THE EFFECTS OF VIDEO-BASED EMBEDDED SUPPLEMENTAL INSTRUCTION UPON PRESERVICE TEACHERS’ SCHOOL LAW COMPETENCY

by

Jeffrey Duane Keeling

Liberty University

A Dissertation Presented in Partial Fulfillment
Of the Requirements for the Degree

Doctor of Education

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ABSTRACT

This quasi-experimental posttest only study examined the impact of embedded school law video-based mini-lessons upon preservice teachers’ levels of proficiency with school law. The intent of the study was to address the concern that approximately only 18 out of 700 American teacher education programs include a required school law course (Gullatt & Tollett, 1997). The study aimed to discover whether or not a statistically significant difference in level of school law proficiency as measured by Schimmel and Militello’s (2007) Education Law Survey would emerge between preservice teachers who had been exposed to a series of eight video mini-lessons containing school law topics and those who had been exposed to no treatment or a combined video seminar containing the same information as the mini-lessons. The purpose of a combined video seminar was to simulate the school law seminars employed by some teacher preparation programs immediately preceding the student-teaching component of their preservice training (Eckes, 2008). The goal of this study was to identify potential solutions to the problem that teachers entering the field of education are not appropriately trained within the area of school law leading to increased potential for liability issues within the school districts by which they are employed. Results indicated that both treatments had a statistically significant impact upon participants’ perceived knowledge of school law topics, but a non-statistically significant effect upon their actual knowledge of school law topics.

Keywords: school law, embedded lessons, mini-lessons, working memory
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Americans with Disabilities Act of 1990 (ADA)
Analysis of Variance (ANOVA)
Free Appropriate Public Education (FAPE)
Individuals with Disabilities Act (IDEA)
Individualized Education Plan (IEP)
Least restrictive environment (LRE)
CHAPTER ONE: INTRODUCTION

The intent of this study is to examine the deficiency in formal school law education among preservice teachers at North American institutions of higher learning and test a potential solution to the problem. The primary reason for the lack of formal school law training prevalent within most colleges and universities studied results from a general lack of space within the existing curriculum for an additional course devoted solely to school law. As a result, this study attempts to explore the effectiveness of embedded school law mini-lessons within preservice teacher training courses upon the participants’ proficiency with school law as measured by an adapted version of Schimmel and Militello’s (2007) Education Law Survey, which has been used to identify areas of need among educators regardless of their previous experience and/or training within the school law content area.

Background

A review of recent and past literature encompassing this topic revealed that a significant deficiency within the area of school law preparation is present in undergraduate teacher preparation programs. For example, Gullatt and Tollett (1997) reported that only 75% of all practicing teachers have never taken a course in school law, with the remaining 25% enrolling in such a course only as part of an administrator preparation program. Similarly, Eckes (2008) reported that most colleges and universities do not offer an undergraduate course in school law for preservice teachers because there is no room within the curriculum for the addition of another course. Eckes further stated that many higher education institutions offer a 2-hour school law seminar at the conclusion of preservice teachers’ course of study; however, the effectiveness of this practice is questionable at best. In a 1996 survey of 700 institutions of higher education with
teacher preparation programs, only 18 of those surveyed reported that they required preservice teachers to complete a specific school law course (Patterson & Rossow, 1996).

Because the leaders of higher education institutions find the incorporation of a designated school law course to be logistically difficult considering their already over-loaded curricula, an effective strategy for transmitting a basic knowledge of school law is necessary in order for preservice teachers to be appropriately prepared for the world of public education. Based upon the research of Eckes (2008), which presented the concept of a two-hour seminar at the conclusion of preservice undergraduate training, this study examined the effectiveness of such seminars as compared to the effectiveness of eight 15-minute video mini-lessons presented weekly over the course of an 8-week period upon preservice teachers’ level of school law competency. The rationale for using mini-lessons is derived from the concept set forth by Dickinson (1973), who found that condensed, interactive lessons are a powerful tool for increasing students’ comprehension and retention of concepts.

Problem Statement

Teachers entering the field of education are not appropriately trained within the area of school law, which may lead to increased potential for liability issues within the school districts by which they are employed. As Eckes (2008) noted, a majority of teacher education programs omit school law from their curricula primarily because the time required for such a course is already consumed by other curricular requirements. Eckes further found that the most instruction that many institutions offer in regard to school law training is an approximately 2-hour long seminar at the conclusion of coursework just prior to student teaching. One solution that has been suggested by McCarthy (2008) is the concept of small group school law
instruction. Again in this case, the issues of scheduling such a course are prohibitive because of
the decreased faculty/student ratio that necessitates increased staffing.

**Purpose Statement**

The purpose of this quasi-experimental, equivalent posttest only study is to apply the study of Eckes (2008), who posited that legal knowledge is not effectively obtained through a simple 2-hour seminar near the conclusion of preservice teacher training. This was accomplished by comparing preservice teachers’ school law training with their levels of proficiency with common school-related legal topics, controlling for method of training and period of exposure for preservice teachers at a rural private college. The independent variables are defined as exposure to a treatment of eight school law video mini-lessons and exposure to one 2-hour video school law seminar, and no treatment for the control group. The dependent variables were generally defined as preservice teachers’ school law knowledge, both actual and perceived, as measured by Schimmel and Militello’s (2007) School Law Survey posttest.

**Significance of the Study**

The significance of this study is its role in determining whether or not critical school law information can be transmitted to preservice teachers effectively through the use of supplemental video mini-lessons and whether such an approach has the potential to combat the current dearth of legal knowledge among both preservice and practicing teachers. If the finding had indicated preservice teachers’ levels of knowledge were improved by exposure to the mini-lessons, then the research would have had the potential to change the manner in which school law content is presented within teacher training programs.
Research Questions

The research questions for this study include the following:

**RQ1:** What is the difference in preservice teachers’ *perceived knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction)?

**RQ2:** What is the difference in preservice teachers’ *actual knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction)?

**Hypotheses**

The following are the research hypotheses:

**H1:** There is a statistically significant difference in preservice teachers’ *perceived knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).

**H2:** There is a statistically significant difference in preservice teachers’ *actual knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).

Alternatively, the following are the null hypotheses:

**H01:** There is no statistically significant difference in preservice teachers’ *perceived knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).

**H02:** There is no statistically significant difference in preservice teachers’ *actual knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).
Identification of Variables

The independent and dependent variables used within this study are as follows:

**IV₁**: Type of school law instruction with 3 groups: Treatment 1 (eight 5 to 15-minute video-based mini-lessons), Treatment 2 (one seminar), and Control group (no law instruction).

**DV**: perceived knowledge and actual knowledge in school law as measured by the subscales on the Education Law Survey by Schimmel and Militello (2007).

Definitions

The following is a list of various terms and acronyms significant to the content of this study. These terms and acronyms are used throughout the following pages and represent significant concepts that are discussed within this research study.

**504 Plan**: requires recipients to provide to students with disabilities appropriate educational services designed to meet the individual needs of such students to the same extent as the needs of students without disabilities (U.S. Department of Education, 2013).

**Americans with Disabilities Act of 1990 (ADA)**: prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities, and transportation (U.S. Department of Justice Civil Rights Division, 2014).

**Embedded Lessons**: For the purposes of this research, embedded lessons are defined as video-based mini-lessons encompassing school law topics incorporated into the curriculum of another course.

**Free Appropriate Public Education (FAPE)**: An appropriate education may comprise education in regular classes, education in regular classes with the use of related aids and services, or special education and related services in separate classrooms for all or portions of the school
day. Special education may include specially designed instruction in classrooms, at home, or in private or public institutions, and may be accompanied by related services such as speech therapy, occupational and physical therapy, psychological counseling, and medical diagnostic services necessary to the child’s education (U.S. Department of Education Office for Civil Rights, 2010).

**Individualized Education Plan (IEP):** a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with Soc. Sec. 300.320 through 300.324 (U.S. Department of Education, 2014).

**Individuals with Disabilities Act (IDEA):** Federal special education law that ensures public schools serve the educational needs of students with disabilities (National Center for Learning Disabilities, 2014).

**Least restrictive environment (LRE):** To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily (U.S. Department of Education, 2014).

**Mini-Lesson:** “A short period of instruction (approximately 10–15 minutes long)” (Mini-lesson, 2007, p. 146).

**Preservice Teacher:** a student in a teacher preparation program who has finished his or her general education requirements and has been admitted to a college of education (Call, 2008).
**Related Services:** transportation and such developmental, corrective, and other supportive services as are required to assist a child with a disability to benefit from special education, and includes speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, early identification and assessment of disabilities in children, counseling services, including rehabilitation counseling, orientation and mobility services, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent counseling and training (U.S. Department of Education, 2014).

**School Law Proficiency:** For the purposes of this research, school law proficiency is defined as the ability to pass a posttest that encompasses identified critical school legal topics administered prior to student teaching.

**Research Summary**

This quasi-experimental, equivalent posttest-only control group study examined methods for improving preservice teachers’ competency within the content area of school law. Participants’ levels of school law competency were measured in a posttest using Schimmel and Militello’s (2007) Education Law Survey. This posttest instrument was appropriate to the quasi-experimental design of the study because it allowed for the testing of two dependent variables across the three groups of the independent variable.

**Assumptions**

This study assumes that exposure to school law topics and instruction, even through the abbreviated format of a video mini-lesson, has the potential to improve preservice teachers’ proficiency with school law in a statistically significant manner, assuming that instructors
present the material consistently and in accordance with the prescribed schedule. The study also assumes that regulated or “chunked” exposure to school law content over the course of eight weeks will be more effective in improving participants’ school law proficiency than exposure to all of the tested content in one 2-hour session.

**Limitations**

Limitations to this study include the fact that individuals other than the researcher were required to coordinate the showing of the video mini-lessons connected to the quasi-experimental study, meaning that the potential for errors was present, and the results were only as accurate as the manner of efficiency with which the procedures were carried out. A second limitation relates to the number of participants available for the two treatment groups and the control group. Based upon the course enrollment of the college under study, Treatment Group 1 consisted of 12 subjects; Treatment Group 2 consisted of 20 subjects; and the Control Group consisted of 15 subjects.

**Conclusion**

The ultimate goal of this study is to determine whether or not school law instruction through the use of embedded video mini-lessons is an effective method of combating the lack of school law training in the majority of American preservice teacher education programs. Ideally, the research should demonstrate that exposure to a treatment consisting of exposure to one 15-minute school law mini-lesson per week over the course of an 8-week period will be effective in improving preservice teachers’ understanding of school law in general as measured by the Education Law Survey developed and used by Schimmel and Militello (2007).
CHAPTER TWO: REVIEW OF THE LITERATURE

This review of literature contains an examination of public school teachers’ training in and proficiency with school law. The reviewed sources were sorted into four categories including: preservice teachers and the law, the role of higher education in preservice school law preparation, practicing teachers and the law, and a brief review of the concept of mini-lessons as a possible solution for the lack of preservice school law training among teachers identified within the review. As a result, this review of literature provides a view into the present state of preservice school law training for teachers as well as a foundation for one potential solution to the problem, namely, that of incorporating embedded school law instruction into other preservice teacher education classes in order to include pertinent information within an extremely limited curricular schedule.

Conversations and instruction surrounding the topic of school law have largely focused upon litigation in recent years. In the greater part of the 20th century, a multitude of the legal cases surrounding education were rooted in causes such as ending segregation, protecting students’ First Amendment rights, and ensuring that students with disabilities are provided with appropriate educational opportunities (McCarthy, 2008). As education has moved into the 21st century, litigation has shifted in scope more directly to changing schools through adjustments to funding structures, school choice opportunities, and most significantly the myriad ramifications of the No Child Left Behind Act of 2004 (McCarthy, 2008). Many scholars argue that substantially more education-related litigation exists than what is called for, and plenty of legal cases could be resolved outside the courtroom if teachers and school administrators would handle them appropriately (McCarthy, 2008). This is the point at which the argument for
comprehensive legal training for preservice teachers becomes increasingly important both for teachers themselves and for the school districts by which they are or soon will be employed.

Preservice Teachers and the Law

A common theme pertaining to school law that emerged throughout the review of literature is the concept that college and university teacher education programs are not effectively teaching school law to prospective teachers. As a result, this leads to practicing teachers who are not equipped with the legal training necessary to navigate the litigious landscape of modern American public education. Call (2008) examined the legal proficiency of approximately 325 graduate and undergraduate students in teacher preparation courses and found that students in both groups possessed knowledge of the First Amendment based solely upon their previous life experiences. Although four research questions guided Call’s study, the question “Are secondary preservice teachers confident they are prepared for dealing with students’ First Amendment rights at school?” applies most directly to the current study. Call incorporated a mixed methods approach within the study using both quantitative and qualitative strategies including a web-based survey and personal interviews consisting of pre-defined questions posed to the participants. He found that the participants in the study expressed varying degrees of confidence in both their survey and interview answers regarding the issue of dealing with students’ First Amendment rights at school, and overwhelmingly, the results demonstrated that the participants’ answers were based primarily upon their personal experiences as well as individual perceptions of right and wrong, as opposed to actual legal information learned either from a school law course or personal study. As a result, the subjects’ interpretations of the ways in which First Amendment rights apply to public education were often skewed because of a lack
of definitive instruction in the law as it relates to schools, demonstrating the necessity for direct and explicit instruction in school law for preservice teachers.

A significant portion of public school law revolves around special education. Special education law within the United States changes on a nearly continuous basis, and teachers, regardless of whether they teach in regular or special education classrooms, should be aware of the ways in which special education law relates to them. The discrepancy between what preservice teachers know and what they should know about school law can be attributed to the fact that Federal education laws have changed at a much faster rate than have teacher education programs (Callanan, 2012). Accordingly, teacher education programs are not maintaining an appropriate pace with the changes that have occurred and continue to occur within education law.

The recent body of research pertaining to school law training as a component of undergraduate teacher education programs is alarmingly scant, with the majority of existing research articles published pertaining to the topic stemming primarily from the mid-1980s to mid-1990s (Eckes, 2008). Unfortunately, while the legal landscape surrounding public education and teachers in particular has become increasingly hazardous, little has been done to initiate educational reform within this realm. For example, a common perception among those who observe undergraduate students throughout their programs of study is that those who have progressed further in coursework should have a deeper base of knowledge than those who are in the earlier stages of their educational experience. While this concept remains true throughout many content areas including teacher education, the paradigm does not extend into the specific educational sub-topic of school law. In fact, research has shown that the average senior in a
teacher education program possesses about the same amount of school law content knowledge as
the average sophomore in the same program (Eckes, 2008).

Eckes (2008) examined the research question of what specific school law topics should
be included in preservice school law courses in order to promote the maximum level of
knowledge and proficiency with the law among preservice teachers. After conducting an
analysis of 12 popular school law texts, Eckes (2008) identified the following 12 school law
content areas as critical to the development of preservice teachers’ legal awareness: student
expression, church-state relations, teacher expression, discrimination in employment, collective
bargaining, teacher dismissal, negligence, special education, harassment, child abuse, discipline,
and instructional issues. Eckes concluded that while there may be some debate over the specific
content to be included within a prescriptive school law course, a course covering at least these 12
subject areas is necessary in preparing preservice teachers to function within often complex
classroom and school environments.

Although these statistics are deeply concerning, they illustrate the concept that a
significant majority of recently graduated teacher candidates are grossly underprepared for
entrance into the field of public education – at least with regard to their understanding of public
school law. Gullat and Tollett (1997) examined the amount and scope of school law content
instruction included in undergraduate school law training programs. Among 480 practicing
teachers who were recent college graduates in the state of Louisiana, 67% of respondents
reported feelings of concern over their general lack of preparedness for addressing legal issues in
the public school setting. Perhaps more alarmingly, 95% of the 480 teachers surveyed in
Louisiana reported that they had no school law training at the undergraduate level. Of even
greater concern is that the previous statistics are approximately 17 years old, and the current
body of research pertaining to this topic of study has grown only limitedly. Additionally, these findings reported in 1997 only pertained to approximately 480 teachers in the state of Louisiana. Therefore, an extremely small population was studied, indicating that the general lack of knowledge among public school teachers across the 50 states is an issue of significant concern at the national level.

Eckes (2008) cited a survey conducted by Reglin (1992) among teachers in South Carolina that demonstrated that of 290 public school educators, including 43 principals, 63 assistant principals, and 184 teachers, 83.4% of teachers had taken no undergraduate school law course and 60.3% had taken no graduate-level school law course. Of all those surveyed, only 80% were able to answer half of the 15 questions on the survey correctly. The issues presented in the survey included church-state issues, student and teacher rights, students with disabilities, student discipline, etc. In summary, not all of the subjects surveyed were able to answer even half of the questions presented. This statistic is quite telling considering the fact that although public education had a significant amount of legal issues connected to it in 1992, the scope of potential for legal violations among public schools has increased significantly in recent years. If 80% of teachers surveyed in South Carolina in 1992 could not answer half of the questions on a legal survey correctly, the likely assumption is that an even greater number of teachers would fail to answer similar questions correctly at the present time.

Greytak (2009) highlighted another legal component in which preservice teachers are under qualified, namely, the area of mandated reporting of suspected child abuse. This issue was addressed through the research question: “How likely are teachers to comply with state mandated reporting laws by reporting their suspicions of child abuse to child protective services?” (p. 6). Greytak studied approximately 250 preservice teacher candidates who on average had been
exposed to child abuse, reporting training in one session ranging from one to three hours in length. The researcher administered a paper-based survey in person to approximately 103 of the 250 available subjects. On the survey, 46.7% of preservice teachers indicated that they had never reported suspected sexual abuse of a student, and 34.1% indicated that they had never reported suspected sexual abuse of a student. Greytak further found that retention rates among new teacher candidates regarding the subject of mandated reporting of child abuse was significantly inadequate, further demonstrating the necessity of intentional preservice school law instruction for new teachers. Teachers who do not fulfill their obligations as mandated reporters create a liability both for themselves and for the school districts by which they are employed. Thus the development of an effective method for training prospective teachers in this area within a limited time frame is critical.

Mandated reporting has come to the forefront in recent years with many states requiring all adults employed by school districts to be trained in child abuse recognition and reporting. In the case of teachers, school districts often must provide remedial training for teachers because many educators do not feel that their teacher education programs prepared them appropriately regarding how to act as mandated reporters (Costello, 2009). As a result, teachers often vacillate concerning when and what to report as a result of not being adequately trained in this area. Many of the teachers who participated in Costello’s study actually were fearful of doing something wrong in the reporting process and in many cases chose to do nothing rather than risk doing something incorrectly. Further, many teachers do not understand the long-term impacts of child abuse upon the lives of the victims, so a significant burden is placed upon preservice teacher education programs to ensure that students within their programs understand what to report along with how to report it (Hinkelman & Bruno, 2008).
Children spend a significant amount of their time in schools, which is a primary reason for the responsibility placed upon teachers, counselors, and administrators in the reporting process. In fact, school personnel have been the largest group engaged in the reporting of child abuse since 1999 (Hinkelman & Bruno, 2008). A substantially greater number of abuse cases are reported among elementary school-aged students than among high school students, making knowledge about the laws surrounding child abuse reporting of particular importance for elementary school teachers. Many teachers and school professionals understand that child abuse is a serious issue with mandated responses on their part; however, they often report feeling under-educated and ill-prepared as to how to address situations in which abuse is discovered or brought to their attention (Hinkelman & Bruno, 2008). Additionally, school personnel such as counselors and principals often have more in-depth training within the area of child abuse recognition and reporting than do teachers.

In many cases, teachers and other school personnel fail to report suspected child abuse to the appropriate authorities because they believe that they may not have enough evidence to warrant a report (Hinkelman & Bruno, 2008). The fact is that many teachers do not realize that they are legally bound to report any potential suspicions of child abuse. The burden of investigating the report for factuality lies with appropriate organizations such as Children and Youth Services, and therefore, determining if alleged child abuse is factual is not the role of school personnel. Ultimately, teachers and other school staff members who withhold filing a report as a result of fear of not having enough evidence are in direct violation of the law as it relates to mandated child abuse reporting. Therefore, teachers at the preservice level need to be provided with extensive training in the area of child abuse reporting in order to avoid falling into legal trouble by wrongfully withholding information related to suspected child abuse.
According to Hinkelman and Bruno (2008), in a survey of 200 teachers, Kenny (2004) found that only 34% reported receiving undergraduate training on child abuse, and of these, only 23% stated that they felt adequately prepared to identify and report child abuse. The lack of appropriate child abuse education among preservice teachers represents another serious gap in the legal curricula of teacher preparation programs and is a topic that could be addressed through intentional school law training.

Child abuse recognition and reporting is another area in which a school law course or embedded instruction could prove beneficial for preservice teachers in higher education classrooms. Although the subject of child abuse is a frequent topic of discussion, particularly among teachers of elementary and early middle school-aged students, the number of teachers who feel comfortable in identifying and reporting suspected child abuse is few. The importance of child abuse recognition and reporting has the potential to take on particular significance in classrooms in which self-expression is emphasized through the creation of art. Teachers should understand that if they observe something of a concerning nature expressed through student art work, it is their professional and legal obligation to have a conversation with the student in order to determine whether or not the visual or figurative representation is reflective of an abusive situation. If a teacher determines that a student is in an abusive situation, it becomes his or her responsibility to report the discovery to the school administration for further direction regarding how to proceed (Bain, 2009).

The subject of preservice teacher training and the law extends to the area of sexual misconduct. Hutchings (2009) studied the role of teacher preparation programs in preventing sexual misconduct between teachers and their students and found that little, if any, direct instruction dealing with sexual misconduct on the part of teachers takes place in preservice
teacher education programs. Hutchings used a qualitative process developed by Marshall and Rossman (1989) known as elite interviewing in which small populations of outstanding teachers, attorneys who practice within the area of teacher misconduct, state department of education officials, and school district officials were interviewed in order to gain their insight and expertise concerning the problem of teacher misconduct. For the purposes of their research "elites [were] selected for interviews on the basis of their expertise in areas relevant to the research ... often contributing insight and meaning to the interview process because they are intelligent and quick-thinking people, at home in the realm of ideas, policies, and generalizations" (Marshall & Rossman, 1989 as cited in Hutchings, 2009, p. 53). The interviews conducted with those identified as elites within the field of handling teacher misconduct issues revealed that teachers who commit sexual offenses are primarily boundary violators, and like most teachers, have little knowledge of professional codes of conduct and laws that govern professional behavior. Resultantly, another legal component of teacher education is overlooked, potentially leading to indiscretion on the part of certain unscrupulous teachers that results in the corruption of minors, which again creates significant liability risks for school districts that assume that the new teachers they hire have a fundamental understanding of school law and its ramifications.

Wagner (2006) studied a population of approximately 6,300 participants including teachers, school administrators, and college professors, in order to determine the respective legal backgrounds of the groups as well as to determine their levels of proficiency with education-related legal issues. The participants in each of the three subgroups came from diverse backgrounds including those from urban and rural areas, as well as those who had been employed in school districts with enrollments of fewer than 2,000 and in several cases, greater than 5,000 students. Each of the participants in the study completed a web-based survey
questionnaire relevant to their personal perceptions and experiences with school law along with recommendations for content that they believed should be included as part of the curriculum within a school law course. The findings demonstrated that a substantial gap in legal training was present between survey participants who held graduate degrees as opposed to undergraduate degrees. The survey instrument also took years of experience in the field of education into account as well. Wagner found that of the three groups studied, teachers were the subgroup that was least likely to have taken a school law course, with greater than 75% of teachers surveyed having never taken such a course. This information is perplexing, as teachers represent the subgroup that has the most contact with students on a daily basis. Ironically, the subject of discipline is stressed within the context of preparing preservice teachers for classroom management (Yang, 2009), yet the same teacher candidates are not aware of the legal ramifications that may result from inappropriate disciplinary actions. As a result, a significant discrepancy exists within teacher education programs in this area. Even among teachers who had taken a school law class, Wagner (2006) found that the majority of those surveyed had taken the law class ranging from 10 to 30 years in the past. Therefore, all of the teachers who participated in the study had no current training in matters of educational law.

Wagner’s (2006) findings were similar to those of Wheeler (2003), who found that although teacher candidates believed that knowledge of school law was of great significance, they also were the least knowledgeable about the subject as compared with practicing teachers and school administrators.

**The Role of Higher Education in Preservice Teacher Law Preparation**

Wagner (2006) reported that little has changed in the past 40 years regarding the legal preparation of teachers. This assertion stands in blatant disregard of the fact that the field of
education has become increasingly litigious, particularly within the past 20 years. Unfortunately, the body of literature pertaining to the teaching of school law to preservice teachers is “scant, if not non-existent” (Bruner & Bartlett, 2008, p. 37). While much literature exists surrounding the topic of law school instruction, the body of literature aimed at addressing strategies for instructing preservice teachers in the school law content area is minimal at best. At present, only four states within the United States require a specific course in school law in order for teachers to qualify for certification. Most states instead require that school law content be embedded into the curricula of existing core education courses (Bruner & Bartlett, 2008).

Often, preservice teachers enter into their student teaching practicum without an appropriate understanding of the fact that they are subject to the same primary liabilities as practicing teachers (Bain, 2009). For this reason, the National Education Association offers membership especially designed for student teachers in order to provide them with legal protection. As a result, the concept of sending student teachers into the field without proper training seems misguided, if not outright negligent. Student teachers need to have a critical awareness of the situation into which they are placing themselves, which can be accomplished through appropriate preservice training (Bain, 2009).

The primary legal topics found in undergraduate school law courses (regardless of whether a standalone class or embedded content) include special education, discipline, negligence, and accountability issues (Bruner & Bartlett, 2008). A variety of teaching strategies are employed within the school law content area; however, the preeminent one is the traditional lecture format. Research has demonstrated that while lecture can be a useful tool, students in general tend to learn better when application of the knowledge is required. As a result, among professors who teach school law either exclusively or as content embedded within other
educational topics, the most effective results were accomplished through multiple-methods instruction involving lecture, case-study, and hands-on instruction (Bruner & Bartlett, 2008).

The certification process for teachers in the United States historically has not required an undergraduate course in school law except in the states of Washington and Nevada, which have required such course work at least since 1997 (Gullatt & Tollett, 1997). Typically, the only professional educators who might eventually enroll in a school law course are those who enter into administrator preparation programs, as most states require a minimum of one school law course as part of the licensure process. Other professions, including law and business, offer courses in law to students in their undergraduate training programs, which leads to the question of why teacher education programs do not place a greater emphasis on this content area knowledge (Gullatt & Tollett, 1997). Of 700 higher education institutions surveyed in 1996, only 18 reported having a preservice school law course for teachers (Patterson & Rossow, 1996).

Eckes (2008) addressed the concern that the majority of college and university teacher education programs do not include a specifically focused school law course for preservice teachers. School law courses often are not offered to undergraduate education majors because of a lack of time to schedule another three-credit course into an already full course load. Eckes suggested incorporating a detailed school law component into one or more existing courses within colleges’ or universities’ required curricula in order to better prepare preservice teachers for the legal ramifications they will face as they become certified teachers. The author further reported on a variety of studies conducted surrounding the topics of school law and preservice teachers and provided recommendations for multiple subjects that should be taught, including student rights, employment issues, church-state issues, employment discrimination, and collective bargaining.
Another study in which 23 school administrators, 46 professors, and 15 attorneys were asked to rank order topics related to education law by level of importance, resulted in an overwhelming majority of the participants identifying special education as the primary topic of legal importance for beginning teachers (Eckes, 2008). This information should not be surprising considering the significant number of legal requirements connected to special education alone. New teachers entering the field are at an automatic disadvantage if they have not received training in special education law due to the sheer fact that failure to follow certain time lines and implement determined modifications and adaptations for students identified as having special needs can result in omissions that ultimately reflect violations of students’ rights to Free Appropriate Public Education (FAPE). In accordance with these concerns, undergraduate teacher education programs need to do more in the way of providing their candidates with opportunities to learn the laws so they are not blind-sided when they step into their own classrooms as new teachers.

Within the content area of special education, beginning teachers must possess an understanding of the ramifications of the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990, in addition to the multitude of laws specific to the state in which they are employed (Eckes, 2008). Further, teachers need to understand the provisions of Individualized Education Plans (IEPs) and fully grasp the concepts of Least Restrictive Environment (LRE) and related services (Eckes, 2008). A majority of beginning teachers will experience circumstances that involve these specific documents and required modifications from day one, so the greater their knowledge of the legally binding requirements of these documents, the better their practice should be from the outset of their careers.
The University of Kansas has employed an undergraduate school law course for more than 20 years; however, research has demonstrated that one undergraduate course is not sufficient in preparing teachers in all aspects of school law (Imber, 2008). Requiring preservice teachers to take a course in school law is a step in the right direction for counteracting some of the most common misconceptions that beginning teachers have concerning the implications of school law. This practice could serve as a foundation upon which continuous updates and changes in practice could be built through professional development opportunities.

Several other strategies for combating the lack of school law training in preservice teacher education training programs exist. Some strategies that extend beyond simply discussing legal issues briefly in lecture form include professors having their students engage in interactive methods of legal research including simulations, role-playing, group projects, and collaborative studies (Bruner & Bartlett, 2008). The implementation of such strategies assists in making the process more understandable for students, thereby better preparing them for the diverse landscape of the public education system.

Along this line, McCarthy (2008) advocated the concept of preventive law, which is the most important reason for teachers to understand school law. The idea that teachers should understand the legalities surrounding this issue seems quite logical and desirable; nevertheless, in spite of the fact that legal knowledge on the part of teachers is projected as being a critical trait of good teachers, little emphasis is placed upon training preservice teachers within this area. McCarthy described the system for undergraduate school law instruction currently in place at the University of Indiana. In this case, the course is taught jointly between professors and graduate assistants. Preservice teachers spend 1.25 hours per week with the professor as a large group,
and the remaining 1.45 hours of the three-credit school law course are taught by graduate assistants in small group sessions.

McCarthy (2008) further stated that the small group sessions are focused on school law as it applies to teachers in the classroom as opposed to a general overview that might be better suited to school administrators, and a variety of engaging strategies including role-playing and mock trials are included in the small group sessions. Hence, students are exposed to engaging strategies that promote in-depth analysis and reflection as opposed to simply learning about school law in a lecture-based manner. Another important concept is the fact that all sections of the school law course at the University of Indiana are unified, meaning that the curriculum and activities are the same from section to section, focusing upon the ways in which teachers can navigate the legal situations they will encounter in an appropriate manner. Although the University of Indiana maintains an efficient and effective program of legal training for its preservice teachers, its program is certainly the exception rather than the rule when it comes to preservice legal preparation for teachers in American postsecondary institutions.

One of the most efficient learning strategies that has been used within the University of Indiana’s school law curriculum are “short issue papers” (McCarthy, 2008). Within these brief four-page papers, students are required to choose a position on a current educational issue that is in the midst of legal proceedings, take a side, and then, defend their position in a succinct manner. As part of the process, students are also required to find scholarly articles as well as counterarguments to the position they have chosen to defend in order to develop a concrete understanding of both sides of the issue. If such a project were incorporated into the core courses of undergraduate college and university education programs, students would have the potential to gain a substantial amount of legal knowledge in addition to their pedagogical
training, which would greatly assist in the development of well-rounded and prepared young educators.

Although the ideal curricular situation would be the incorporation of a distinctive three-credit school law course across all undergraduate teacher training programs, the primary detracting issue is lack of room in an already full program of study for an additional course (Gullatt & Tollett, 1997). Therefore, embedding substantial amounts of school law content into the existing progression of courses seems to be the most accessible alternative if a specific school law course cannot be scheduled. A model that incorporates the legal implications of certain related topics as they are discussed would be ideal both in accommodating scheduling constraints and by providing important legal information in conjunction with the educational topic to which it most directly relates.

One drawback to the idea of incorporating school law topics simultaneously with other education topics throughout the course catalog is the level of comfort the instructors possess in teaching legal content to their students. In spite of this concern, other researchers have contended that the method of embedding school law into other courses allows instructors to “cluster” information into central themes, allowing special education law to be presented concurrently with special education teaching strategies and student rights information to be presented concurrently with classroom management and student disciplinary strategies (McCarthy, 2008).

**Practicing Teachers and the Law**

A substantial level of misunderstanding of common legal topics directly related to career security exists among practicing teachers (Imber, 2008). In a 2007 study by Schimmel and Militello, 75% of 1,317 teachers surveyed had never taken a school law training course. Ninety-
three percent of those surveyed correctly reported that teachers could be held liable for failure to report suspected child abuse, and 78% knew that teachers can be fired for having consensual sex with a student even if the student is over the age of 18. Only 35% were aware of the fact that students can legally distribute controversial religious information as long as it does not cause a disruption to the school environment. Schimmel and Militello reported that while these percentages at first do not appear to be alarming, one must consider that there are approximately 3.5 million practicing teachers in the United States, and accordingly, the figure of 93% means that approximately 250,000 teachers are not aware that they could be held liable for failing to report suspected or actual child abuse. More alarmingly, this translates into 770,000 American teachers who do not realize that they could be fired for engaging in consensual sex with a student even if the involved student is over the age of 18 (Imber, 2008).

A significant misconception held among preservice teacher candidates is the idea that a greater likelihood of lawsuits being filed against teachers and or schools exists as compared to 10 or 20 years ago. This is inaccurate, as a dramatic increase in lawsuits filed against public education institutions occurred from the early 1960s through 1977; however, the figures have remained relatively level since that time (Imber, 2008). Accordingly, the lack of school law training for preservice teachers generates a two-sided problem. The first is obviously the potential for teachers to unintentionally violate the law due to lack of understanding. The second is for novice teachers to fail to act in manners in which they have legal privilege as a result of a crippling sense of fear of facing legal problems in what they perceive as a highly litigious profession. Having a proper knowledge of the legalities surrounding public education can empower teachers both in understanding how to avoid potential legal pitfalls and also in understanding and functioning within their rights as educated professionals.
For example, many teachers are unaware of laws that exist to protect them, such as the Teacher Liability Protection Act, which protects teachers from liability from “reasonable” actions taken to maintain safety and order within the school (Imber, 2008). This knowledge should help empower teachers to act in situations in which action is critical and time is of the essence. Lack of empowerment to act has the potential to create more wide-ranging problems for schools in some cases than teachers taking appropriate actions to prevent a more serious situation from occurring. In many cases, teachers operate under the false assumption that it could be quite easy for them to have to pay “out of pocket” for cases in which they are named, although laws and provisions, including the Teacher Liability Protection Act along with professional liability insurance purchased by teacher unions, reduce this risk significantly (Imber, 2008). The only cases in which teachers can be personally sued by students are those in which teachers willfully cause physical or emotional harm to students (Imber, 2008). These cases transcend the level of mere disciplinary practices implemented with the hope of maintaining safety and order within the school and reflect a certain degree of sadism on the part of the educator involved.

Job security represents a specific legal area in which teachers as well as school administrators often demonstrate a lack of understanding. Although the term “tenure” is often applied to teachers who have served for a certain number of years within a given school system, the common misconception is that it essentially prevents teachers from being fired. This absolutely is not the case, and every year tenured teachers' positions are terminated, provided that the appropriate steps for removal have been followed by the school administration (Imber, 2008). For example, in most situations of teacher dismissal, an extensive chain of corrective measures must be implemented in order to provide the teacher in question with ample opportunities for
improvement and compliance. However, if the conditions for improvement are not met within the time frame allotted by the school district and state, then school boards and administrators have every right to fire the teacher in question.

As of 2008, Nevada was the only state that required a specific course in school law as a prerequisite for teacher licensure (Gajda, 2008). While teachers are expected to demonstrate proficiency within content areas and pedagogical strategies, the subject of school law, which represents a significant pitfall area for novice teachers often receives little emphasis. The state of Oregon has been one of the first states to begin incorporating an assessment of school law content area knowledge into its state certification proficiency examinations. The specific areas targeted by the Oregon assessment include civil rights, discrimination, and equity in the classroom (Gajda, 2008). While the inclusion of the preceding topics into the Oregon teacher licensure examination is a step in the right direction, broader topics such as student expression and mandated reporting are left out and overlooked, leaving beginning teachers in an under-prepared condition from a legal standpoint.

The body of research in education law indicates that in order to achieve success in general, practicing teachers should possess a solid understanding of school law. Balch, Memory, and Hofmeister (2008) stated “…a teacher should be prepared to demonstrate an understanding and appreciation for education’s legal context” (p. 6), suggesting that teachers should develop classroom guidelines to promote students’ freedom of expression, highlighting the concept that although the First Amendment protects individual freedom of expression, obscenity, defamation, and fighting language are not included under the umbrella of the First Amendment, and school districts have every right to prohibit such actions. Along this line, teachers should establish clear
guidelines for classroom discussions that highlight the appropriate exercise of free speech by students in the classroom.

While the common perception is that law is only practiced by attorneys with law school degrees, the reality is that teachers also practice law on a daily basis. The primary difference between the two is that while attorneys practice reactive law, teachers practice preventive law (McCarthy, 2008). As a result, a significant risk – both for teachers and the schools by which they are employed – is created when teachers do not fully understand the legal obligations by which they are bound. Another disadvantage of schools being staffed by teachers who do not have appropriate legal knowledge and training is that in many cases teachers are fearful of the law and tend to “perceive more legal restrictions on their daily activities than actually exist” (McCarthy, 2008, p. 60). A false sense of what constitutes legal and illegal activities ultimately results in a faculty that essentially is impotent in regard to awareness of student rights as well as their own rights as educators. The employment of a legally well-educated faculty is a far better scenario than operating with a blind faith that treading carefully in all situations will prevent embroilment in due process situations.

The advent of digital technology has both significantly increased educational opportunities for students and created a new array of legal pitfalls for teachers regarding when and what they may post online. Many school systems now monitor teachers’ postings on social networking sites including Facebook, MySpace, and Twitter, as well as their activity on video sharing sites such as YouTube (Bathon & Brady, 2011). For example, teachers are generally protected under the First Amendment when they engage in off-campus speech through social media sites such as Facebook. However, if a nexus exists between teachers’ off-campus speech and the school environment that ultimately causes a disruption within the school, then teachers
can be held liable and face possible dismissal (Bathon & Brady, 2011). Several instances of teachers being dismissed as a result of social network posts have occurred, and many school districts continue to monitor teachers’ online activities in order to determine if inappropriate content concerning the school system is being posted. Technological advancements, while convenient and exciting, represent serious privacy and professional risks for teachers (Russo, Squelch, & Varnham, 2010).

As a result of technological advancements, it is critical that teachers understand their rights with regard to what is and is not considered legally protected speech according to the First Amendment, because schools have the authority in many cases to evaluate and dismiss teachers if their words or actions are considered to be detrimental to the school environment. Therefore, as employers, schools have the ability to make determinations based upon their policies and codes of conduct for teachers (Bathon & Brady, 2010). This concept is evidenced by the fact that school districts, as a result of Hazelwood v. Kuhlmeier (1988), have the authority to regulate teacher speech while teachers are presenting curricular materials to students.

In Hazelwood v. Kuhlmeier (1988), the principal of Hazelwood East High School in St. Louis, MO removed several pages containing articles dealing with the subject of teen pregnancy and divorce from an issue of the school newspaper prior to publication and without informing the students. The principal deleted the pages because he believed that the material was offensive. The U.S. District Court ruled in favor of the school district; however, the 8th Circuit Court of Appeals overturned the ruling in favor of the students, stating that the school newspaper was a public forum that could only be censored under extreme circumstances. The Supreme Court ultimately reversed the decision of the appellate court, stating that public schools do not have to allow student speech if it is not consistent with the school’s educational mission (Hazelwood v.
The ruling naturally applies to teacher speech in the classroom, especially surrounding the area of speech related to the school’s curriculum. This authority of schools to regulate teacher and/or student speech is not open-ended, and school districts can use it only when able to “articulate a legitimate pedagogical reason for doing so” (Bathon & Brady, 2010, p. 216).

In spite of the relative control schools have over teachers’ speech and expression as it relates to curriculum and school issues, teachers are not prohibited from sharing their opinions about matters of public concern that are connected with a public school issue. *Pickering v. Board of Education* (1968) was the landmark case in determining this issue. Pickering, the plaintiff, was dismissed from his teaching position because he had written an editorial in the local newspaper criticizing a new bond issue and the ensuing tax increase that would occur. The court ruled in favor of Pickering, stating that “a teacher’s exercise of his right to speak on issues of public importance may not furnish the basis for his dismissal from public employment” (Bathon & Brady, 2010, p. 218). As a result, teachers are free to criticize decisions of the schools by which they are employed, particularly if the teachers are also taxpayers within the district and the issue in question is connected to the general welfare of the community. This does not mean, however, that teachers have the right to openly criticize and disrespect school officials or policies through slanderous or libelous actions, but it does provide them with a platform to weigh in as concerned citizens when issues of concern to the general public arise.

The determining factor in many cases related to the topic of protected speech with regard to teachers stems from whether or not the speech in question was expressed by the teacher in his or her official capacity, or as a private citizen. In most cases, it is difficult for teachers to determine exactly where the line of demarcation between speaking in an official capacity or as a
private citizen actually occurs. Any speech that is meant to demean school officials or incorporate knowledge that is gained exclusively as a result of employment within a school district is considered unprotected speech (Bathon & Brady, 2010). Essentially, the only form of protected speech occurs when it is determined that the teacher in question is not speaking in an official capacity but as a private citizen speaking out on a matter of public concern.

Historically, teachers often relied on their personal sense of judgment to make decisions that were appropriate and within legal boundaries. As the legal landscape within public school law has changed over the years, teachers are no longer safe in assuming that their “common sense” judgments are aligned with current laws. Formerly, teachers were fairly able to speak their minds as private citizens (not as school employees) with the assumption that they were protected under the rights to freedom of speech and expression. Now, teachers are held accountable for anything that they say that can be construed as disruptive to the school environment regardless of whether they are speaking in the role of school employee or concerned private citizen – if speaking within their role as a teacher (Berlin, 2009). Ultimately, being prudent and reasonable is important for teachers, but in order to be successful and avoid litigation teachers need to possess a solid working knowledge of the law and the way in which it affects their profession (Berlin, 2009). Teachers within the United States have the right to due process; however, if a legal violation can be proved clearly, in most cases an offending teacher’s position will be terminated.

Another issue that often applies to biology teachers in particular is the area of the law that focuses upon the teaching of evolution. Since the Scopes trial in 1925, the debate concerning the roles of evolution and creationism in the science classroom has continued. The legalities surrounding the teaching of evolution and creationism vary significantly from state to state.
Some states, such as Alabama, require that the theory of intelligent design be given as much curricular time as the theory of evolution, and other states, including Pennsylvania, require that evolution be taught exclusively as an explanation for the origins of humankind (Moore, 2004). From state to state it is important for teachers, especially those just entering the profession, to be aware of and understand the specific legal issues within the state in which they are employed.

An example of the ever-changing nature of school-related law results from the 2007 Supreme Court decision in *Garcetti v. Ceballos* (2006). In this case, the manner in which teachers’ freedom of speech is interpreted changed rather significantly from past precedent. The court’s ruling in the Garcetti case essentially protects only speech that is considered to be a part of the teacher’s educational responsibilities (Salkin, 2010). As a result, teachers’ speech is limited only to the context of subject matter that is being discussed as part of the curriculum of the school district by which they are employed. As a result, teachers must be increasingly careful to avoid delving into matters that depart from curricular subjects.

A determining factor in court rulings relating to teachers’ First Amendment rights has been whether or not the content of the speech or expression had been approved by the school administration prior to its presentation in the classroom. For example, in *Cockrel v. Shelby County* (2001), Cockrel, the teacher in question, had arranged a classroom presentation by actor Woody Harrelson on the topic of industrial uses of hemp. In spite of the fact that Harrelson stated that he was not in favor of smoking hemp, the topic offended some parents nonetheless, and Cockrel was subsequently fired from her teaching position. The Supreme Court ended up ruling in Cockrel’s favor because the principal of the school had approved the visit by Harrelson and had been made aware of the content of his presentation. In light of the facts, the court ruled
on the side of Cockrel because she was acting in her role as a teacher through a school-approved presentation when the questionable speech occurred (Salkin, 2010).

As a result of the lack of preservice training in school law, many teachers are unaware of their rights and limitations as public employees. An area of particular concern is curriculum. Teachers should be aware that the courts have consistently ruled that it is not the responsibility of teachers to determine the curriculum, but that of the administration and school board. For example, in *Kirkland v. Northside Independent School District* (1989), the 5th Circuit court ruled that a teacher could not provide students with a reading list different from the list approved by the school board. In this particular case, the school district permitted teachers to submit reading lists to the administration and school board for review; however, Kirkland simply produced his own list and provided it to students resulting in considerable outcry from some parents. Kirkland’s position was subsequently terminated, and the court ruled that his freedom of expression was not violated because the school district had a specific curriculum review process in place, which Kirkland circumvented in developing his own reading list outside of the list determined and provided by the school (Salkin, 2010).

In general, teachers’ freedom of expression has been on the decline since the late 1970s, and cases such as Garcetti have resulted in teachers enjoying fewer freedoms than their predecessors (Sanchez, 2009). For example, a teacher in Michigan was fired for wearing a t-shirt with a message about the lack of a teacher contract. In this case, the court cited the Garcetti decision and stated that the school district had legal ground for firing the teacher because the t-shirt in question had caused disharmony (Sanchez, 2009). Additionally, a teacher in New York was fired from her position as a result of speaking out in favor of President George W. Bush during the 2004 presidential election. The teacher was instructed to remove a picture of Bush
from her classroom wall and was then forced to resign. Again, this case relied on the Garcetti ruling, which determined that the speech occurred as a part of the teacher’s professional responsibilities and was considered regulated speech (Sanchez, 2009). Yet another education professional – specifically a school psychologist – was fired by a school district after making statements to the effect that the school by which she was employed was in violation of students’ rights under the Individuals with Disabilities Education Act (IDEA). The ruling in this case again cited Garcetti, and the court ruled in favor of the school district because the school psychologist was speaking in her role as a district employee and not as a concerned private citizen (Sanchez, 2009). If the school psychologist in this case had somehow declared that she was speaking as a concerned citizen as opposed to a school employee, the ruling might have turned out quite the opposite.

For reasons such as those previously shared, it is of extreme importance that preservice teachers are prepared for the potential legal dangers that await them in the world of public education. While it seems that there has been an increase in the protection of students’ freedom of expression, teachers’ freedom of expression has become increasingly limited, with many school districts winning cases that have been taken to due process. Thus, beginning teachers who enter the field are more prone to violate what the courts have deemed as appropriate freedom of expression oftentimes as a result of a sheer lack of knowledge.

In general, beginning teachers need to understand that privacy is not guaranteed when working within the public school system. All desks, filing cabinets, shelves, and other classroom furniture are considered “open to students, colleagues, custodians, parents, administrators, and substitute teachers” (Sanchez, 2009, p. 4). In this regard, teachers cannot expect any documents, whether electronic or hard copies, to be guaranteed any sort of privacy if they are located within
a public school classroom. The lack of privacy extends essentially to any furniture or equipment located within a public school classroom, so teachers, especially those in the early stages of their careers, must be extremely cautious about what they are leaving in and around their classrooms.

One proposed solution to the apparent lack of legal knowledge on the part of teachers is the incorporation of web-based tutorials. This concept is similar to the manner in which universities often require employees to take online refresher tutorials in research dealing with human subjects and hospitals require their staff members to complete online continuing education in areas such as Cardiopulmonary Resuscitation (CPR) (Imber, 2008). Through the use of online tutorials, teachers theoretically would remain current in their knowledge of relevant legal issues. If such training were paired with a required undergraduate school law course as well as occasional in-service trainings devoted to school law, the outcome would be a positive step in improving the legal competency of teachers (Imber, 2008).

Teachers who had taken a course in school law as either graduate or undergraduate students reported an overwhelmingly positive response to the experience of taking such a class. Delaney (2009) conducted a qualitative study of teachers and other school personnel in Newfoundland. After conducting interviews with multiple individuals, none of the subjects of the study reported that taking a school law course had any negative repercussions other than several respondents who reported a sense of paranoia related to potentially breaking laws as a result of their newly acquired knowledge. Across the board, those who were surveyed reported an increased sense of confidence in their understanding of education law along with a renewed sense of professional responsibility. Interestingly, many of those who had taken a school law course as graduate students indicated that the ideal time in which such a course should be taken is during preservice training at the undergraduate level (Delaney, 2009).
Several of the subjects surveyed in the preceding study indicated that they did not realize the value and importance of taking a course in school law until after completing one seemingly having previously operated under the mindset that ignorance is bliss. Many of the subjects were quick to point out, however, that ignorance of the law, particularly education law, is no excuse for teachers to act in an unprofessional or inappropriate manner (Delaney, 2009). Ultimately, teachers are duty-bound to possess a current working knowledge of the law as it pertains to education in order to ensure that their students are being educated in an appropriate environment, as well as to protect themselves from any undue legal risks. Anything less than a thorough understanding and implementation of school law on the part of teachers “could be interpreted as tantamount to negligence” (Delaney, 2009, p. 137).

Understanding Student Rights

As previously mentioned, the most litigious area of public education is special education, as students’ rights are guaranteed through legislation such as IDEA. In 2010, nearly 400 cases were reported involving students with disabilities (Katsiyannis, 2012). In one case, a paraprofessional reported that a special education teacher had been calling the students with disabilities in her classroom “a bunch of retards, animals, and monkeys” (p. 25). The teacher also allegedly instructed the paraprofessional to cover a disruptive student’s mouth with her hand. In this case the student was granted seven days of compensatory education as a result of the inappropriate actions of the teacher.

Another area in which the jobs of special education teachers may be on the line is the requirement that they be highly qualified. Teachers may no longer simply be certified as special education teachers only, but must instead possess a certification in another recognized content area such as reading or math if they are going to provide direct instruction to students. Failure to
possess highly qualified credentials can result in dismissal as teachers and school districts are in violation of the law if they are not highly qualified (Katsiyannis, 2012). This concern has led to many teacher education programs requiring that students studying to be special education teachers also declare a second major within elementary education or a secondary content area in order to meet the requirements of being highly qualified.

Recently, cases involving student restraint and seclusion have come to the forefront within the umbrella of special education. The U.S. Supreme Court has not yet ruled on a case involving student restraint and/or seclusion; however, several lower court decisions have been made that assist in shedding light on the issue (Eckes, 2014). In most cases involving restraint or seclusion of students, the rulings have been determined primarily through an examination of whether or not the involved students’ IEPs or service agreements under section 504 of the Rehabilitation Act had been violated. The lower courts also examined recent cases in order to determine whether excessive use of force was used in restraining students, as well as whether or not periods of seclusion were inhumane in duration (Eckes, 2014). In most cases, the lower courts have ruled in favor of school districts as long as they can reasonably prove that actions were taken in accordance with the students’ specific needs and did not represent malicious action upon the parts of involved teachers and school officials. Although the topics of restraint and seclusion may seem to be outside the scope of traditional school legal topics such as freedom of speech and religion, this issue continues to become increasingly relevant as a result of laws such as IDEA and ADA. Therefore, school personnel should be properly trained in the appropriate use of restraints and seclusion and also should not hesitate to review behavioral strategies of particular students especially when restraint and/or seclusion are being used regularly with a given student (Eckes, 2014).
Often, teachers fail to recognize that children are guaranteed the same constitutional rights as adults. As a result of concepts such as voting rights not being attained until age 18, many educators believe that students do not share the same constitutional rights as adults. This, however, is untrue, and students are entitled to the same constitutional rights guaranteed to all citizens (Imber, 2008). In Tinker v. DesMoines (1969) the Supreme Court ruled that neither students nor teachers shed their constitutional right to free speech “at the schoolhouse gate.”

Very few other cases involving students’ freedom of speech have made it to the Supreme Court level, and only minor changes to students’ rights when in school have been made, primarily involving the restriction of “offensive speech” or “school-sponsored speech” (Braiman, 2009). If either of these two qualifications is met, schools have the legal right to censor student speech. Students’ right to free speech, however, is protected in nearly all other forms.

Historically, schools have operated under the philosophy of in loco parentis (in the place of the parent). While teachers often perform many responsibilities that would normally be fulfilled by the parents while children are in the school environment, the teachers’ actions may not result in a violation of students’ constitutional rights regardless of the students’ ages or maturity levels (Imber, 2008). Additionally, teachers demonstrate a prevailing misconception that school curricula must be adapted or changed any time in which a parent reports a disagreement based upon religious objections. For example, legally, schools are not required to excuse a student from reading a text that has been approved by the school district as a component of the curriculum; however, schools are not permitted to force a student to do something expressly forbidden by his or her religious beliefs such as eating a specific food (Imber, 2008). In many cases, adaptations are made in an attempt to foster positive relationships with parents and avoid any potential for litigation.
Students’ right to free speech is a significant area in which teachers can become embroiled in legal issues. It is important for school teachers and personnel to understand that they can be held personally responsible for violating students’ constitutional rights, and teachers who are dismissive of developing an understanding of school law run the risk of jeopardizing their own careers (Schimmel & Militello, 2007). The problem is that many teachers do not understand the law and sometimes act when they should not and fail to act when they should as a result of ignorance. Many teachers are scared about the legal implications of their actions and ultimately choose to do nothing. This results in a sense on the part of students that they are above the law and teachers have no legal authority. This is a common misconception that could potentially be solved through preservice training in school law.

While understanding what not to do with regard to limiting students’ constitutional rights, it is equally important that teachers, especially those just entering the field, understand the scenarios in which students’ rights become subject to the authority of the school. Teachers and school officials act completely within the law when they limit students’ speech or expression in situations in which the educational environment of the school could be disrupted, including scenarios in which threats are made, inappropriate symbols are displayed on clothing or otherwise, and also in cases in which boycotts or walk-outs are being staged (Cambron-McCabe, 2009). As long as the teachers or administrators involved are able to prove that the censored actions of the students in question were disruptive to the learning environment they should be in the right position from a legal standpoint. This concept is illustrated in the case of Bethel School District No. 403 v. Fraser (1986) in which a student was suspended from school for three days and removed from a list of potential graduation speakers as a result of delivering a speech laced with extensive sexual innuendos relating to a candidate for student government whom he was
supporting. Lower and appellate courts ruled that the Bethel School District had violated the student’s right to free speech; however, the Supreme Court ruled in favor of the Bethel School District, finding that prohibiting school children from being exposed to lewd and offensive language did not violate the student’s First Amendment rights.

A recent area in which the potential for student-rights violations has increased exponentially is within the cyber realm. Students enjoy a substantial amount of freedom within this area, particularly if their off-campus online speech or expression cannot be connected to an on-campus disruption. For example, schools do not have much leeway in cases in which students simply express their opinions without substantial or lasting effects upon the school climate; however, in cases such as the 2007 Wisniewski v. Board of Education of the Weedsport Central School District in which a student created an instant message post that depicted a gun firing at a person’s head with a caption underneath that called for the death of a teacher, a clear nexus between the student’s off-campus Internet posting and an on-campus disruption clearly was present (Cambron-McCabe, 2009). Because the Weedsport School District had to expend a significant amount of time and resources dealing with the fallout of the student’s online posting, the court held that a clear connection between the student’s off-campus online posting and an on-campus disruption had occurred.

As a result of increased opportunities for public speech via the Internet and other technologies, teachers face a greater potential for legal troubles than ever before. Therefore, a substantial portion of the undergraduate school law curriculum, whether as a stand-alone course or as embedded instruction within previously existing courses should be spent in educating prospective teachers about the proper use of technology, as well as the difference between private speech and speech made while acting within the role of a school district employee. The
clear benefits to such instruction ideally would be a decrease in the amount of litigation related to teacher expression via electronic media, as well as a generation of teachers who can appropriately inform their students about both the benefits and dangers of social media and other electronic communication venues.

**The Effectiveness of Mini-Lessons**

By definition, a mini-lesson is “a short period of instruction that is approximately 10 to 15 minutes long” (Association for Supervision and Curriculum Development, 2007). According to the Association for Supervision and Curriculum Development an effective mini-lesson consists of the following components:

*Connection*, during which the teacher connects the lesson’s content to what has come before, including students’ own experience, and names the strategy being taught (the teaching point);

*Teaching*, during which the teacher states explicitly and then models what students are supposed to learn;

*Active Involvement*, during which students engage with the content or try out the strategy; and

*Link*, during which the teacher restates the teaching point and tells students to add it to their repertoire (p. 146).

Research demonstrates that mini-lessons can be used as an effective tool for producing quality learning results within a brief time frame. Mini-lessons offer the benefit of exposing students to important concepts while allowing time for other learning activities to occur within a class meeting period. The concept of mini-lessons seems rooted in the information processing theory of Miller (1956). Miller’s theory asserts that the human brain is capable of processing
only five to nine “chunks” of information at a given time, with the five to nine range being derived from results of $7 \pm 2$. This concept is often demonstrated within classrooms through instructional practices that provide time for building, processing, and reviewing of information within relatively short time spans of 10 to 20 minutes. Miller found that most adult human subjects could process and recall five to nine chunks of information within their short-term memories.

Chandler and Sweller (1991) completed substantial research within the area of cognitive load processing, primarily focusing upon studied subjects’ comprehension and retention of information presented in either split source or integrated formats. For example, one of the experiments in their research involved first-year trade students who had never received any training in electrical wiring completing a basic electrical task using an instruction manual. One group received a list of instructions separate from a schematic diagram labeled with numbers to identify the instructional step with which they were associated (split source), while the second group received instructions with the specific steps printed directly on the visual diagram (integrated). Chandler and Sweller found that subjects exposed to the integrated treatment retained the electrical wiring information at a substantially higher rate than those exposed to the split source format, effectively suggesting that “integrated instructional formats are superior to conventional split-source formats” (p. 303).

The underlying reason for Chandler and Sweller’s (1991) discovery is the concept that the cognitive load of the split-source instructional format is significantly greater than that of the integrated format. The human brain is required to process more tasks (increasing the cognitive load) in order to jump back and forth between directions and schematic diagram, while the cognitive load is substantially reduced when both written directions and schematic diagram
appear simultaneously as part of the same object of study. As a result of Chandler and Sweller’s research, mini-lessons used in the current study were based on the integrated format model, with all learning activities stemming from a single source, thus reducing the cognitive load placed upon participants of the study.

Baddely and Hitch (2010) provided a more specific and updated view of Miller’s (1956) work on information processing theory through their research on the concept of working memory. According to Baddely and Hitch, “The term working memory is used most frequently to refer to a limited capacity system that is capable of briefly storing and manipulating information involved in the performance of complex cognitive tasks such as reasoning, comprehension and certain types of learning” (p. 1). Similar to Miller, Baddely and Hitch identified a concept known as the “phonological loop,” which allows human beings to retain strings of up to eight words in succession. However, when other information is introduced along with the words, shifting the focus of the subject away from simply focusing upon the words to be memorized, the number of words retained within the working memory decreases dramatically.

Baddely and Hitch (2010) also referenced a second component of the working memory known as the visuo-spatial sketchpad. The function of this portion of the short-term memory is to “create and maintain visual images” (p. 1). Baddely and Hitch asserted that a connection between the visuo-spatial sketchpad and the phonological loop exists in which visual and verbal stimuli can function together within the working memory in order to contribute to longer-term retention of introduced information. This research supports the validity of using the video-based mini-lesson as a means of presenting school law information to candidates, as small, related concepts were presented to candidates both verbally and visually, allowing the concepts to be
processed both phonologically and visually, leading to an increased likelihood of being retained within the short-term memory.

Moreover, Jones (2001) also used 10-minute mini-lessons with great success in a high school government class to teach basic leadership concepts in an experiential manner for his students while also providing them with time for group projects and other relevant assignments. Through the strategic use of lessons designed around tangible and familiar objects, Jones was able to teach his students about concepts such as unity through such simple activities as standing on aluminum soda cans, and optimism and pessimism by analyzing a clock on the wall that was running more than three hours ahead of the actual time. Jones also found success through the use of video clips within his mini-lessons to further expand upon the concepts being presented; in one instance showing a brief segment of the film *The Karate Kid* in which Mr. Miyagi instructs young Daniel in the process of visualizing a perfect Bonsai tree in his mind prior to making his first cut with the pruning shears. Through techniques such as this, Jones was able to help his students understand the concept of pre-planning and the value of beginning with a finished product or goal in mind. Strategies such as those developed by Jones appear to lend themselves to most areas of education and seemingly would work well as components of video-based school law mini-lessons. Perhaps one of the most beneficial aspects of mini-lesson is that they are appealing to students because they tend not to belabor concepts, and if planned effectively, deliver a solid educational experience with a rapid transition to other content.

Mini-lessons have been used especially in the teaching of reading and writing since the late 1970s. Many teachers still employ strategies such as the reading mini-lessons developed by Atwell (1987), which came into popularity during the mid- to late 1980s. Oberlin and Shugarman (1989) reported that a reading workshop curriculum based upon Atwell’s (1987) model was
highly successful in teaching middle school students writing and reading-related concepts and skills. Further, the mini-lesson approach was used with learning disabled students, all of whom saw improvement in the area of reading after being exposed to well-organized and targeted mini-lessons. Perhaps the most educationally valuable aspect of mini-lessons is the fact that they are “miniature” by definition. The fact that important information can be transmitted to students in a manner that does not prolong the information transmittal process but expedites it allows students to practice learned concepts or move on to other content. This is both easier for cognitive processing and promotes time management with regard to the amount of instructional content that can be included within an allotted class meeting period.

As a result of their capacity for transmitting significant information within short periods of time, as well as their demonstrated effectiveness in transmitting content knowledge, mini-lessons should prove to be an effective means of incorporating school law instruction into the undergraduate teacher preparation curriculum. By incorporating school law mini-lessons into the curriculum, little time would be taken from other critical topics such as pedagogy, curriculum, and instruction, and students would receive equally important school law instruction in a manner that is both time-efficient and cognitively effective.

Conclusions

The literature reviewed demonstrates three significant points pertaining to the subject of school law training for preservice teachers: (a) An understanding of school law is vital for teachers working within the litigious landscape of American public education; (b) Few American colleges and universities offer courses in school law to preservice teachers as a result of time conflicts; (c) A potential solution may be the incorporation of school law mini-lessons into the existing curriculum in order to facilitate time-management while highlighting the fundamentals
of school law. As the American public school landscape continues to become increasingly litigious, an educated cohort of new teachers is needed to enter the field with an awareness of the rights of their students along with their own legal protections in order to accomplish the task of educating students while operating within the stringent modern legal landscape.

School districts across the nation would benefit greatly from having a substantial pool of well-prepared educators from which to draw. New teachers would have the additional benefit of understanding exactly what they are up against from a legal standpoint. They could enter the profession with knowledge as opposed to questions about the legal system, or at worst, complete ignorance, which creates a risk both for teachers and the school districts by which they are employed. If the incorporation of embedded instruction into the existing school law curriculum for undergraduate teachers is a possibility, it should serve as a useful tool by providing legal instruction concurrently with related school law topics while eliminating the need for institutions of higher education to work through the difficulties of implementing yet another course into an already full teacher education curriculum. Further research into this topic is needed and is vital to the preparation of qualified teachers who understand the rights of their students as well as their own legal rights and responsibilities.
CHAPTER THREE: METHODOLOGY

This quasi-experimental posttest-only, equivalent control group study examined methods for improving preservice teachers’ competency within the content area of school law. A review of recent and past literature encompassing this topic revealed that a significant deficiency within the area of school law preparation is present in undergraduate teacher preparation programs. For example, Gullatt and Tollett (1997) reported that only 75% of all practicing teachers have ever taken a course in school law, with the remaining 25% enrolling in such a course only as part of an administrator preparation program. Similarly, Eckes (2008) reported that most colleges and universities do not offer an undergraduate course in school law for preservice teachers because there is no room within the curriculum for the addition of another course. Eckes further stated that many higher education institutions offer a 2-hour school law seminar at the conclusion of preservice teachers’ course of study; however, the effectiveness of this practice is questionable at best. In a 1996 survey of 700 institutions of higher education with teacher preparation programs, only 18 of those surveyed reported that they required preservice teachers to complete a specific school law course (Patterson & Rossow, 1996).

Because the leaders of higher education institutions find the incorporation of a designated school law course to be logistically difficult considering their already over-loaded curricula, an effective strategy for transmitting a basic knowledge of school law is necessary in order for preservice teachers to be appropriately prepared for the world of public education. Delaney (2009) advocated for increased school law training for preservice teachers in Canada, demonstrating the concept that a lack of appropriate school law training among preservice teachers is widespread even beyond the United States. Based on the research of Eckes (2008), which presented the concept of a two-hour seminar at the conclusion of preservice undergraduate
training, this study examined the effectiveness of such seminars as compared to the effectiveness of eight 15-minute video mini-lessons presented weekly over the course of an 8-week period upon preservice teachers’ level of perceived and actual school law competency against a control group that received no treatment. The rationale for using mini-lessons is derived from the information processing theory developed by Miller (1956), which states that the human brain is capable of processing only 7 +/- 2 chunks of information at any given time. This theory was furthered by the research of Chandler and Sweller (1991) and Baddely (2010). Theorists such as Atwell (1987) have demonstrated through classroom research and practice that condensed, interactive lessons are a powerful tool for increasing students’ comprehension and retention of concepts. Therefore, the concept of the mini-lesson in the current study was applied to the school law content area.

**Design**

A quasi-experimental, non-equivalent posttest-only control group design was used for this study. Three participant groups were used in the study. Treatment group 1 received one 5 to 15-minute school law video minilesson each week over the course of an eight-week period; treatment group 2 viewed one extended school law seminar containing the same information presented to treatment group 1 during the seventh week of the eight-week period; the control group received no treatment; however, participants in all three groups completed the Education Law Survey by Schimmel and Militello (2007), which measured their perceived and actual levels of school law knowledge. This posttest instrument was appropriate to the design of the study because it allowed for the comparison of the independent variable (perceived and actual school law knowledge) among the two treatment groups and the control group.
Research Questions

The research questions for this study include the following:

RQ1: What is the difference in preservice teachers’ perceived knowledge in school law based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction)?

RQ2: What is the difference in preservice teachers’ actual knowledge in school law based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction)?

Hypotheses

The following are the research hypotheses:

H1: There is a statistically significant difference in preservice teachers’ perceived knowledge in school law based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).

H2: There is a statistically significant difference in preservice teachers’ actual knowledge in school law based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).

Alternatively, the following are the null hypotheses:

H01: There is no statistically significant difference in preservice teachers’ perceived knowledge in school law based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).

H02: There is no statistically significant difference in preservice teachers’ actual knowledge in school law based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).
Participants

The sample size for this study included 45 undergraduate teacher candidates at a small private liberal arts college in Pennsylvania. All participants in the study were preservice teachers ranging in experience from college freshmen to seniors, none of whom had been previously exposed to any explicit form of school law related training. Participants were recruited simply by virtue of their enrollment in education courses at the college and were randomly assigned based simply upon their course schedules for the semester in which the study was conducted. The participants were divided into three subgroups according to the course section in which they were enrolled: one was given no treatment and functioned as the control group; one was exposed to one 5 to 15-minute school law mini-lesson over the course of an 8-week period; and one was exposed to one extended (1 hour and 17 minute) school law video seminar during the seventh week of an 8-week period.

Setting

The setting in which the research was conducted is an accredited private liberal arts college located in western Pennsylvania. At the time of the study, the total enrollment of the college was 1,200 students, with 75 students currently enrolled in the teacher licensure program. The majority of students enrolled in the institution come from lower middle class backgrounds. Participants in the study were enrolled in three different courses within the college’s teacher education curriculum and three courses were assigned randomly as the control, Treatment 1, and Treatment 2 groups; the treatments were used as supplements to the curricula of the identified courses, with the Treatment 1 group viewing one 5-15-minute school law mini-lesson per week over the course of eight weeks, the Treatment 2 group viewing the video seminar in week 7 of the 8-week period, and the control group receiving no treatment.
**Instrumentation**

Students’ levels of school law proficiency were tested at the conclusion of the 8-week period using portions of the Education Law Survey developed by Schimmel and Militello (2007), located in Appendix A. Although the complete survey contains five sections including: participant background information, knowledge of school law, level of interest in school law, sources of legal information; and open-ended questions, only Section II: Knowledge of School law was appropriate to this study. Section II contains three subsections: 9, 10, and 11. Subsection 9 assessed participants perceived level of school knowledge, while subsections 10 and 11 assessed participant’s actual levels of school law knowledge surrounding students’ rights and teacher rights/liability respectively. The survey questions in this study were used with the permission of the authors. The following table identifies the subscales, scale measurements, and possible ranges of the questions used in the study.

**Table 1: Survey Question Information**

<table>
<thead>
<tr>
<th>Variable</th>
<th>Number and Type of Question Scales</th>
<th>Scale</th>
<th>Range for each question</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Perceived Knowledge</strong></td>
<td>10-4 point Likert type scale</td>
<td>1= none</td>
<td>1-4</td>
</tr>
<tr>
<td>(perceived level of knowledge on 10 legal issues)</td>
<td>Questions</td>
<td>2= inadequate</td>
<td></td>
</tr>
<tr>
<td><strong>Score Range:</strong> 10-40; higher scores mean better perceived knowledge</td>
<td>3=adequate</td>
<td>4 = inadequate</td>
<td></td>
</tr>
<tr>
<td><strong>Actual Knowledge</strong></td>
<td>29 -true/false/ unsure</td>
<td>1= correct</td>
<td>0-1</td>
</tr>
<tr>
<td>(actual level of legal knowledge concerning student and teacher rights)</td>
<td>Questions</td>
<td>0 = incorrect/ unsure</td>
<td></td>
</tr>
<tr>
<td><strong>Score Range:</strong> 0-29; higher scores mean better perceived knowledge</td>
<td>12 student right questions</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>17 teacher right/liability questions</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
This instrument is appropriate for the study because it effectively measured the dependent variable, participants’ levels of perceived and actual knowledge of basic school law content. Additionally, this instrument is reliable, as it has been used effectively by its authors to survey practicing teachers and measure their levels of school law proficiency after working in the education field. After the posttest survey was completed by the participants, the researcher tabulated the scores for participants’ perceived school law knowledge on subsection 9 using the 4-point Likert type scale and scored the subsections 10 and 11 for correctness using the answers provided in Schimmel and Militello’s (2007) research. After the surveys of each treatment group and the control group were scored, they were compared against one another to determine which group demonstrated the highest levels of perceived and actual school law knowledge.

**Procedures**

Once the researcher obtained Institutional Review Board approval through the university in Pennsylvania where the research occurred, as well as Liberty University, student participants were obtained through mutual agreement between the education department of the college and the researcher. Participants were selected randomly from the standpoint that they participated simply by virtue of the schedules they were assigned by the institution. Participants in group A were given a treatment of one 15-minute school law video mini-lesson once per week over the course of eight weeks. At the conclusion of the 8-week period, the participants in group A completed the testing instrument as a measure of their levels of proficiency with school law. The participants in group B were given a treatment of one 2-hour video seminar on school law containing the same information as the eight 15-minute mini-lessons during the seventh week of the 8-week period. At the conclusion of the 8-week period, the participants in group B completed the testing instrument as a measure of their levels of proficiency with school law. The
participants in group C functioned as the control group. At the conclusion of the 8-week period, the participants in group C completed the testing instrument as a measure of their levels of proficiency with school law after experiencing no treatment.

**Data Analysis**

As this study includes two dependent variables of interest, perceived knowledge and actual knowledge of school law, an one-way multivariate analysis of variance (MANOVA) was considered because it tests for the 'linear composite' of the means between groups when there are two or more significantly associated dependent variables. When the two dependent variables are associated, the MANOVA is preferred because it combines the dependent variables to form a 'new' dependent variable in such a way as to maximize the differences between the groups of the independent variable (Warner, 2013). The assumption of the MANOVA is that the two dependent variables are highly associated. However, this assumption was not met, so two separate ANOVAs, which test for differences in mean values between groups on one dependent variable, were appropriate to this study.

The decision to proceed with two separate ANOVAs as opposed to a MANOVA was made based upon the fact that the Pearson correlation between the two dependent variables is .05 with a significance level of above .05 (.746), which indicates no correlation between the two variables (see Table 2). This further indicates that the dependent variables are not suitable for use in MANOVA, and that there is no evidence of singularity or association. Thus, two one-way between-subjects ANOVAs were identified as the best choice for the analysis. Although an independent samples *t*-test is typically used to assess the differences between the means of only two groups. As there are 3 groups in the independent variable (control, treatment 1 and treatment 2) the one-way between-subjects ANOVA was chosen instead of the independent samples *t*-test.
A significance level of .05 will be used to make a decision of whether or not to reject or fail to reject the null hypothesis (Gall, Gall, & Borg, 2007). The effect size that will be reported is partial eta squared, which will be interpreted using Cohen’s (1988) conventions set forth for interpreting effect size. The interpretation will be based on thresholds of .01 for a small effect, .06 for a moderate effect, and .14 for a large effect (Cohen, 1988, pp. 284-287). Descriptive statistics ($M, SD$ for the control, Treatment 1, and Treatment 2 groups, the number ($N$), the number per cell ($n$), and the degrees of freedom will be reported.

All analyses will be conducted using the statistical software IBM SPSS version 22.

**Conclusion**

Overall, the methodology behind this research study was relatively simple with the experiment covering the span of eight weeks and then the completion of the statistical analysis. The research procedures were carried out with fidelity and according to plan, so the ANOVA yielded results that provide clear information regarding the effectiveness of the two treatments as compared to no treatment as determined by the control group.

<table>
<thead>
<tr>
<th>Perceived Knowledge Score</th>
<th>Pearson Correlation</th>
<th>Sig. (2-tailed)</th>
<th>N</th>
<th>Actual Knowledge Score</th>
<th>Pearson Correlation</th>
<th>Sig. (2-tailed)</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perceived Knowledge Score</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>.050</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Actual Knowledge Score</td>
<td>.050</td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
CHAPTER FOUR: FINDINGS

This quasi-experimental posttest-only control group study examined methods for improving preservice teachers’ levels of competency within the school law content area. The experimental portion of the study examined the information gathered within the review of literature, which revealed that a significant deficiency within the area of school law preparation exists in undergraduate teacher preparation programs. As Gullatt and Tollett (1997) reported, only 75% of all practicing teachers have ever taken a course in school law, and Eckes (2008) reported that most colleges and universities do not offer an undergraduate course in school law for preservice teachers as a result of limited space within the curriculum. This experiment tested information provided by Eckes (2008), which stated that many higher education institutions offer a school law seminar, a maximum of two hours in length, at the conclusion of preservice teachers’ course of study.

Based upon the research of Eckes (2008), which presented the concept of a two-hour seminar at the conclusion of preservice undergraduate training, this study examined the effectiveness of such seminars as compared to the effectiveness of eight 15-minute video mini-lessons presented weekly over the course of an 8-week period upon preservice teachers’ levels of school law competency. Based upon the review of past and present literature, the rationale for using mini-lessons was derived from the information processing theory developed by Miller (1956), which revealed that the human brain is capable of processing a maximum 7 +/- 2 chunks of information at any given time, which was further confirmed by the research of Chandler and Sweller (1991) and Baddely (2010). Thus, the smaller pieces or “chunks” of information afforded by the use of mini-lessons were implemented as part of this experiment.
Although the expectation for this research was that the results would indicate that the series of eight school law mini-lessons would yield greater retention of information among the participants, somewhat surprisingly subjects who had been exposed to the combined seminar of all the lessons together still outperformed their counterparts in the other groups. Thus, while the study confirmed that one approach to school law instruction in teacher preparation programs is superior to the other, an improved method of transmitting this critical information in a manner different from the combined seminar was not discovered.

The complete findings of the quasi-experimental study are contained within the following paragraphs.

**Research Questions**

**RQ1:** What is the difference in preservice teachers’ *perceived knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to15-minute video-based mini-lessons, one seminar, or no law instruction)?

**RQ2:** What is the difference in preservice teachers’ *actual knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to15-minute video-based mini-lessons, one seminar, or no law instruction)?

**Hypotheses**

The following are the research hypotheses:

**H1:** There is a statistically significant difference in preservice teachers’ *perceived knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to15-minute video-based mini-lessons, one seminar, or no law instruction).
**H₂**: There is a statistically significant difference in preservice teachers’ *actual knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).

Alternatively, the following are the null hypotheses:

**H₀₁**: There is no statistically significant difference in preservice teachers’ *perceived knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).

**H₀₂**: There is no statistically significant difference in preservice teachers’ *actual knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).

**Null Hypothesis 1**

An one-way analysis of variance (ANOVA) was used to test the null hypothesis: There is no statistically significant difference in preservice teachers’ *perceived knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).

**Descriptive Statistics**

The descriptive statistics for *perceived knowledge in school law* disaggregated by group are presented in Table 3.
Table 3: Descriptive statistics, perceived knowledge

<table>
<thead>
<tr>
<th>Group Assignment</th>
<th>Mean</th>
<th>Std. Deviation</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Control</td>
<td>25.6429</td>
<td>4.25363</td>
<td>14</td>
</tr>
<tr>
<td>Treatment 1 (5-15 min. Mini-lessons)</td>
<td>30.7500</td>
<td>2.66714</td>
<td>12</td>
</tr>
<tr>
<td>Treatment 2 (Seminar)</td>
<td>29.8421</td>
<td>2.79410</td>
<td>19</td>
</tr>
<tr>
<td>Total</td>
<td>28.7778</td>
<td>3.87233</td>
<td>45</td>
</tr>
</tbody>
</table>

The first research question addressed by the present study was: What is the difference in preservice teachers’ *perceived knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to15-minute video-based mini-lessons, one seminar, or no law instruction)? A one-way between-subjects analysis of variance (ANOVA) was conducted to evaluate the null hypothesis that there is no statistically significant difference in preservice teachers’ *perceived knowledge in school law* based on the type of law instruction they receive in their 8 week course (eight 5 to15-minute video-based mini-lessons, one seminar, or no law instruction) \((N = 45)\). The independent variable, the type of law instruction, included three groups: Control \((M = 25.642, SD = 4.254, n = 14)\); Treatment Group 1 \((M = 30.75, SD = 2.667, n = 12)\); and Treatment Group 2 \((M = 29.842, SD = 2.794, n = 19)\).

The one-way ANOVA, also referred to as a one-factor ANOVA, enables a researcher to examine if there are any differences between the means of two or more independent groups. It is an extension of the independent-samples t-test, typically used in a case such as this where there are more than two groups in the independent variable. Boxplots were used to examine extreme outliers. Here in the boxplots (see Figure 1), cases 2 and 30 in Treatment Group 2 were identified as extreme outliers. Although one of the assumptions of the one-way ANOVA is no extreme outliers, the decision was made to include cases 2 and 30 in the initial one-way ANOVA.
and then run a second one-way ANOVA in order to determine whether the results differ significantly (Warner and Weisburg, 2014).

Figure 1: Perceived knowledge scatter plot

The Shapiro-Wilk test was used to ascertain normality for the dependent variable, perceived knowledge, across all three groups. The test is suggested for samples with 50 or fewer observations (Rovai et al., 2014). Results showed normal distributions for the perceived knowledge dependent variable for the control group and the Treatment 1 group, $W_{\text{Control}}(14) = .90, p = .10$ and $W_{\text{Treatment1}}(12) = .97, p = .87$. The assumption of normality was not tenable the perceived knowledge dependent variable for the Treatment 2, $W_{\text{Treatment2}}(19) = .85, p = .006$. (See Table 4).
Table 4: Tests of normality, perceived knowledge (outliers included)

<table>
<thead>
<tr>
<th>Group Assignment</th>
<th>Kolmogorov-Smirnov(^a)</th>
<th>Shapiro-Wilk</th>
<th>Statistic</th>
<th>df</th>
<th>Sig.</th>
<th>Statistic</th>
<th>df</th>
<th>Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perceived Knowledge Score</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Control</td>
<td>.210</td>
<td></td>
<td>.094</td>
<td>14</td>
<td>.102</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treatment 1 (5-15 min. Mini-lessons)</td>
<td>.129</td>
<td></td>
<td>.200*</td>
<td>12</td>
<td>.865</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treatment 2 (Seminar)</td>
<td>.267</td>
<td></td>
<td>.001</td>
<td>19</td>
<td>.006</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* This is a lower bound of the true significance.

\(a\). Lilliefors Significance Correction

Despite the assumption violation for the Treatment 2 Group, the one-way ANOVA is fairly "robust" to deviations from normality, particularly if the sample sizes (numbers in each group) are equal, or nearly equal (Liz, Keselman & Keselman, 1996). The assumption of homogeneity of variances was tested and found tenable using Levene’s test, \(F(2,42) = 2.58, p = .08\), (shown in Table 5) indicating that the variances of the groups could be assumed to have equal variance.

Table 5: Levene’s test, perceived knowledge (outliers included)

<table>
<thead>
<tr>
<th>Dependent Variable: Perceived Knowledge Score</th>
<th>F</th>
<th>df1</th>
<th>df2</th>
<th>Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.577</td>
<td>2</td>
<td>42</td>
<td>.088</td>
</tr>
</tbody>
</table>

Results for Null Hypothesis 1

The results of the ANOVA (see Table 6) without the outliers removed were significant, \(F(2, 42) = 9.52, p < .001, \eta^2 = .31\). Consequently, there is significant evidence to reject the null hypothesis and conclude there is a difference between the perceived knowledge score means by type of law instruction. The strength of relationship between type of law instruction and
perceived knowledge score was strong, accounting for 31% of the variance of the dependent variable. The power was strong at .97 which indicates 97% accuracy. As there was a significant difference found, the researcher continued with post hoc tests in order to determine within which pairs the differences could be found.

Table 6: ANOVA results, perceived knowledge (outliers included)

<table>
<thead>
<tr>
<th></th>
<th>Sum of Squares</th>
<th>df</th>
<th>Mean Square</th>
<th>F</th>
<th>Sig.</th>
<th>Partial Eta Squared</th>
<th>Noncent. Parameter</th>
<th>Observed Power^a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contrast</td>
<td>205.787</td>
<td>2</td>
<td>102.894</td>
<td>9.519</td>
<td>.000</td>
<td>.312</td>
<td>19.038</td>
<td>.972</td>
</tr>
<tr>
<td>Error</td>
<td>453.991</td>
<td>42</td>
<td>10.809</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The F tests the effect of Group Assignment. This test is based on the linearly independent pairwise comparisons among the estimated marginal means.

a. Computed using alpha = .05

Post hoc comparisons to evaluate pairwise differences among group means were conducted with the use of the Tukey HSD test (shown in Table 7) since equal variances were tenable. There was a difference in the perceived knowledge of the Control Group and the Treatment 1 Group. The Treatment 1 Group scored 5.1071 points higher than the control group (95% CI, 1.98 to 8.25), which was statistically significant (p = .001). There was also a difference in the perceived knowledge of the Control Group and the Treatment 2 Group. The Treatment 1 Group scored 4.199 points higher than the control group (95% CI, 1.39 to 7.01), which was statistically significant (p = .002). There was no significant difference between Treatment 1 Group and Treatment 2 Group.
Table 7: Multiple comparisons, perceived knowledge (outliers included)

<table>
<thead>
<tr>
<th>(I) Group Assignment</th>
<th>(J) Group Assignment</th>
<th>Mean Difference (I-J)</th>
<th>Std. Error</th>
<th>Sig.</th>
<th>95% Confidence Interval</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tukey HSD Control</td>
<td>Treatment 1 (5-15 min. Mini-lessons)</td>
<td>-5.1071*</td>
<td>1.293</td>
<td>.001</td>
<td>-8.2494 -1.9649</td>
</tr>
<tr>
<td></td>
<td>Treatment 2 (Seminar)</td>
<td>-4.1992*</td>
<td>1.158</td>
<td>.002</td>
<td>-7.0126 -1.3859</td>
</tr>
<tr>
<td>Treatment 1 (5-15 min. Mini-lessons)</td>
<td>Control</td>
<td>5.1071*</td>
<td>1.293</td>
<td>.001</td>
<td>1.9649 8.2494</td>
</tr>
<tr>
<td></td>
<td>Treatment 2 (Seminar)</td>
<td>.9079</td>
<td>1.212</td>
<td>.736</td>
<td>-2.0374 3.8532</td>
</tr>
<tr>
<td>Treatment 2 (Seminar)</td>
<td>Control</td>
<td>4.1992*</td>
<td>1.158</td>
<td>.002</td>
<td>1.3859 7.0126</td>
</tr>
<tr>
<td></td>
<td>Treatment 1 (5-15 min. Mini-lessons)</td>
<td>-.9079</td>
<td>1.212</td>
<td>.736</td>
<td>-3.8532 2.0374</td>
</tr>
</tbody>
</table>

Based on observed means.
The error term is Mean Square(Error) = 10.809.

* The mean difference is significant at the .05 level.

The results of the ANOVA with the outliers removed were similar and significant and presented in the following section.
Results for Null Hypothesis 1 (with outliers removed)

Descriptive Statistics

The descriptive statistics for perceived knowledge in school law disaggregated by group with outliers removed is presented in the output below in Table 8.

Table 8: Descriptive statistics, perceived knowledge (outliers excluded)

<table>
<thead>
<tr>
<th>Group Assignment</th>
<th>Mean</th>
<th>Std. Deviation</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Control</td>
<td>25.6429</td>
<td>4.25363</td>
<td>14</td>
</tr>
<tr>
<td>Treatment 1 (5-15 min. Mini-lessons)</td>
<td>30.7500</td>
<td>2.66714</td>
<td>12</td>
</tr>
<tr>
<td>Treatment 2 (Seminar)</td>
<td>29.0588</td>
<td>1.59963</td>
<td>17</td>
</tr>
<tr>
<td>Total</td>
<td>28.4186</td>
<td>3.56726</td>
<td>43</td>
</tr>
</tbody>
</table>

Results for Null Hypothesis 1

The results of the ANOVA (see Table 9) with the outliers removed were significant, $F(2, 40) = 10.16$, $p < .001$, $\eta^2 = .34$. Consequently, there is significant evidence to reject the null hypothesis and conclude there is a difference between the perceived knowledge score means by type of law instruction. The strength of relationship between type of law instruction and perceived knowledge score was strong, accounting for 34% of the variance of the dependent variable. The power was strong at .98 which indicates 98% accuracy.

Table 9: ANOVA results, perceived knowledge (outliers excluded)

<table>
<thead>
<tr>
<th></th>
<th>Sum of Squares</th>
<th>df</th>
<th>Mean Square</th>
<th>F</th>
<th>Sig.</th>
<th>Partial Eta Squared</th>
<th>Noncent. Parameter</th>
<th>Observed Power^a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contrast</td>
<td>180.060</td>
<td>2</td>
<td>90.030</td>
<td>10.161</td>
<td>.000</td>
<td>.337</td>
<td>20.322</td>
<td>.980</td>
</tr>
<tr>
<td>Error</td>
<td>354.405</td>
<td>40</td>
<td>8.860</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The F tests the effect of Group Assignment. This test is based on the linearly independent pairwise comparisons among the estimated marginal means.
Post hoc comparisons to evaluate pairwise differences among group means were conducted with the use of the Tukey HSD test (shown in Table 10) since equal variances were tenable. There was a difference in the perceived knowledge of the Control Group and the Treatment 1 Group. The Treatment 1 Group scored 5.1071 points higher than the control group (95% CI, 2.26 to 7.96), which was statistically significant ($p = .001$). There was also difference in the perceived knowledge of the Control Group and the Treatment 2 Group. The Treatment 2 Group scored 3.416 points higher than the control group (95% CI, 0.80 to 6.03), which was statistically significant ($p = .008$). There was no significant difference between Treatment 1 Group and Treatment 2 Group.

Table 10: Multiple comparisons, perceived knowledge (outliers excluded)

<table>
<thead>
<tr>
<th>Dependent Variable: Perceived Knowledge Score</th>
<th>Mean Difference (I-J)</th>
<th>Std. Error</th>
<th>Sig.</th>
<th>95% Confidence Interval</th>
</tr>
</thead>
<tbody>
<tr>
<td>(I) Group Assignment</td>
<td>(J) Group Assignment</td>
<td></td>
<td></td>
<td>Lower Bound</td>
</tr>
<tr>
<td>Tukey HSD</td>
<td>Control</td>
<td>Treatment 1</td>
<td>-5.1071*</td>
<td>1.170</td>
</tr>
<tr>
<td></td>
<td>Treatment 1 (5-15 min. Mini-lessons)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Control</td>
<td>Treatment 2</td>
<td>-3.4160*</td>
<td>1.074</td>
</tr>
<tr>
<td></td>
<td>Treatment 2 (Seminar)</td>
<td>Control</td>
<td>5.1071*</td>
<td>1.170</td>
</tr>
<tr>
<td></td>
<td>Treatment 2 (Seminar)</td>
<td>Treatment 1</td>
<td>1.6912</td>
<td>1.122</td>
</tr>
<tr>
<td></td>
<td>Control</td>
<td>Treatment 1</td>
<td>3.4160*</td>
<td>1.074</td>
</tr>
<tr>
<td></td>
<td>Treatment 1 (5-15 min. Mini-lessons)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Control</td>
<td>Treatment 1</td>
<td>-1.6912</td>
<td>1.122</td>
</tr>
</tbody>
</table>

Based on observed means.
The error term is Mean Square(Error) = 8.860.

* The mean difference is significant at the .05 level.
Null Hypothesis 2

The second research question addressed by the present study was: What is the difference preservice teachers’ actual knowledge in school law based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction)?

Descriptive Statistics

The descriptive statistics for actual knowledge in school law disaggregated by group is presented in the output in Table 11.

Table 11: Descriptive statistics, actual knowledge

<table>
<thead>
<tr>
<th>Group Assignment</th>
<th>Mean</th>
<th>Std. Deviation</th>
<th>N</th>
</tr>
</thead>
<tbody>
<tr>
<td>Control</td>
<td>18.9286</td>
<td>4.66516</td>
<td>14</td>
</tr>
<tr>
<td>Treatment 1 (5-15 min. Mini-lessons)</td>
<td>17.8333</td>
<td>3.09936</td>
<td>12</td>
</tr>
<tr>
<td>Treatment 2 (Seminar)</td>
<td>17.7895</td>
<td>2.37063</td>
<td>19</td>
</tr>
<tr>
<td>Total</td>
<td>18.1556</td>
<td>3.37744</td>
<td>45</td>
</tr>
</tbody>
</table>

An one-way between-subjects analysis of variance (ANOVA) was conducted to evaluate the second null hypothesis that there is no statistically significant difference in preservice teachers’ actual knowledge in school law based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction). \(N = 45\). The independent variable, the type of law instruction, included three groups: Control \(M = 18.929, \ SD = 4.665, n = 14\); Treatment Group 1 \(M = 17.833, \ SD = 3.099, n = 12\); and Treatment Group 2 \(M = 17.790, \ SD = 2.371, n = 19\). The one-way ANOVA, also referred to as a one-factor ANOVA, enables a researcher to examine if there are any differences
between the means of two or more independent groups. It is an extension of the independent-samples t-test, typically used in a case such as this where there are more than two groups in the independent variable. Boxplots were used to examine extreme outliers (see figure 2). The assumption was tenable.

Figure 2: Scatter plot, actual knowledge scores

The Shapiro-Wilk test (presented in Table 12) was used to ascertain normality for the dependent variable, actual knowledge across all three groups. Results showed normal distributions for the actual knowledge dependent variable for the control group, the Treatment 1 group, and Treatment 2 Group, $C_{control}(14) = .91, p = .18$ and $W_{Treatment1}(12) = .94, p = .43$, $W_{Treatment2}(19) = .96, p = .54$. 
Table 12: Tests of normality

<table>
<thead>
<tr>
<th>Actual Knowledge Score</th>
<th>Group Assignment</th>
<th>Kolmogorov-Smirnov</th>
<th>Shapiro-Wilk</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>c</td>
<td>df</td>
</tr>
<tr>
<td>Control</td>
<td>.162</td>
<td>14</td>
<td>.200*</td>
</tr>
<tr>
<td>Treatment 1 (5-15 min. Mini-lessons)</td>
<td>.188</td>
<td>12</td>
<td>.200*</td>
</tr>
<tr>
<td>Treatment 2 (Seminar)</td>
<td>.157</td>
<td>19</td>
<td>.200*</td>
</tr>
</tbody>
</table>

* This is a lower bound of the true significance.
a. Lilliefors Significance Correction

The assumption of homogeneity of variances was tested and found tenable using Levene’s test, $F(2, 42) = 2.55, p = .09$, The non-significant $p$ value (above .05) shows the assumption is tenable or met (Warner, 2013). (See table 13).

Table 13: Levene’s test, actual knowledge

<table>
<thead>
<tr>
<th>Dependent Variable: Actual Knowledge Score</th>
<th>F</th>
<th>df1</th>
<th>df2</th>
<th>Sig.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.551</td>
<td>2</td>
<td>42</td>
<td>.090</td>
</tr>
</tbody>
</table>

Tests the null hypothesis that the error variance of the dependent variable is equal across groups.

a. Design: Intercept + Group Assignment

**Results for Null Hypothesis 2**

The results of the ANOVA (shown in Table 14) were significant, $F(2, 42) = 6.08, p=.598, \eta^2= .02$. Consequently, there is not significant evidence to reject the second null
hypothesis. There is not a significant difference between the actual knowledge score means based on type of law instruction. The power was weak at .13.

Table 14: ANOVA results, actual knowledge

<table>
<thead>
<tr>
<th>Dependent Variable: Actual Knowledge Score</th>
<th>Sum of Squares</th>
<th>df</th>
<th>Mean Square</th>
<th>F</th>
<th>Sig.</th>
<th>Partial Eta Squared</th>
<th>Noncent. Parameter</th>
<th>Observed Power^a</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contrast</td>
<td>12.158</td>
<td>2</td>
<td>6.079</td>
<td>.521</td>
<td>.598</td>
<td>.024</td>
<td>1.043</td>
<td>.130</td>
</tr>
<tr>
<td>Error</td>
<td>489.753</td>
<td>42</td>
<td>11.661</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The F tests the effect of Group Assignment. This test is based on the linearly independent pairwise comparisons among the estimated marginal means.

a. Computed using alpha = .05
CHAPTER FIVE: DISCUSSION, CONCLUSIONS, AND RECOMMENDATIONS

Discussion

The purpose of this quasi-experimental posttest only study was to test the theory of Eckes (2008), who posited that legal knowledge is not effectively obtained through a simple one-time seminar presented near the conclusion of preservice teacher training. During this study three research groups were examined. Treatment Group 1 was exposed to one 5 to 15-minute video-based school law mini-lesson per week over the course of eight weeks. Treatment Group 2 was exposed to a 1 hour and 13 minute video seminar of the combined video-based school law mini-lessons. The third group, which functioned as the control for the study, was exposed to no treatment. All groups completed the Education Law Survey adapted with permission from Schimmel and Militello (2007) after being exposed to their respective treatment or no treatment in the case of the control group.

Two hypotheses guided the research of this study, and each will be discussed in light of the results as follows.

Hypothesis One

The first hypothesis posited that there will be a statistically significant difference in preservice teachers’ perceived knowledge in school law based on the type of law instruction they receive in their 8 week course (eight 5 to15-minute video-based mini-lessons, one seminar, or no law instruction).

A simple examination of the mean scores on the perceived knowledge portion of the Education Law Survey shows that the control, Treatment 1 and Treatment 2 groups earned mean perceived knowledge scores of 25.64, 30.75, and 29.84, respectively (Refer to Table __), indicating that Treatment 1 (eight 5 to15-minute video lessons) was more effective than
Treatment 2 (one seminar), and both Treatment 1 and 2 were more effective than the control group in positively influencing participants’ levels of perceived school law knowledge.

An one-way ANOVA was run in order to analyze the perceived knowledge of participants within the three groups. The results of the ANOVA (see Table 4) were significant, \( F (2, 42) = 9.52, p < .001, \eta^2 = .31 \). Consequently, there is significant evidence to accept the first hypothesis and conclude there is a difference between the perceived knowledge score means by type of law instruction. The strength of relationship between type of law instruction and perceived knowledge score was strong, accounting for 31% of the variance of the dependent variable. The power was strong at .97 which indicates 97% accuracy. Consequently, the first null hypothesis was rejected.

Hypothesis Two

The second hypothesis stated that there will be a statistically significant difference in preservice teachers’ actual knowledge in school law based on the type of law instruction they receive in their 8 week course (eight 5 to 15-minute video-based mini-lessons, one seminar, or no law instruction).

A simple examination of the mean scores on the perceived knowledge portion of the Education Law Survey shows that the control, Treatment 1 and Treatment 2 groups earned mean actual knowledge scores of 18.93, 17.83, and 17.79, respectively (Refer to Table __), indicating that Treatment 1 (eight 5 to 15-minute video lessons) was slightly more effective than Treatment 2 (one seminar), and both Treatment 1 and 2 were less effective than the control group in positively influencing participants’ levels of perceived school law knowledge.

The results of the ANOVA (shown in Table 9) were significant, \( F (2, 42) = 6.08, p = .598, \eta^2 = .02 \). Consequently, there was not significant evidence to reject the second null hypothesis.
There is not a significant difference between the actual knowledge score means based on type of law instruction, and the power was weak at .13. Therefore the second hypothesis cannot be accepted as a result of the failure to reject the null hypothesis based upon the ANOVA results.

**Conclusions**

The primary conclusion of this quasi-experimental research study is that, at least in this instance, is that a treatment of either video minilessons or an extended video seminar teachers discussed within this study is superior to no treatment. Although the subjects under study performed at a higher level on the perceived knowledge portion of the *Education Law Survey* after exposure to the divided lessons presented over the course of eight weeks, this trend did not carry through to the actual knowledge portion of the survey resulting in no statistically significant difference between the two approaches. It is important to note that the participants’ higher ratings in perceived knowledge are significant and align with the findings of Rovai (2002) that perceived knowledge is a stronger measure of cognitive learning among adult learners than actual grades. Therefore, other factors should be considered.

First, perhaps the video-based mode of transition is better suited to the seminar format than it is to the mini-lesson format because it presented all of the assessed information in a connected and succinct manner. Those subjects who viewed the content as mini-lessons over the course of eight weeks were exposed to substantial amounts of other education-related content between viewings, while those who viewed the combined seminar retained minimally higher levels of information regarding actual knowledge. Additionally, those students who viewed the entire seminar completed the survey within one week of being exposed to the content, possibly increasing their performance simply as a result of the shorter span of time between the introduction of much of the information and recalling it. Those who were exposed to the mini-
lessons over an 8-week period were as many as eight weeks removed from some aspects of the content contained within the survey.

Additionally, one of the requirements of this research study was that participation in the study was not permitted to affect students’ grades either positively or negatively. As a result, the participants were given no external motivation to perform well on the posttest because it was not connected in any way to their grades for the courses in which they were enrolled. It is worth noting that the incorporation of several assessments throughout the instructional period such as quizzes or small summaries may likely promote an increase in student performance on the posttest by providing an opportunity both for review and demonstration of retention and understanding. In short, attaching the mini-lessons to students’ course grades could function as a much needed “carrot” for providing motivation.

**Implications**

Perhaps the greatest implication of this research is that undergraduate teacher preparation programs still are highly in need of a method of teaching the school law content area that is effective and leads to high rates of content retention among preservice teachers. This research demonstrates that school law instruction, either through mini-lessons or through a single seminar, yields significantly greater results than exposure to no information, particularly with regard to participants’ perceived knowledge.

Based upon this information, higher education institutions should begin, at minimum, by offering a condensed school law seminar immediately prior to the candidates’ student-teaching experience as Eckes (2008) referenced. In this manner, preservice teachers will receive at least a moderate increase in their levels of perceived school legal knowledge. Additionally, methods of transmitting school law information such as through supplemental instruction or a web-based
education law course should be considered as this particular study could not include requirements that would have an impact either positively or negatively upon students’ grades.

**Limitations**

By its very nature, the processing of condensing data into numerical figures through quantitative analysis has the potential to generate inaccuracies in the reporting of data. A limitation of this particular study was the fact that groups of equal number were not available as a result of the course enrollments of the classes and faculty members who facilitated the study at the institution in which it was conducted. A further limitation is the fact that the participants in each group were enrolled in three distinctly different education-related courses during the experimental period. Therefore, it is impossible to determine whether or not one group might have received more information about certain school law-related topics in their regularly scheduled course than those in one of the other groups under study.

**Recommendations for Future Research**

An interesting and important recommendation for future research would be to administer the same posttest survey to the same treatment groups over the course of a year in order to determine which mode of instruction had the greatest long-term impact upon the subjects’ understanding of the school law content area. Another important area for future research is to examine the method through which the mini-lessons were delivered to the treatment group. For example, if there is a more engaging manner in which this can be done, the end result could contribute to higher retention rates overall.

Additional research should be done to determine which undergraduate education course is best suited for the incorporation of school law-related material. One thought on this issue is that because special education is in and of itself steeped in legal ramifications, additional school
law topics may be better processed and more aligned with the content of a special education course. A study conducted with several groups enrolled in a special education course, and several groups enrolled in a non-special education course may provide some insight regarding this matter.

Ultimately, the body of literature demonstrates the idea that a vast majority of undergraduate preservice teachers is grossly underprepared and uneducated within the area of education law. It is critical that research continue to be done within this area in order to determine more effective ways of preparing beginning teachers, thereby reducing their personal liability for legal entanglements and by extension reducing the risk of liability for the school districts by which they are employed.
References


Appendix A

IRB Exemption Letter

March 6, 2015

Jeffrey D. Keeling
IRB Exemption 2110.030615: The Effects of Video-Based, Embedded, Supplemental Instruction upon Preservice Teachers’ School Law Competency

Dear Jeff,

The Liberty University Institutional Review Board has reviewed your application in accordance with the Office for Human Research Protections (OHRP) and Food and Drug Administration (FDA) regulations and finds your study to be exempt from further IRB review. This means you may begin your research with the data safeguarding methods mentioned in your approved application and no further IRB oversight is required.

Your study falls under exemption category 46.101(b)(1, 2), which identifies specific situations in which human participants research is exempt from the policy set forth in 45 CFR 46:101(b):

1. Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as (i) research on regular and special education instructional strategies, or (ii) research on the effectiveness or the comparison among instructional techniques, curricula, or classroom management methods.

2. Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless:

   (i) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (ii) any disclosure of the human subjects’ responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects’ financial standing, employability, or reputation.

Please note that this exemption only applies to your current research application, and any changes to your protocol must be reported to the Liberty IRB for verification of continued exemption status. You may report these changes by submitting a change in protocol form or a new application to the IRB and referencing the above IRB Exemption number.

If you have any questions about this exemption or need assistance in determining whether possible changes to your protocol would change your exemption status, please email us at irb@liberty.edu.

Sincerely,

Professor, IRB Chair
Counseling

(434) 592-4054

LIBERTY UNIVERSITY
Appendix B

Participant Consent Form

The Liberty University Institutional Review Board has approved this document for use from 3/6/15 to --
Protocol # 2110.030615

CONSENT FORM

The Effects of Video-Based Embedded Supplemental Instruction upon Preservice Teachers’ School Law Competency

Jeffrey D. Keeling
Liberty University
Education Department

You are invited to be in a research study of preservice teachers’ level of competency with school law topics. You were selected as a possible participant because you are enrolled in an undergraduate teacher certification program. I ask that you read this form and ask any questions you may have before agreeing to be in the study.

This study is being conducted by Jeffrey D. Keeling, a doctoral candidate in the School of Education at Liberty University.

Background Information:

The purpose of this study is to determine an effective method of closing the gap in school law training for preservice teachers in North American teacher certification programs.

Procedures:

If you agree to be in this study, I would ask you to do the following things:

Treatment Group A: 1) Watch one 15-minute PowerPoint-based school law video mini-lesson per week over the course of 8 weeks. 2) Anonymously complete Schimmel and Militello’s (2007) School Law Survey at the conclusion of the 8-week period.

Treatment Group B: 1) Watch one 2-hour PowerPoint-based school law video seminar during week 7 of an 8-week period. 2) Anonymously complete Schimmel and Militello’s (2007) School Law Survey at the conclusion of the 8-week period.

Treatment Group C: 1) Anonymously complete Schimmel and Militello’s (2007) School Law Survey at the conclusion of the 8-week period.

The School Law Survey will take approximately 15 minutes to complete.

Risks and Benefits of being in the Study:

Risks of being in this study are limited and pose no more of a threat than those encountered in everyday life.

The benefits of participation are the potential of improving your personal knowledge of school law along with the benefit to society of contributing to research that may alter the manner in which the school law content area is addressed in undergraduate teacher certification programs in the future.
Compensation:

Participants will not be compensated for participation in this study.

Confidentiality:

The records of this study will be kept private. In any sort of report I might publish, I will not include any information that will make it possible to identify a subject. Research records will be stored securely and only the researcher will have access to the records. As the School Law Survey is anonymous, no personal information of the participants will be obtained by the researcher.

Voluntary Nature of the Study:

Participation in this study is voluntary. Your decision whether or not to participate will not affect your current or future relations with Liberty University and/or [redacted] you decide to participate, you are free to not answer any question or withdraw at any time without affecting those relationships.

Contacts and Questions:

The researcher conducting this study is Jeffrey D. Keeling. You may ask any questions you have now. If you have questions later, you are encouraged to contact him at [redacted] or jdkeeling2@liberty.edu. The adviser for this research, Dr. Andrea Beam may be contacted at abeam@liberty.edu.

If you have any questions or concerns regarding this study and would like to talk to someone other than the researcher, you are encouraged to contact the Institutional Review Board, 1971 University Blvd, Suite 1837, Lynchburg, VA 24515 or email at irb@liberty.edu.

Please keep this information for your records.
Appendix C

Education Law Survey

From Schimmel and Militello (2007) with modifications as recommended by Dr. David Schimmel and Dr. Matthew Militello. Used with permission of the authors.

II. Knowledge of School Law

9. Please indicate your level of knowledge as it pertains to the following topics. (Indicate using an X)

<table>
<thead>
<tr>
<th>Level of Knowledge</th>
<th>None</th>
<th>Inadequate</th>
<th>Adequate</th>
<th>Proficient</th>
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</thead>
<tbody>
<tr>
<td>a. Search and Seizure (desks, lockers, backpacks, drug testing)</td>
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<tr>
<td>b. Student Freedom of Expression (students wearing controversial clothing, using controversial spoken and written language)</td>
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<td>c. Issues of Religion and Education (celebrating holidays, prayer groups, teaching creationism)</td>
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<td>d. Liability Regarding Student Injuries (breaking up fights, restraining students)</td>
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<td>e. Contract Issues/Employee Rights (grievances, union representation, extra duties, compulsory union membership)</td>
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<td>f. Special Education and LEP (adhering to IEPs, 504s, disciplinary action)</td>
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<td>g. Teacher’s Academic Freedom (discussion of controversial topics in class, using controversial materials or methods)</td>
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<td>h. Student Due Process and Discipline (zero tolerance, suspensions and Expulsions, detentions)</td>
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<td>i. Discrimination and Harassment (based on race, ethnicity, gender, sexual orientation)</td>
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<td>j. Abuse and Neglect (reporting requirements, severity and nature of injury)</td>
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</table>
10. Please answer the following student rights questions as True/False/Unsure. (Indicate using an X)

<table>
<thead>
<tr>
<th>Student Rights</th>
<th>True</th>
<th>False</th>
<th>Unsure</th>
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<tbody>
<tr>
<td>a. School officials may legally search a student’s personal belongings without a specific reason.</td>
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<td>b. Students who refuse to salute the flag may be required to stand in respectful silence.</td>
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<td>c. Law enforcement requesting permission to search a student at school must have probable cause.</td>
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<td>d. Students that choose to participate in competitive athletics may be subjected to random drug testing.</td>
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<td>e. Schools may require students to wear uniforms without violating student rights.</td>
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<td>f. Before students are suspended for 5-10, they have a right to a hearing where they can bring a lawyer to advise them.</td>
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<td>g. Students have the right to promote their political beliefs to other students at school.</td>
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<td>h. School officials must permit students to distribute controversial religious materials on campus if it does not cause a disruption.</td>
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<td>i. Students have a constitutional right to participate in extracurricular activities.</td>
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<td>j. Students may wear T-shirts that criticize school policies as long as they do not cause a significant interference with school operations.</td>
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<td>k. The first amendment protects student speech that is offensive, provocative, and controversial if it does not cause substantial disruption.</td>
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<td>l. Invocations and benedictions at graduation ceremonies are permitted.</td>
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</table>
11. Please answer the following teacher rights/liability questions as True/False/Unsure.
   (Indicate using an X)

<table>
<thead>
<tr>
<th>Teacher Rights/Liability</th>
<th>True</th>
<th>False</th>
<th>Unsure</th>
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</thead>
<tbody>
<tr>
<td>a. Teachers can be held liable for any injury that occurs if they leave their classroom unattended.</td>
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<td>b. Teachers may be held liable for their failure to report sexual, physical, or verbal abuse.</td>
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<td>c. It is unconstitutional to study the Bible in a public school.</td>
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<td>d. Teachers can be disciplined for publicly criticizing school policies even when they speak as citizens about matters of community concern.</td>
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<td>e. Teachers have the legal authority to select the texts for their students.</td>
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<td>f. Academic freedom generally protects teachers who discuss controversial subjects if they are relevant, appropriate for the age and maturity of the students, and do not cause disruption.</td>
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<tr>
<td>g. If a teacher is asked to give a recommendation by a student and includes false information in the recommendation that causes a student to be rejected for a job, the teacher can be held liable for libel even if the libel was unintentional.</td>
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<td>h. Teachers are prohibited from viewing their students’ records unless they receive permission from the parents or the principal.</td>
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<td>i. Public schools can fire a teacher for having a consensual sexual relationship with a student in their school even if the student is over 18.</td>
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<tr>
<td>j. Teachers cannot be held liable for student injuries that occur in breaking up a fight.</td>
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<tr>
<td>k. Teachers/schools can be held liable for educational malpractice.</td>
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<td>l. As an agent of the state, a public school teacher is constrained by the bill of rights.</td>
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</tbody>
</table>
m. Teachers can be sued for defamation if their report of student abuse is not substantiated.

n. Schools can be held liable for failing to prevent student sexual harassment.

o. Schools have the right to require supplemental material approval by administrators in advance without violating teacher’s academic freedom.

p. Schools can impose rigid dress codes on teachers without violating their rights.

q. If a teacher gives a student a ride home from school without parental permission and the student is injured – not as a result of teacher negligence – the teacher would still be held liable.

Please provide the name of the professor in whose course you completed this survey.
Professor’s last name: _______________________________
Appendix D

Permission to use Survey Instrument

Re: Request for permission to use Survey Instrument

From: schimmel200@gmail.com on behalf of david schimmel <schimmel@educ.uri.edu>
To: □ Keeling, Jeffrey Duane; □ Matt and Liz Militello <mattlizmilitello@me.com>
Sent: Tue 3/22/2016 9:04 PM

Hi Jeff,

This is to give you permission to publish our survey in your dissertation. We look forward to learning about your results and how they compare to ours.

Regards,

David

To: David Schimmel <schimmel@educ.uri.edu>; □ Matt Militello <matt_militello@virginia.edu>
Sent: Tue 3/22/2016 3:07 PM

Good morning, Drs. Schimmel and Militello,

I trust this email finds you well. Although you previously granted permission for me to use your Education Law Survey (2007) with your suggested modifications in my doctoral research, the Liberty University School of Education requires that I send you the following request for permission to publish the survey in my final dissertation.

Greetings! I am contacting you because I would like to ask permission to reproduce your instrument/graphic/chart/survey in my Dissertation/Thesis. After defending my Dissertation/Thesis, my program requires me to submit it for publication in the Liberty University open-access institutional repository, the Digital Commons, and in the Proquest theses and dissertation subscription research database. If you allow this, I will provide a citation of your work as follows: (Education Law Survey (Schimmel & Militello, 2007)) Thank you for your consideration in this matter!

I will be sure to send you a copy of the final document including results once I receive approval from the School of Education.

Thank you so much for your time.

Sincerely,

Jeff Keeling