



The role of education law in teacher education and education sciences in MSAL: a lawyers' perspective



Co-funded by the
Erasmus+ Programme
of the European Union

Białystok
JUNE 2018



EDUCATION LAW



- A branch of law
- Fundamental theoretical knowledge;
- Practically oriented;
- Regulated by norms enshrined in international, national and local legislation;
- Aimed at all actors of education process;
- Deals with the rights and interests of the most vulnerable strata of the society;
- Inter-disciplinary science with its own subject, objects and methodology.



Expectations:



Teacher's "employers" are

- nice, understanding, rewarding,
- well-paying, allocating bonuses and fringe benefits and perks,
- paying travel-costs, travel-expenses and per idem at the highest possible rate,
- allowing to have the longest possible holidays and days-off at first request despite curricula,
- not demanding at all when it comes to different reports
- etc.



Expectations



Students are

- polite, industrious, hard-working,
- obedient and well-behaved
- carefully treated by their caring and daring parents,
- Sensitive and sensible reasonable people,
- Promising "Einsteins,"
- Never causing troubles to the dearest and nearest teachers



Expectations



Parents are

- ABSOLUTELY reasonable people;
- Respecting for the rights of children enshrined in international treaties and national laws,
- Spending ours reading textbooks on methodology and didactics,
- Keeping in touch with teachers and following teachers and educators recommendations irrevocably, etc.



BUT...



- ▶ The lawyer comes and spoils ...

students,
employers,
parents..., et





Education Law Lawyer



- ▶ Informing (rights, duties, procedural rules, laws);
- ▶ Analyzing (legal grounds for grievances and disputes, possible ways of resolving the issues, finding out the interests parties have, etc.);
- ▶ Negotiating (investigating real positions and interests of the parties)
- ▶ Mitigating (sound knowledge of laws and procedures and impartiality)



Education Law Lawyer



- ▶ Counselling (encouraging parties involved to use legal means and tools)
- ▶ Facilitating out-of-court amicable settlements that secure a certain degree of respect for dignity and individual rights (vulnerable strata involved in the dispute)
- ▶ Consulting (teachers and educators) on plagiarism, fair use, statutory privileges, advanced training requirements, holiday entitlements, etc.
- ▶ Preventing dreadful consequences for all actors of the education process (accusations of malpractice and abuse of authority, disrespect for the rights of minors, ignorance of laws and legitimate procedures, etc.)

Education Law Lawyers should be

- taught by good teachers (thus, well-developed and balanced curriculum and syllabus)
- responsive to the needs of those who are involved in the education process;
- flexible but law-abiding.