

Book Reviews

Teachers in Trouble: An Exploration of the Normative Character of Teaching

Stuart Piddock, Romulo Magasino, Michael Manley-Casimir

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This book is 'one outcome of a national study into community values and the unconventional teacher, conducted under the direction of Dr Michael Manley-Casimir of the Faculty of Education at Simon Fraser University, Burnaby, B.C'. (at p ix) It is indeed a most valuable outcome for the members of the teaching profession, and for those who are interested in teachers' work and its context, not only in Canada, but also in Australia and New Zealand. *Teachers in Trouble* highlights the value of research on teachers' work and professional standards which is informed by a mastery of the legal context in which that work is performed and in which those professional standards are defined.

Chapter 1 is entitled 'Contentious Behaviours', and presents four imaginary hypothetical cases as a starting point for discussion of the issues relevant to the normative character of teaching as a cultural activity. This is an excellent introduction which immediately arouses the reader's interest. The methodology of the research project is described, and a classification of contentious behaviours in six categories: character-related behaviours, sex-related behaviours, unauthorised teaching activities, contentious conduct by teachers as citizens, criminal behaviour and behaviour which may collide with denominational cause in public or semi-public schools operated by religious denominations. Although the legislative and socio-cultural contexts for teaching in Australia and New Zealand are not identical with those in Canada, the discussion of issues relevant in the Canadian context provides an excellent stimulus for consideration of similar issues in the analysis of teachers' work in Australia and New Zealand.

The focus of Chapter 2 is the system of control of teacher conduct. In the Canadian context such control may be centralised or decentralised and the characteristics of each form of control are discussed. This Chapter discusses the legal implications which arise from different schemes of employment, namely, the teacher as the employee of school trustees and the teacher as a servant of the state. The role of teachers' organisations is also examined. Finally, the issues which arise from the use of Boards of Reference and Arbitration, established by provincial legislation, and the appellate role of the courts in relation to the decisions of these Boards, are carefully analysed. Again, there is much valuable material for Australian and New Zealand readers in this Chapter.

Chapters 3, 4, 5 cover misconduct relating to teacher 'character', sexual misconduct, and unorthodox teaching and contentious conduct by teachers as citizens. The structure of each Chapter is similar: there is an introductory discussion of the particular significance of the conducts covered in relation to the implicit ideal which such conducts offend; a number of board of reference cases, and court decisions, the facts of which are illustrative of the impugned behaviours are described and the issues raised by each case are noted ; and then there is an excellent summative discussion of the values expressed in the several decisions. The scope of the issues raised in each Chapter is wide-ranging. In Chapter 3 the cases presented include the abuse of alcohol and other drugs, insubordination, behaviour showing signs of cruelty, and dishonest behaviour. In Chapter 4, which deals with sexual misconducts, the cases include paedophilia, proven or alleged, sexual liaisons with students, sexual exhibition or lewdness (alleged) extra-marital and non-marital heterosexual relationships, homosexual relationships, and transvestism and transsexuality. In Chapter 5 the cases include unauthorised teaching activities, in and out of school, contentious conduct as citizens and case relating to 'denominational cause'. In all instances in the descriptions of the cases, whether they are those relating to board of reference decisions in which anonymity is properly preserved, or those relating to decisions of courts, the factual, procedural and legal contexts are fully described and explained, and where appropriate there is useful analysis of the evidence presented and of the reports of the boards and the courts. This is a significant characteristic of *Teachers in Trouble* which makes it not only accessible to educators outside Canada, but of considerable value to them.

Chapter 6, 'The Normative Character of Teaching', is a summative chapter in which aspects of the role of the teacher are discussed: the 'Teacher as a Character', that is as a role model in the community; and the 'Teacher as a Professional'. This thoughtful discussion is as relevant to the development of professional standards for teachers in Australia and New Zealand as it is in the Canadian context. This is followed by an equally thought-provoking discussion of the 'Norms of Teaching' which deals with the norms inherent in the teacher-student relationship, the norms related to the role of the public school teacher as an employee, and the norms arising from the developing professional status of public school teaching, all of which are relevant to the contemporary discussion of the development of professional standards of teachers in Australia. The issues raised in the discussion of the 'Teacher in Society' are well worth consideration, particularly the discussion, at pp 226-227, of the proposition that the 'three sets of norms are not necessarily concordant', and of the proposition that a distinction may be drawn between professional misconduct and employee misconduct. The authors write:

Sometimes this distinction may be blurred. It is blurred in teaching. The profession of teaching, surely is competent to judge whether or not the teacher's teaching conforms to the proper norms of teaching. The employer, namely the school board and its administrators, must also be able to assess whether teaching is adequate or not, or else the school board cannot do its proper job. Here, the domains of professional and employee misconduct overlap.

Furthermore, professional standards must include providing a proper service to schools and school boards. If this were not so, school boards would necessarily be less sure of the good services of the teachers whom they employ. Professional ideals draw into themselves some consideration, at least, of the roles of employer and employee and hence the idea of employee misconduct.

Teachers in Trouble: An Exploration of the Normative Character of Teaching is an attractively presented book. In addition to its well-structured Chapters and thought-provoking content, it includes a series of appendices which cover a methodological note, the statutory background for Boards of Reference of equivalent tribunals in the several Canadian provinces, a statistical summary relating to aspects of Boards of Reference hearings in British Columbia, Alberta, Saskatchewan, Manitoba and Ontario since the 1970s, and a list of cases cited. There is also a useful Bibliography and an Index. This is a book of which considerable, effective use could be made in Australia and New Zealand as a reference for the teaching of ethical and legal issues in the pre-service education of teachers, and in post-graduate teacher education. It is also a study which might well inspire research into similar legal and professional issues in teacher discipline in the several Australian jurisdictions and in New Zealand, and as such it should be of significant interest to researchers in the fields of educational law and educational administration.

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Education Law - Second Edition

Anthony F Brown and Marvin A Zuker
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This Second Edition of *Education Law* provides a comprehensive account of the current state of the law relating to education in Canada. As such it provides a useful comparative reference for students and researchers in the field of Australian and New Zealand law and education and for students and researchers in the field of educational administration. For the former group it provides a clearly structured analytical overview of the major aspects of Canadian education law, and the latter group it provides an accessible entry to an accurate understanding of the legal implications of various aspects of the organisation and operation of Canadian education systems.

There are six chapters. The first Chapter deals with School Boards, and covers the provincial jurisdiction over education, including denominational rights, minority language