth of Massachusetts law, and its relationship to administrators; elementary, middle and high school principals, currently working in a school system in Massachusetts, it would not be viable to project its findings to a national sample.

## FOOTNOTES

<sup>1</sup> Arthur Wise, Legislated Learning; The Bureaucratization of the American Classroom (Berkeley: University of California Press, 1979).

<sup>2</sup> Nelda H. Cambron and Martha M. McCarthy, Public School Law (Boston, Mass.: Allyn and Bacon, Inc., 1981), p. 10.

<sup>3</sup> Wood v Strickland 420 U.S. 308 (1975).



## CHAPTER II

### REVIEW OF LITERATURE

#### Law-and-Education

Law-and-education research, the study of the interface between legal rules and education policies has largely developed within the past twenty-five years.

In the 1950s and early 1960s law was not perceived as a mode of appeal so much as a body of rules to be endured and overcome by school officials who possessed nearly unchallenged authority.

In the late 1960s and thereafter fundamental changes in the relationship of law to public schools was reflected in the research agenda of law-and-education specialists. The process of bringing law into schools has continued.

Law-and-education continues to reflect the milieu in which it grew and thrived. Much of the work was designed to demonstrate how the Constitution and federal courts could be employed as vehicles to reform public education, and lawyers made significant contributions to the development of educational policy.

A great deal but not all of today's law-and-education is often misdirected in its

approach to the interaction of law with educational institutions.

Oftentimes a preoccupation with the United States Supreme Court and the United States Constitution tends to fail to capture the richness of the legal environment in which school administrators operate. Many times a United States Supreme Court decision or federal statute is viewed as the end of the reform or change process and no attempt is made to attend to its actual implementation in the schools. Little if any guidance is offered or available to administrators charged with observing and implementing the legal rules. There is a serious need for implementation studies; for studies of whether administrators do understand and are obeying legal mandates and whether the often multiple and conflicting objectives of the law have been met. Too little attention has been devoted to the dissemination of information relating to legal requirements.<sup>1</sup>

Appellate court decisions involving education give empirical support to the widespread sense that the courts are now more important than they have been.

Examination of cases confirms that the courts have been deciding more education cases in the past

few years and that these cases are likely to involve educational issues traditionally considered more suited for resolution elsewhere. The courts must now also decide cases brought by new kinds of plaintiffs. The plaintiffs often include groups of parents and their children, allied with attorneys from both private and public interest firms.

Another measure of increased activity of the courts in education is the filing of suits against the school and/or state; a plaintiff then uses the courts to alter state educational policy.

The concerns of the courts in education cases are increasingly focusing concerns on school administrators.<sup>2</sup>

Much excessive time demands are placed on administrators by federal and state mandates for implementation of laws.<sup>3</sup> Those administrators whose professional preparation included education and law areas, considered these to be very useful.<sup>4</sup>

School lawsuits have mushroomed since early landmark cases such as *Brown v Board of Education*, 1954.

The number of court decisions concerning elementary and secondary school administrators

increased by 243 percent from 1977 to 1980. At the same time odds have increased that someone in your school system will be called into court, either as the suing or the defending party, as an ordinary witness for either party, or to provide expert testimony.<sup>5</sup>

The August, 1984 issue of the American Bar Association Journal opened a special "Lawscope" section on school law with the phrase, "Many education-related issues are getting a hearing in the courts rather than the classrooms". The focus on school law as a specialty area within the practice of law has never reached and probably will never reach the level of such career niches as tax law, criminal law or securities law.

But the unique nature of school law problems and school systems as clients, along with the unrelenting increase in the amount of litigation on education-related issues, has caused the legal profession to carve out a place for school law beside other specialty areas such as legal problems related to aviation and computers.

The major law schools have been offering courses dedicated solely to school law for approximately a decade. Law firms that handle education cases now

usually have one or two partners or associates who concentrate in this area. The number of attorneys throughout the United States who are recognized as experts in the field of school law, although still small is increasing each year.

An area that is questioned is that established standards do not even exist among school lawyers who have earned the title. No consensus has been reached as to: What training and experience are necessary? What materials and references should a school attorney have access to? Does a school attorney need a background in education or public school administration?<sup>6</sup>

Other specialties in medicine and law (not school law), set forth clearly stated codes and standards.

The study of education law is vaguely defined and therefore can lay out only general guidelines to school administrators.<sup>7</sup>

During the past three decades, courts increasingly have influenced the operation of schools by interpreting statutory and constitutional mandates as they apply to public schools. Similarly, legislative bodies at both state and national levels have become assertive in enacting laws to protect individuals' rights in school settings.

Citizens are becoming more knowledgeable in using legal tools to challenge arbitrary school practices, and taxpayers are demanding greater accountability from public education agencies. The most difficult situations confronting administrative school personnel are those where specific legislative or judicial guidelines are lacking. In such circumstances, administrators must make judgements based on their professional training and general knowledge of the law as it applies to education.

School administrators should stay abreast of legal developments, since the Supreme Court has announced that ignorance of the law cannot be used as a defense for violating individuals' clearly established rights.

Only with increased awareness of fundamental legal principles can administrators involved in the educational process develop a greater respect for the law and the responsibilities that accompany legal rights.<sup>8</sup>

Well drawn school policies and regulations help shape reasonable expectations and guard against inconsistencies and help protect administrators from liability. When written in conformity with current

legal standards in the state, well drawn policies and regulation are an administrator's best legal defense, if they follow them with care.<sup>9</sup>

### Federal Role in Education

The tenth amendment to the United States Constitution stipulates that:

"the powers not delegated to the United States by the Constitution nor prohibited by it to the states, are reserved to the states respectively, or to the people".<sup>10</sup>

Since the Federal constitution does not authorize Congress to provide for education, the legal control of public education resides with the states. State laws are either mandatory (pertaining to essential state interests in providing education) or permissive (allowing local discretion in providing programs and services).

Congress however, has exerted considerable influence in shaping public school policies by establishing guidelines that must be followed in order for schools to be eligible to receive federal funds. Individual states or school districts have the option of accepting or rejecting federal assistance under categorical aid legislation. If funds are accepted, the federal government has the authority

to prescribe guidelines for their use and to monitor state and local agencies to ensure fiscal accountability. Since most federal aid is categorical in nature, it cannot be spent at the discretion of local school boards.

In addition to laws providing financial assistance to public schools, Congress has enacted legislation designed to clarify the scope of individuals' civil rights.

#### Civil Rights Act of 1871

This has been revived in recent years and used by students and teachers to gain relief in instances where their constitutional rights have been impaired by school policies and practices.

Section 1983 of the Civil Rights Act of 1871

states: "Every person who, under color of any statute, ordinance, regulation, custom, or usage of any State or territory subjects or causes to be subjected any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceedings for redress."

Subsequent civil rights legislation enacted during the 1960s and the early 1970s has further defined the rights of citizens to remain free from discrimination.



Title VI of the Civil Rights Act of 1964

This act prohibits discrimination on the basis of race, color or national origin in federally assisted programs or activities.

Title VII of the Civil Rights Act of 1964

This act prohibits employment discrimination on the basis of race, color, religion, national origin or sex.

Title IX of the Education Amendments of 1972

This act prohibits sex discrimination against participants in educational programs receiving federal funds.

Rehabilitation Act of 1973

Prohibits discrimination against handicapped persons in federally assisted programs or activities.

Bilingual Education Act of 1968 and the Education for All Handicapped Children Act of 1975

Federal funds have been provided to assist education agencies in offering services for students with special needs.

It is quite true as stated that the responsibility for public education is primarily the concern of the states, but it is equally true that such responsibilities like other state activity,

must be exercised within federal constitutional requirements as they apply to state action.

The federal government has greatly influenced public schools through the judicial branch. While all federal constitutional mandates affect public education to some degree, the following amendments, as interpreted by the courts, have had the greatest impact on public school policies and practices.

#### FIRST AMENDMENT

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the Government for redress of grievances."

The freedoms contained in this amendment have evoked lawsuits:

1. Challenging the use of public funds to aid non-public school students.<sup>11</sup>
2. Contesting school policies and practices regarding the separation of church and state.<sup>12</sup>
3. Allowing the students the rights to express themselves freely and distribute student literature.<sup>13</sup>
4. Allowing the rights of assembly by student clubs, employees rights to organize and

- engage in collective bargaining.<sup>14</sup>
5. Allowing teachers the rights to academic freedom.<sup>15</sup>
  6. Allowing teachers the right to speak out on matters of public issue.<sup>16</sup>

#### FOURTH AMENDMENT

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath of affirmation, and particularly describing the place to be searched, and the persons or things to be seized "

Since the late 1960s, this amendment has frequently appeared in educational cases involving searches of students' lockers and personal belongings.<sup>17</sup>

#### EIGHTH AMENDMENT

"Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted."

The eighth amendment prohibits excessive bail and fines and protects citizens against cruel and unusual punishment by governmental agents. While this amendment has appeared more often in suits challenging the treatment of prisoners or other persons involuntarily institutionalized, it has

been used in a few cases challenging the administration of corporal punishment in public schools.

#### NINTH AMENDMENT

"the enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage other retained by the people."

This amendment has appeared in educational litigation in which teachers have asserted their right to personal privacy outside the classroom is protected as an enumerated right. Grooming regulations applied to teachers and students have been challenged as impairing personal rights retained by people under this amendment.<sup>18</sup>

#### FOURTEENTH AMENDMENT

"All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the law."

The fourteenth amendment is the most widely used in school litigation and has been particularly significant in school cases involving alleged discrimination based on sex, race, ethnic background and handicaps.

The due process clause of the fourteenth amendment, which prohibits states from depriving

citizens of life, liberty or property without due process of law, also has played an important part in school litigation. Students have asserted their state-created property right to an education in cases challenging the adequacy of procedures followed in making instructional assignments and in administering punishment for misconduct. Teachers have used the due process clause to contest dismissal and disciplinary actions involving alleged infringements of protected liberty and property rights.<sup>19</sup>

#### Tort Liability

Principles of tort law offer remedies to individuals for harm caused by the unreasonable conduct of others. Generally, a tort is defined as a civil wrong independent of a breach of contract, for which a court will provide relief in the form of damages.

Tort cases are mainly handled on the basis of state laws and are grounded in the fundamental premise that all individuals are liable for the consequence of their conduct.

In July, 1978, the Massachusetts Legislature enacted into law Chapter 512 of the Act of 1978. Chapter 512 abolished governmental immunity in

Massachusetts, making the Commonwealth and its counties, municipalities, and districts liable for personal injury, death or property damage caused by the negligent or wrongful conduct of public employees acting within the scope of their employment. It also provided personal immunity to the public employee, in many instances, provided s/he provides reasonable cooperation to the employer in the defense of any action brought under the statute.

Tort actions can be grouped into three major categories:<sup>20</sup>

Negligence--Negligence involves conduct that falls below an acceptable standard of care and results in injury.

Intentional torts--Intentional torts are committed with the desire to inflict harm, and include assault, battery, false imprisonment, trespass and defamation.

Strict liability--Strict liability occurs when an injury results from creation of an usual hazard (e.g. the storage of explosives) and the injured party need not establish that the injury was knowingly or negligently caused.

Tort actions, primarily involving pupil injuries resulting from alleged negligence on the part of the school personnel, will undoubtedly continue to generate extensive litigation. To guard against liability administrators should be cognizant of the following basic principles of tort law.

1. All individuals are responsible for any harmful consequences of their conduct, therefore the propriety of a teacher's conduct in a given situation is gauged by whether a reasonably prudent teacher (with the special skills and training) would have acted in a similar fashion.

Negligence is a breach of one's legal duty to protect others from unreasonable risks of harm. A charge of negligence can result when the failure to act or an improper act causes an injury to another person.

The ability to foresee harm is an important factor in determining whether or not an individual's conduct is negligent. Courts assess whether a reasonably prudent person under the same or similar circumstances would have anticipated the harmful consequences.

Negligence cases include questions of law, which are determined by judges, and questions of fact, which are decided by juries. In some instances, a judge may conclude that there are no material factual issues to submit to a jury and thus return a directed verdict. Where a trial does take place a judge can reverse a jury's decision if clearly erroneous. Judges, however, will not exercise this authority unless supported by overwhelming evidence.

A teacher does not have a duty to keep each

student under constant surveillance or to anticipate every possible accident that might occur; teachers or administrators cannot be held liable for unforeseeable injuries. Even if supervision is inadequate, a teacher will not be held negligent if it is established that the injury could have occurred as easily in the presence of proper supervision.<sup>21</sup>

In an illustrative case, a Missouri appeals court concluded that a kindergarten teacher did not breach her duty of supervision simply because she was attending to other students when a child fell during recess while attempting to swing down from a jungle gym.<sup>22</sup>

The court concluded that the teacher was not required to have each pupil in sight at all times. Similarly, a Louisiana appeals court held that a teacher was not negligent with respect to an injury sustained by a child who fell on a tree stump at recess.<sup>23</sup> The court ruled that the stump was not so hazardous as to place a special duty on the teacher to anticipate harm.

2. Teachers and administrators owe students a duty to provide proper instruction and adequate supervision, to maintain equipment in proper repair and to provide warnings regarding known hazards.

The nature of the duty owed is determined by



factors such as the age of the pupils, the environment, and the type of instructional activities taking place. The duties to protect students from harm is increased in laboratory class, gymnasium and other environments where risk of harm is great.

Courts have awarded damages in suits involving pupil injuries if school employees were aware of, or should have been aware of hazardous conditions and breached their duty to protect students from special risks of harm. In a Washington D.C. case, school personnel were found negligent for breaching their duty to provide safety precautions or additional supervision on a playground with a fence in disrepair.<sup>24</sup>

Other courts have recognized that school personnel have a duty to maintain play areas in proper condition and to warn students of any known dangers.<sup>25</sup>

In 1978, the Massachusetts high court concluded that a school district was liable for supplying a defective helmet to a student hockey player. The court noted that the student had every reason to expect the hockey coach to supply team members with proper equipment.<sup>26</sup>

In 1967, the New Jersey Supreme Court discussed the liability of school personnel in situations where they have assumed a duty to provide supervision and have not acted appropriately. The case involved a student who was seriously injured by a paper clip shot by another child on school grounds before school opened.<sup>27</sup>

Children regularly gathered on the premises before the start of classes to connect with buses for other schools. The court concluded that the principal was aware of the need for supervision before school and had assumed the duty of providing this service between 8:00 am and 8:15 am, at which time he had instructed teachers to arrive. However, the principal had not established conduct rules for the students, nor had he attempted to secure additional adult supervisors to assist him. Concluding that the provision of proper supervision might have prevented the injury sustained, the court held the principal liable for damages.

While school personnel have a duty to provide appropriate supervision and instruction and to protect students from unreasonable hazards, educators are not the absolute insurers of pupil safety. Students themselves also are expected to act reasonably

and to take appropriate precautions against known dangers. Courts will assess the facts of each situation when determining the extent of the school's duty to shield pupils from injury.

3. Teachers and administrators are expected to exercise a standard of care commensurate with the duty owed; with more dangerous activities a higher standard of care is required.

Many cases challenging the adequacy of a teacher's standard of care have involved injuries sustained in gymnasiums, where appropriate supervision and instruction are essential. An Illinois appeals court concluded that a physical education teacher did not exercise reasonable standards of care in forcing an overweight student to perform a backwards somersault, which resulted in injury.<sup>28</sup> The court noted that the teacher was aware of the child's fear of completing the exercise and of the special risks associated with the student's obesity.

Although a teacher's absence from the classroom is not sufficient to establish negligence, the length of the absence may be a controlling factor in determining whether the teacher exercised reasonable care. The Supreme Court of Wisconsin held that there were legitimate issues of negligence in a situation where a fourteen-year-old pupil was injured in a

rowdy game in the school gymnasium. The game took place while the teacher was gone for twenty-five minutes, leaving fifty adolescent males unsupervised.<sup>29</sup>

4. Foreseeability of harm is a crucial element in determining whether a teacher's actions are negligent in a given situation.

Foreseeability of harm is a crucial consideration in assessing the adequacy of a teacher's standard of care. In a California case, a teacher was held negligent because he was careless in failing to observe and stop dangerous activity that resulted in injury.<sup>30</sup>

The teacher took his class outside on the lawn for instruction and one of the students picked up a homemade knife on the way out of the classroom. The student, who was seated with other pupils around the teacher, began throwing the knife into the ground. This activity continued for some time. Eventually the knife hit a drawing board, was deflected and struck another pupil in the eye. The court concluded that the teacher should have been aware of the dangerous activity which could have been curbed prior to injury.

Courts have not assessed damages against school personnel unless the injury might have been

prevented by the exercise of proper supervision typically required by the circumstances. Two pupil injury cases involving rock throwing incidents illuminate the importance of "foreseeability of harm" in determining the outcome of negligence cases. In one instance where student rock throwing had continued for almost ten minutes before the injury occurred, the court found the supervising teacher liable for negligence.<sup>31</sup>

In contrast, in a situation where a teacher had walked past a group of students moments before one child threw a rock that was deflected and hit another pupil, no liability was assessed against the teacher. The court concluded that the teacher had provided adequate supervision and had no reason to have anticipated the event that caused the injury.<sup>32</sup>

Pupil injuries during field trips often have evoked tort actions challenging the adequacy of adult supervision. It is a widely held misconception that permission slips signed by parents relieve school personnel of liability for injuries that occur during such school-related activities. Permission slips serve a useful purpose in documenting that

parents are aware of their child's whereabouts and participation in special activities, but the parents cannot waive their child's entitlement to proper supervision. The Supreme Court of Oregon assessed liability against a teacher for an injury sustained by a student at a beach during a school outing. The court concluded that the unusual wave action on the Oregon coast was a known hazard, and that the teacher failed to take reasonable precautions.<sup>33</sup>

Some lawsuits have challenged the standard of care exercised by school personnel in the treatment of students after accidents have occurred. Courts have upheld the rights of teachers and administrators to provide emergency first aid treatment to pupils if the treatment has been reasonable. In a Pennsylvania case two teachers were held personally liable for administering medical treatment to a student by holding his finger under boiling water. The Superior Court held that the action was not reasonable and noted that the situation did not necessitate emergency first aid.<sup>34</sup>

Teachers and administrators, because of their special training to assume such roles, are expected to make sound judgements as to the appropriate

standard of care required in ordinary school situations. The adequacy of care is measured against the risks of harm involved. Reasonable actions in one instance may be considered unreasonable under other conditions. Courts assess the facts of each case in determining whether the standard of care is proper in light of the attendant circumstances.

5. An intervening act can relieve an administrator or a teacher of liability for negligence if the intervening event caused the injury and the administrator or the teacher had no reason to anticipate that the event would occur.

In situations in which an administrator or a teacher breaches the duty to supervise students and exercises an improper standard of care, liability will not be assessed if the administrator's or teacher's actions were not the proximate cause of the injury sustained. In some instances an intervening event, such as the negligence of a third party has relieved school personnel of liability.

In determining liability for negligence, courts have evaluated whether or not school personnel should have anticipated and prevented the intervening act. A Maryland Appeals Court concluded that a teacher had no reason to predict an intervening event that caused injury to a fourth grade pupil who was engaged in a program of calisthenics while the

teacher was absent briefly from the room.<sup>35</sup>

The injury occurred when another child moved from his position, contrary to instructions, and struck the student with his feet while performing the exercises. The court reasoned that the incident would have occurred with the teacher in the classroom, and therefore her absence was not the proximate cause of the injury sustained. A New York Appeals Court held that a teacher who was absent from the room was not liable for a pupil injury when a child sat down on the point of a pencil placed on his chair by another student. The court concluded that the teacher could not have anticipated the intervening act of the student and therefore was not negligent.<sup>36</sup>

When an intervening event actually causes a given injury, if school personnel place students in a dangerous situation or if they reasonably should anticipate special risks of harm, they will not be relieved of liability for their negligent conduct.



6. The Common law doctrine that government agencies cannot be held liable in tort actions has been abrogated by legislative or judicial action in some states; in states still adhering to this doctrine, certain restrictions have been placed on its use to defend school districts against negligence claims.

The doctrine of governmental immunity originated in the middle ages from the notion that the king can do no wrong.<sup>37</sup> Subsequently this idea translated into common law principle that government agencies cannot be held liable for the negligent acts of their officers, agents or employees.

Courts have not agreed as to which school functions should be considered proprietary in nature. Some courts have held that profit-making extracurricular activities are proprietary functions while other courts have ruled that all extracurricular activities are part of the educational mission of the school district and thus protected by immunity.<sup>38</sup>

In 1977 the Massachusetts Supreme Judicial Court concluded that school districts were liable for negligence involving the administration of policies, but were immune from liability for negligence associated with discretionary policy-making activities.<sup>39</sup>

7. While sovereign immunity does not protect school employees from liability in tort actions, some states by law require evidence of willful or wanton misconduct in order for school personnel to be liable for negligent acts in connection with educational activities.

While school employees are not protected by the common law notion of governmental immunity, some states have enacted statutes that provide partial immunity for negligent acts of teachers. Illinois law, confers "in loco parentis" (in place of parents) status on educational employees and stipulates that willful or wanton misconduct must be established in order for liability to be assessed in connection with strictly educational activities. Negligence associated with duties such as providing equipment to students and student athletes need not be accompanied by willful or wanton misconduct for liability to be assessed.<sup>40</sup>

8. Contributory negligence can be used to relieve school personnel of liability if it is established that the injured party's own actions were a significant factor in producing the injury.

The assertion that an injured student's own acts contributed to the injury has often been used by school personnel as a defense against negligence charges. If contributory negligence were not considered by the courts, an impossible burden would be placed on teachers and administrators to ensure

the safety of students regardless of the student's own actions in disobeying instructions properly given.<sup>41</sup>

In determining the validity of contributory negligence as a defense, courts have evaluated whether or not the teacher exercised a reasonable standard of care in anticipating dangers and in warning students about any special risks of harm.

9. Procedural defects in filing a claim can preclude recovery on the part of the injured party.

Most states specify the form to be used when initiating a suit and the time period within which a claim must be filed. Such requirements are designed to afford defendants an opportunity to investigate the claim while the facts surrounding it are still relatively recent.

When minors have been involved in suits, some courts have allowed late petitions to be filed as long as they have been filed within a reasonable period of time, such as one year, from the date of injury.<sup>42</sup>

A California appeals court concluded that a minor should not be penalized because his parents neglected to initiate a timely action.<sup>43</sup>

In contrast, a New York Appeals court interpreted state law as not allowing time extensions for the filing of claims involving minors.<sup>44</sup>

10. School personnel can be held liable for assault and battery if they use excessive or brutal force with students.

Assault consists of an overt attempt to place another in fear of bodily harm; no actual physical contact need take place. When an assault is consummated and physical injury occurs assault and battery is committed. Battery can also occur without assault, for example if one is struck from behind. A person wielding a knife and threatening harm is guilty of assault, the actual stabbing constitutes battery.

Assault and battery cases in the school context generally have focused on the administration of corporal punishment by school personnel. Courts have been reluctant to interfere with a teacher's or administrator's authority to discipline students, and have sanctioned the use of reasonable force to control pupil behavior. An Oregon appeals court ruled that a teacher was not guilty of assault and battery for using force to remove a student from the classroom.<sup>45</sup>

After the pupil had defiantly refused to leave

the room, the teacher held his arms and led him to the door. The student extricated himself, swung at the teacher, and broke the window, thereby cutting his arm. Concluding the teacher used reasonable force with the student, the court dismissed the assault and battery charges.

By contrast in a Louisiana case, a student was successful in obtaining damages for assault and battery. The pupil sustained a broken arm when a teacher shook him against bleachers in a gymnasium and then let him fall to the floor. The court reasoned that the teacher's action was unnecessary to discipline the student or to protect himself. Recognizing that the use of excessive or brutal force with pupils can result in liability for assault and battery, the court assessed the damages against the teacher.<sup>46</sup>

11. Under workers' compensation laws, employers are strictly liable for employee injuries that are work-related; employees need not establish that such injuries were negligently or knowingly caused in order to be eligible for workers' compensation benefits.

The application of workers' compensation statutes to school employees has been challenged. Courts have ruled that such provisions waive the immunity of school districts for employee injuries, and that the purchase of workers' compensation insurance is a legitimate expenditure of public funds.

Generally workers' compensation statutes exclude coverage of injuries sustained traveling to and from work. In a South Carolina case, an assistant principal was unsuccessful in obtaining workers' compensation benefits for an automobile accident that occurred while he was driving to his out-of-town residence after supervising an evening football game.<sup>47</sup>

He claimed his permanent disabilities were employment related. The Supreme Court of South Carolina disagreed. It held that the assistant principal was not performing a service of his employer during his normal trip home, nor was the trip required by his school duties.

However, if employees must drive as part of their regular employment activities (e.g. a librarian who serves two schools) and an accident occurs during such work-related travel, valid grounds for recovery under workers' compensation laws can be established.<sup>48</sup>

12. Employees cannot recover under workers' compensation for injuries sustained outside of the scope of employment (e.g. in transit to and from work).

The fact that an injury occurs at school does not entitle an employee to workers' compensation benefits unless it is established that the injury is job-related. A teacher's widow was unsuccessful

in securing benefits after her husband was murdered at school. The deceased was murdered by another's jealous husband, and the New Mexico Appeals Court ruled that the action, taken for personal reasons was not a risk associated with employment.<sup>49</sup>

A New York appeals court held that the death of an elementary school principal who had a heart attack at school was work related. The court noted that during the school year preceding the fatal attack, the deceased had been involved in preparing an extensive report in addition to his regular duties, and that he had been instructed by his physician to lessen his work activities. Based on the physician's testimony, the court concluded that the principal's death was sufficiently related to employment to entitle his estate to workers' compensation benefits.

13. Educator's are protected from defamation charges by "qualified privilege", whereby written or spoken communication cannot be subject of tort actions as long as statements are made to appropriate persons and with appropriate intentions.

Most tort actions involve claims for damages due to physical injuries. Some plaintiffs have sought for recovery for injuries to their reputations.

"Defamation" is defined as false and intentional communications that places another person in a position of disgrace, ridicule or contempt. "Slander" is spoken defamation, and "libel" is written defamation.

Under certain circumstances, communication considered privileged cannot be grounds for a defamation suit. Statements made by justice and state officials in carrying out governmental services are usually considered absolutely privileged. Qualified privilege is often applied to statements made by educational personnel, and such communication is immune from liability as long as it is made "upon a proper occasion, from a proper motive, in a proper manner, and based upon reasonable and probable cause."<sup>51</sup>

Qualified privilege will not shield educators if statements are made with malicious intent.

In a California case, a vice-principal was unsuccessful in a defamation suit brought against a group of parents who made several allegations about him to the school board. The court concluded that communication between citizens and public officials who are charged with investigating activities is privileged.<sup>52</sup>

In another California case, an appeals court also rejected charges of libel against parents



for writing a letter to a school principal in which they made derogatory statements about a teacher. The court stated "One of the crosses a public school teacher must bear if intemperate complaint addressed to school administration by overly solicitious parents concerned about the teacher's conduct in the classroom. Since the law compels parents to send their children to school, appropriate channels for the airing of supposed grievances against the operation of the school system must remain open".<sup>53</sup>

There is a need for widespread administrative law education to be instituted. Programs should also be developed which relate school experiences to law related topics. This area is sensitive, requiring exceptionally careful and intelligent planning, but it is one as the research indicates that must be addressed.

## FOOTNOTES

<sup>1</sup>Mark G. Yudof, "The Future of Law-and-Education Research," New York University Quarterly XI (Fall 1982): 10-15.

<sup>2</sup>Donald N. Jensen, "New Legal and Educational Challenges for the States," IFG Policy and Perspectives (Summer 1982): 46-49.

<sup>3</sup>Nancy Deleonibus, "Why Principals Quit and What Can be Done About it," NASSP Bulletin LXIII (December 1985): 1-10.

<sup>4</sup>Georgia Professional Standards Commission, "Quality Education and the Principal," Education Digest (January 1984): 46,47.

<sup>5</sup>Perry A. Zirket and Bernard Shulman, "Courtroom Counsel," American School Board Journal (April 1984): 47-48.

<sup>6</sup>David A. Splitt, "School Law," Executive Educator (Novemembr 1984): 11.

<sup>7</sup>Kathleen McCormick, "Malfeasance: How One Weak Moment Can Ruin Your Career," Executive Educator (November 1984): 17-21.

<sup>8</sup>Nelda H. Cambron and Martha McCarthy, Public School Law (Boston, Mass.: Allyn and Bacon, Inc., 1981), p. 317.

<sup>9</sup>Julie Underwood O'Hara, "An Ounce of Prevention Can Save You a Legal Pounding," Executive Educator (August 1983): 22,23.

<sup>10</sup>Arthur C. Germann and Frank D. Day, Introduction to Law Enforcement and Criminal Justice (Illinois: Charles C. Thomas, 1978), pp. 189-194.

<sup>11</sup>Everson v. Board of Education, 330 U.S. 1 (1947); Meek v. Pittinger, 421 U.S. 349 (1975); Wolman v. Walter, 433 U.S. 229 (1977).

<sup>12</sup>Opinions of the Justices to the Governor, 363 N.E. 2d 251 (Mass. 1977); Palmer v. Board of Education, City of Chicago, 603 F2d 1271 (Seventh Circuit, 1979).

<sup>13</sup>Blackwell v. Issaquena County Board of Education, 363 F2d 749 (Fifth Circuit Court, 1966); Burnside v. Byars, 363 F2d 744 (Fifth Circuit Court, 1966); Tinker v. DesMoines Independent School District, 393 U.S. 503 (1969).

<sup>14</sup>Healey v. James, 408 U.S. 169 (1972); Norwalk Teachers Association v. Board of Education, 83 A2d 482 (Conn.1951).

<sup>15</sup>Brubaker v. Board of Education, School District 149, Cook County, Illinois, 502 F2d 973 (Seventh Cir. 1974); Parducci v. Rutland, 316 F. Supp.352 (N.D. Ala. 1970).

<sup>16</sup>Pickering v. Board of Education, 391 U.S. 563, 88 S. Ct. 1731, 20 L.Ed. 3d 811 (1968).

<sup>17</sup>New Jersey v. T.L.O., 53 U.S.L.W. 4083 (1985).

<sup>18</sup>Morrison v. State Board of Education, 461 P2d 375 (Cal. 1969).

<sup>19</sup>Goss v. Lopez, 419 U.S. 565 (1975).

<sup>20</sup>William Prosser, Law of Torts, 4th Edition (St. Paul, Minn.: West Publishing Company, 1971), p. 82.

<sup>21</sup>Segerman v. Jones 259 A2d 794 (Md. App. 1969).

<sup>22</sup>Clark v. Furch, 567 S.W. 2d 457 (Mo. App. 1978).

<sup>23</sup>Parin v. Vernon Parish School Board, 343 So. 2d 417 (La. App. 1977).

<sup>24</sup>Ballard v. Polly, 387 F. Supp. 895 (W.D.C. 1975).

<sup>25</sup>Ardoin v. Evageline Parish School Board, 376 So. 2d 372 (La. App. 1979).

<sup>26</sup>Everett v. Bucky Warren, Inc., 380 N.E. 2d 653 (Mass. 1978).

<sup>27</sup>Titus v. Lindberg, 228 A. 2d 65 (N.J. 1967).

<sup>28</sup>Landers v. School District No. 203, O'Fallon Illinois, 383 N.E. 2d 645 (Ill. App. 1978).

<sup>29</sup>Cirillo v. City of Milwaukee, 150 N.W. 2d 460 (Wis, 1967).

<sup>30</sup>Lilienthal v. San Leandro Unified School District, 139 Cal. App. 2d 453, 293 P. 2d 889 (Cal. App. 1956).

<sup>31</sup>Sheehan v. Saint Peter's Catholic School, 188 N.W. 2d 868 (Minn. 1971).

<sup>32</sup>Fagan v. Summers, 498 p. 2d 1227 (Wyo. 1972).

<sup>33</sup>Morris v. Douglas County School District No. 9, 403 P.2d 775 (Ore. 1965).

<sup>34</sup>O'Brien v. Township High School District, 392 N.E. 2d 615 (Ill. App. 1979).

<sup>35</sup>Segerman v. Jones, 259 A. 2d 794 (Md. App. 1969).

<sup>36</sup>Swaitkowski v. Board of Education of City of Buffalo, 319 N.Y.S. 2d 783 (App. Div. 1971).

<sup>37</sup>Nelda H. Cambron and Martha M McCarthy, Public School Law (Boston, Mass, : Allyn and Bacon, Inc.,1981), p. 84.

<sup>38</sup>Richards v. School District of City of Birmingham, 83 N.W. 2d 643 (Mich. 1957).

<sup>39</sup>Whitney v. City of Worcester, 366 N.E. 2d 1210 (Mass. 1977).

<sup>40</sup>Thomas v. Chicago Board of Education, 377 N.E. 2d 55 (Ill. App. 1978).

<sup>41</sup>Scott v. Independent School District No. 709 Duluth, 256 N.W. 2d 485 (Minn. 1977).

<sup>42</sup>Rocha v. Lodi Unified School District, 152 Cal. Rptr. 307 (Cal. App. 1979).

<sup>43</sup>Williams v. Mariposa County Unified School District, 147 Cal Rptr. 452 (Cal App. 1978).

<sup>44</sup>Cohen v. Pearl River Union Free School District, 419 N.Y.S. 2d 998 (App. Div. 1979).

<sup>45</sup>Simms v. School District No. 1, 508 P.2d 236 (Ore. App. 1973).

<sup>46</sup>Frank v. Orleans Parish School Board, 195 So. 2d 451 (La. App. 1967).

<sup>47</sup>Gregg v. Dorchester County School System, 241 S.E. 2d 554 (S.C. 1978).

<sup>48</sup>Howell v. Kingston Township School District, 161 A. 559 Pa. Super. 1932).

<sup>49</sup>Gutierrez v. Artesia Public Schools, 583 P. 2d 476 (N.M. App.1978).

<sup>50</sup>Faso v. Pioneer Central School System, 406 N.Y.S. 2d 901 (App. Div. 1978).

<sup>51</sup>Baskett v. Crossfield, 228 S.W. 673, 675 (Ky.1921).

<sup>52</sup>Brody v. Montalbano, 151 Cal Rptr. 206 (Cal. App. 1978).

<sup>53</sup>Martin v. Kearney, 124 Cal. Rptr. 281, 283 (Cal. App. 1975).

## CHAPTER III

## METHODOLOGY

Overview

There are 351 local public school systems listed in Massachusetts as of October 1, 1986. These schools are administered by a city or town school committee and school expenses for each student enrolled in a school are paid by the local city or town. Any student who lives within the city or town may attend school free of charge, other students are charged tuition, which in most cases is paid by the city or town of residence.

Of the 351 local public school systems, fifty-nine are non-operational. They are located in towns that do not operate any schools. Such a town either belongs to a regional school district or the students are tuitioned out to other school systems or districts.<sup>1</sup>

Population and Sample

A questionnaire was mailed to three hundred school administrators throughout the Commonwealth

of Massachusetts. The administrators in this survey were elementary, middle/junior high and high school principals currently working in a Massachusetts public school system as a principal at the elementary, middle/junior high and high school level.

School systems were geographically selected from the twelve counties in Massachusetts: Barnstable, Berkshire, Bristol, Essex, Franklin, Hampden, Hampshire, Middlesex, Norfolk, Plymouth, Suffolk and Worcester. This was to ensure that participating administrators were stratified throughout the Commonwealth.

One hundred and fifty questionnaires were mailed to principals in urban school systems; fifty to elementary principals, fifty to middle/junior high school principals and fifty were mailed to principals at the high school level. For the purposes of this study, urban school systems were defined as those school systems with 3000 or more students enrolled in the school system.

One hundred and fifty questionnaires were mailed to principals in rural school systems; seventy-five to elementary principals, forty to middle/junior high school principals and thirty-five to high school principals. For the purposes of this study rural could be defined as suburban or as school systems

with less than 3000 students enrolled in the school system.

In some counties and in some school systems the number of administrators was limited. It was important to the study that a cross-section of administrators throughout the Commonwealth be included, that both urban and rural school systems be included and that each level, elementary, middle/junior high and high school be included. For the purposes of this study elementary was defined as: K-4, K-5, K-6; middle/junior high school as 5-8, 6-8, 7-8, 7-9; and high school as 9-12, 10-12.

#### Design of the Study

A survey was developed which consisted of fifteen statements regarding educational law and school policy and nine questions that related to administrators in their position or role as a school administrator.

For the purposes of this study responses of SA (STRONGLY AGREE) and A (AGREE) were defined as favorable responses to the statements and indicated agreement with the statements as written. Responses of D (DISAGREE) and SD (STRONGLY DISAGREE) were



defined as unfavorable responses and indicated that the respondents did not agree with those statements. The response of N (NEUTRAL OR UNDECIDED) was included in neither category, and remained in a category of neutral.

After a sample questionnaire was constructed it was field-tested on fifty individuals in similar situations as those for whom the instrument was intended.

Prior to the sample surveys being either mailed or hand delivered, each administrator was contacted by telephone or spoken with in person and asked to complete the survey, and add comments or corrections that would make the instrument more precise.

The surveys were then mailed or hand delivered to the sample population. All fifty surveys were returned.

After the field test results had been evaluated a final instrument was constructed. Once a final instrument had been constructed there was no attempt to arrange statements so that certain responses might be elicited.

The final instrument was mailed to three hundred administrators representing elementary

school, middle/junior high school and high school principals, in both urban and rural school systems, who had been geographically selected from the twelve counties in Massachusetts. Included in the mailing was an introductory letter, the questionnaire itself, a stamped, addressed return envelope and a card for respondents to request the results of the study.

Administrators were asked to respond to the statements in two ways: there were nine statements that required a written response and fifteen statements with items where responses were recorded as SD (STRONGLY DISAGREE), D (DISAGREE), N (NEUTRAL OR UNDECIDED), A (AGREE), SA (STRONGLY AGREE).

The questionnaire items were developed so responses could be translated into both a numerical and a percent value.

### Analysis

The first step in analyzing the data was to determine and calculate:

1. The number and percent of forms returned.
2. The number and percent of forms returned from elementary, middle and high school administrators.

3. The number and percent of forms returned from urban school systems and rural school systems.
4. The number and percent of forms returned from elementary, middle and high school administrators from urban and rural school systems.

The second step in analyzing the data was to make a frequency tabulation of how all the respondents answered each item on the questionnaire. This was done by using the "CODEBOOK" routine of the computer program "Statistical Package for Social Sciences" (SPSS).<sup>2</sup>

Using the SPSS operation "CROSSTABS",<sup>3</sup> a comparison was made between the size of the school system or district and the responses to each of the statements. A comparison was made between elementary, middle and high school administrators in urban and rural school systems to the fifteen statements and the nine statements that required a written response.

While the results of the study can be attributed only to those who responded, it was felt that generalization was feasible due to the large rate of response. Statistical analysis of the responses

was applied on a selected basis; in those areas where it was felt that there might be relevant and significant data relationships the computer program CROSSTABS was used.

## FOOTNOTES

<sup>1</sup>Massachusetts Department of Education,  
Massachusetts Schools, 1985-1986, (Boston: Bureau  
of Operational Support, 1986) pp. 1-32.

<sup>2</sup>Norman H. Nie, Dale H. Bent and C. Hadlai Hull,  
SPSS--Statistical Package for the Social Sciences,  
(New York: McGraw-Hill Book Company, 1970), pp. 102-109.

<sup>3</sup>Ibid. pp. 115-128.

## CHAPTER IV

### RESULTS AND DISCUSSION

#### Purpose

The purpose of this chapter was to investigate the perceptions of school principals to the statements and responses concerning the questionnaire.

The S.P.S.S. (Statistical Package for Social Sciences) sub-programs CROSSTABS, CHI SQUARE and PEARSON PRODUCT-MOMENT COEFFICIENT were utilized in order to determine if significant differences of opinion existed between the selected groups of administrators responding to the survey. Comparisons between similar statements and responses were also reviewed to determine if significant differences of opinion existed.

#### Collection of Data

The questionnaire (See Appendix A) in this analysis was mailed to three hundred elementary, middle/junior high and high school principals actively working at the elementary, middle/junior high and high school levels, in urban and rural school systems throughout the Commonwealth of Massachusetts.

Included in the mailing was an introductory letter, the questionnaire itself, a stamped, self-addressed envelope and a card for respondents to request the results of the survey.

Presentation of Data and Tables

Table 1 contains information accounting for the questionnaire forms and the dispositions of the forms based on the number of returns, 246.

TABLE 1  
ACCOUNTING OF QUESTIONNAIRE FORMS

Disposition of forms	Number	Percent
Forms completed and returned	246	82.0
Optional portion of form completed (of the 246 forms) and returned	90	36.5
Request for results of the survey from respondents of the 246 forms	51	20.7

Of the 246 respondents who completed and returned the surveys, ninety (36.5 percent) chose to complete the optional section of the survey that requested their name, the name of their school and the name of

their school system.

Fifty-one (20.7 percent) of the administrators who completed and returned the survey, also enclosed the card that requested the results of the survey be sent to them. The information on the optional portion of the survey and on the returned card was never intended to be used to identify the respondents in anyway, other than to provide those administrators who took the time to fill out and return the questionnaire with a copy of the results of the study.

Table 2 shows the frequency and percent of the total forms sent (300) and the forms returned (246).

TABLE 2  
RETURNS BY ELEMENTARY, MIDDLE SCHOOL  
AND HIGH SCHOOL ADMINISTRATORS

Disposition of forms	Number sent	Percent of 300 returned	Number returned	Percent of 246 returned
ELEMENTARY	125	77.6	97	39.4
MIDDLE SCHOOL	90	80.0	72	29.3
HIGH SCHOOL	<u>85</u>	<u>90.1</u>	<u>77</u>	<u>31.3</u>
TOTAL	300	82.0	246	100.0



Of the original three hundred surveys sent to administrators, 150 questionnaires were mailed to principals in urban school systems and 150 were mailed to principals in rural school systems.

TABLE 3  
DISPOSITION OF URBAN AND RURAL RETURNS

Disposition of forms	Number of returns from 300	Percent of returns from 300	Percent of returns from 246
URBAN	108	36.0	43.9
RURAL	<u>138</u>	<u>46.0</u>	<u>56.1</u>
TOTAL	246	82.0	100.0

Table 3 shows the number and percent of responses based on the number three hundred. It also presents the percent of both urban and rural returns based on the total returns of 246. Of the 246 forms returned by school administrators, 108 (43.9 percent) of the 246 were from urban school administrators, and 138 (56.1 percent) of the 246 returns were from rural school administrators.

For the purposes of this study, urban school

systems are those school systems or districts with 3000 or more students. For the purposes of this study, rural may also be described as suburban and with school systems with less than 3000 students.

TABLE 4  
 COMPILATION OF RESPONSES FROM ELEMENTARY,  
 MIDDLE AND HIGH SCHOOL ADMINISTRATORS FROM  
 BOTH URBAN AND RURAL SCHOOL SYSTEMS

Disposition of forms	Total		Urban		Rural	
	No.	Pct.	No.	Pct	No.	Pct.
ELEMENTARY SCHOOL	97	39.4	27	25.0	70	50.0
MIDDLE SCHOOL	72	29.3	35	32.4	37	28.8
HIGH SCHOOL	<u>77</u>	<u>31.3</u>	<u>46</u>	<u>42.6</u>	<u>31</u>	<u>22.5</u>
TOTAL	246	100.0	108	100.0	138	100.0

Table 4 shows the distribution of the number and percent of the 246 responses from administrators at elementary, middle and high school levels from both urban and rural school systems. Over fifty percent of the rural elementary principals responded to the survey. The second highest percent of responses was from the urban high school principals with a forty-two percent response.

The following tables analyze the responses of administrators to the statements on the questionnaire.

Table 5 includes the responses and the percent of responses by both urban and rural administrators to Question 1.

TABLE 5  
ADMINISTRATORS MAKE JUDGEMENTS  
BASED ON PROFESSIONAL TRAINING

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	0	0	0	0
AGREE	94	38.0	50	46.3	44	32.0
STRONGLY AGREE	<u>152</u>	<u>62.0</u>	<u>58</u>	<u>53.7</u>	<u>94</u>	<u>68.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

The data in Table 5 indicates that administrators in both urban and rural school systems AGREE or STRONGLY AGREE that administrators make judgements based on their professional training.

Table 6 includes the responses and the percent of responses by urban school principals at the elementary, middle and high school levels to Question 1.

TABLE 6  
ADMINISTRATORS MAKE JUDGEMENTS  
BASED ON PROFESSIONAL TRAINING

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	0	0	0	0
AGREE	14	52.0	17	49.0	20	57.0
STRONGLY AGREE	<u>13</u>	<u>48.0</u>	<u>18</u>	<u>51.0</u>	<u>26</u>	<u>43.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

The data in Table 6 indicates that administrators in urban school systems at the elementary, middle and high school levels AGREE or STRONGLY AGREE with the statement. Their responses were similar to the total population of respondents in both urban and rural school systems.

Table 7 presents the responses and the percent of responses from rural school principals at the elementary, middle and high school levels to Question 1 on the questionnaire.

TABLE 7  
ADMINISTRATORS MAKE JUDGEMENTS  
BASED ON PROFESSIONAL TRAINING

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	0	0	0	0
AGREE	33	47.1	14	37.9	20	65.0
STRONGLY AGREE	<u>37</u>	<u>52.9</u>	<u>23</u>	<u>62.1</u>	<u>11</u>	<u>35.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

The responses to Question 1 by rural administrators is comparable to urban school administrators and to the responses of the total population of respondents. Elementary, middle and high school principals AGREE and STRONGLY AGREE with the statement.

Table 8 includes the responses and the percent of responses by both urban and rural administrators to Question 2.

TABLE 8  
SCHOOL SYSTEMS SHOULD HAVE SCHOOL  
POLICY GUIDELINES IN PLACE

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	16	6.5	6	5.5	10	7.2
AGREE	62	25.2	44	40.7	18	13.0
STRONGLY AGREE	<u>168</u>	<u>68.3</u>	<u>58</u>	<u>53.8</u>	<u>110</u>	<u>79.8</u>
TOTAL	246	100.0	108	100.0	138	100.0

The data in Table 8 indicates that administrators in both urban and rural school systems AGREE or STRONGLY AGREE that school systems should have policy guidelines in place. Sixteen (6.5 percent) of the respondents were NEUTRAL in their responses.

Table 9 presents the responses and the percent of responses by urban school principals at the elementary, middle and high school levels to Question 2.

TABLE 9  
SCHOOL SYSTEMS SHOULD HAVE SCHOOL  
POLICY GUIDELINES IN PLACE

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	1	4.0	2	6.0	3	6.2
AGREE	10	37.0	13	37.0	21	46.0
STRONGLY AGREE	<u>16</u>	<u>59.0</u>	<u>20</u>	<u>57.0</u>	<u>22</u>	<u>47.8</u>
TOTAL	27	100.0	35	100.0	46	100.0

The data in table 9 indicates that administrators in urban school systems at the elementary, middle and high school levels AGREE or STRONGLY AGREE with the statement. Six (sixteen percent) of the urban respondents were NEUTRAL in their responses.

Table 10 presents the responses and the percent of responses from rural school principals at the elementary, middle and high school levels to Question 2 on the questionnaire.

TABLE 10  
SCHOOL SYSTEMS SHOULD HAVE SCHOOL  
POLICY GUIDELINES IN PLACE

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	6	8.6	4	10.8	0	0
AGREE	7	10.0	9	24.3	2	6.5
STRONGLY AGREE	<u>57</u>	<u>81.4</u>	<u>24</u>	<u>64.9</u>	<u>29</u>	<u>93.5</u>
TOTAL	70	100.0	37	100.0	31	100.0

The data in Table 10 indicates that administrators in rural school systems at the elementary, middle and high school levels AGREE and STRONGLY AGREE with the statement. Ten (eighteen percent) of the rural respondents were NEUTRAL, with no NEUTRAL responses at the high school level.



Table 11 includes the responses and the percent of responses by both urban and rural administrators to Question 3.

TABLE 11  
SCHOOL SYSTEMS SHOULD PROVIDE ADMINISTRATORS  
WITH SCHOOL POLICY GUIDELINES

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	0	0	0	0
AGREE	210	85.4	101	93.5	109	79.0
STRONGLY AGREE	<u>36</u>	<u>14.6</u>	<u>7</u>	<u>6.5</u>	<u>29</u>	<u>21.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

The data in Table 11 indicates that administrators in both urban and rural school systems AGREE and STRONGLY AGREE with the statement. No NEUTRAL responses were recorded by either urban or rural school administrators.

Table 12 presents the responses and the percent of responses by urban school principals at the elementary, middle and high school levels to Question 3.

TABLE 12  
SCHOOL SYSTEMS SHOULD PROVIDE ADMINISTRATORS  
WITH SCHOOL POLICY GUIDELINES

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	0	0	0	0
AGREE	25	92.6	33	94.3	43	93.5
STRONGLY AGREE	<u>2</u>	<u>7.4</u>	<u>2</u>	<u>5.7</u>	<u>3</u>	<u>6.5</u>
TOTAL	27	100.0	35	100.0	46	100.0

The data presented in Table 12 strongly indicates that elementary, middle and high school principals agree with the statement. The responses to Question 3 by the urban principals at the various levels is comparable to the total population of respondents.

Table 13 presents the responses and the percent of responses from rural school principals at the elementary, middle and high school to Question 3 on the questionnaire.

TABLE 13  
SCHOOL SYSTEMS SHOULD PROVIDE ADMINISTRATORS  
WITH SCHOOL POLICY GUIDELINES

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	0	0	0	0
AGREE	65	92.9	21	57.0	23	74.0
STRONGLY AGREE	<u>5</u>	<u>7.1</u>	<u>16</u>	<u>43.0</u>	<u>8</u>	<u>26.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

The data presented in Table 13 strongly indicates that elementary, middle and high school principals agree with the statement. The responses to Question 3 (Table 13) by the rural principals is comparable to the responses by both urban and total respondents.

The opinions of both urban and rural school principals according to previous data, has been that school policy guidelines should be in place, and school systems should provide them. Question 4 asks administrators if they should be familiar with school policy. Table 14 presents the responses and the percent of responses by both urban and rural administrators to Question 4.

TABLE 14  
SCHOOL ADMINISTRATORS SHOULD BE  
FAMILIAR WITH SCHOOL POLICY

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	12	4.9	4	4.0	8	5.0
AGREE	134	54.4	78	72.0	56	41.0
STRONGLY AGREE	<u>100</u>	<u>40.7</u>	<u>26</u>	<u>24.0</u>	<u>74</u>	<u>54.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

The majority 234/246 (95.1 percent) of both urban and rural administrators agree with the statement.

Table 15 presents the responses and the percent of responses of urban school principals at the elementary, middle and high school level to Question 4.

TABLE 15  
SCHOOL ADMINISTRATORS SHOULD BE  
FAMILIAR WITH SCHOOL POLICY

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	1	4.0	2	6.0	1	4.0
AGREE	14	52.0	29	83.0	35	77.0
STRONGLY AGREE	<u>12</u>	<u>44.0</u>	<u>4</u>	<u>11.0</u>	<u>10</u>	<u>21.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

The data in Table 15, indicates that principals in urban school systems at the elementary, middle and high school levels AGREE or STRONGLY AGREE with the statement. Four (fourteen percent) of the urban respondents were NEUTRAL in their responses.

Table 16 presents the responses and the percent of responses of rural school principals at the elementary, middle and high school levels to Question 4.

TABLE 16  
SCHOOL ADMINISTRATORS SHOULD BE  
FAMILIAR WITH SCHOOL POLICY

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	6	9.0	1	3.0	1	3.0
AGREE	34	48.0	8	21.0	14	45.0
STRONGLY AGREE	<u>30</u>	<u>43.0</u>	<u>28</u>	<u>76.0</u>	<u>16</u>	<u>52.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

The responses in Table 16 indicate that principals in rural school systems at all levels AGREE or STRONGLY AGREE with the statement. Eight (fifteen percent) of the rural respondents were NEUTRAL in their responses to Question 4.

Table 17 presents the responses and the percent of responses by both urban and rural school principals to Question 5.

TABLE 17  
SCHOOL POLICY SHOULD BE BASED ON  
COMMONWEALTH OF MASSACHUSETTS LAW

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	35	14.2	10	9.0	25	18.0
NEUTRAL	75	30.5	30	28.0	45	33.0
AGREE	86	35.0	42	39.0	44	32.0
STRONGLY AGREE	<u>50</u>	<u>20.3</u>	<u>26</u>	<u>24.0</u>	<u>24</u>	<u>17.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

The data in Table 17 indicates that although there are larger percentages in the AGREE and STRONGLY AGREE categories when totaled together, (greater than fifty percent) there is a large percent but not equal to or above the fifty percent of NEUTRAL responses.

Table 18 presents the responses and the percent of responses by urban school principals at the elementary, middle and high school levels to Question 5.

TABLE 18  
SCHOOL POLICY SHOULD BE BASED ON  
COMMONWEALTH OF MASSACHUSETTS LAW

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	5	18.5	3	8.6	2	4.3
NEUTRAL	17	63.0	10	28.6	3	6.6
AGREE	4	14.8	16	45.7	22	47.8
STRONGLY AGREE	<u>1</u>	<u>3.7</u>	<u>6</u>	<u>17.1</u>	<u>19</u>	<u>41.3</u>
TOTAL	27	100.0	35	100.0	46	100.0

The data in Table 18 presents a large percent of NEUTRAL responses at the elementary level, (above fifty percent). There is a higher percent of NEUTRAL responses at the middle than at the high and a comparable percent of responses in the AGREE category from both middle and high school respondents.



Table 19 presents the responses and the percent of responses by rural school principals at the elementary, middle and high school levels to Question 5.

TABLE 19  
SCHOOL POLICY SHOULD BE BASED ON  
COMMONWEALTH OF MASSACHUSETTS LAW

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	10	14.2	9	24.3	6	19.0
NEUTRAL	20	28.6	15	40.5	10	32.0
AGREE	30	43.0	10	27.2	4	13.0
STRONGLY AGREE	<u>10</u>	<u>14.2</u>	<u>3</u>	<u>8.0</u>	<u>11</u>	<u>36.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

The highest percent of responses was in the AGREE category at the elementary level. Not comparable to the urban elementary, but the rural responses were not at or above fifty percent. High responses but not at or above fifty percent were in the NEUTRAL category at the middle and high school levels.

Table 20 presents the responses and the percent of responses by both urban and rural school principals to Question 6.

TABLE 20  
MY SCHOOL SYSTEM HAS POLICY GUIDELINES  
FOR SCHOOL ADMINISTRATORS

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	30	12.1	12	11.0	18	13.0
DISAGREE	44	18.0	20	9.0	24	17.5
NEUTRAL	104	42.2	40	38.0	64	46.5
AGREE	35	14.3	18	16.0	17	12.1
STRONGLY AGREE	<u>33</u>	<u>13.4</u>	<u>18</u>	<u>16.0</u>	<u>15</u>	<u>11.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

The data in Table 20 indicates that there is diversity within the responses. No category yielded over fifty percent of the responses, but a high percent of responses fell in the NEUTRAL category. Urban and rural responses in the DISAGREE and STRONGLY DISAGREE category were both at twenty percent when totaled together.

Table 21 presents the responses and the percent of responses by urban school principals at the elementary, middle and high school levels to Question 6.

TABLE 21  
MY SCHOOL SYSTEM HAS POLICY GUIDELINES  
FOR SCHOOL ADMINISTRATORS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	6	22.0	3	8.5	3	6.5
DISAGREE	10	37.0	5	14.3	5	11.0
NEUTRAL	5	19.0	15	42.9	20	43.5
AGREE	4	15.0	10	28.6	4	8.6
STRONGLY AGREE	<u>2</u>	<u>7.0</u>	<u>2</u>	<u>5.7</u>	<u>14</u>	<u>30.4</u>
TOTAL	27	100.0	35	100.0	46	100.0

The elementary urban school principals had a high percent rate in the DISAGREE and STRONGLY DISAGREE categories when combined yielded a fifty-seven percent response. The highest percent of responses at the middle and high school were in the NEUTRAL category.

Table 22 presents the responses and the percent of responses by rural school principals at the elementary, middle and high school levels to Question 6.

TABLE 22  
MY SCHOOL SYSTEM HAS POLICY GUIDELINES  
FOR SCHOOL ADMINISTRATORS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	6	8.5	6	16.0	6	19.0
DISAGREE	12	17.1	10	27.0	2	6.5
NEUTRAL	36	51.0	8	22.0	20	66.5
AGREE	5	7.2	10	27.0	2	6.5
STRONGLY AGREE	<u>11</u>	<u>16.2</u>	<u>3</u>	<u>8.0</u>	<u>1</u>	<u>3.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

The highest percent of responses was in the NEUTRAL category at the elementary level and the NEUTRAL category at the high school level. Other than the AGREE category at the elementary and high school level, there appeared to be no similar responses within the levels.

Table 23 presents the responses and the percent of responses by both urban and rural school principals to Question 7.

TABLE 23

MY SCHOOL SYSTEM HAS POLICY GUIDELINES  
BASED ON COMMONWEALTH OF MASSACHUSETTS LAW

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	36	14.7	16	15.0	20	14.5
DISAGREE	48	20.0	23	21.0	25	18.0
NEUTRAL	114	46.3	40	37.0	74	54.0
AGREE	28	11.0	15	14.0	13	9.4
STRONGLY AGREE	<u>20</u>	<u>8.0</u>	<u>14</u>	<u>13.0</u>	<u>6</u>	<u>4.1</u>
TOTAL	246	100.0	108	100.0	138	100.0

The data in Table 23 shows a high percent (over fifty percent) responded in the NEUTRAL category in rural school systems. The highest percent of responses (but not over fifty percent) were in the NEUTRAL category in the urban school systems.

Table 24 presents the responses and the percent of responses by urban school principals at the elementary, middle and high school levels to Question 7.

TABLE 24  
MY SCHOOL SYSTEM HAS POLICY GUIDELINES  
BASED ON COMMONWEALTH OF MASSACHUSETTS LAW

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	4	15.0	6	17.0	6	13.0
DISAGREE	8	30.0	7	20.0	8	17.4
NEUTRAL	10	37.0	12	34.0	18	39.0
AGREE	3	11.0	7	20.0	5	11.0
STRONGLY AGREE	<u>2</u>	<u>7.0</u>	<u>3</u>	<u>9.0</u>	<u>9</u>	<u>20.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

The data in Table 24 indicates that the largest percent (but not over fifty percent) of principals responded in the NEUTRAL category. The percent of middle school responses in the DISAGREE and AGREE categories were the same.

Table 25 presents the responses and the percent of responses by rural school principals at the elementary, middle and high school levels to Question 7.

TABLE 25

MY SCHOOL SYSTEM HAS POLICY GUIDELINES  
BASED ON COMMONWEALTH OF MASSACHUSETTS LAW

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	11	16.0	6	16.0	3	10.0
DISAGREE	10	14.0	9	24.0	6	19.0
NEUTRAL	42	60.0	14	39.0	18	58.0
AGREE	3	4.0	6	16.0	4	13.0
STRONGLY AGREE	<u>4</u>	<u>6.0</u>	<u>2</u>	<u>5.0</u>	<u>0</u>	<u>00.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

The highest percent of responses (above fifty percent) were in the NEUTRAL category at both the elementary (sixty percent) and high school level (fifty-eight percent). The highest percent of responses (but not over fifty percent) were also found in the NEUTRAL category at the middle school level.

Table 26 presents the responses and the percent of responses by both urban and rural school principals to Question 8.

TABLE 26  
LEGAL INTERVENTION IN PUBLIC EDUCATION  
IS ESCALATING

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	1	.4	0	0	1	.7
DISAGREE	11	4.5	5	4.6	6	4.3
NEUTRAL	34	14.0	23	21.0	11	8.0
AGREE	110	44.5	30	28.0	80	58.0
STRONGLY AGREE	<u>90</u>	<u>36.6</u>	<u>50</u>	<u>46.4</u>	<u>40</u>	<u>29.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

The data in Table 26 indicates that administrators in both urban and rural school systems AGREE or STRONGLY AGREE (200 out of 246, eighty-one percent) that legal intervention in public education is escalating. The AGREE category was high (over fifty percent) with the responses from rural administrators.



Table 27 presents the responses and the percent of responses from urban principals at the elementary, middle and high school levels to Question 8.

TABLE 27  
LEGAL INTERVENTION IN PUBLIC EDUCATION  
IS ESCALATING

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	1	4.0	0	00.0	0	00.0
DISAGREE	2	7.4	2	6.2	0	00.0
NEUTRAL	18	66.0	2	6.2	3	7.0
AGREE	5	19.0	18	51.0	7	15.0
STRONGLY AGREE	<u>1</u>	<u>4.0</u>	<u>13</u>	<u>37.0</u>	<u>36</u>	<u>78.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

The data in Table 27 indicates that a high response of NEUTRAL from urban elementary principals was recorded. Middle school respondents had a high rate of response (fifty-one percent) in the AGREE category and high school seventy-eight percent in the STRONGLY AGREE category.

Table 28 presents the responses and the percent of responses from rural school principals at the elementary, middle and high school levels to Question 8 on the questionnaire.

TABLE 28  
LEGAL INTERVENTION IN PUBLIC EDUCATION  
IS ESCALATING

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	00.0	0	00.0	0	00.0
DISAGREE	3	4.3	3	8.0	1	3.0
NEUTRAL	4	5.7	4	11.0	3	10.0
AGREE	36	51.0	24	65.0	20	65.0
STRONGLY AGREE	<u>27</u>	<u>39.0</u>	<u>6</u>	<u>16.0</u>	<u>7</u>	<u>22.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

A high rate of response (at or above fifty percent) was demonstrated in the AGREE category by the rural respondents; fifty-one percent of the elementary, sixty-five percent of the middle and sixty-five percent of the high school.

Table 29 presents the responses and the percent of responses by both urban and rural school principals to Question 9.

TABLE 29  
 KNOWLEDGE OF FUNDAMENTAL LEGAL PRINCIPLES  
 REGARDING EDUCATIONAL LAW ASSISTS ADMINISTRATORS  
 IN MAKING ADMINISTRATIVE LEGAL DECISIONS

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	5	2.0	2	2.0	3	3.0
NEUTRAL	20	8.0	8	7.0	12	8.0
AGREE	88	36.0	34	31.0	54	40.0
STRONGLY AGREE	<u>133</u>	<u>54.0</u>	<u>64</u>	<u>60.0</u>	<u>69</u>	<u>50.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

A majority of administrators (ninety percent) feel that knowledge of educational law does assist administrators. The similarity in responses between urban and rural administrators is comparable, with the STRONGLY AGREE category being the most outstanding.

Table 30 presents the responses and the percent of responses from urban principals at the elementary, middle and high school levels to Question 9.

TABLE 30  
KNOWLEDGE OF FUNDAMENTAL LEGAL PRINCIPLES  
REGARDING EDUCATIONAL LAW ASSISTS ADMINISTRATORS  
IN MAKING ADMINISTRATIVE LEGAL DECISIONS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	.0	0	0	0	0
DISAGREE	2	7.0	0	0	0	0
NEUTRAL	3	11.0	2	6.0	3	6.0
AGREE	10	37.0	9	26.0	15	33.0
STRONGLY AGREE	<u>12</u>	<u>45.0</u>	<u>24</u>	<u>68.0</u>	<u>28</u>	<u>61.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

The data presented in Table 30 indicates that at all levels, elementary, middle and high, the response from the administrators in the AGREE and STRONGLY AGREE categories was high, at or above fifty percent when totaled together.

Table 31 presents the responses and the percent of responses from rural principals at the elementary, middle and high school levels to Question 9.

TABLE 31  
 KNOWLEDGE OF FUNDAMENTAL LEGAL PRINCIPLES  
 REGARDING EDUCATIONAL LAW ASSISTS ADMINISTRATORS  
 IN MAKING ADMINISTRATIVE LEGAL DECISIONS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	00.0
DISAGREE	2	3.0	1	3.0	0	00.0
NEUTRAL	3	4.0	6	16.0	3	10.0
AGREE	20	29.0	10	27.0	24	77.0
STRONGLY AGREE	<u>45</u>	<u>64.0</u>	<u>20</u>	<u>54.0</u>	<u>4</u>	<u>13.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

The data presented in Table 31 indicates that at all levels; elementary, middle and high, the response from the administrators in the AGREE and STRONGLY AGREE categories was high, at or above fifty percent when totaled together.

Table 32 presents the responses and the percent of responses by both urban and rural school principals to Question 10.

TABLE 32

MY SCHOOL DISTRICT HAS ADEQUATE SCHOOL POLICY  
GUIDELINES TO PROTECT ADMINISTRATORS  
FROM LEGAL ACTION/LAW SUITS

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	30	12.2	10	9.3	20	14.0
DISAGREE	40	16.0	25	23.1	15	11.0
NEUTRAL	123	50.0	40	37.0	83	60.0
AGREE	41	17.0	26	24.1	15	11.0
STRONGLY AGREE	<u>12</u>	<u>4.8</u>	<u>7</u>	<u>6.5</u>	<u>5</u>	<u>4.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

The data in Table 32 shows a similar percent of urban administrators both STRONGLY DISAGREE and DISAGREE and AGREE and STRONGLY AGREE with the statement. The rural administrators in the same categories yielded the same totaled percent, twenty-five percent. The highest percent for both urban and rural was in the NEUTRAL category with both at fifty percent or higher.

Table 33 presents the responses and the percent of responses from urban principals at the elementary, middle and high school levels to Question 10.

TABLE 33

MY SCHOOL DISTRICT HAS ADEQUATE SCHOOL POLICY  
GUIDELINES TO PROTECT ADMINISTRATORS  
FROM LEGAL ACTION/LAW SUITS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	4	15.0	11	31.4	5	11.0
DISAGREE	7	26.0	4	11.4	4	9.0
NEUTRAL	8	30.0	13	37.1	25	54.0
AGREE	7	26.0	3	9.0	10	22.0
STRONGLY AGREE	<u>1</u>	<u>3.0</u>	<u>4</u>	<u>11.9</u>	<u>2</u>	<u>4.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

The responses from the urban elementary, middle and high school respondents had high percent rates in the NEUTRAL category, with the high school respondents with the most outstanding percent, fifty-four percent.

Table 34 presents the responses and the percent of responses from rural principals at the elementary, middle and high school levels to Question 10.

TABLE 34

MY SCHOOL DISTRICT HAD ADEQUATE SCHOOL POLICY  
GUIDELINES TO PROTECT ADMINISTRATORS  
FROM LEGAL ACTION/LAW SUITS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	8	11.0	6	16.2	6	19.0
DISAGREE	5	7.0	13	35.0	12	39.0
NEUTRAL	43	61.0	11	30.0	8	26.0
AGREE	13	19.0	5	14.0	3	10.0
STRONGLY AGREE	<u>1</u>	<u>2.0</u>	<u>2</u>	<u>5.0</u>	<u>2</u>	<u>6.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

NEUTRAL responses from the rural elementary respondents was the most outstanding percent, sixty-one percent (greater than fifty percent). A comparable high percent of middle and high school respondents were in the DISAGREE category.



Table 35 presents the responses and the percent of responses by both urban and rural school principals to Question 11.

TABLE 35  
ADMINISTRATIVE TRAINING SHOULD INVOLVE  
SOME KNOWLEDGE OF EDUCATIONAL LAW

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	60	24.4	40	37.0	20	14.5
AGREE	106	43.0	50	46.3	56	40.5
STRONGLY AGREE	<u>80</u>	<u>32.6</u>	<u>18</u>	<u>16.7</u>	<u>62</u>	<u>45.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

The majority of respondents in both urban and rural school systems are of the opinion that educational law should be included in administrative training. A high proportion of the percent of responses fell in the AGREE and STRONGLY AGREE category, greater than fifty percent when combined.

Table 36 presents the responses and the percent of responses from urban principals at the elementary, middle and high school levels to Question 11.

TABLE 36  
ADMINISTRATIVE TRAINING SHOULD INVOLVE  
SOME KNOWLEDGE OF EDUCATIONAL LAW

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	7	26.0	12	34.0	21	45.0
AGREE	12	44.0	20	57.0	18	40.0
STRONGLY AGREE	<u>8</u>	<u>30.0</u>	<u>3</u>	<u>9.0</u>	<u>7</u>	<u>15.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

The majority of middle school urban principals (fifty-seven percent) fell in the AGREE category. The highest percent of responses of the elementary respondents was in the AGREE category. The highest percent of high school respondents in urban systems was in the NEUTRAL category.

Table 37 presents the responses and the percent of responses from rural principals at the elementary, middle and high school levels to Question 11.

TABLE 37  
ADMINISTRATIVE TRAINING SHOULD INVOLVE  
SOME KNOWLEDGE OF EDUCATIONAL LAW

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	12	17.0	3	8.0	5	16.0
AGREE	16	23.0	20	54.0	20	65.0
STRONGLY AGREE	<u>42</u>	<u>60.0</u>	<u>14</u>	<u>38.0</u>	<u>6</u>	<u>19.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

The majority (more than fifty percent) of the rural respondents at the elementary, middle and high, AGREE or STRONGLY AGREE with the statement. The highest percent of response was from the high school in the AGREE category. A high response of STRONGLY AGREE (sixty percent) from elementary and fifty-four percent of middle school respondents fell in the AGREE category.

Table 38 presents the responses and the percent of responses by both urban and rural school principals to Question 12.

TABLE 38

MY SCHOOL DISTRICT HAS A SCHOOL POLICY  
HANDBOOK FOR USE BY SCHOOL ADMINISTRATORS

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	35	14.2	20	18.5	15	11.0
DISAGREE	45	18.3	20	18.5	25	18.0
NEUTRAL	90	36.5	36	33.0	54	39.0
AGREE	60	24.0	30	28.0	30	22.0
STRONGLY AGREE	<u>16</u>	<u>7.0</u>	<u>2</u>	<u>2.0</u>	<u>14</u>	<u>10.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

The highest percent of responses (but not at or above fifty percent) were in the NEUTRAL category in both systems. A comparable portion of the respondents were distributed throughout the other four categories, with the lowest percent of response in the urban STRONGLY AGREE category.

Table 39 presents the responses and the percent of responses from urban principals at the elementary, middle and high school levels to Question 12.

TABLE 39  
MY SCHOOL DISTRICT HAS A SCHOOL POLICY  
HANDBOOK FOR USE BY SCHOOL ADMINISTRATORS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	4	15.0	4	11.0	12	26.0
DISAGREE	5	19.0	6	17.0	9	20.0
NEUTRAL	12	44.0	18	52.0	6	13.0
AGREE	6	22.0	6	17.0	18	39.0
STRONGLY AGREE	<u>0</u>	<u>00.0</u>	<u>1</u>	<u>3.0</u>	<u>1</u>	<u>2.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

Fifty-two percent of middle school respondents fell in the NEUTRAL category. A high percent (not over fifty percent) of elementary respondents were in the NEUTRAL category, with the highest percent (not at or above fifty percent) of high school respondents in the AGREE category.

Table 40 presents the responses and the percent of responses from rural principals at the elementary, middle and high school levels to Question 12.

TABLE 40  
MY SCHOOL DISTRICT HAS A SCHOOL POLICY  
HANDBOOK FOR USE BY SCHOOL ADMINISTRATORS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	8	11.0	3	8.0	4	13.0
DISAGREE	20	29.0	1	3.0	4	13.0
NEUTRAL	36	51.0	10	27.0	8	26.0
AGREE	4	6.0	17	46.0	9	29.0
STRONGLY AGREE	<u>2</u>	<u>3.0</u>	<u>6</u>	<u>16.0</u>	<u>6</u>	<u>19.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

Fifty-one percent of the elementary respondents fell in the NEUTRAL category, forty-six percent (not over fifty percent) of middle school principals were in the AGREE category. The high school respondents had a similar distribution in all categories with the highest percent (not over fifty) in the AGREE category.

Table 41 presents the responses and the percent of responses by both urban and rural school principals to Question 13.

TABLE 41  
SCHOOL ADMINISTRATORS IN MY SCHOOL SYSTEM  
HAVE ACCESS TO A SCHOOL POLICY HANDBOOK  
FOR ADMINISTRATORS

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	35	14.0	18	17.0	17	12.0
DISAGREE	48	20.0	22	20.0	26	19.0
NEUTRAL	94	38.0	34	31.0	60	43.0
AGREE	56	23.0	30	28.0	26	19.0
STRONGLY AGREE	<u>13</u>	<u>5.0</u>	<u>4</u>	<u>4.0</u>	<u>9</u>	<u>7.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

The highest percent of responses (but not at or above fifty percent) were in the NEUTRAL category. The remainder of the percent of respondents were similarly distributed within the other four categories in both urban and rural school systems.

Table 42 presents the responses and the percent of responses from urban principals at the elementary, middle and high school levels to Question 13.

TABLE 42  
SCHOOL ADMINISTRATORS IN MY SCHOOL SYSTEM  
HAVE ACCESS TO A SCHOOL POLICY HANDBOOK  
FOR ADMINISTRATORS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	7	26.0	4	11.0	7	15.0
DISAGREE	4	15.0	7	20.0	11	23.0
NEUTRAL	10	37.0	20	57.0	4	9.0
AGREE	6	22.0	3	9.0	21	46.0
STRONGLY AGREE	<u>0</u>	<u>00.0</u>	<u>1</u>	<u>3.0</u>	<u>3</u>	<u>7.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

Fifty-seven percent of the middle school respondents were in the NEUTRAL category. A high percent (but not at or above fifty percent) of high school respondents were in the AGREE category. No elementary principals responded in the STRONGLY AGREE category, and a low percent was recorded at both middle and high school levels.



Table 43 presents the responses and the percent of responses from rural principals at the elementary, middle and high school levels to Question 13.

TABLE 43  
SCHOOL ADMINISTRATORS IN MY SCHOOL SYSTEM  
HAVE ACCESS TO A SCHOOL POLICY HANDBOOK  
FOR ADMINISTRATORS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	7	10.0	3	8.0	7	22.0
DISAGREE	8	11.0	6	16.0	12	39.0
NEUTRAL	33	47.0	22	60.0	5	16.0
AGREE	20	30.0	1	3.0	5	16.0
STRONGLY AGREE	<u>2</u>	<u>2.0</u>	<u>5</u>	<u>13.0</u>	<u>2</u>	<u>7.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

Sixty percent of the middle school principals responded in the NEUTRAL category. A high percent (but not at or above fifty percent) of elementary principals also responded in the NEUTRAL category. Thirty-nine percent of the high school principals responded in the DISAGREE category.

Table 44 presents the responses and the percent of responses by both urban and rural school principals to Question 14.

TABLE 44  
IN-SERVICE WORKSHOPS FOR ADMINISTRATORS  
SHOULD INVOLVE EDUCATIONAL LAW.

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	1	.4	0	0	1	.7
NEUTRAL	20	8.1	3	3.0	17	12.3
AGREE	150	61.0	80	74.0	70	51.0
STRONGLY AGREE	<u>75</u>	<u>30.5</u>	<u>25</u>	<u>23.0</u>	<u>50</u>	<u>36.0</u>
TOTAL	246	100.0	108	100.0	138	100.0

The majority of respondents indicate that in-service workshops should involve educational law. The percent of both urban and rural respondents were above fifty percent in the AGREE category.

Table 45 presents the responses and the percent of responses from urban principals at the elementary, middle and high school levels to Question 14.

TABLE 45  
IN-SERVICE WORKSHOPS FOR ADMINISTRATORS  
SHOULD INVOLVE EDUCATIONAL LAW

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	1	3.0	2	4.0
AGREE	17	63.0	23	66.0	40	87.0
STRONGLY AGREE	<u>10</u>	<u>37.0</u>	<u>11</u>	<u>31.0</u>	<u>4</u>	<u>9.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

The majority of respondents at the elementary, middle and high school levels in urban school systems indicate by the data presented that they feel the area of educational law should be included in their academic and professional training.

Table 46 presents the responses and the percent of responses from rural principals at the elementary, middle and high school levels to Question 14.

TABLE 46  
IN-SERVICE WORKSHOPS FOR ADMINISTRATORS  
SHOULD INVOLVE EDUCATIONAL LAW

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	1	1.0	0	0	0	0
NEUTRAL	12	17.1	2	5.5	3	10.0
AGREE	28	40.0	22	59.5	20	65.0
STRONGLY AGREE	<u>29</u>	<u>42.0</u>	<u>13</u>	<u>35.0</u>	<u>8</u>	<u>25.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

The majority of respondents at the elementary, middle and high school level in rural school systems indicated by their responses that the area of educational law is one to be addressed in their academic and professional training.

Table 47 presents the responses and the percent of responses by both urban and rural school principals to Question 15.

TABLE 47  
IN-SERVICE WORKSHOPS ON EDUCATIONAL LAW  
SHOULD BE SPONSORED BY SCHOOL SYSTEMS  
FOR SCHOOL ADMINISTRATORS

Response	Total		Urban		Rural	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	36	15.0	8	7.4	28	20.3
AGREE	180	73.0	75	69.4	105	76.1
STRONGLY AGREE	<u>30</u>	<u>12.0</u>	<u>25</u>	<u>23.2</u>	<u>5</u>	<u>3.6</u>
TOTAL	246	100.0	108	100.0	138	100.0

Table 47 demonstrates that respondents from both urban and rural school systems feel that in-service workshops should involve educational law. Eighty-five percent AGREE or STRONGLY AGREE that school systems should provide the in-service workshops on educational law.

Table 48 presents the responses and the percent of responses from urban principals at the elementary, middle and high school levels to Question 15.

TABLE 48  
IN-SERVICE WORKSHOPS ON EDUCATIONAL LAW  
SHOULD BE SPONSORED BY SCHOOL SYSTEMS  
FOR SCHOOL ADMINISTRATORS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	4	15.0	2	6.0	2	4.3
AGREE	17	63.0	21	60.0	37	81.0
STRONGLY AGREE	<u>6</u>	<u>22.0</u>	<u>12</u>	<u>34.0</u>	<u>7</u>	<u>15.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

The majority of urban principals at the elementary, middle and high school levels indicated by their responses that in-service workshops involving educational law should be provided by school systems.

Table 49 presents the responses and the percent of responses from rural principals at the elementary, middle and high school levels to Question 15.

TABLE 49  
IN-SERVICE WORKSHOPS ON EDUCATIONAL LAW  
SHOULD BE SPONSORED BY SCHOOL SYSTEMS  
FOR SCHOOL ADMINISTRATORS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	16	23.0	4	11.0	8	25.0
AGREE	54	77.0	31	84.0	20	65.0
STRONGLY AGREE	<u>0</u>	<u>0</u>	<u>2</u>	<u>5.0</u>	<u>3</u>	<u>10.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

The majority of rural principals at the elementary, middle and high school levels indicated by their responses that in-service workshops involving educational law should be provided by school systems.

The information in Table 50 was requested and compiled in order to represent some personal data. This question was included in the questionnaire to be used in the sub-program CROSSTABS, as well as to gain some information between the relationship of years as an administrator to the responses on the survey.

TABLE 50  
INCLUDING THE PRESENT YEAR, HOW MANY YEARS  
HAVE YOU BEEN AN ADMINISTRATOR?

Level	Total	Number of Years							
		0-10		11-20		21-30		31-40	
		No.	Pct.	No.	Pct.	No.	Pct.	No.	Pct.
ELEMENTARY	97	14	15.0	76	78.0	7	7.0	0	00.0
MIDDLE	72	8	11.0	45	63.0	19	26.0	0	00.0
HIGH	<u>77</u>	<u>4</u>	<u>5.0</u>	<u>65</u>	<u>84.0</u>	<u>8</u>	<u>11.0</u>	<u>0</u>	<u>00.0</u>
TOTAL	246	26		186		34		0	

The majority of the respondents (seventy-two percent) have been administrators for between eleven and twenty years. No respondents have been administrators for thirty-one to forty years. The percent of respondents at all levels from eleven to twenty years was above fifty percent.



Table 51 presents the responses and the percent of responses of total elementary, middle and high school principals to Question 20.

TABLE 51

HAVE YOU TAKEN ANY COURSES, SEMINARS OR WORKSHOPS  
WITHIN THE PAST FIVE YEARS THAT HAVE INCLUDED  
OR PERTAINED TO SCHOOL LAW?

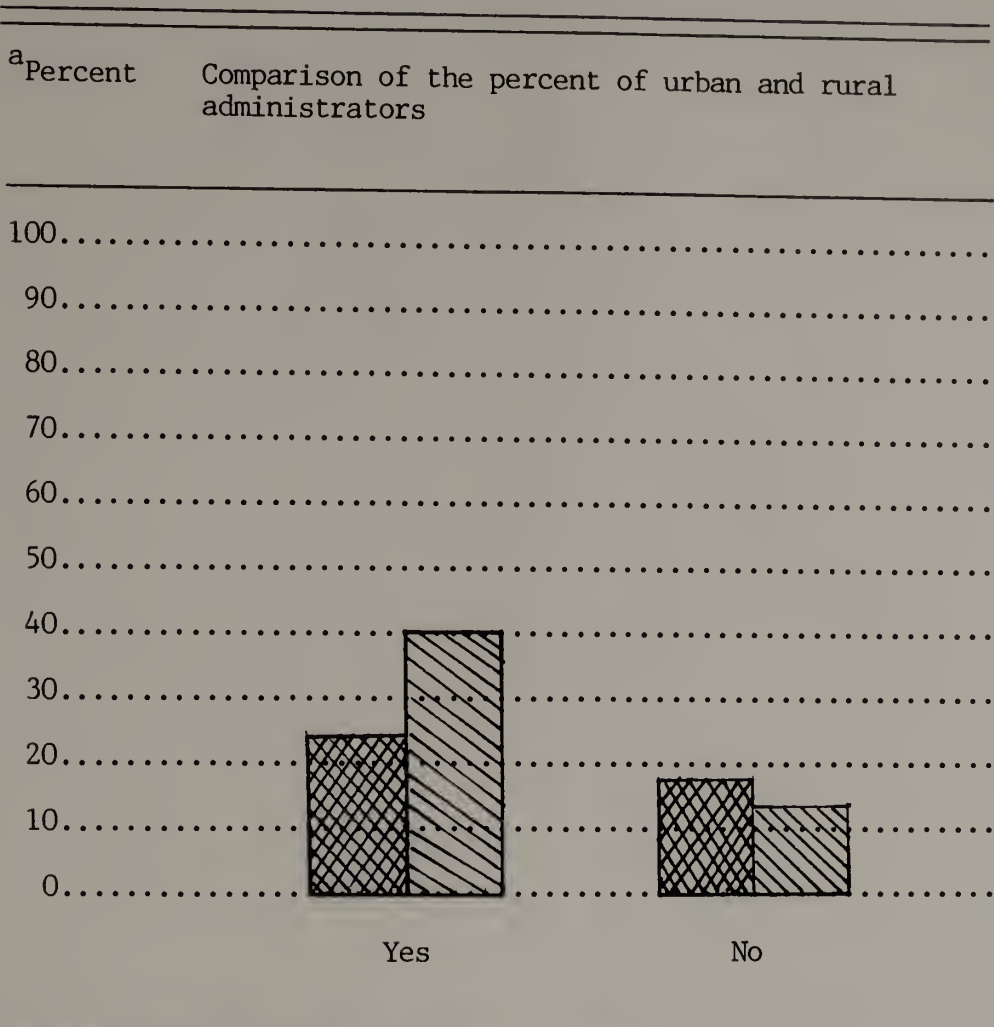
Level	Total	Yes		No	
		No.	Pct.	No.	Pct.
ELEMENTARY	97	72	74.2	25	25.8
MIDDLE	72	42	58.3	30	41.7
HIGH	<u>77</u>	<u>45</u>	<u>58.4</u>	<u>32</u>	<u>41.6</u>
TOTAL	246	159	65.0	87	35.0

Better than fifty percent of the total elementary, middle and high school respondents have been involved in some type of course work, seminar or workshop that included educational law. The middle and high school respondents were comparable, elementary respondents indicated a higher percent rate.

Table 52 shows that a higher percent of rural school principals were involved in some type of course work, seminar or workshop that involved educational law.

TABLE 52

HAVE YOU TAKEN ANY COURSES, SEMINARS OR WORKSHOPS  
 WITHIN THE PAST FIVE YEARS THAT HAVE INCLUDED  
 OR PERTAINED TO SCHOOL LAW?



urban school administrators



rural school administrators



<sup>a</sup>Percent is based on the base number of 246

Numerical Data:

Urban Responses  
 Yes 60/246=24.4%  
 No 48/246=19.6%

Rural Responses  
 Yes 99/246=40.0%  
 No 39/246=16.0%

Table 53 presents the responses and the percent of responses of total elementary, middle and high school principals to Question 21.

TABLE 53

HAVE ANY OF THESE COURSES, SEMINARS OR WORKSHOPS  
BEEN HELPFUL TO YOU IN YOUR POSITION AS A  
SCHOOL ADMINISTRATOR?

Level	Total	Yes		No	
		No.	Pct.	No.	Pct.
ELEMENTARY	72	67	94.4	5	5.6
MIDDLE	42	36	85.7	6	14.3
HIGH	<u>45</u>	<u>36</u>	<u>80.0</u>	<u>9</u>	<u>20.0</u>
TOTAL		139		20	

Of the 246 respondents, 159 responded that they had taken courses. Table 53 indicates that ninety-four percent of the elementary principals responded YES, eighty-five percent of the middle and eighty percent of the high school responded YES. It would appear from the data in Table 53, that the courses, seminars or workshops in school law have been helpful to administrators at all levels in both types of school systems.

Table 54 presents the responses and the percent of responses of total elementary, middle and high school principals to Question 22.

TABLE 54

IN YOUR POSITION AS A SCHOOL ADMINISTRATOR,  
HAVE YOU BEEN INVOLVED IN ANY TYPE OF LEGAL  
SITUATION OR LAW SUIT?

Level	Total	Yes		No	
		No.	Pct.	No.	Pct.
ELEMENTARY	97	0	00.0	97	100.0
MIDDLE	72	11	15.0	61	85.0
HIGH	<u>77</u>	<u>15</u>	<u>19.0</u>	<u>62</u>	<u>89.0</u>
TOTAL	246	26	11.0	220	89.0

The majority of the respondents had not been involved in any type of legal situation or law suit. Of those who responded Yes, only ten filled in the optional portion of this question and described the situation. The data in Table 54 shows that twenty-six (eleven percent) had been involved in legal action and none at the elementary level.

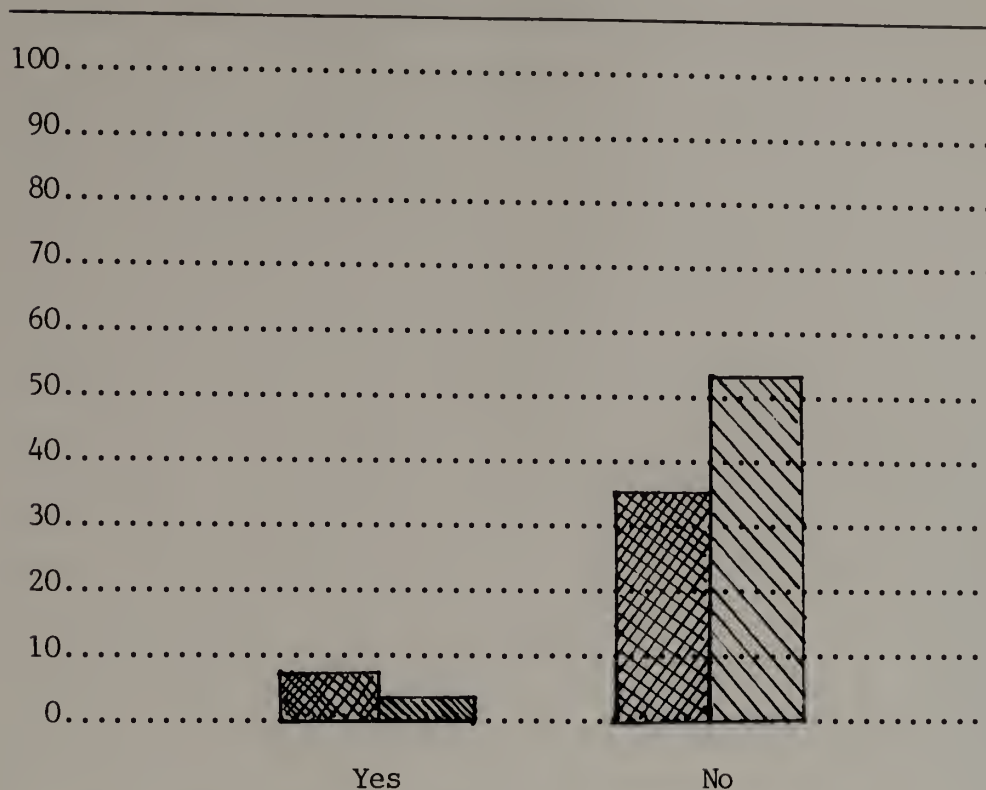
Table 55 compares the responses from urban and rural administrators.


TABLE 55

IN YOUR POSITION AS A SCHOOL ADMINISTRATOR,  
HAVE YOU BEEN INVOLVED IN ANY TYPE OF LEGAL  
SITUATION OR LAWSUIT?

<sup>a</sup>Percent

Comparison of the percent of urban and rural  
administrators



urban school administrators 

rural school administrators 

<sup>a</sup>Percent if based on the base number of 246

Numerical Data: Urban Responses  
 Yes 19/246= 7.8%  
 No 89/246=36.1%

Rural Responses:  
 Yes 7/246= 2.8%  
 No 131/246=53.3%

Table 56 presents the responses and the percent of responses from total elementary, middle and high school principals to Question 23.

TABLE 56

IN YOUR POSITION AS A SCHOOL ADMINISTRATOR  
DOES YOUR SCHOOL SYSTEM PROVIDE YOU WITH  
LEGAL COUNSEL WHEN NECESSARY?

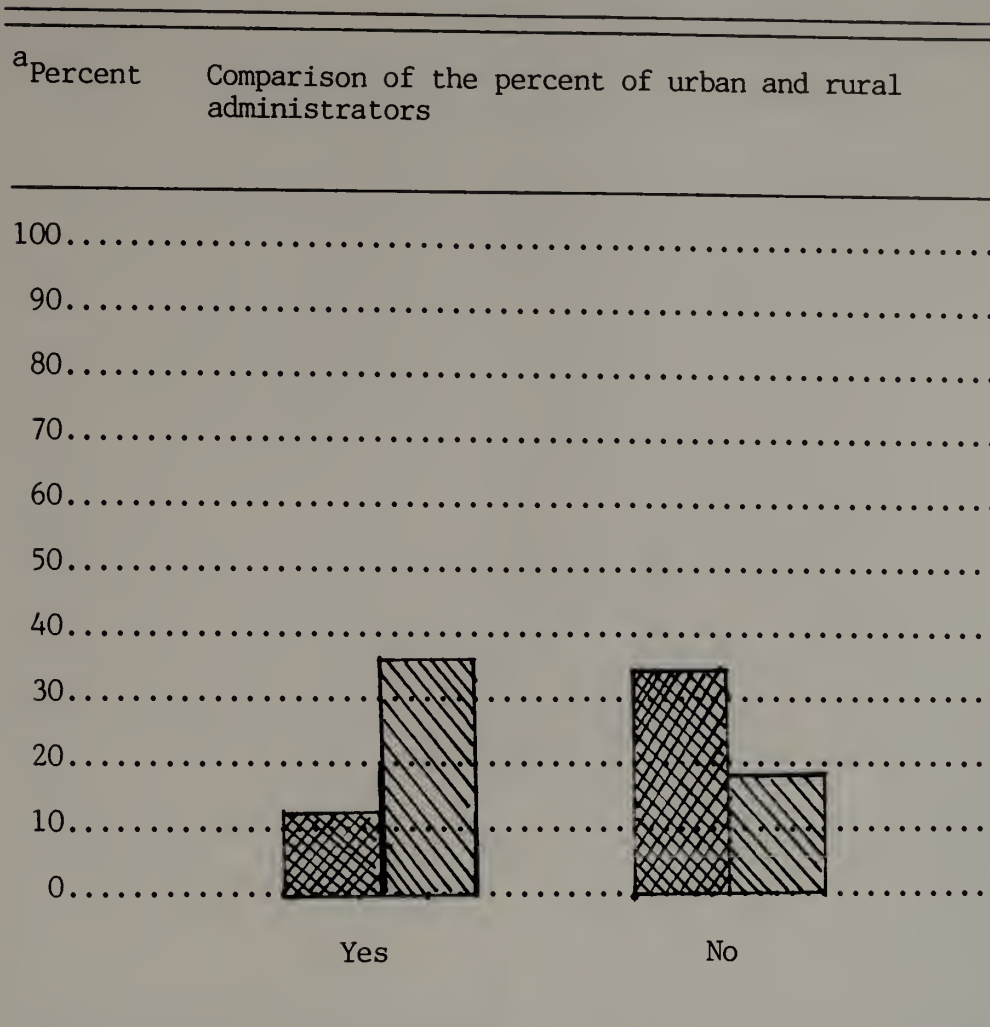
Level	Total	Yes		No	
		No.	Pct.	No.	Pct.
ELEMENTARY	97	58	60.0	39	40.0
MIDDLE	72	23	32.0	49	68.0
HIGH	<u>77</u>	<u>37</u>	<u>48.0</u>	<u>40</u>	<u>52.0</u>
TOTAL	246	118	48.0	128	52.0


The responses in Table 56 indicate the the elementary respondents agree, (at or above fifty percent) that their school systems provide them with legal counsel. The majority (at or above fifty percent) of the middle and high school respondents indicate there is not adequate counsel provided.


Table 57 indicates that a larger percent of urban principals indicate there is not adequate legal counsel provided.

TABLE 57

IN YOUR POSITION AS A SCHOOL ADMINISTRATOR  
 DOES YOUR SCHOOL SYSTEM PROVIDE YOU WITH  
 LEGAL COUNSEL WHEN NECESSARY?



urban school administrators 

rural school administrators 

<sup>a</sup>Percent is based on the base number of 246

Numerical Data:	Urban Responses	Rural Responses
	Yes 27/246=11.0%	Yes 91/246=37.0%
	No 81/246=33.0%	No 47/246=19.0%

Table 58 presents the responses and the percent of responses from total elementary, middle and high school principals to Question 24.

TABLE 58

SHOULD COURSES IN LAW BE INCLUDED IN THE  
EDUCATIONAL BACKGROUND OF SCHOOL ADMINISTRATORS?

Level	Total	Yes		No	
		No.	Pct.	No.	Pct.
ELEMENTARY	97	78	80.0	19	20.0
MIDDLE	72	58	81.0	14	19.0
HIGH	<u>77</u>	<u>64</u>	<u>83.0</u>	<u>13</u>	<u>17.0</u>
TOTAL	246	200	81.0	46	19.0

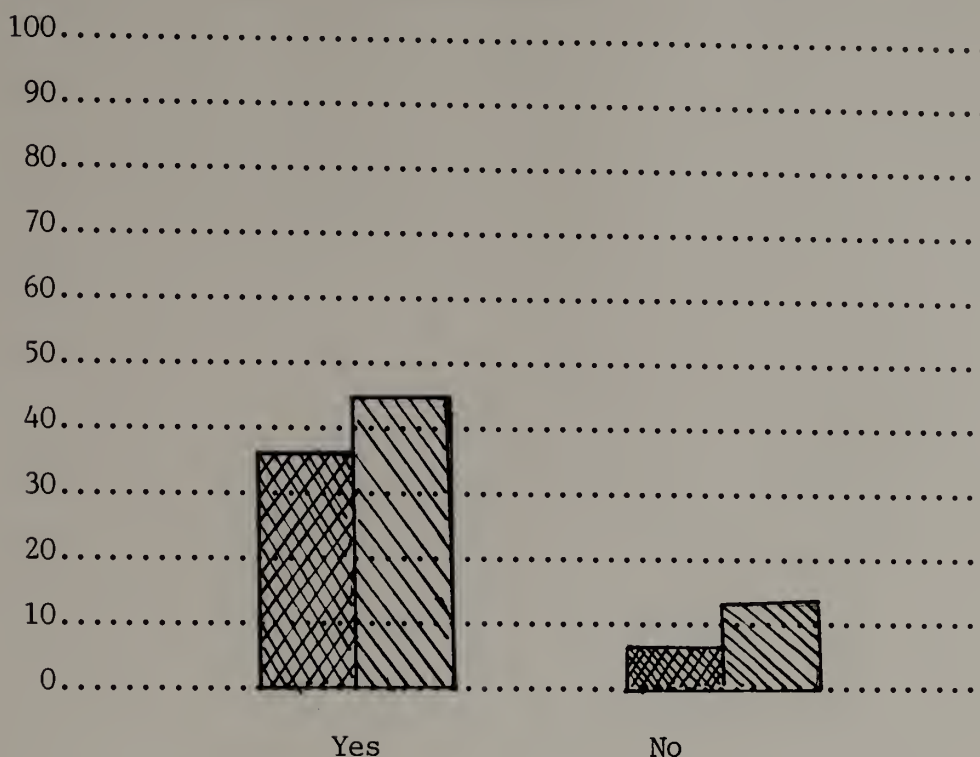
The majority (at or above fifty percent) of the elementary, middle and high school respondents indicated that courses in law should be included in the educational background or program of school administrators. Table 59 indicates that more urban and rural school administrators responded Yes to Question 24 and agree that courses in law should be included in the educational background of school administrators.





TABLE 59

SHOULD COURSES IN LAW BE INCLUDED IN THE EDUCATIONAL BACKGROUND OF SCHOOL ADMINISTRATORS

<sup>a</sup>Percent Comparison of the percent of urban and rural administrators



urban school administrators 

rural school administrators 

<sup>a</sup>Percent is based on the base number of 246

Numerical Data:	Urban Responses	Rural Responses
	Yes 91/246=37.0%	Yes 109/246=44.0%
	No 17/246= 7.0%	No 29/246=12.0%

These pages constitute the findings of the FREQUENCIES sub-program. In addition the CROSSTABS sub-program was utilized to investigate certain selected relationships where appropriate.

All relevant data that for the purposes of this study could appropriately compare selected groupings was utilized. Those relationships are discussed below.

#### Cross Tabulation Data

Using the data from Questions 18, 16 and 19, a comparison was made to Questions 1-15, 20, 21, 22, 23 and 24. Chi square, degrees of freedom, significance and percent were reported when appropriate. For the purposes of this study responses to the survey at or above fifty percent were considered an appropriate percent of responses as were the levels of significance reported at the 0.001, 0.01 and 0.05 levels, with 0.001 indicating a greater significance of difference in distribution than a 0.05 level. With reference to the null hypothesis, the data indicated whether there was or was not a relationship between the variables selected for the cross tabulation data. The null hypothesis for the purposes of this study is stated as either being accepted or rejected when appropriate.

Question 1 asked if administrators made judgements

based on their professional training. The purpose of this question was to gather information as to whether administrators feel they do or do not make judgements based on their professional training. If they did agree, as the data indicated they did, then it is important and necessary to determine what constitutes the professional training of school principals.

The results of the cross tabulation between Question 1 and the number of years as an administrator yielded a chi square of 19.45 with four degrees of freedom, significant at the 0.001 level. Based on the data results, the null hypothesis is accepted. There appears to be no relationship between the number of years as an administrator and the reliance on professional judgement.

A series of questions were concerned with school policy and school policy guidelines. The purpose of Questions 2, 3, 4 and 6 was to gather information and use this information to determine if school systems (in this survey) have policy guidelines in place, provide administrators with policy guidelines, if school systems do have policy guidelines administrators should be familiar with and if the respondents were aware or knew if their particular school system had policy guidelines.

Urban and rural elementary, middle and high school respondents basically agreed with Questions 2, 3 and 4. They felt school systems should have policy guidelines in place, should have policy guidelines for administrators and administrators should be familiar with school policy guidelines. Question 2, crossed with communities yielded a chi square of 28.45 with two degrees of freedom, significant at the 0.001 level.

Question 3 by grade level; elementary, middle and high school, yielded a chi square of 8.55 with four degrees of freedom, significant at the 0.1 level; by administrators it was significant at the 0.001 level; communities yielded a chi square of 9.88 with two degrees of freedom, significant at the 0.01 level.

Question 4 by administrators yielded a chi square of 12.83 with four degrees of freedom, significant at the 0.01 level and by communities it was significant at the 0.001 level.

The null hypotheses were accepted in questions 2, 3 and 4. There appears to be no relationship between geographical location, level of administration and the respondents' agreed upon need for access to school policy guidelines and familiarity with such guidelines.

Question 6 was concerned with gathering information as to whether the systems the respondents worked in had policy guidelines for administrators. The majority of the elementary, middle and high school principals (forty-two percent) responded in the NEUTRAL category. The majority of community respondents were also in the NEUTRAL category (forty-two percent).

These results may suggest that no policy guidelines exist in many systems, administrators may not know if they exist in their system or administrators may not have been informed that guidelines do exist or if they have access to them.

Two questions, Question 5 and Question 7 were concerned with the responses of school administrators as their perceptions of school policy related to Commonwealth of Massachusetts law.

Question 5 asked if school policy should be based on Commonwealth of Massachusetts law. The majority of elementary, middle and high school respondents (thirty-four percent) selected the AGREE category. The majority of urban and rural responses (thirty-five percent) were in the AGREE category.

Question 7 asked if the school system that the respondents worked in had policy guidelines based on Commonwealth of Massachusetts law. The majority of elementary, middle and high school principals (forty-six percent) responded in the NEUTRAL category. The majority of urban and rural principals (forty-six percent) chose the NEUTRAL category.

Question 8 was included to determine the perception of administrators as to whether they felt that legal intervention in public education is escalating. The majority of elementary, middle and high school (forty-five percent) responded in the AGREE category.

The highest percent of responses in the 0-10 year category was in the NEUTRAL category with thirty-four percent; 11-20 years was in the AGREE category with forty-seven percent; 21-30 year category was in the AGREE category with a fifty-two percent response.

The highest percent of responses by urban and rural respondents (forty-five percent) was in the AGREE category.

Question 9 addressed the perceptions of school administrators as to whether knowledge of legal

principles would assist administrators in making legal decisions at the administrative level.

Elementary, middle and high school principals had a fifty-three percent response in the STRONGLY AGREE category. This yielded a chi square of 14.71 with six degrees of freedom, significant at the 0.05 level. Based on this data the null hypothesis was rejected.

Administrators in the 0-10 year category had a fifty percent response in the STRONGLY AGREE category; 11-20 year category had a fifty percent response in the STRONGLY AGREE category; 21-30 had a seventy-four percent response in the STRONGLY AGREE category. This yielded a chi square of 24.70 with six degrees of freedom, significant at the 0.001 level. Based on this data the null hypothesis was rejected.

Urban and rural communities had a fifty-three percent response in the STRONGLY agree category. Based on this data the null hypothesis was rejected.

Question 10 was concerned with the responses as they pertain to legal protection provided by school systems for administrators working within the parameters of their assigned responsibilities and positions as administrators.

The elementary, middle and high school respondents had a forty-four percent response in the NEUTRAL category.

The highest percent of responses from the 0-10 year category was fifty percent in the STRONGLY DISAGREE category; 11-20 year category had a fifty-seven percent response in the NEUTRAL category; 21-30 year category had a thirty-eight percent response in the DISAGREE category.

The highest percent of responses from the urban and rural communities was fifty percent in the NEUTRAL category.

The responses tend to indicate that legal protection is either not adequate, or administrators do not know it is available, have never had the experience to use or need legal protection in a school setting, or may not know how and when to access legal assistance.

Questions 12 and 13 were concerned with whether the school systems participating in the survey had a policy handbook for administrators and whether administrators had access to it.

The elementary, middle and high school respondents had a thirty-six percent response in the NEUTRAL category.



The highest percent of responses from the 0-10 year category was forty-six percent in the AGREE category; 11-20 year category had a forty-one percent response in the NEUTRAL category; 21-30 year category had a thirty-one percent response also in the NEUTRAL category.

The highest percent of responses from the urban and rural communities was thirty-six percent in the NEUTRAL category.

The responses to Question 13 by the elementary, middle and high school respondents fell in the NEUTRAL category, with a thirty-six percent response.

The highest percent of responses from the 0-10 year category was thirty-four percent in the STRONGLY DISAGREE category; 11-20 year category had a thirty four percent response in the NEUTRAL category; 21-30 year category had a fifty-four percent response in the NEUTRAL category.

The highest percent of responses from the urban and rural communities was a thirty-six percent response in the NEUTRAL category.

The responses tend to indicate that there may not be a handbook in the school system of many of the respondents, they may not be aware that there is

one or they may not have access to it if there is a handbook.

Questions 11, 14 and 15 were included to gain the opinions and the perceptions of the administrators regarding whether administrative training in educational law such as in-service workshops, seminars and courses should be included in their professional development. If the administrators felt they should be included then did they feel that school systems should provide them with access to some type of format involving educational law.

The responses to Question 11 by the elementary, middle and high school administrators fell in the AGREE and STRONGLY AGREE categories; elementary had a fifty-one percent response in the STRONGLY AGREE category; middle had a fifty-six percent response in the AGREE category and the high school had a forty-eight percent response in the AGREE category. This yielded a chi square of 30.28 with four degrees of freedom, significant at the 0.001 level. Based on this data the null hypothesis was rejected.

The highest percent of responses from the 0-10 year category was seventy-six percent in the NEUTRAL category; 11-20 year category had a fifty-one

percent response in the AGREE category; 21-30 year category had a fifty percent response in the STRONGLY AGREE category. This yielded a chi square of 24.45 with four degrees of freedom, significant at the 0.001 level. Based on this data the null hypothesis was rejected.

The highest percent of responses from the urban and rural communities was forty-three percent in the AGREE category.

Elementary, middle and high school respondents agreed that in-service workshops should involve educational law. Sixty-one percent of the elementary, middle and high school responses fell in the AGREE category. This yielded a chi square of 19.63 with six degrees of freedom, significant at the 0.01 level, and the null hypothesis was rejected.

The highest percent of responses from the 0-10 year category was fifty-seven percent in the STRONGLY AGREE category; 11-20 year category had a seventy percent in the AGREE category; 21-30 year category had a fifty-four percent in the AGREE category. This yielded a chi square of 30.06 with six degrees of freedom, significant at the 0.001, and the null hypothesis was rejected.

The highest percent of responses from the urban and rural communities was sixty-one percent in the AGREE category. This yielded a chi square of 16.38 with three degrees of freedom, significant at the 0.01 level. Based on this data the null hypothesis was rejected.

Administrators in this study felt that school systems should provide the workshops, seminars or courses for administrators that involved educational law. Seventy-three percent of elementary, middle and high school respondents fell in the AGREE category. This yielded a chi square of 10.53 with four degrees of freedom, significant at the 0.05 level. Based on this data the null hypothesis was rejected.

The highest percent of responses from the 0-10 year category was fifty percent in the AGREE category; 11-20 year category had an eighty percent response in the AGREE category; 21-30 year category had a fifty percent response in the AGREE category. This yielded a chi square of 43.36 with four degrees of freedom significant at the 0.001 level, and the null hypothesis was rejected.

The highest percent of responses from the urban and rural communities was seventy-three percent in the AGREE category. This yielded a chi square of 22.79 with two degrees of freedom, significant at the 0.001 level, and the null hypothesis was rejected.

Question 16 was included to gather some personal data and information regarding the number of years each respondent had been an administrator. This information was used in the cross tabulations of Questions 1-15, 20, 22, 23 and 24.

Question 17 was included to determine school size.

Question 18 was included to determine the level the administrators were currently working in; elementary, middle or high school. This information was also included in the CROSSTABS operation.

Question 19 was included to determine the size of the school system to categorize the systems as either urban, more than 3000 students or rural, also defined as suburban, with less than 3000 students. This information was also included in the CROSSTABS operation.

Question 20 was included in the questionnaire to determine if administrators have been exposed to

education law in some type of format. Based upon the response to Question 1 it was appropriate to try to determine what type of professional training the respondents had and if it included some type of educational law studies.

One hundred and fifty-nine (sixty-four percent) of the principals responded YES to this question.

Seventy-four percent of elementary, fifty-eight percent of middle and fifty-eight percent of high school principals indicated they had taken some type of course, seminar or workshop involving educational law. This yielded a chi square of 6.44 with two degrees of freedom, significant at the 0.05 level, and the null hypothesis was rejected.

The highest percent of responses from the 0-10 year category was ninety-six percent responded YES; 11-20 year category had a sixty-one percent YES response; 21-30 year category had a fifty-seven percent YES response. This yielded a chi square of 12.95 with two degrees of freedom, significant at the 0.01 level, and the null hypothesis was rejected.

The highest percent from the urban community was fifty-six percent responded YES and seventy-one percent responded YES from the rural communities.

This yielded a chi square of 5.59 with one degree of freedom, significant at the 0.05 level, and the null hypothesis was rejected.

Question 21 was concerned as to whether the courses the administrators had taken, had been helpful to them in their role as a principal of a school.

Of the 159 out of the 246 (sixty-five percent) who had taken a course, workshop or seminar, 139 out of 159 (eighty-eight percent) found the courses to be helpful. Ninety-four percent of elementary principals found the courses helpful, eighty-five percent of middle school principals and eighty percent of high school principals found courses helpful. This yielded a chi square of 5.64 with two degrees of freedom, significant at the 0.05 level, and the null hypothesis was rejected.

The highest percent of YES responses from the 0-10 year category was an eighty-eight percent; 11-20 year category had an eighty-eight percent YES response; 21-30 year category had an eighty-seven percent YES response.

The highest percent from the urban community was ninety percent responded YES and eighty-six percent responded YES from the rural communities. This yielded a chi square of 0.45 with one degree of

freedom, significant at the 0.05 level, and the null hypothesis was rejected.

Question 22 asked administrators if they had been involved in any type of legal situation or lawsuit. Twenty-six responded that they had been involved, but only ten chose to fill in the optional portion of the question which asked the principals to elaborate. No elementary principals responded they had been involved, fifteen percent of middle school responded YES and nineteen percent of high school principals responded YES.

The highest percent of YES responses from the 0-10 year category was fifteen percent; 11-20 year category had a five percent YES response; 21-30 had a thirty-one percent response.

Whereas this question did not request information regarding when the administrators had been involved in a legal situation, it is possible that the longer a person is an administrator, the more chances to become involved in a legal situation. Their involvement could have occurred anytime from their first year as an administrator to their thirtieth. Further study and a more specific response may be appropriate for



further study.

The highest percent from the urban community was a seventeen percent YES response and five percent YES response from rural communities.

Twenty-six principals responded they had been involved in a legal situation, only ten chose to elaborate. Of those ten, three were urban middle school principals, four were rural middle school principals and three were rural high school principals. All of the rural administrators involved opted to elaborate, three out of nineteen urban administrators chose to respond.

The topics discussed briefly by the ten respondents were: 1) three urban middle school principals

a) Student was suspended for behavior, a special needs student who needed to be placed in a more restrictive environment, but none were available for at least four days. The school suspended the student. Parent (father) claimed he could not go to work and mind his son, and the school was responsible for the education of his son. Parent (father) consulted an attorney, issue was settled out of court. The student was placed in a more restrictive setting and father

chose not to pursue the issue.

Administrator "a" has taken courses that pertained to school law and has found them helpful.

b) Involved the wording of a Special Needs Individual Educational Plan. Parents wanted their child placed in a regular physical education class. Student was a hazard to himself and to the other students. Attorneys worked it out with the parents, who did not realize the dangers for both their own child as well as others in class. Child wore some type of special leg braces.

Administrator "b" has taken courses that pertained to school law and has found them helpful.

c) Services under Chapter 766 were not being provided for a child the way the parents had interpreted the Individual Education Plan. Occupational therapy had been prescribed by a Boston hospital and the school, according to the parents was not complying. The plan was reviewed and the school provided the additional services.

Administrator "c" has taken courses that pertained to school law and has found them helpful.

2) four rural middle school principals

d) A student was suspended for drugs. Parents

retained an attorney. Parents and student claim student did not have drugs. Has not yet been resolved.

Administrator "d" has not taken any law courses.

e) Parents claimed the Special Needs Individual Educational Plan was inappropriate and it was redefined two additional times. Still unresolved, attorney claims school is in non-compliance.

Administrator "e" has taken courses that have included or pertained to school law.

f) Student broke his arm when another student tripped him and he fell. Parents claimed there was no supervision, or not enough supervision. Court found school was not negligent, school insurance covered cost of medical bills.

Administrator "f" has not taken any law courses.

g) Teacher accused of verbal abuse by parent, called student "stupid" and "lazy". Child complained to parent, and parent retained an attorney. Child was moved from the teacher's classroom. Review of teacher's files indicated previous problems with student discipline.

Teacher requested an unpaid leave of absence.

Administrator "g" has not taken any law courses.

3) three rural high school principals

h) Parents felt testing done for special needs was inappropriate and wanted a more detailed report on the testing. Parents wanted more services for the students, went to the school board, town counsel involved as well as the attorney for the parents. Further testing was done, the Individual Education Plan appeared to be in place. Parents are still not satisfied. Administrator "h" has not taken any courses that have pertained to school law.

i) Student selling drugs on school property. Police, parents, lawyers involved. Student expelled. Drug policy in place. Student is back in school on probation, courts are involved and case is pending.

Administrator "i" has not taken any courses that have pertained to school law.

j) Student cannot read. Not a special needs student. Parents claim school has not provided student with appropriate programs. Student is a behavior problem at school, at home and has been involved with the police.

Administrator "j" has taken courses that have pertained to school law and found the courses helpful.

Of the ten administrators involved in a legal situation or lawsuit;

one has been an administrator for four years,  
two have been administrators for seven years,  
one has been an administrator for seventeen years,  
one has been an administrator for eighteen years,  
three have been administrators for twenty-three  
years,  
two have been administrators for twenty-six  
years.

Question 23 was concerned about the perceptions of school administrators towards legal counsel as it may be provided for them by their school system. It may be important for administrators not only to know if there is an attorney available to them, but also the procedure to access the attorney and where, when and how to access legal counsel.

Sixty percent of elementary principals responded YES to Question 23, thirty-two percent of middle school principals responded YES and forty-eight percent of the high school principals responded YES.

The highest percent of YES responses from the 0-10 year category was eighty percent; 11-20 year category

had a fifty-one percent YES response; 21-30 year category had a sixteen percent YES response.

The highest percent of responses from the urban community was a twenty-five percent YES response and a sixty-six percent YES response from the rural community.

Question 24 asked administrators if they felt educational law courses should be included in the background of school administrators.

Eighty percent of the elementary principals responded YES to Question 24, eighty-one percent of middle school principals responded YES and eighty-three percent of high school principals responded YES.

The highest percent of YES responses from the 0-10 year category was ninety-six percent; 11-20 year category had an eighty-one percent YES response; 21-30 year category had a sixty-six percent YES response. This yielded a 9.27 chi square with two degrees of freedom, significant at the 0.001 level. Based on this data the null hypothesis was rejected.

The highest percent of responses from the urban communities was an eighty-four percent YES response and a seventy-seven percent YES response from the

rural communities.

By performing various analyses and evaluations it can be seen that there were statistically significant relationships that were of interest. Also there were some responses and data that were of interest when various comparisons were made.

## CHAPTER V

### SUMMARY

#### Summary of the Study

The major purpose of the study was to describe the opinions of school administrators; elementary principals, middle school principals and high school principals concerning how administrators regard educational law and educational policy and how and if the need for education law and policy interact with their positions as school administrators.

The 246 respondents in this study were Massachusetts school administrators currently working in public schools as principals at the elementary, middle or high school level.

The administrators were selected from the elementary, middle and high school level, from both urban and rural school systems. For the purposes of this study urban school systems were defined as those with 3000 or more students enrolled in the school system.

The questionnaires were mailed to three hundred administrators (246, 82.0 percent responded) from



elementary, middle and high school in both urban and rural school systems who had been geographically selected from the twelve counties in Massachusetts. Included in the mailing was an introductory letter, the questionnaire itself, a stamped self-addressed return envelope and a card for respondents to request the results of the study.

Administrators were asked to respond to the statements on the questionnaire in two ways. There were nine statements that required written responses and fifteen statements with items where the responses were recorded as SD (Strongly Disagree), D (Disagree), N (Neutral or undecided), A (Agree) and SA (Strongly Agree).

The first step in analyzing the data was to determine and calculate the number and percent of forms returned, the number and percent of forms returned from elementary, middle and high school administrators, the number and percent of forms returned from administrators in urban school systems and rural school systems and the number and percent of forms returned from elementary, middle and high school administrators from urban and rural school systems.

The second step was to make a comparison between

the size of the school system, urban or rural, and the responses made to each of the statements. A comparison was then made between the responses of urban and rural school administrators, and urban and rural elementary, middle and high school administrators to the fifteen statements that required an opinion and the nine statements that required written responses.

A review of the literature in the study focused on the interface between legal rules and educational policy.

Examination of literature and legal court cases confirms that courts have been deciding more education cases in the past few years and that these cases are likely to involve educational issues traditionally considered more suitable for resolution elsewhere.

Citizens are becoming more knowledgeable in using legal tool and taxpayers are demanding greater accountability from public education. The concerns of the courts in education cases are increasingly focusing on school administrators.

### Conclusions

The study was designed to answer the following questions:

1. Are school administrators adequately informed about the laws that affect their schools?
2. Is there a need for school administrators to be informed about the law that affects them and their schools?
3. Can information regarding education law assist administrators and help them to be more effective in their administrative role?
4. Will knowledge of fundamental legal principles regarding education law assist administrators in making administrative decisions?
5. Should administrative training include some knowledge of educational law?

Courts and legislatures have reshaped much of educational policy. Some school personnel may be aware of the burgeoning litigation and legislation and some are familiar with the names of a few landmark Supreme court cases. Many administrators harbor misunderstandings regarding the basic legal concepts that are being applied to educational questions. As a result, they are often uncertain about the legality

of daily decisions they must make in the operation of schools.

Little if any guidance is offered or is available to principals charged with the responsibility of observing and implementing the legal principles.

Question 2, 3, 6, 7, 12 and 13 on the questionnaire addressed the first question:

1. Are school administrators adequately informed about the laws that affect their schools?

The data presented in response to Question 2 (tables 8, 9, 10) and Question 3 (tables 11, 12, 13) by the respondents indicated that school systems should provide administrators with school policy guidelines.

The data presented in response to Question 6 (tables 20, 21, 22), Question 7 (tables 23, 24, 25), Question 12 (tables 38, 39, 40) and Question 13 (tables 41, 42, 43) by the respondents indicated that principals do not know or are not aware as to whether or not their school system has policy guidelines, or if they are based on Commonwealth of Massachusetts law, or if their school district has some type of policy handbook for administrators, or if administrators have access to the policies.

Research demonstrates that there is a serious need for implementation studies; for studies of whether administrators do understand and are obeying legal mandates and whether the often multiple and conflicting objectives of the law have been met. Too little attention has been devoted to the dissemination of information to principals relating to professional legal requirements.<sup>1</sup>

The second question the study addressed was:

2. Is there a need for school administrators to be informed about the law that affects their schools?

Questions 4, 5, 8 and 10 on the questionnaire addressed Question 2 of the study.

The data presented in response to Question 4 (tables 14, 15, 16) by the respondents indicated that school administrators should be familiar with school policy. In responses to Question 5 (tables 17, 18, 19) more than fifty percent of the respondents agreed that school policy should be based on Commonwealth of Massachusetts law. If principals are responding that they are not familiar with school law, education law or policy, they are indicating by their responses that they should or would like to be informed.

The data presented in response to Question 8 (tables 26, 27, 28) indicated that the majority of respondents, with the exception of the urban elementary respondents, are aware that legal intervention in public education is escalating.

The results of the data in Question 10 (tables 32, 33, 34) indicated that principals are diversified in their responses as to whether their school district policy guidelines are adequate enough to protect them from legal action/law suits. The majority of the respondents answered in the NEUTRAL category.

Research demonstrates that school personnel cannot plead "ignorance of the law" as a valid defense for illegal action.<sup>2</sup> Principals should be aware of the constraints placed on their rule making prerogatives by school board policies and federal and state constitutional and statutory provisions.

The third question the study addressed was:

3. Can information regarding education law assist administrators and help them to be more effective in their administrative roles?

The authority for the establishment and control of American public education is grounded in law. State

and federal constitutional and statutory provisions furnish the framework within which daily operational school decisions are made. These must be the legal basis for all school practices and policies established at any level of education must be consistent with legal mandates from higher authorities.

Questions 1, 16, 20 and 21 on the questionnaire addressed Question 3 of the study.

All responses to Question 1, (tables 5, 6, 7) concluded that administrators make judgements based on their professional training. Administrators in the study agreed that they make judgements based on professional training. Questions 16, 20, and 21 addressed the professional training of administrators.

The data for Question 16 (table 50) indicated that the majority of respondents have been principals for between 11-20 years.

The data from Question 20 (tables 51 and 52) indicated that 159 out of 246 (sixty-five percent) of the 246 respondents have taken courses, seminars or workshops within the past five years.

The data from Question 21 (tables 53 and 54) indicated 139 out of 246 (fifty-seven percent) of the

respondents who have taken courses, seminars or workshops indicated that they were helpful to their position as a school principal.

It is important to note that major law schools have been offering courses dedicated solely to school law for approximately a decade. The number of attorneys throughout the United States who are recognized as experts in their field of school law, although is still small, is increasing every year.

The study of education law is still vaguely defined, and therefore can lay out only general guidelines to school administrators.

The fourth question the study addressed:

4. Will knowledge of fundamental legal principles regarding education law assist administrators in making administrative decisions?

The data presented in response to Question 9 (tables 29, 30, 31), Question 14 (tables 44, 45, 46) and Question 15 (tables 47, 48, 49) by the respondents indicated that knowledge of fundamental legal principles regarding educational law, in-service workshops involving educational law, sponsored by school systems will or can assist administrators in making legal administrative decisions.



The fifth question addressed by the study was:

5. Should administrative training include some knowledge of educational law?

Questions 11, 22, 23 and 24 addressed Question 5 of the study.

The data presented in response to Question 11 (tables 35, 36, 37) by the respondents, 186 out of 246 (seventy-five percent) indicated that administrative training should involve some knowledge of educational law.

The data presented in response to Question 22 (tables 54 and 55) indicated that the majority of the respondents, 26 out of 246 (eleven percent) had not been involved in legal controversies or law suits.

The data presented in response to Question 23 (tables 56 and 57) 118 out of 246 (forty-eight percent) of the respondents agreed that legal counsel would be provided for them when necessary.

The data presented in response to Question 24 (tables 58 and 59) by the respondents 200 out of 246 (eighty-one percent) indicated that courses in law should be included in the educational background of school administrators.

The legal fulcrums on which the student-teacher

relationship balances requires constant reevaluation and attention so as to protect basic human rights and at the same time, permit public schools to progress in their appropriate pursuits. In spite of unresolved issues, certain legal principles have been established and can be relied on for direction in many school situations. It is important for administrators to become familiar with these principles and to use them as guides to action. With knowledge of the logic underlying the law, school personnel may become more confident in making decisions involving legal questions and situations.

#### Limitations

This study was limited to three hundred school administrators throughout the Commonwealth of Massachusetts.

It is acknowledged that this study did not attempt to create law, nor influence the interpretation of the laws.

Whereas this study examined Commonwealth of Massachusetts law, and its relationship to administrators; principals at the elementary, middle and high school level, currently working as a principal in a school

system in Massachusetts, it is not viable to project this study to a national sample.

### Implications

This study attempted to provide an awareness of rights and responsibility to motivate administrators to translate basic legal concepts into actual practice. The authority for the establishment and control of American public education is grounded in law, State and federal constitutional and statutory provisions furnish the framework within which daily operational school decisions are made.

Administrators should be aware of the legalization of dispute resolution processes and be mindful of the different audiences within their scope of work. Their work involved, either directly or indirectly, work with legislative bodies, federal regulatory agencies, state education departments, school boards, other administrators, teachers, parents and students.

This study was intended to provide information about how education practice can be improved so that it comports with the objectives of legal policy. The purpose is to assist administrators; elementary, middle and high school principals to become more responsive

to the realities of the education organization in relation to the legal policies of education.

Administrators in this study did concur that they do make judgements based on their professional training. Those administrators whose professional training included education-and-law courses considered them very important and helpful in the day-to-day operations of their schools.

Research states that well drawn school policies and regulations help shape reasonable expectations and help principals guard against inconsistencies and liabilities, Policy guidelines when written in conformity with current legal standards in the state, well drawn policies and regulations, can be the best legal defense a principal can have, if used with care.<sup>3</sup>

#### Recommendations for Further Research

1. It is recommended that further study include a more detailed response from administrators as to what constitutes the professional training and development of administrators.

2. It is recommended that a study be conducted that would expand the information regarding the type of courses and the number of courses that

are available to administrators.

3. It is recommended that a more in-depth study be conducted as to what type of training school systems require of or provide for their administrators.

4. It is recommended that further research be conducted to try to determine whether the number of years as a school administrator is significant in relation to legal and policy related issues that would affect administrators in their administrative role.

5. It is recommended that a more in-depth study of the involvement of school administrators in the area of legal actions and law suits be conducted and specifically in what years in their professional career were they involved in legal actions.

6. School attorneys can represent the school board, the superintendent and administrators at the same time. If conflicts develop between the parties, the attorney would possibly represent his one primary client, the school board. It is recommended that the study of legal counsel as provided by school boards to school administrators be examined.

## FOOTNOTES

<sup>1</sup>Mark G. Yudof, "The Future of Law-and-Education Research," New York University Quarterly XI (Fall 1982): 10-15.

<sup>2</sup>Wood v Strickland 420 U.S. 308 (1975).

<sup>3</sup>Nelda H. Cambron and Martha M. McCarthy, Public School Law (Boston, Mass.: Allyn and Bacon, Inc., 1981), p. 10.

APPENDIX A

SAMPLE QUESTIONNAIRE

*The Commonwealth of Massachusetts*

HOUSE OF REPRESENTATIVES  
STATE HOUSE, BOSTON 02133



JOAN M. MENARD  
REPRESENTATIVE  
5TH BRISTOL DISTRICT  
TEL. 673-8408

Committee on  
State Administration (Chairman)  
Education (Vice-Chairman)  
Health Care  
Ethics  
ROOM 34, STATE HOUSE  
TEL. 722-2320

Dear Administrator:

This survey is part of a research study being conducted to collect data from school administrators regarding educational law and educational policy and how they interact with their positions as school administrators.

It is our hope that the survey will provide the necessary data to assist in the production of a reference guide and handbook for use by school administrators. The document will have all Education Laws well referenced for your use.

As part of this research you are being asked to complete the attached survey. Without your kind assistance completion of what we feel is an important study cannot be done.

Please return the completed survey in the enclosed envelope. If you would like a copy of the results of this study, please fill out and return the enclosed card with the survey.

Thank you for your cooperation.

Sincerely,

*Joan M. Menard*  
JOAN M. MENARD  
State Representative

JMM/jen



### Survey of School Administrators

The purpose of this survey is to obtain your opinions regarding educational law and school policy.

This survey is not a test and there are no correct answers. The best responses are those that reflect your opinions or feelings.

It is important that you respond to all the statements by indicating the extent to which you agree or disagree with each statement. There are five possible responses:

SD=strongly disagree

D=disagree

N=neutral or undecided

A=agree

SA=strongly agree

Responses	<u>SD</u> =strongly disagree	<u>D</u> =disagree	<u>N</u> =neutral or undecided	<u>A</u> =agree	<u>SA</u> =strongly agree
1. Administrators make judgements based on professional training.	SD	D	N	A	SA
2. School systems should have school policy guidelines in place.	SD	D	N	A	SA
3. School systems should provide administrators with school policy guidelines.	SD	D	N	A	SA
4. School administrators should be familiar with school policy.	SD	D	N	A	SA
5. School policy should be based on Commonwealth of Massachusetts law.	SD	D	N	A	SA
6. My school system has policy guidelines for administrators.	SD	D	N	A	SA
7. My school system has school policy guidelines based on Commonwealth of Massachusetts law.	SD	D	N	A	SA
8. Legal intervention in public education is escalating.	SD	D	N	A	SA
9. Knowledge of fundamental legal principles regarding educational law assists administrators in making administrative legal decisions.	SD	D	N	A	SA
10. My school district has adequate policy guidelines to protect administrators from legal action/law suits.	SD	D	N	A	SA
11. Administrative training should involve some knowledge of educational law.	SD	D	N	A	SA
12. My school district has a school policy handbook for use by school administrators.	SD	D	N	A	SA

Responses:

SD=strongly disagree  
D=disagree  
N=neutral or undecided  
A=agree  
SA=strongly agree

13. School administrators in my school system have access to a school policy handbook for administrators. SD D N A SA
14. In-service workshops for administrators should involve educational law. SD D N A SA
15. In-service workshops on educational law should be sponsored by school systems for administrators. SD D N A SA

Please complete the survey by answering the following questions:

16. Including the present year, how many years have you been a school administrator? \_\_\_\_\_
17. What is the total enrollment of your school this year? \_\_\_\_\_
18. What grades does your school include? \_\_\_\_\_
19. What is the total enrollment of your school district (or system) this year? \_\_\_\_\_
20. Have you taken any courses, seminars or workshops within the past five years that have included or pertained to school law? \_\_\_\_\_
21. Have any of these courses, seminars or workshops been helpful to you in your position as a school administrator? \_\_\_\_\_

Please complete the survey by answering the following questions:

22. In your position as a school administrator, have you been involved in any type of legal situation or lawsuit? \_\_\_\_\_

please elaborate (optional)

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23. In your position as a school administrator does your school system provide you with legal counsel when necessary? \_\_\_\_\_

24. Should courses in law be included in the educational background of school administrators? \_\_\_\_\_

Name (optional) \_\_\_\_\_

School Name (optional) \_\_\_\_\_

School System (optional) \_\_\_\_\_

Thank you for taking the time to complete the survey.

Please return the completed survey in the enclosed envelope.

If you would like a copy of the results of this study, please fill out and return the enclosed card with the survey.

APPENDIX B

TABLE OF CASES

## TABLE OF CASES

- Ardoin v. Evangeline Parish School Board, 376 So. 2d 372 (La. App. 1979).
- Ballard v. Polly, 387 F. Supp. 895 (W.D.C. 1975).
- Baskett v. Crossfield, 228 S.W. 673, 675 (Ky. 1921).
- Blackwell v. Issaquena County Board of Education, 363 F2d 749 (Fifth Circuit Court, 1966).
- Brody v. Montalbano, 151 Cal. Rptr. 206 (Cal. App. 1978).
- Brown v. Board of Education 347 U.S. 483 (1954).
- Brubaker v. Board of Education, School District 149, Cook County, Illinois, 502 F2d 973 (Sev. Cir. 1974).
- Burnside v. Byars, 363 F2d 744 (Fifth Circuit Court, 1966).
- Cirillo v. City of Milwaukee, 150 N.W. 2d 460 (Wis. 1967).
- Clark v. Furch, 567 S.W. 2d 457 (Mo. App. 1978).
- Cohen v. Pearl River Union Free School District, 419 N.Y.S. 2d 998 (App. Div. 1979).
- Everett v. Bucky Warren, Inc., 380 N.E. 2d 653 (Mass. 1978).
- Everson v. Board of Education, 330 U.S. 1 (1947).
- Fagan v. Summers, 498 P.2d 1227 (Wyo. 1972).
- Faso v. Pioneer Central School System, 406 N.Y.S. 2d 901 (App. Div. 1978).
- Frank v. Orleans Parish School Board, 195 So. 2d 451 (La. App 1967).
- Goss v. Lopez, 419 U.S. 565 (1975).
- Gregg v. Dorchester County School System, 241 S.E. 554 (S.C. 1978).

- Gutierrez v. Artesia Public Schools, 583 P2d 476 (N.M. App. 1978).
- Healey v. James, 498 U.S. 169 (1972).
- Howell v. Kingston Township School District, 161 A. 559 (Pa. Super. 1932).
- Landers v. School District No. 203, O'Fallon, Illinois, 383 N.E. 2d 645 (Ill. App. 1978).
- Lilienthal v. San Leandro Unified School District, 139 Cal. App. 2d 453, 293 P. 2d 889 (Cal. App. 1956).
- Martin v. Kearney, 124 Cal. Rptr. 281, 283 (Cal. App. 1975).
- Meek v. Pittinger, 421 U.S. 349 (1975).
- Morris v. Douglas County School District No. 9, 403 P. 2d 775 (Ore. 1965).
- Morrison v. State Board of Education, 461 P2d 375 (Cal. 1969).
- New Jersey v. T.L.O., 53 U.S.L.W. 4983 (1985).
- Norwalk Teachers Association v. Board of Education 83 A2d 482 (Conn. 1951).
- O'Brien v. Township High School District No. 9, 403 P2d 775 (Ore. 1965).
- Opinions of the Justices to the Governor, 363 N.E. 2d 251 (Mass. 1977).
- Palmer v. Board of Education, City of Chicago, 603 F2d 1271 (Seventh Circuit, 1979).
- Parducci v. Rutland, 316 F. Supp. 352 (N.D. Ala. 1970).
- Partin v. Vernon Parish School Board, 343 So. 2d 417 (La. App. 1977).
- People v. Overton, 249 N.E. 2d 366 (new York, 1969.)

- Pickering v. Board of Education, 391 U.S. 563,  
88 S. Ct. 1731, 20 L. Ed 3d 811 (1968).
- Richards v. School District of City of Birmingham,  
83 N. W. 2d 643 (Mich. 1957).
- Rocha v. Lodi Unified School Distirct, 152 Cal. Rptr.  
307 (Cal. App. 1979).
- Scott v. Independent School District, No. 709, Duluth,  
256 N.W. 2d 485 (Minn. 1977).
- Segerman v. Jones, 259 A. 2d 794 (Md. App. 1969).
- Sheehan v. Saint Peter's Catholic School, 188 N.W.  
2d 868 (Minn. 1971).
- Simms v. School District No. 1 508 P. 2d 236  
(Ore. App. 1973).
- Swaitkowski v. Board of Education of City of Buffalo,  
319 N.Y.S. 2d 783 (App. Div. 1971)
- Tinker v. Des Moines Independent School District,  
393 U.S. 503 (1969).
- Thomas v. Board of Education, 377 N.E. 2d 55  
(Ill. App. 1978).
- Titus v. Lindberg, 228 A. 2d 65 (N.J. 1967).
- Whitney v. City of Worcester, 366 N.E. 2d 1210  
(Mass. 1977).
- Williams v. Mariposa County Unified School District,  
147 Cal. Rptr. 452 (Cal. App. 1978).
- Wolman v. Walter, 433 U.S. 229 (1977).
- Wood v. Strickland 420 U.S. 308 (1975).



APPENDIX C

GLOSSARY OF TERMS

## GLOSSARY OF TERMS

- Absolute privilege: protection from liability for communication made in the performance of public service or the administration of justice.
- Appeal: a petition to a higher court to alter the decision of a lower court.
- Appellate court: a tribunal having jurisdiction to review decisions on appeal from inferior courts.
- Assault: the placing of another in fear of bodily harm.
- Battery: The unlawful touching of another with intent to harm.
- Civil action: a judicial proceeding to redress an infringement of individual civil rights, in contrast to a criminal action brought by the state to redress public wrongs.
- Civil case: every lawsuit other than a criminal proceeding. Most civil cases involve a lawsuit brought by one person against another and usually concern money damages.
- Civil right: a personal right that accompanies citizenship.
- Consideration: something of value given or promised for the purpose of forming a contract.
- Contract: an agreement between two or more competent parties that creates, alters or dissolves a legal relationship.
- Criminal action: a judicial proceeding brought by the state against a person charged with a public offense.
- Damages: an award made to an individual because of a legal wrong.

Defamation: false and intentional communication that injures a person's character or reputation.

Defendant: the party against whom a court action is brought.

Discretionary power: the authority that involves the exercise of judgement.

Due process: the fundamental right to notice of charges and an opportunity to rebut the charges before a fair tribunal if life, liberty or property rights are at stake.

In loco parentis: in place of parent; charged with rights and duties of a parent.

Liability: an obligation one is bound by law to discharge.

Libel: Written defamation; published false and malicious written statements that injure a person's reputation.

Ministerial duty: an act that does not involve discretion and must be carried out in a manner specified by legal authority.

Negligence: the failure to exercise the degree of care that a reasonably prudent person would exercise under similar conditions.

Plaintiff: the party initiating the action.

Precedent: a judicial decision serving as authority for subsequent cases involving similar questions of law.

Probable cause: reasonable grounds, supported by sufficient evidence, to warrant a cautious person to believe that the individual is guilty of the offense charged.

Qualified privilege: protection from liability for communication made in good faith, for proper reasons and to appropriate parties.

Slander: Oral defamation; the speaking of false and malicious words that injure another person's reputation, business or property rights.

Statute: an act by the legislative branch of government expressing its will and constituting the law of the state.

Tort: A civil wrong done by one person to another. For an act to be a tort, there must be: a legal duty owed by one person to another, a breach of duty, and harm done as a direct result of the action.

Verdict: a decision of a jury on questions submitted for trial.

APPENDIX D

URBAN AND RURAL TABLES

TABLE 6  
ADMINISTRATORS MAKE JUDGEMENTS  
BASED ON PROFESSIONAL TRAINING

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	0	0	0	0
AGREE	14	52.0	17	49.0	20	57.0
STRONGLY AGREE	<u>13</u>	<u>48.0</u>	<u>18</u>	<u>51.0</u>	<u>26</u>	<u>43.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 7  
ADMINISTRATORS MAKE JUDGEMENTS  
BASED ON PROFESSIONAL TRAINING

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	0	0	0	0
AGREE	33	47.1	14	37.9	20	65.0
STRONGLY AGREE	<u>37</u>	<u>52.9</u>	<u>23</u>	<u>62.1</u>	<u>11</u>	<u>35.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 9  
SCHOOL SYSTEMS SHOULD HAVE SCHOOL  
POLICY GUIDELINES IN PLACE

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	1	4.0	2	6.0	3	6.2
AGREE	10	37.0	13	37.0	21	46.0
STRONGLY AGREE	<u>16</u>	<u>59.0</u>	<u>20</u>	<u>57.0</u>	<u>22</u>	<u>47.8</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 10  
SCHOOL SYSTEMS SHOULD HAVE SCHOOL  
POLICY GUIDELINES IN PLACE

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	6	8.6	4	10.8	0	0
AGREE	7	10.0	9	24.3	2	6.5
STRONGLY AGREE	<u>57</u>	<u>81.4</u>	<u>24</u>	<u>64.9</u>	<u>29</u>	<u>93.5</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 12  
SCHOOL SYSTEMS SHOULD PROVIDE ADMINISTRATORS  
WITH SCHOOL POLICY GUIDELINES

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	0	0	0	0
AGREE	25	92.6	33	94.3	43	93.5
STRONGLY AGREE	<u>2</u>	<u>7.4</u>	<u>2</u>	<u>5.7</u>	<u>3</u>	<u>6.5</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 13  
SCHOOL SYSTEMS SHOULD PROVIDE ADMINISTRATORS  
WITH SCHOOL POLICY GUIDELINES

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	0	0	0	0
AGREE	65	92.9	21	57.0	23	74.0
STRONGLY AGREE	<u>5</u>	<u>7.1</u>	<u>16</u>	<u>43.0</u>	<u>8</u>	<u>26.0</u>
TOTAL	70	100.0	37	100.0	31	100.0



TABLE 15  
SCHOOL ADMINISTRATORS SHOULD BE  
FAMILIAR WITH SCHOOL POLICY

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	1	4.0	2	6.0	1	4.0
AGREE	14	52.0	29	83.0	35	77.0
STRONGLY AGREE	<u>12</u>	<u>44.0</u>	<u>4</u>	<u>11.0</u>	<u>10</u>	<u>21.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 16  
SCHOOL ADMINISTRATORS SHOULD BE  
FAMILIAR WITH SCHOOL POLICY

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	6	9.0	1	3.0	1	3.0
AGREE	34	48.0	8	21.0	14	45.0
STRONGLY AGREE	<u>30</u>	<u>43.0</u>	<u>28</u>	<u>76.0</u>	<u>16</u>	<u>52.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 18  
SCHOOL POLICY SHOULD BE BASED ON  
COMMONWEALTH OF MASSACHUSETTS LAW

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	5	18.5	3	8.6	2	4.3
NEUTRAL	17	63.0	10	28.6	3	6.6
AGREE	4	14.8	16	45.7	22	47.8
STRONGLY AGREE	<u>1</u>	<u>3.7</u>	<u>6</u>	<u>17.1</u>	<u>19</u>	<u>41.3</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 19  
SCHOOL POLICY SHOULD BE BASED ON  
COMMONWEALTH OF MASSACHUSETTS LAW

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	10	14.2	9	24.3	6	19.0
NEUTRAL	20	28.6	15	40.5	10	32.0
AGREE	30	43.0	10	27.2	4	13.0
STRONGLY AGREE	<u>10</u>	<u>14.2</u>	<u>3</u>	<u>8.0</u>	<u>11</u>	<u>36.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 21  
MY SCHOOL SYSTEM HAS POLICY GUIDELINES  
FOR SCHOOL ADMINISTRATORS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	6	22.0	3	8.5	3	6.5
DISAGREE	10	37.0	5	14.3	5	11.0
NEUTRAL	5	19.0	15	42.9	20	43.5
AGREE	4	15.0	10	28.6	4	8.6
STRONGLY AGREE	<u>2</u>	<u>7.0</u>	<u>2</u>	<u>5.7</u>	<u>14</u>	<u>30.4</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 22  
MY SCHOOL SYSTEM HAS POLICY GUIDELINES  
FOR SCHOOL ADMINISTRATORS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	6	8.5	6	16.0	6	19.0
DISAGREE	12	17.1	10	27.0	2	6.5
NEUTRAL	36	51.0	8	22.0	20	66.5
AGREE	5	7.2	10	27.0	2	6.5
STRONGLY AGREE	<u>11</u>	<u>16.2</u>	<u>3</u>	<u>8.0</u>	<u>1</u>	<u>3.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 24  
 MY SCHOOL SYSTEM HAS POLICY GUIDELINES  
 BASED ON COMMONWEALTH OF MASSACHUSETTS LAW

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	4	15.0	6	17.0	6	13.0
DISAGREE	8	30.0	7	20.0	8	17.4
NEUTRAL	10	37.0	12	34.0	18	39.0
AGREE	3	11.0	7	20.0	5	11.0
STRONGLY AGREE	<u>2</u>	<u>7.0</u>	<u>3</u>	<u>9.0</u>	<u>9</u>	<u>20.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 25  
 MY SCHOOL SYSTEM HAS POLICY GUIDELINES  
 BASED ON COMMONWEALTH OF MASSACHUSETTS LAW

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	11	16.0	6	16.0	3	10.0
DISAGREE	10	14.0	9	24.0	6	19.0
NEUTRAL	42	60.0	14	39.0	18	58.0
AGREE	3	4.0	6	16.0	4	13.0
STRONGLY AGREE	<u>4</u>	<u>6.0</u>	<u>2</u>	<u>5.0</u>	<u>0</u>	<u>00.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 27  
LEGAL INTERVENTION IN PUBLIC EDUCATION  
IS ESCALATING

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	1	4.0	0	00.0	0	00.0
DISAGREE	2	7.4	2	6.2	0	00.0
NEUTRAL	18	66.0	2	6.2	3	7.0
AGREE	5	19.0	18	51.0	7	15.0
STRONGLY AGREE	<u>1</u>	<u>4.0</u>	<u>13</u>	<u>37.0</u>	<u>36</u>	<u>78.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 28  
LEGAL INTERVENTION IN PUBLIC EDUCATION  
IS ESCALATING

Response	Rural schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	00.0	0	00.0	0	00.0
DISAGREE	3	4.3	3	8.0	1	3.0
NEUTRAL	4	5.7	4	11.0	3	10.0
AGREE	36	51.0	24	65.0	20	65.0
STRONGLY AGREE	<u>27</u>	<u>39.0</u>	<u>6</u>	<u>16.0</u>	<u>7</u>	<u>22.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 30  
 KNOWLEDGE OF FUNDAMENTAL LEGAL PRINCIPLES  
 REGARDING EDUCATIONAL LAW ASSISTS ADMINISTRATORS  
 IN MAKING ADMINISTRATIVE LEGAL DECISIONS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	.0	0	0	0	0
DISAGREE	2	7.0	0	0	0	0
NEUTRAL	3	11.0	2	6.0	3	6.0
AGREE	10	37.0	9	26.0	15	33.0
STRONGLY AGREE	<u>12</u>	<u>45.0</u>	<u>24</u>	<u>68.0</u>	<u>28</u>	<u>61.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 31  
 KNOWLEDGE OF FUNDAMENTAL LEGAL PRINCIPLES  
 REGARDING EDUCATIONAL LAW ASSISTS ADMINISTRATORS  
 IN MAKING ADMINISTRATIVE LEGAL DECISIONS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	00.0
DISAGREE	2	3.0	1	3.0	0	00.0
NEUTRAL	3	4.0	6	16.0	3	10.0
AGREE	20	29.0	10	27.0	24	77.0
STRONGLY AGREE	<u>45</u>	<u>64.0</u>	<u>20</u>	<u>54.0</u>	<u>4</u>	<u>13.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 33

MY SCHOOL DISTRICT HAS ADEQUATE SCHOOL POLICY  
GUIDELINES TO PROTECT ADMINISTRATORS  
FROM LEGAL ACTION/LAW SUITS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	4	15.0	11	31.4	5	11.0
DISAGREE	7	26.0	4	11.4	4	9.0
NEUTRAL	8	30.0	13	37.1	25	54.0
AGREE	7	26.0	3	9.0	10	22.0
STRONGLY AGREE	<u>1</u>	<u>3.0</u>	<u>4</u>	<u>11.9</u>	<u>2</u>	<u>4.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 34

MY SCHOOL DISTRICT HAD ADEQUATE SCHOOL POLICY  
GUIDELINES TO PROTECT ADMINISTRATORS  
FROM LEGAL ACTION/LAW SUITS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	8	11.0	6	16.2	6	19.0
DISAGREE	5	7.0	13	35.0	12	39.0
NEUTRAL	43	61.0	11	30.0	8	26.0
AGREE	13	19.0	5	14.0	3	10.0
STRONGLY AGREE	<u>1</u>	<u>2.0</u>	<u>2</u>	<u>5.0</u>	<u>2</u>	<u>6.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 36  
ADMINISTRATIVE TRAINING SHOULD INVOLVE  
SOME KNOWLEDGE OF EDUCATIONAL LAW

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	7	26.0	12	34.0	21	45.0
AGREE	12	44.0	20	57.0	18	40.0
STRONGLY AGREE	<u>8</u>	<u>30.0</u>	<u>3</u>	<u>9.0</u>	<u>7</u>	<u>15.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 37  
ADMINISTRATIVE TRAINING SHOULD INVOLVE  
SOME KNOWLEDGE OF EDUCATIONAL LAW

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	12	17.0	3	8.0	5	16.0
AGREE	16	23.0	20	54.0	20	65.0
STRONGLY AGREE	<u>42</u>	<u>60.0</u>	<u>14</u>	<u>38.0</u>	<u>6</u>	<u>19.0</u>
TOTAL	70	100.0	37	100.0	31	100.0



TABLE 39

MY SCHOOL DISTRICT HAS A SCHOOL POLICY  
HANDBOOK FOR USE BY SCHOOL ADMINISTRATORS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	4	15.0	4	11.0	12	26.0
DISAGREE	5	19.0	6	17.0	9	20.0
NEUTRAL	12	44.0	18	52.0	6	13.0
AGREE	6	22.0	6	17.0	18	39.0
STRONGLY AGREE	<u>0</u>	<u>00.0</u>	<u>1</u>	<u>3.0</u>	<u>1</u>	<u>2.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 40

MY SCHOOL DISTRICT HAS A SCHOOL POLICY  
HANDBOOK FOR USE BY SCHOOL ADMINISTRATORS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	8	11.0	3	8.0	4	13.0
DISAGREE	20	29.0	1	3.0	4	13.0
NEUTRAL	36	51.0	10	27.0	8	26.0
AGREE	4	6.0	17	46.0	9	29.0
STRONGLY AGREE	<u>2</u>	<u>3.0</u>	<u>6</u>	<u>16.0</u>	<u>6</u>	<u>19.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 42  
 SCHOOL ADMINISTRATORS IN MY SCHOOL SYSTEM  
 HAVE ACCESS TO A SCHOOL POLICY HANDBOOK  
 FOR ADMINISTRATORS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	7	26.0	4	11.0	7	15.0
DISAGREE	4	15.0	7	20.0	11	23.0
NEUTRAL	10	37.0	20	57.0	4	9.0
AGREE	6	22.0	3	9.0	21	46.0
STRONGLY AGREE	<u>0</u>	<u>00.0</u>	<u>1</u>	<u>3.0</u>	<u>3</u>	<u>7.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 43  
 SCHOOL ADMINISTRATORS IN MY SCHOOL SYSTEM  
 HAVE ACCESS TO A SCHOOL POLICY HANDBOOK  
 FOR ADMINISTRATORS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	7	10.0	3	8.0	7	22.0
DISAGREE	8	11.0	6	16.0	12	39.0
NEUTRAL	33	47.0	22	60.0	5	16.0
AGREE	20	30.0	1	3.0	5	16.0
STRONGLY AGREE	<u>2</u>	<u>2.0</u>	<u>5</u>	<u>13.0</u>	<u>2</u>	<u>7.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 45  
 IN-SERVICE WORKSHOPS FOR ADMINISTRATORS  
 SHOULD INVOLVE EDUCATIONAL LAW

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	0	0	1	3.0	2	4.0
AGREE	17	63.0	23	66.0	40	87.0
STRONGLY AGREE	<u>10</u>	<u>37.0</u>	<u>11</u>	<u>31.0</u>	<u>4</u>	<u>9.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 46  
 IN-SERVICE WORKSHOPS FOR ADMINISTRATORS  
 SHOULD INVOLVE EDUCATIONAL LAW

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	1	1.0	0	0	0	0
NEUTRAL	12	17.1	2	5.5	3	10.0
AGREE	28	40.0	22	59.5	20	65.0
STRONGLY AGREE	<u>29</u>	<u>42.0</u>	<u>13</u>	<u>35.0</u>	<u>8</u>	<u>25.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

TABLE 48  
 IN-SERVICE WORKSHOPS ON EDUCATIONAL LAW  
 SHOULD BE SPONSORED BY SCHOOL SYSTEMS  
 FOR SCHOOL ADMINISTRATORS

Response	Urban Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	4	15.0	2	6.0	2	4.3
AGREE	17	63.0	21	60.0	37	81.0
STRONGLY AGREE	<u>6</u>	<u>22.0</u>	<u>12</u>	<u>34.0</u>	<u>7</u>	<u>15.0</u>
TOTAL	27	100.0	35	100.0	46	100.0

TABLE 49  
 IN-SERVICE WORKSHOPS ON EDUCATIONAL LAW  
 SHOULD BE SPONSORED BY SCHOOL SYSTEMS  
 FOR SCHOOL ADMINISTRATORS

Response	Rural Schools					
	Elementary		Middle		High	
	No.	Pct.	No.	Pct.	No.	Pct.
STRONGLY DISAGREE	0	0	0	0	0	0
DISAGREE	0	0	0	0	0	0
NEUTRAL	16	23.0	4	11.0	8	25.0
AGREE	54	77.0	31	84.0	20	65.0
STRONGLY AGREE	<u>0</u>	<u>0</u>	<u>2</u>	<u>5.0</u>	<u>3</u>	<u>10.0</u>
TOTAL	70	100.0	37	100.0	31	100.0

APPENDIX E

STATISTICALLY SIGNIFICANT CROSSTABS DATA

CHI SQUARE

TABLE 60  
 STATISTICALLY SIGNIFICANT CROSSTABS DATA

Question	Question 18 Chi Square	Question 16 Chi Square	Question 19 Chi Square
1	-----	0.001	-----
2	-----	-----	0.001
3	-----	0.001	0.01
4	-----	0.01	0.001
5	0.001	-----	0.01
6	0.01	0.001	-----
7	-----	-----	0.05
8	0.001	0.001	0.001
9	0.05	0.001	-----
10	0.05	0.001	-----
11	0.001	0.001	0.001
12	0.001	0.05	0.05
13	0.001	0.001	-----
14	0.01	0.001	0.001
15	0.05	0.001	0.001
20	0.05	0.01	0.05
21	0.05	-----	-----
22	0.001	0.001	0.01
23	0.01	0.001	0.001
24	-----	0.01	-----

APPENDIX F

STATISTICALLY SIGNIFICANT CROSSTABS DATA  
PEARSON CORRELATION COEFFICIENT

TABLE 61  
 STATISTICALLY SIGNIFICANT CROSSTABS DATA

Question	Question 16 Pearson Correlation Coefficient	Question 19 Pearson Correlation Coefficient
1	P=.01	P=.05
2	-----	P=.01
3	P=.01	-----
4	-----	P=.05
5	-----	-----
6	P=.01	-----
7	-----	-----
8	P=.01	-----
9	P=.05	-----
10	P=.01	-----
11	P=.01	P=.01
12	-----	P=.01
13	-----	-----
14	-----	-----
15	-----	P=.01



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