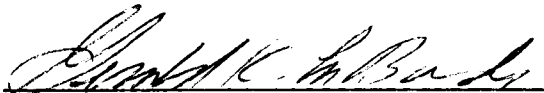
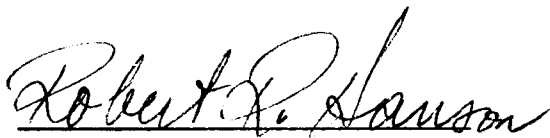


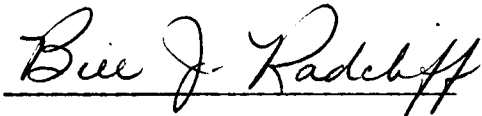
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I am submitting herewith a thesis written by Paul Edward Guy, Jr., entitled "The Reaction of Oak Ridge School System Teachers to Current Teachers' Professional Liability Exposure." I have examined the final copy of this thesis for form and content and recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Science, with a major in Industrial Education.

  
Gerald K. LaBorde, Major Professor

We have read this thesis  
and recommend its acceptance:

  
Robert E. Hanson

  
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May 28, 1985

THE REACTION OF OAK RIDGE SCHOOL SYSTEM TEACHERS TO  
CURRENT TEACHERS' PROFESSIONAL LIABILITY EXPOSURE

A Thesis

Presented for the

Master of Science

Degree

The University of Tennessee, Knoxville

Paul Edward Guy, Jr.

June 1985

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The writer is also particularly grateful for the guidance furnished by his graduate committee, especially the chairman, Dr. Gerald K. LaBorde.

Special thanks to my mother and sister, Mary and Patricia Guy, for their assistance with typing and numerous trips to post office and campus.

To my wife, Madgelene, I express my thanks for her love, understanding, and encouragement.

## ABSTRACT

The purpose of this study was to ascertain the basic attitudes of Oak Ridge School System educators toward their professional liability exposure and how those attitudes varied according to the attributes of responding educators.

This study revealed that, though some variable was noted when viewing responses by attributes, no specific trends were identified which could link differences in any of the responses to any particular attributes of the responding educators.

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## CHAPTER I

### INTRODUCTION

#### Introduction to the Problem

All professionals are legally liable for harm caused to others which results from their negligent acts or omissions. The problem involved for the professional would seem to be understanding legal obligations to the point where harming acts will be prevented and necessary acts will occur; however, negligence judgments are frequently based upon common law. In other words, there exists no definite criteria to follow which will protect the professional from liability risk.

The educator's liability risk is complicated beyond that imposed on most other professions by the status of minor students. In the event of a complaint involving a minor, the educator has the unusual requirement of proving innocence. In most other cases, the burden of proof resides with the complainant.

Realizing that a single lawsuit has potential to destroy an individual both economically and reputationally, it could logically be expected that liability exposure would be paramount in the minds of all professionals regardless of field, but especially for educators.

Usually, the degree of inherent liability risk for a particular profession is directly related to the amount of monetary compensation received by members of that profession for their services. Education, as among the professions with the greatest degree of liability exposure, is the obvious exception to this rule. Professional educators are among this nation's least monetarily compensated professionals.

Recently, the state of education has been the focus of much political attention. Many consider the present educational system in this country as inadequate to meet the needs of society. Charges lodged against the educational profession range from apathy to general incompetence. A trend of thought exists which infers that problems with the educational system have developed solely due to inadequate monetary compensation and lack of competency testing. Oddly, the effect of professional liability exposure on the educators has been ignored as a potential variable contributing to the decline of this nation's educational system.

### Problem

With liability exposure so great, logic would predict that the modern educator must either have determined some method to manage this exposure, be unaware of the tremendous liability exposure he is faced with, or endure tremendous anxiety as a result of this liability exposure.

If the educator is experiencing anxiety as a result of professional liability exposure, it is reasonable to expect that educators may purposely be limiting beneficial activities to minimize professional liability exposure. It is also reasonable to expect that as the liability threat continues to grow, more and more potentially beneficial activities will be withheld from the student.

The possibility must not be discounted that the educator, through a sound system of risk management, has no problem (or at least no major problem) dealing with his liability exposure. If this is the case, society will have been justly protecting itself by present educational liability legislation. If the educator has developed a means to

adequately manage this tremendous professional risk, then this information should be recorded and added to the educational body of knowledge.

If the educator is unaware of his liability exposure, he places himself and the school system for which he works in grave danger of damage to reputation and almost infinite monetary loss. This educator needs to be identified and made aware.

It is unreasonable for society to expect the educator to endure undue anxiety while also expecting of that educator the highest quality education possible for our youth. If the present trends in teachers' legal liability are resulting in undue anxiety, then some type of relief needs to be afforded the education.

Also, if educators are limiting beneficial activities in order to minimize their professional liability exposure, then removing from the educator liability exposure would return a part or all of these beneficial activities.

Variable traits of the educator (such as varying nature of duties, experience, and so forth) would seem to make the individual educator more susceptible to professional liability anxiety. If these categories of educators can be identified, then solutions can be sought and modified by individual areas.

#### Purpose of the Study

The purpose of this study is to generalize basic attitudes toward teachers' professional liability by responding Oak Ridge School System Educators and how those attitudes vary with regard to general attributes of responding educators.

Areas of teachers' liability surveyed: (1) Is the liability exposure reasonable? (2) Is the liability exposure manageable? (3) Are educator's aware of their exposure?

Attributes examined: (1) overall response, (2) level of assigned students, (3) experience level of educator, (4) gender of educator, and (5) education level of educator.

### Organization of the Study

Chapter II is a review of the pertinent literature which was used as reference during this study. Chapter III presents the methods which were formulated to attack the thesis problem.

Chapter IV reports the data disclosed through research conducted as a part of this study. Chapter V contains both the findings and recommendations resulting from this study. A copy of the cover letter which accompanied each questionnaire is included as Appendix A. The make-up of the questionnaire is included as Appendix B. Comments included on returned responses were compiled and are included as Appendix C.

## CHAPTER II

### REVIEW OF LITERATURE

#### The Professional Liability Threat

In March 1979, Fetter and Patton co-authored an article in Phi Delta Kappan magazine which revealed the tremendous growth in the educator liability threat followed with some sound recommendations for managing the problem.

Bechman and Anastasi (1979) co-authored an article on tort liability and defense management geared to the educator which defined not only the negligence tort but also provided the legal information which would encompass the legal defense against a tort liability complaint.

Kulp and Hall (1968) indicated that, normally, a complainant can be prevented from winning a negligence liability lawsuit if any one of the following circumstances are present: (1) that the professional is legally immune from the liability claim, (2) that the complainant knowingly assumed the risk which resulted in injury, or (3) that the complainant contributed to the negligent act or omission which caused his injury.

Hubner, Black, and Cline indicated future increases both in the size of awards and in the frequency of complaints filed as due to (1) people becoming more aware of their rights and more willing to file legal complaints, and (2) lawyers, specializing in liability claims, continue to develop techniques which, though having little or nothing to do with case merit, continually yield higher awards for liability complainants. They also alluded to the greater difficulties faced by an educator's defense against professional liability complaints due to the legal concept of "res ipsa loquitur." Application of this concept results in

negligence being presumed and the educator being forced to prove innocence (1968).

Kallen illustrated that "contributory negligence" defenses are almost useless to educators defending against negligence complaints involving minor students (1971).

Slater (1980) added that the lawsuits have been filed against educators and won due to only a second's inattentiveness on the part of the teacher, or for overlooking a seemingly minor detail.

The myth believed by many educators, that teachers are protected from negligence lawsuits by virtue of employment within a public school district, is shattered; and definition is postulated regarding the elements of educator negligence (Hammes, 1979).

Disciplining students can create unlimited legal problems. Disciplinary action (determining substance and means of punishment) should only occur after serious deliberation by the educator. McDaniel (1980) provided a complete guide for this educator as to the educator's authority to administer various forms of discipline, primarily corporal punishment, and the resulting legal implications.

Five separate aspects of educational tort liability (trend, liability for injuries sustained in school transportation, physical education injuries liability, interscholastic athletic injuries, and tort liabilities of post secondary educational institutions) are presented by Duke University doctoral students and edited by Bolmier (1978).

#### Society's Justification

The importance for some form of legal control is needed to insure proper exercise of the vast amount of power wielded by the educator.

Bauman (1980) illustrated the influence educators have on the career choices of their students. Placement of students in different ability groups was found to be based entirely on socioeconomic factors in most cases (Leine, Cary, and Divoky, 1973). Reutter (1981) stated that areas of educator responsibility extended from deciding upon materials for classroom use to deciding which students may or may not take part in various activities. Fischer, Schimmel, and Kelly (1981) summarized that the means of providing a safe environment was legislatively removed from the parent and transferred to the educator during the period of time a child must legally attend school.

#### General

Regarding methodology and data analysis, two studies were conducted by Hafford (1976) and Dean (1981) which consisted of obtaining and analyzing perceptual data from a sample of educators.

Dean found Tennessee educators are not satisfied with Tennessee's 1980-1981 in-service training programs. She also found that while educators rate professional competence training (which includes the area of educational liability training) as important among in-service training programs, the rating for competency training was ranked as sixth from among seven categories. This score would seem to indicate that either educators are unaware of the liability threat, educators feel the liability threat is being adequately managed, or educators do not consider the subject of teacher liability as inclusive within professional competency training.

## CHAPTER III

### DATA AND METHODOLOGY

#### Subjects

A list of educators employed by the Oak Ridge School System was obtained which contained, among other school system employees, 257 professional educators involved primarily in full time teaching. Each professional educator was sent the study questionnaire, a stamped addressed return envelop, and a cover letter. The letters were mailed October 1, 1984, which was immediately following authorization by the Dean of Research, The University of Tennessee, Knoxville, to begin this study.

#### Instrumentation

A questionnaire was developed, tested, and modified to obtain answers to the study questions. It was designed in a forced answer form to insure usable data from each respondent.

The following attribute identifying information was solicited to allow data treatment:

1. Experience level of respondent within five categories.
2. Description of education specialties.
3. Age/maturity level of assigned students.
4. Gender of respondent.
5. Education level of respondent.
6. Identification of special requirements which would be expected to increase liability risk.

The questions developed to detect attitudes included eight separate categories which were modified into quantitative data for inferential treatment:

1. Feelings of personal threat arising from liability exposure.
2. Understanding/agreement with teacher liability concepts.
3. Hostility rising out of legal liability risk.
4. Awareness about professional liability risk.
5. Feelings toward application of legislative exemption.
6. Has change in the quality of education resulted from increased teacher's liability risk?
7. Has positive change in the quality of education resulted from growth in teachers' liability risk?
8. Is current teachers' liability risk manageable to the point negligence complaints can be avoided?

#### Response Rate

A total of 257 questionnaires were initially mailed. Of these, 33 questionnaires were returned marked as "undeliverable." Therefore, adjusted sample population equaled 224. Responses obtained through the course of the study totaled 64. The response rate equaled 28.6%.

#### Data Base

Responses were sorted by variable attributes for each individual response by entering data from each response into a "DB Master" Data Base File using an Apple MacIntosh 128K micro-computer. After sorting applications were concluded, an 84-page listing of responses sorted by each individual attribute studied was produced. From this listing cross

referenceable data was extracted and assembled into the survey response tables included within Chapter IV of this study.

## CHAPTER IV

### FINDINGS

#### Background

The purpose of this study was to ascertain how Oak Ridge School System educators would respond to various study statements written to measure attitudes toward teacher liability exposure; and, by examination of certain variables among respondents, if variance trends in responses can be attributed to the examined variables. The problem was to be met in five steps:

- a. observe general responses to the questionnaire survey statements.
- b. observe the degree of response variance when responses are viewed by varying levels of assigned students.
- c. observe the response variance when responses are viewed by varying degrees of teaching experience.
- d. observe response variance when responses are divided by educator gender.
- e. observe response variance when responses are viewed by educators with varying degrees of education.

Of 257 questionnaires mailed, a total of 33 were returned unopened, marked "undeliverable." Sixty-four responses during the survey yielded a response ratio of 28.6% after adjusting the sample population (less 33) for undeliverable questionnaires.

#### Special Categories of Liability Exposure

Respondents were asked to indicate their involvement in transporting students, supervising students away from school grounds, and supervising

students in after/before school hours situations. Table 1 presents the breakdown of these attributes as applied to the respondent population.

Most of the respondents (58%) were not involved very often in the transportation of students. Only three respondents (4%) indicated that they frequently were involved in the transporting of students.

Most respondents were involved in an occasional or greater basis in supervision away from school grounds (54%).

These categories were examined because of an assumption that a professional in either of these three categories would increase liability exposure and subsequently affect response outcome. It was noted that there was no noticeable change in attitudes attributable to increased activity in any of those categories. The data in Table 1 is therefore presented for the purpose of providing general information about the sample population.

TABLE 1. INVOLVEMENT OF TEACHERS IN SPECIAL CATEGORIES  
OF SUPERVISION AND TRANSPORTATION OF STUDENTS

|              | Transportation<br>of Students |         | Supervision of<br>Students Away<br>from School<br>Grounds |         | Supervision of<br>Students<br>Before/After<br>School Hours |         |
|--------------|-------------------------------|---------|-----------------------------------------------------------|---------|------------------------------------------------------------|---------|
|              | No.                           | Percent | No.                                                       | Percent | No.                                                        | Percent |
| Never        | 16                            | 25      | 7                                                         | 11      | 4                                                          | 6       |
| Seldom       | 21                            | 33      | 21                                                        | 33      | 25                                                         | 39      |
| Occasionally | 24                            | 38      | 23                                                        | 36      | 31                                                         | 49      |
| Frequently   | 3                             | 4       | 13                                                        | 20      | 4                                                          | 6       |

TABLE 2. SAMPLE POPULATION RESPONSES

|    |         | No. | Percent | Mean |     |         | No. | Percent | Mean |
|----|---------|-----|---------|------|-----|---------|-----|---------|------|
| Q1 | 1 (SA)  | 4   | 6.3     | 3    | Q10 | 1 (SA)  | 18  | 28.1    | 2    |
|    | 2 (MA)  | 14  | 21.9    |      |     | 2 (MA)  | 27  | 42.2    |      |
|    | 3 (MD)  | 25  | 39.1    |      |     | 3 (MD)  | 11  | 17.2    |      |
|    | 4 (SD)  | 21  | 32.8    |      |     | 4 (SD)  | 8   | 12.5    |      |
| Q2 | 1 (SA)  | 16  | 25.0    | 2    | Q11 | 1 (SA)  | 15  | 23.4    | 2    |
|    | 2 (MA)  | 18  | 28.1    |      |     | 2 (MA)  | 22  | 34.4    |      |
|    | 3 (MD)  | 16  | 25.0    |      |     | 3 (MD)  | 14  | 21.9    |      |
|    | 4 (SD)  | 14  | 21.9    |      |     | 4 (SD)  | 13  | 20.3    |      |
| Q3 | 1 (SA)  | 14  | 21.9    | 2    | Q12 | 1 (YES) | 3   | 4.7     | 2    |
|    | 2 (MA)  | 27  | 42.2    |      |     | 2 (NO)  | 61  | 95.3    |      |
|    | 3 (MD)  | 17  | 26.6    |      | Q13 | 1 (SA)  | 16  | 25.0    |      |
|    | 4 (SD)  | 6   | 9.4     |      |     | 2 (MA)  | 17  | 26.6    |      |
| Q4 | 1 (SA)  | 6   | 9.4     | 3    |     | 3 (MD)  | 17  | 26.6    | 2    |
|    | 2 (MA)  | 7   | 10.9    |      |     | 4 (SD)  | 14  | 21.9    |      |
|    | 3 (MD)  | 14  | 21.9    |      | Q14 | 1 (SA)  | 6   | 9.4     |      |
|    | 4 (SD)  | 37  | 57.8    |      |     | 2 (MA)  | 8   | 12.5    |      |
| Q5 | 1 (SA)  | 23  | 35.9    | 2    |     | 3 (MD)  | 17  | 26.6    | 3    |
|    | 2 (MA)  | 26  | 40.6    |      |     | 4 (SD)  | 33  | 51.6    |      |
|    | 3 (MD)  | 9   | 14.1    |      | Q15 | 1 (SA)  | 25  | 39.1    |      |
|    | 4 (SD)  | 6   | 9.4     |      |     | 2 (MA)  | 22  | 34.4    |      |
| Q6 | 1 (SA)  | 19  | 29.7    | 2    |     | 3 (MD)  | 8   | 12.5    | 2    |
|    | 2 (MA)  | 15  | 23.4    |      |     | 4 (SD)  | 9   | 14.1    |      |
|    | 3 (MD)  | 17  | 26.6    |      | Q16 | 1 (SA)  | 25  | 39.1    |      |
|    | 4 (SD)  | 13  | 20.3    |      |     | 2 (MA)  | 20  | 31.3    |      |
| Q7 | 1 (SA)  | 11  | 17.2    | 3    |     | 3 (MD)  | 9   | 14.1    | 2    |
|    | 2 (MA)  | 16  | 25.0    |      |     | 4 (SD)  | 10  | 15.6    |      |
|    | 3 (MD)  | 17  | 26.6    |      | Q17 | 1 (SA)  | 23  | 35.9    |      |
|    | 4 (SD)  | 20  | 31.3    |      |     | 2 (MA)  | 26  | 40.6    |      |
| Q8 | 1 (SA)  | 14  | 21.9    | 3    |     | 3 (MD)  | 8   | 12.5    | 2    |
|    | 2 (MA)  | 19  | 29.7    |      |     | 4 (SD)  | 7   | 31.8    |      |
|    | 3 (MD)  | 16  | 25.0    |      | Q18 | 1 (YES) | 38  | 59.4    |      |
|    | 4 (SD)  | 15  | 23.4    |      |     | 2 (NO)  | 26  | 40.6    |      |
| Q9 | 1 (YES) | 35  | 54.7    | 1    |     |         |     |         | 1    |
|    | 2 (NO)  | 29  | 45.3    |      |     |         |     |         |      |

Statement 6: Respondents believe educators should be protected from direct liability action through legislation exemption. (Response mean: 2)

Statement 7: Respondents disagree with the statement "liability exposure is of little concern to me." (Response mean: 3)

Statement 8: Respondents do not believe proper performance of duty eliminates the need to be concerned over liability exposure. (Response mean: 3)

Statement 9: Respondents (54.7%) are aware of at least one teacher who has been charged in a teacher liability lawsuit. (Response mean: 1)

Statement 10: Respondents believe that current trends in teachers' liability legislation and lawsuits have resulted in change in teaching techniques. (Response mean: 2)

Statement 11: Respondents believe that they would be able to more fully serve their students if they did not worry about personal liability exposure. (Response mean: 2)

Statement 12: Respondents (95.3%) have not been personally involved in a teachers' liability lawsuit. (Response mean: 2)

Statement 13: Respondents believe that since incompetent educators are accountable to school board authorities, the availability of the courts to settle teachers' liability disputes is not necessary. (Response mean: 2)

Statement 14: Respondents would have selected education as a vocation even with prior knowledge of accompanying liability exposure. (Response mean: 3)

Statement 15: Respondents feel they adequately understand their personal liability exposure. (Response mean: 2)

Statement 16: Respondents feel they conduct their activities in such a manner that they need not be concerned about becoming involved in a teacher liability lawsuit. (Response mean: 2)

Statement 17: Respondents consider the possibility of personal involvement in a teacher liability lawsuit as highly improbable. (Response mean: 2)

Statement 18: Respondents (59.4%) are completely aware of any/every liability insurance coverage which applies to them. (Response mean: 1)

#### Responses Presented by Level of Assigned Students

Table 3 presents teacher responses as viewed by level of assigned students. The levels are categorized as elementary, junior high school, and high school students. For all survey statements other than the ninth, twelfth, and eighteenth statements, a mean response of "1" indicates strong agreement, "2" indicates moderate agreement, "3" indicates moderate disagreement, and "4" indicates strong disagreement. For statements 9, 12, and 18, a mean response of "1" indicates agreement and "2" indicates disagreement. Responses sorted by these categories reflect combined population response with the following exceptions:

Statement 2: Both elementary and junior high school teachers consider themselves aware of specific trends in teacher liability legislation. (Both elementary and junior high school teachers' response means equaled "3" in contrast to the population response mean of "2.")

Statement 4: High school teachers do believe they were adequately educated about teachers' liability exposure while in college. (Junior high school teachers response mean equaled "2" in contrast to a population response mean of "3.")

TABLE 3. RESPONSES PRESENTED BY LEVEL OF ASSIGNED STUDENTS

|    |        | Elementary |         |      |  | Junior High |         |      |  | High School |         |      |  | Sample Population |      |
|----|--------|------------|---------|------|--|-------------|---------|------|--|-------------|---------|------|--|-------------------|------|
|    |        | No.        | Percent | Mean |  | No.         | Percent | Mean |  | No.         | Percent | Mean |  | No.               | Mean |
| Q1 | 1 (SA) | 2          | 7.4     |      |  | 1           | 6.7     |      |  | 1           | 4.5     |      |  |                   |      |
|    | 2 (MA) | 7          | 25.9    | 3    |  | 2           | 13.3    | 3    |  | 5           | 22.7    | 3    |  | 3                 |      |
|    | 3 (MD) | 8          | 29.6    |      |  | 8           | 53.3    |      |  | 9           | 40.9    |      |  |                   |      |
|    | 4 (SD) | 10         | 37.0    |      |  | 4           | 26.7    |      |  | 7           | 31.8    |      |  |                   |      |
| Q2 | 1 (SA) | 6          | 22.2    |      |  | 3           | 20.0    |      |  | 7           | 31.8    |      |  |                   |      |
|    | 2 (MA) | 6          | 22.2    | 3    |  | 4           | 26.7    | 3    |  | 8           | 36.4    | 2    |  | 2                 |      |
|    | 3 (MD) | 8          | 29.6    |      |  | 2           | 13.3    |      |  | 6           | 27.3    |      |  |                   |      |
|    | 4 (SD) | 7          | 25.9    |      |  | 6           | 40.0    |      |  | 1           | 4.5     |      |  |                   |      |
| Q3 | 1 (SA) | 8          | 29.6    |      |  | 3           | 20.0    |      |  | 3           | 13.6    |      |  |                   |      |
|    | 2 (MA) | 11         | 40.7    | 2    |  | 6           | 40.0    | 2    |  | 10          | 45.5    | 2    |  | 2                 |      |
|    | 3 (MD) | 6          | 22.2    |      |  | 6           | 40.0    |      |  | 5           | 22.7    |      |  |                   |      |
|    | 4 (SD) | 2          | 7.4     |      |  | 0           | 0.0     |      |  | 4           | 18.2    |      |  |                   |      |
| Q4 | 1 (SA) | 3          | 11.1    |      |  | 2           | 13.3    |      |  | 1           | 4.5     |      |  |                   |      |
|    | 2 (MA) | 3          | 11.1    | 3    |  | 3           | 20.0    | 3    |  | 1           | 4.5     | 4    |  | 3                 |      |
|    | 3 (MD) | 18         | 66.7    |      |  | 1           | 6.7     |      |  | 5           | 22.7    |      |  |                   |      |
|    | 4 (SD) | 3          | 11.1    |      |  | 9           | 60.0    |      |  | 15          | 68.2    |      |  |                   |      |
| Q5 | 1 (SA) | 9          | 33.3    |      |  | 6           | 40.0    |      |  | 7           | 31.8    |      |  |                   |      |
|    | 2 (MA) | 11         | 40.7    | 2    |  | 7           | 46.7    | 2    |  | 9           | 40.9    | 2    |  | 2                 |      |
|    | 3 (MD) | 6          | 22.2    |      |  | 0           | 0.0     |      |  | 3           | 13.6    |      |  |                   |      |
|    | 4 (SD) | 1          | 3.7     |      |  | 2           | 13.3    |      |  | 3           | 13.6    |      |  |                   |      |
| Q6 | 1 (SA) | 7          | 25.9    |      |  | 5           | 33.3    |      |  | 7           | 31.8    |      |  |                   |      |
|    | 2 (MA) | 8          | 29.6    | 2    |  | 1           | 6.7     | 3    |  | 9           | 40.9    | 2    |  | 2                 |      |
|    | 3 (MD) | 4          | 14.8    |      |  | 5           | 33.3    |      |  | 3           | 13.6    |      |  |                   |      |
|    | 4 (SD) | 3          | 11.1    |      |  | 4           | 26.7    |      |  | 3           | 13.6    |      |  |                   |      |

TABLE 3 (CONTINUED)

|     |         | Elementary |         | Junior High |     | High School |      | Sample |         |
|-----|---------|------------|---------|-------------|-----|-------------|------|--------|---------|
|     |         | No.        | Percent | Mean        | No. | Percent     | Mean | No.    | Percent |
| Q7  | 1 (SA)  | 8          | 29.6    |             | 2   | 13.3        |      | 1      | 4.5     |
|     | 2 (MA)  | 4          | 14.8    | 3           | 5   | 33.3        | 3    | 7      | 31.8    |
|     | 3 (MD)  | 5          | 18.5    |             | 4   | 26.7        |      | 8      | 36.4    |
|     | 4 (SD)  | 10         | 37.0    |             | 4   | 26.7        |      | 6      | 27.3    |
| Q8  | 1 (SA)  | 8          | 29.6    |             | 3   | 20.0        |      | 3      | 13.6    |
|     | 2 (MA)  | 8          | 29.6    | 2           | 6   | 40.0        | 2    | 5      | 22.7    |
|     | 3 (MD)  | 5          | 18.5    |             | 4   | 26.7        |      | 7      | 31.8    |
|     | 4 (SD)  | 6          | 22.2    |             | 2   | 13.3        |      | 7      | 31.8    |
| Q9  | 1 (YES) | 13         | 48.1    | 2           | 7   | 46.7        | 2    | 15     | 68.2    |
|     | 2 (NO)  | 14         | 51.     |             | 8   | 53.3        |      | 7      | 31.8    |
| Q10 | 1 (SA)  | 9          | 33.3    |             | 2   | 13.3        |      | 7      | 31.8    |
|     | 2 (MA)  | 13         | 48.1    | 2           | 6   | 40.0        | 3    | 8      | 36.4    |
|     | 3 (MD)  | 3          | 11.1    |             | 4   | 26.7        |      | 4      | 18.2    |
|     | 4 (SD)  | 2          | 7.4     |             | 3   | 20.0        |      | 3      | 13.6    |
| Q11 | 1 (SA)  | 5          | 18.5    |             | 4   | 26.7        |      | 6      | 27.3    |
|     | 2 (MA)  | 9          | 33.3    | 3           | 4   | 26.7        | 2    | 9      | 40.9    |
|     | 3 (MD)  | 7          | 25.9    |             | 4   | 26.7        |      | 3      | 13.6    |
|     | 4 (SD)  | 6          | 22.2    |             | 3   | 20.0        |      | 4      | 18.2    |
| Q12 | 1 (YES) | 1          | 3.7     | 2           | 1   | 6.7         | 2    | 1      | 4.5     |
|     | 2 (NO)  | 26         | 96.3    |             | 14  | 93.3        |      | 21     | 95.5    |

TABLE 3 (CONTINUED)

|     | Elementary |         |      |   | Junior High |         |      |  | High School |         |      |  | Sample     |      |
|-----|------------|---------|------|---|-------------|---------|------|--|-------------|---------|------|--|------------|------|
|     | No.        | Percent | Mean |   | No.         | Percent | Mean |  | No.         | Percent | Mean |  | Population | Mean |
| Q13 | 1 (SA)     | 6       | 22.2 |   | 4           | 26.7    |      |  | 6           | 27.3    |      |  |            |      |
|     | 2 (MA)     | 7       | 25.9 | 3 | 3           | 20.0    | 3    |  | 7           | 31.8    | 2    |  | 2          |      |
|     | 3 (MD)     | 8       | 29.6 |   | 4           | 26.7    |      |  | 5           | 22.7    |      |  |            |      |
|     | 4 (SD)     | 6       | 22.2 |   | 4           | 26.7    |      |  | 4           | 18.2    |      |  |            |      |
| Q14 | 1 (SA)     | 2       | 7.4  |   | 1           | 6.7     |      |  | 3           | 13.6    |      |  |            |      |
|     | 2 (MA)     | 4       | 14.8 | 3 | 1           | 6.7     | 3    |  | 3           | 13.6    | 3    |  | 3          |      |
|     | 3 (MD)     | 11      | 40.7 |   | 3           | 20.0    |      |  | 3           | 13.6    |      |  |            |      |
|     | 4 (SD)     | 10      | 37.0 |   | 10          | 66.7    |      |  | 13          | 59.1    |      |  |            |      |
| Q15 | 1 (SA)     | 9       | 33.3 |   | 9           | 60.0    |      |  | 7           | 31.8    |      |  |            |      |
|     | 2 (MA)     | 12      | 44.4 | 2 | 4           | 26.7    | 2    |  | 7           | 31.8    | 2    |  | 2          |      |
|     | 3 (MD)     | 6       | 22.2 |   | 2           | 13.3    |      |  | 3           | 13.6    |      |  |            |      |
|     | 4 (SD)     | 1       | 3.7  |   | 0           | 0.0     |      |  | 5           | 22.7    |      |  |            |      |
| Q16 | 1 (SA)     | 11      | 40.7 |   | 7           | 46.7    |      |  | 7           | 0.0     |      |  |            |      |
|     | 2 (MA)     | 8       | 29.6 | 2 | 5           | 33.3    | 2    |  | 7           | 31.8    | 2    |  | 2          |      |
|     | 3 (MD)     | 4       | 14.8 |   | 1           | 6.7     |      |  | 4           | 18.2    |      |  |            |      |
|     | 4 (SD)     | 4       | 14.8 |   | 2           | 13.3    |      |  | 4           | 18.2    |      |  |            |      |
| Q17 | 1 (SA)     | 8       | 29.6 |   | 5           | 33.3    |      |  | 10          | 45.5    |      |  |            |      |
|     | 2 (MA)     | 12      | 44.4 | 2 | 9           | 60.0    | 2    |  | 5           | 22.7    | 2    |  | 2          |      |
|     | 3 (MD)     | 6       | 22.2 |   | 0           | 0.0     |      |  | 2           | 9.1     |      |  |            |      |
|     | 4 (SD)     | 1       | 3.7  |   | 1           | 6.7     |      |  | 5           | 22.7    |      |  |            |      |
| Q18 | 1 (YES)    | 15      | 55.6 | 1 | 11          | 73.3    | 1    |  | 12          | 54.5    | 1    |  | 1          |      |
|     | 2 (NO)     | 12      | 44.4 |   | 4           | 26.7    |      |  | 10          | 45.5    |      |  |            |      |

Statement 6: Junior high school teachers do not believe teachers should be protected from direct liability action through legislative exemption. (Junior high school teachers' response mean equaled "3" in contrast to a population response mean of "2.")

Statement 8: Both elementary and junior high school teachers agree that a teacher who performs duties properly need not fear involvement in liability litigation. (Both elementary and junior high school teachers' response means equaled "2" in contrast to the population response mean of "3.")

Statement 9: Both elementary and junior high school teachers were not aware of any teachers who were involved in teacher liability litigation. (Both elementary and junior high school teachers' response means equaled "2" in contrast to the population response mean of "1.")

Statement 10: Junior high school teachers do not believe current trends in teacher liability have resulted in change in teaching techniques. (Both elementary and junior high school teachers' response means equaled "3" in contrast to the population response mean of "2.")

Statement 11: Elementary teachers do not believe that concern about potential liability exposure has decreased their level of service to their students. (Elementary teachers' response mean equaled "3" in contrast to the population response mean of "2.")

Statement 13: Both elementary and junior high school teachers agree that, in spite of the fact that educators are accountable to school boards for their actions, the availability of courts to settle teachers' liability disputes is still necessary. (Both elementary and junior high school teachers' response means equaled "3" in contrast to the population response mean of "2.")

### Responses Presented by Years of Experience

Table 4 presents teacher responses as viewed by years of experience divided into three categories. The levels are categorized as: (1) between 3 to 12 years' teaching experience, (2) 13 to 20 years' teaching experience, and (3) greater than 20 years' teaching experience. For all survey statements other than the ninth, twelfth, and eighteenth statements, a response mean of "1" indicates strong agreement, "2" indicates moderate agreement, "3" indicates moderate disagreement, and "4" indicates strong disagreement. For statements 9, 12, and 18, a response mean of "1" indicates agreement and "2" indicates disagreement. Responses sorted by these categories reflect combined population response with the following exceptions:

Statement 2: Category 3 educators are aware of trends in teachers' liability legislation and lawsuits. (Category 3 response mean equaled "3" in contrast to the population response mean of "2.")

Statement 4: Categories 2 and 3 educators believe they were adequately educated about their teachers' liability exposure. (Categories 2 and 3 response means equaled "2" in contrast to the population response mean of "3.")

Statement 7: Category 2 educators were very concerned about their teacher liability exposure. (Category 2 response mean equaled "2" in contrast to the population response mean of "3.")

Statement 8: Categories 2 and 3 educators believe that proper performance of duty eliminates the need for worry over liability exposure. (Category 2 response mean equaled "3" in contrast to the population response mean of "2.")

TABLE 4. RESPONSES PRESENTED BY YEARS OF EXPERIENCE

|    | 3-12 Years |         |      |   | 13-20 Years |         |      |   | 20+ Years |         |      |   | Sample<br>Population<br>Mean |
|----|------------|---------|------|---|-------------|---------|------|---|-----------|---------|------|---|------------------------------|
|    | No.        | Percent | Mean |   | No.         | Percent | Mean |   | No.       | Percent | Mean |   |                              |
| Q1 | 1 (SA)     | 2       | 6.9  |   | 1           | 4.5     |      |   | 1         | 7.7     |      |   |                              |
|    | 2 (MA)     | 6       | 20.7 | 3 | 7           | 31.8    |      | 3 | 1         | 7.7     |      | 3 | 3                            |
|    | 3 (MD)     | 13      | 44.8 |   | 9           | 40.9    |      |   | 3         | 23.1    |      |   |                              |
|    | 4 (SD)     | 8       | 27.6 |   | 5           | 22.7    |      |   | 8         | 61.5    |      |   |                              |
| Q2 | 1 (SA)     | 7       | 24.1 |   | 6           | 27.3    |      |   | 3         | 23.1    |      |   |                              |
|    | 2 (MA)     | 9       | 31.0 | 2 | 7           | 31.8    |      | 2 | 2         | 15.4    |      | 3 | 2                            |
|    | 3 (MD)     | 6       | 20.7 |   | 5           | 22.7    |      |   | 5         | 38.5    |      |   |                              |
|    | 4 (SD)     | 7       | 24.1 |   | 4           | 18.2    |      |   | 3         | 23.1    |      |   |                              |
| Q3 | 1 (SA)     | 5       | 17.2 |   | 5           | 22.7    |      |   | 3         | 23.1    |      |   |                              |
|    | 2 (MA)     | 13      | 44.8 | 2 | 10          | 45.5    |      | 2 | 5         | 38.5    |      | 2 | 2                            |
|    | 3 (MD)     | 8       | 27.6 |   | 5           | 22.7    |      |   | 5         | 38.5    |      |   |                              |
|    | 4 (SD)     | 3       | 10.3 |   | 2           | 9.1     |      |   | 0         | 0.0     |      |   |                              |
| Q4 | 1 (SA)     | 4       | 13.8 |   | 5           | 22.7    |      |   | 3         | 23.1    |      |   |                              |
|    | 2 (MA)     | 4       | 13.8 | 3 | 10          | 45.5    |      | 2 | 5         | 38.5    |      | 2 | 3                            |
|    | 3 (MD)     | 7       | 24.1 |   | 5           | 22.7    |      |   | 5         | 38.5    |      |   |                              |
|    | 4 (SD)     | 14      | 48.3 |   | 2           | 9.1     |      |   | 0         | 0.0     |      |   |                              |
| Q5 | 1 (SA)     | 11      | 37.9 |   | 8           | 36.4    |      |   | 4         | 30.8    |      |   |                              |
|    | 2 (MA)     | 13      | 44.8 | 2 | 8           | 36.4    |      | 2 | 5         | 38.5    |      | 2 | 2                            |
|    | 3 (MD)     | 4       | 13.8 |   | 4           | 18.2    |      |   | 1         | 7.7     |      |   |                              |
|    | 4 (SD)     | 1       | 3.4  |   | 2           | 9.1     |      |   | 3         | 23.1    |      |   |                              |
| Q6 | 1 (SA)     | 8       | 27.6 |   | 6           | 27.3    |      |   | 5         | 38.5    |      | 2 | 2                            |
|    | 2 (MA)     | 9       | 31.0 | 2 | 5           | 22.7    |      | 2 | 1         | 7.7     |      |   |                              |
|    | 3 (MD)     | 7       | 24.1 |   | 7           | 31.8    |      |   | 3         | 23.1    |      |   |                              |
|    | 4 (SD)     | 5       | 17.2 |   | 4           | 18.2    |      |   | 4         | 30.8    |      |   |                              |

TABLE 4 (CONTINUED)

|     |         | 3-12 Years |         |      | 13-20 Years |         |      | 20+ Years |         |      | Sample Population |      |
|-----|---------|------------|---------|------|-------------|---------|------|-----------|---------|------|-------------------|------|
|     |         | No.        | Percent | Mean | No.         | Percent | Mean | No.       | Percent | Mean | Population        | Mean |
| Q7  | 1 (SA)  | 1          | 3.4     |      | 9           | 40.9    |      | 1         | 7.7     |      |                   |      |
|     | 2 (MA)  | 7          | 24.1    | 3    | 4           | 18.2    | 2    | 5         | 38.5    | 3    |                   | 3    |
|     | 3 (MD)  | 9          | 31.0    |      | 5           | 22.7    |      | 3         | 23.1    |      |                   |      |
|     | 4 (SD)  | 12         | 41.4    |      | 4           | 18.2    |      | 4         | 30.8    |      |                   |      |
| Q8  | 1 (SA)  | 5          | 17.2    |      | 6           | 27.3    |      | 3         | 23.1    |      |                   |      |
|     | 2 (MA)  | 9          | 31.0    | 3    | 6           | 27.3    | 2    | 4         | 30.8    | 2    |                   | 3    |
|     | 3 (MD)  | 6          | 20.7    |      | 6           | 27.3    |      | 4         | 30.8    |      |                   |      |
|     | 4 (SD)  | 9          | 31.0    |      | 4           | 18.2    |      | 2         | 15.4    |      |                   |      |
| Q9  | 1 (YES) | 15         | 51.7    | 1    | 13          | 59.1    | 1    | 7         | 53.8    | 1    |                   | 1    |
|     | 2 (NO)  | 14         | 48.3    |      | 9           | 40.9    |      | 6         | 46.2    |      |                   |      |
| Q10 | 1 (SA)  | 8          | 27.6    |      | 6           | 27.3    |      | 4         | 30.8    |      |                   |      |
|     | 2 (MA)  | 13         | 44.8    | 2    | 8           | 36.4    | 2    | 6         | 46.2    | 2    |                   | 2    |
|     | 3 (MD)  | 5          | 17.2    |      | 4           | 18.2    |      | 2         | 15.4    |      |                   |      |
|     | 4 (SD)  | 3          | 10.3    |      | 4           | 18.2    |      | 1         | 7.7     |      |                   |      |
| Q11 | 1 (SA)  | 8          | 27.6    |      | 4           | 18.2    |      | 3         | 23.1    | 3    |                   | 2    |
|     | 2 (MA)  | 13         | 44.8    | 2    | 8           | 36.4    | 3    | 3         | 23.1    |      |                   |      |
|     | 3 (MD)  | 7          | 24.1    |      | 4           | 18.2    |      | 3         | 23.1    |      |                   |      |
|     | 4 (SD)  | 3          | 10.3    |      | 6           | 27.3    |      | 4         | 30.8    |      |                   |      |
| Q12 | 1 (YES) | 1          | 3.4     | 2    | 2           | 9.1     | 2    | 0         | 0.0     | 2    |                   | 2    |
|     | 2 (NO)  | 28         | 96.6    |      | 20          | 90.9    |      | 13        | 100.0   |      |                   |      |

TABLE 4 (CONTINUED)

|     | 3-12 Years |         |      |   | 13-20 Years |         |      |  | 20+ Years |         |      |  | Sample Population |   |
|-----|------------|---------|------|---|-------------|---------|------|--|-----------|---------|------|--|-------------------|---|
|     | No.        | Percent | Mean |   | No.         | Percent | Mean |  | No.       | Percent | Mean |  | Mean              |   |
| Q13 | 1 (SA)     | 8       | 27.6 |   | 4           | 18.2    |      |  | 4         | 30.8    |      |  |                   |   |
|     | 2 (MA)     | 10      | 34.5 | 2 | 4           | 18.2    | 3    |  | 3         | 23.1    | 2    |  |                   | 2 |
|     | 3 (MD)     | 6       | 20.7 |   | 8           | 36.4    |      |  | 3         | 23.1    |      |  |                   |   |
|     | 4 (SD)     | 5       | 17.2 |   | 6           | 27.3    |      |  | 3         | 23.1    |      |  |                   |   |
| Q14 | 1 (SA)     | 2       | 6.9  |   | 3           | 13.6    |      |  | 1         | 7.7     |      |  |                   |   |
|     | 2 (MA)     | 2       | 6.9  | 3 | 2           | 9.1     | 3    |  | 4         | 30.8    | 3    |  |                   | 3 |
|     | 3 (MD)     | 10      | 34.5 |   | 5           | 22.7    |      |  | 2         | 15.4    |      |  |                   |   |
|     | 4 (SD)     | 15      | 51.7 |   | 12          | 54.5    |      |  | 6         | 46.2    |      |  |                   |   |
| Q15 | 1 (SA)     | 18      | 62.1 |   | 8           | 36.4    |      |  | 4         | 30.8    |      |  |                   |   |
|     | 2 (MA)     | 8       | 27.6 | 2 | 9           | 40.9    | 2    |  | 5         | 38.5    | 2    |  |                   | 2 |
|     | 3 (MD)     | 4       | 13.8 |   | 3           | 13.6    |      |  | 1         | 7.7     |      |  |                   |   |
|     | 4 (SD)     | 4       | 13.8 |   | 2           | 9.1     |      |  | 3         | 23.1    |      |  |                   |   |
| Q16 | 1 (SA)     | 12      | 41.4 |   | 9           | 40.9    |      |  | 4         | 30.8    |      |  |                   |   |
|     | 2 (MA)     | 9       | 31.0 | 2 | 7           | 31.8    | 2    |  | 4         | 30.8    | 2    |  |                   | 2 |
|     | 3 (MD)     | 2       | 6.9  |   | 4           | 18.2    |      |  | 3         | 23.1    |      |  |                   |   |
|     | 4 (SD)     | 6       | 20.7 |   | 2           | 9.1     |      |  | 2         | 15.4    |      |  |                   |   |
| Q17 | 1 (SA)     | 12      | 41.4 |   | 5           | 22.7    |      |  | 6         | 46.2    |      |  |                   |   |
|     | 2 (MA)     | 9       | 31.0 | 2 | 11          | 50.0    | 2    |  | 6         | 46.2    | 2    |  |                   | 2 |
|     | 3 (MD)     | 4       | 13.8 |   | 4           | 18.2    |      |  | 0         | 0.0     |      |  |                   |   |
|     | 4 (SD)     | 4       | 13.8 |   | 2           | 9.1     |      |  | 1         | 7.7     |      |  |                   |   |
| Q18 | 1 (YES)    | 17      | 58.6 | 1 | 13          | 59.1    | 1    |  | 8         | 61.5    | 1    |  |                   | 1 |
|     | 2 (NO)     | 12      | 41.4 |   | 9           | 40.9    |      |  | 5         | 38.5    |      |  |                   |   |

Statement 11: Categories 2 and 3 educators do not believe that their service to assigned students has been reduced as a result of worry over teacher liability exposure. (Categories 2 and 3 response means equaled "3" in contrast to the population response mean of "2.")

Statement 13: Category 2 educators believe that the courts are necessary to settle teacher liability lawsuits. (Category 2 response mean equaled "3" in contrast to the population response mean of "2.")

#### Responses Presented by Respondent Gender

Table 5 presents teacher responses as viewed by gender divided into the two categories of female and male. For all survey statements other than the ninth, twelfth, and eighteenth statements, a mean response of "1" indicates strong agreement, "2" indicates moderate agreement, "3" indicates moderate disagreement, and "4" indicates strong disagreement. For statements 9, 12, and 18, a mean response of "1" indicates agreement and "2" indicates disagreement. Responses sorted by these categories reflect combined population response with the following exceptions:

Statement 2: Female respondents are aware of trends in teachers' liability legislation and lawsuits. (Female response mean equaled "3" in contrast to the population response mean of "2.")

Statement 6: Male respondents do not believe educators should be protected from direct liability through legislative exemption. (Male response mean equaled "3" in contrast to the population response mean of "2.")

Statement 8: Male respondents believe that proper performance eliminates the need for worry regarding liability exposure. (Male response mean equaled "2" in contrast to the population response mean of "3.")

TABLE 5. RESPONSES PRESENTED BY GENDER

|    |         | Female |         |      | Male |         |      | Sample<br>Population |
|----|---------|--------|---------|------|------|---------|------|----------------------|
|    |         | No.    | Percent | Mean | No.  | Percent | Mean | Mean                 |
| Q1 | 1 (SA)  | 3      | 7.1     |      | 1    | 4.5     |      |                      |
|    | 2 (MA)  | 12     | 28.6    | 3    | 2    | 9.1     | 3    | 3                    |
|    | 3 (MD)  | 16     | 38.1    |      | 9    | 40.9    |      |                      |
|    | 4 (SD)  | 11     | 26.2    |      | 10   | 45.5    |      |                      |
| Q2 | 1 (SA)  | 10     | 23.8    |      | 6    | 27.3    |      |                      |
|    | 2 (MA)  | 10     | 23.8    | 3    | 8    | 36.4    | 2    | 2                    |
|    | 3 (MD)  | 11     | 26.2    |      | 5    | 22.7    |      |                      |
|    | 4 (SD)  | 11     | 26.2    |      | 3    | 13.6    |      |                      |
| Q3 | 1 (SA)  | 10     | 23.8    |      | 3    | 13.6    |      |                      |
|    | 2 (MA)  | 19     | 45.2    | 2    | 8    | 36.4    | 2    | 2                    |
|    | 3 (MD)  | 9      | 21.4    |      | 9    | 40.9    |      |                      |
|    | 4 (SD)  | 4      | 9.5     |      | 2    | 9.1     |      |                      |
| Q4 | 1 (SA)  | 4      | 9.5     |      | 2    | 9.1     |      |                      |
|    | 2 (MA)  | 6      | 14.3    | 3    | 1    | 4.5     | 3    | 3                    |
|    | 3 (MD)  | 9      | 21.4    |      | 5    | 22.7    |      |                      |
|    | 4 (SD)  | 23     | 54.8    |      | 14   | 63.6    |      |                      |
| Q5 | 1 (SA)  | 15     | 35.7    |      | 8    | 36.4    |      |                      |
|    | 2 (MA)  | 16     | 38.1    | 2    | 10   | 45.5    | 2    | 2                    |
|    | 3 (MD)  | 7      | 16.7    |      | 2    | 9.1     |      |                      |
|    | 4 (SD)  | 4      | 9.5     |      | 2    | 9.1     |      |                      |
| Q6 | 1 (SA)  | 15     | 35.7    |      | 4    | 18.2    |      |                      |
|    | 2 (MA)  | 7      | 16.7    | 2    | 8    | 36.4    | 3    | 2                    |
|    | 3 (MD)  | 12     | 28.6    |      | 5    | 22.7    |      |                      |
|    | 4 (SD)  | 8      | 19.0    |      | 5    | 22.7    |      |                      |
| Q7 | 1 (SA)  | 6      | 14.3    |      | 5    | 22.7    |      |                      |
|    | 2 (MA)  | 11     | 26.2    | 3    | 5    | 22.7    | 3    | 3                    |
|    | 3 (MD)  | 10     | 23.8    |      | 7    | 31.9    |      |                      |
|    | 4 (SD)  | 15     | 35.7    |      | 5    | 22.7    |      |                      |
| Q8 | 1 (SA)  | 8      | 19.0    |      | 6    | 27.3    |      |                      |
|    | 2 (MA)  | 12     | 28.6    | 3    | 7    | 31.8    | 2    | 3                    |
|    | 3 (MD)  | 12     | 28.6    |      | 4    | 18.2    |      |                      |
|    | 4 (SD)  | 10     | 23.8    |      | 5    | 22.7    |      |                      |
| Q9 | 1 (YES) | 25     | 59.5    | 1    | 10   | 45.5    | 2    | 1                    |
|    | 2 (NO)  | 17     | 40.5    |      | 12   | 54.5    |      |                      |

TABLE 5 (CONTINUED)

|     |         | Female |         |      | Male |         |      | Sample<br>Population<br>Mean |
|-----|---------|--------|---------|------|------|---------|------|------------------------------|
|     |         | No.    | Percent | Mean | No.  | Percent | Mean |                              |
| Q10 | 1 (SA)  | 9      | 21.4    |      | 9    | 40.9    |      |                              |
|     | 2 (MA)  | 17     | 40.5    | 2    | 10   | 45.5    | 2    | 2                            |
|     | 3 (MD)  | 10     | 23.8    |      | 1    | 4.5     |      |                              |
|     | 4 (SD)  | 6      | 14.3    |      | 2    | 9.1     |      |                              |
| Q11 | 1 (SA)  | 9      | 21.4    |      | 6    | 27.3    |      |                              |
|     | 2 (MA)  | 14     | 33.3    | 2    | 8    | 36.4    | 2    | 2                            |
|     | 3 (MD)  | 9      | 21.4    |      | 5    | 22.7    |      |                              |
|     | 4 (SD)  | 10     | 23.8    |      | 3    | 13.6    |      |                              |
| Q12 | 1 (YES) | 0      | 0.0     | 2    | 3    | 13.6    | 2    | 2                            |
|     | 2 (NO)  | 42     | 100.0   |      | 19   | 86.4    |      |                              |
| Q13 | 1 (SA)  | 10     | 23.8    |      | 6    | 27.3    |      |                              |
|     | 2 (MA)  | 14     | 33.3    | 2    | 3    | 13.6    | 3    | 2                            |
|     | 3 (MD)  | 10     | 23.8    |      | 7    | 31.8    |      |                              |
|     | 4 (SD)  | 8      | 19.1    |      | 6    | 27.3    |      |                              |
| Q14 | 1 (SA)  | 3      | 7.1     |      | 3    | 13.6    |      |                              |
|     | 2 (MA)  | 7      | 16.7    | 3    | 1    | 4.5     | 3    | 3                            |
|     | 3 (MD)  | 13     | 31.0    |      | 4    | 18.2    |      |                              |
|     | 4 (SD)  | 19     | 45.2    |      | 14   | 63.6    |      |                              |
| Q15 | 1 (SA)  | 14     | 33.3    |      | 11   | 50.0    |      |                              |
|     | 2 (MA)  | 13     | 31.0    | 2    | 9    | 40.9    | 2    | 2                            |
|     | 3 (MD)  | 7      | 16.7    |      | 1    | 4.5     |      |                              |
|     | 4 (SD)  | 8      | 19.0    |      | 1    | 4.5     |      |                              |
| Q16 | 1 (SA)  | 14     | 33.3    |      | 11   | 50.0    |      |                              |
|     | 2 (MA)  | 12     | 28.6    | 2    | 8    | 36.4    | 2    | 2                            |
|     | 3 (MD)  | 7      | 16.7    |      | 2    | 9.1     |      |                              |
|     | 4 (SD)  | 9      | 21.4    |      | 1    | 4.5     |      |                              |
| Q17 | 1 (SA)  | 15     | 35.7    |      | 8    | 36.4    |      |                              |
|     | 2 (MA)  | 19     | 45.2    | 2    | 7    | 31.8    | 2    | 2                            |
|     | 3 (MD)  | 5      | 11.9    |      | 3    | 13.6    |      |                              |
|     | 4 (SD)  | 3      | 7.1     |      | 4    | 18.2    |      |                              |
| Q18 | 1 (YES) | 24     | 57.1    | 1    | 14   | 63.6    | 1    | 1                            |
|     | 2 (NO)  | 18     | 42.9    |      | 8    | 36.4    |      |                              |

Statement 9: Male respondents were not aware of at least one teacher personally involved in a teacher liability lawsuit. (Male response mean equaled "2" in contrast to the population response mean of "1.")

Statement 13: Male respondents felt that the availability of the courts was necessary to settle teacher liability disputes in spite of the presence of school boards. (Male response mean equaled "3" in contrast to the population response mean of "2.")

#### Responses Presented by Education Level

Table 6 presents teacher responses as viewed by education level divided into three categories. The levels are categorized as: (1) respondents who have not achieved a Master of Science degree, (2) respondents who have attained a Master of Science degree but have not attained a Specialist in Education degree, and (3) respondents who have achieved a Specialist in Education degree or higher. For all survey statements other than the ninth, twelfth, and eighteenth statements, a mean response of "1" indicates strong agreement, "2" indicates moderate agreement, "3" indicates moderate disagreement, and "4" indicates strong disagreement. For statements 9, 12, and 18, a mean response of "1" indicates agreement and "2" indicates disagreement. Responses sorted by these categories reflect combined population response with the following exceptions:

Statement 2: Category 1 educators are aware of trends in teachers' liability legislation and lawsuits. (Category 1 response mean equaled "3" in contrast to the population response mean of "2.")

Statement 6: Category 3 educators do not believe educators should be protected from teacher liability complaints by legislative exemption. (Category 3 response mean equaled "3" in contrast to the population response mean of "2.")

TABLE 6. RESPONSES PRESENTED BY EDUCATION LEVEL

|    |        | Less than M.S. |         |         |  | M.S. but less than Ed.S. |         |         |  | Ed.S. or Greater |         |         |  | Sample Population |      |
|----|--------|----------------|---------|---------|--|--------------------------|---------|---------|--|------------------|---------|---------|--|-------------------|------|
|    |        | No.            |         | Percent |  | No.                      |         | Percent |  | No.              |         | Percent |  | Mean              | Mean |
|    |        | No.            | Percent | Mean    |  | No.                      | Percent | Mean    |  | No.              | Percent | Mean    |  |                   |      |
| Q1 | 1 (SA) | 1              | 4.3     |         |  | 3                        | 8.1     |         |  | 0                | 0.0     |         |  |                   |      |
|    | 2 (MA) | 5              | 21.7    | 3       |  | 9                        | 24.3    | 3       |  | 0                | 0.0     |         |  |                   | 3    |
|    | 3 (MD) | 10             | 43.5    |         |  | 14                       | 37.8    |         |  | 1                | 25.0    |         |  |                   |      |
|    | 4 (SD) | 7              | 30.4    |         |  | 11                       | 29.7    |         |  | 3                | 75.0    |         |  |                   |      |
| Q2 | 1 (SA) | 5              | 21.7    |         |  | 9                        | 24.3    |         |  | 2                | 50.0    |         |  |                   |      |
|    | 2 (MA) | 4              | 17.4    | 3       |  | 14                       | 37.8    | 2       |  | 0                | 0.0     |         |  |                   | 2    |
|    | 3 (MD) | 8              | 34.8    |         |  | 6                        | 16.2    |         |  | 1                | 25.0    |         |  |                   |      |
|    | 4 (SD) | 6              | 26.1    |         |  | 8                        | 21.6    |         |  | 1                | 25.0    |         |  |                   |      |
| Q3 | 1 (SA) | 5              | 21.7    |         |  | 7                        | 18.9    |         |  | 1                | 25.0    |         |  |                   |      |
|    | 2 (MA) | 6              | 26.1    | 2       |  | 21                       | 56.8    | 2       |  | 1                | 25.0    |         |  |                   | 2    |
|    | 3 (MD) | 8              | 34.8    |         |  | 7                        | 18.9    |         |  | 2                | 50.0    |         |  |                   |      |
|    | 4 (SD) | 4              | 17.4    |         |  | 2                        | 5.4     |         |  | 0                | 0.0     |         |  |                   |      |
| Q4 | 1 (SA) | 1              | 4.3     |         |  | 5                        | 13.5    |         |  | 0                | 0.0     |         |  |                   |      |
|    | 2 (MA) | 2              | 8.7     | 3       |  | 4                        | 10.8    | 3       |  | 1                | 25.0    |         |  |                   | 3    |
|    | 3 (MD) | 7              | 30.4    |         |  | 7                        | 18.9    |         |  | 0                | 0.0     |         |  |                   |      |
|    | 4 (SD) | 13             | 56.5    |         |  | 21                       | 56.8    |         |  | 3                | 75.0    |         |  |                   |      |
| Q5 | 1 (SA) | 9              | 39.1    |         |  | 12                       | 32.4    |         |  | 1                | 25.0    |         |  |                   |      |
|    | 2 (MA) | 9              | 39.1    | 2       |  | 6                        | 16.2    | 2       |  | 2                | 50.0    |         |  |                   | 2    |
|    | 3 (MD) | 5              | 21.7    |         |  | 4                        | 10.8    |         |  | 0                | 0.0     |         |  |                   |      |
|    | 4 (SD) | 0              | 0.0     |         |  | 5                        | 13.5    |         |  | 1                | 25.0    |         |  |                   |      |
| Q6 | 1 (SA) | 7              | 30.4    |         |  | 11                       | 29.7    |         |  | 1                | 25.0    |         |  |                   |      |
|    | 2 (MA) | 6              | 26.1    | 2       |  | 8                        | 21.6    | 2       |  | 1                | 25.0    |         |  |                   | 2    |
|    | 3 (MD) | 4              | 17.4    |         |  | 11                       | 29.7    |         |  | 1                | 25.0    |         |  |                   |      |
|    | 4 (SD) | 5              | 21.7    |         |  | 7                        | 18.9    |         |  | 1                | 25.0    |         |  |                   |      |

TABLE 6 (CONTINUED)

|     |         | Less than M.S. |         | M.S. but less than Ed.S. |     | Ed.S. or Greater |      | Sample Population |         |
|-----|---------|----------------|---------|--------------------------|-----|------------------|------|-------------------|---------|
|     |         | No.            | Percent | Mean                     | No. | Percent          | Mean | No.               | Percent |
|     |         |                |         |                          |     |                  |      |                   |         |
| Q7  | 1 (SA)  | 3              | 13.0    |                          | 8   | 21.6             |      | 0                 | 0.0     |
|     | 2 (MA)  | 5              | 21.7    | 3                        | 10  | 27.0             | 3    | 1                 | 25.0    |
|     | 3 (MD)  | 7              | 30.4    |                          | 8   | 21.6             |      | 2                 | 50.0    |
|     | 4 (SD)  | 8              | 34.8    |                          | 11  | 29.7             |      | 1                 | 25.0    |
| Q8  | 1 (SA)  | 3              | 13.0    |                          | 10  | 27.0             |      | 1                 | 25.0    |
|     | 2 (MA)  | 8              | 34.8    | 3                        | 10  | 27.0             | 2    | 1                 | 25.0    |
|     | 3 (MD)  | 6              | 26.1    |                          | 9   | 24.3             |      | 1                 | 25.0    |
|     | 4 (SD)  | 6              | 26.1    |                          | 8   | 21.6             |      | 1                 | 25.0    |
| Q9  | 1 (YES) | 10             | 43.5    | 2                        | 22  | 59.5             | 1    | 3                 | 75.0    |
|     | 2 (NO)  | 13             | 56.5    |                          | 15  | 40.5             |      | 1                 | 25.0    |
| Q10 | 1 (SA)  | 8              | 34.8    |                          | 8   | 21.6             |      | 2                 | 50.0    |
|     | 2 (MA)  | 10             | 43.5    | 2                        | 16  | 43.2             | 2    | 1                 | 25.0    |
|     | 3 (MD)  | 3              | 13.0    |                          | 8   | 21.6             |      | 0                 | 0.0     |
|     | 4 (SD)  | 2              | 8.7     |                          | 5   | 13.5             |      | 1                 | 25.0    |
| Q11 | 1 (SA)  | 5              | 21.7    |                          | 9   | 24.3             |      | 1                 | 25.0    |
|     | 2 (MA)  | 10             | 43.5    | 2                        | 12  | 32.4             | 2    | 0                 | 0.0     |
|     | 3 (MD)  | 3              | 13.0    |                          | 7   | 18.9             |      | 1                 | 25.9    |
|     | 4 (SD)  | 2              | 8.7     |                          | 9   | 24.3             |      | 2                 | 50.0    |
| Q12 | 1 (YES) | 1              | 4.3     | 2                        | 2   | 5.4              | 2    | 0                 | 0.0     |
|     | 2 (NO)  | 22             | 95.7    |                          | 35  | 94.6             |      | 4                 | 100.0   |

TABLE 6 (CONTINUED)

|     |         | Less than M.S. |         |         |  | M.S. but less than Ed.S. |         |         |  | Ed.S. or Greater |         |         |  | Sample Population |      |
|-----|---------|----------------|---------|---------|--|--------------------------|---------|---------|--|------------------|---------|---------|--|-------------------|------|
|     |         | No.            |         | Percent |  | No.                      |         | Percent |  | No.              |         | Percent |  | Mean              | Mean |
|     |         | No.            | Percent | Mean    |  | No.                      | Percent | Mean    |  | No.              | Percent | Mean    |  |                   |      |
| Q13 | 1 (SA)  | 5              | 21.7    |         |  | 11                       | 29.7    |         |  | 0                | 0.0     |         |  | 2                 |      |
|     | 2 (MA)  | 9              | 39.1    | 2       |  | 8                        | 21.6    | 2       |  | 0                | 0.0     |         |  |                   |      |
|     | 3 (MD)  | 5              | 21.7    |         |  | 10                       | 27.0    |         |  | 2                | 50.0    |         |  |                   |      |
|     | 4 (SD)  | 4              | 17.4    |         |  | 8                        | 21.6    |         |  | 2                | 50.0    |         |  |                   |      |
| Q14 | 1 (SA)  | 2              | 8.7     |         |  | 4                        | 10.8    |         |  | 0                | 0.0     |         |  |                   |      |
|     | 2 (MA)  | 2              | 8.7     | 3       |  | 5                        | 13.5    | 3       |  | 1                | 25.0    |         |  | 3                 |      |
|     | 3 (MD)  | 7              | 30.4    |         |  | 10                       | 27.0    |         |  | 0                | 0.0     |         |  |                   |      |
|     | 4 (SD)  | 12             | 52.2    |         |  | 18                       | 48.6    |         |  | 3                | 75.0    |         |  |                   |      |
| Q15 | 1 (SA)  | 13             | 56.5    |         |  | 10                       | 27.0    |         |  | 2                | 50.0    |         |  |                   |      |
|     | 2 (MA)  | 6              | 26.1    | 2       |  | 14                       | 37.8    | 2       |  | 2                | 50.0    |         |  | 2                 |      |
|     | 3 (MD)  | 3              | 13.0    |         |  | 5                        | 13.5    |         |  | 0                | 0.0     |         |  |                   |      |
|     | 4 (SD)  | 1              | 4.3     |         |  | 8                        | 21.6    |         |  | 0                | 0.0     |         |  |                   |      |
| Q16 | 1 (SA)  | 9              | 39.1    |         |  | 14                       | 37.8    |         |  | 2                | 50.0    |         |  |                   |      |
|     | 2 (MA)  | 9              | 39.1    | 2       |  | 10                       | 27.0    | 2       |  | 1                | 25.0    |         |  | 2                 |      |
|     | 3 (MD)  | 2              | 8.7     |         |  | 6                        | 16.2    |         |  | 1                | 25.0    |         |  |                   |      |
|     | 4 (SD)  | 3              | 13.0    |         |  | 7                        | 18.9    |         |  | 0                | 0.0     |         |  |                   |      |
| Q17 | 1 (SA)  | 11             | 47.8    |         |  | 10                       | 27.0    |         |  | 2                | 50.0    |         |  |                   |      |
|     | 2 (MA)  | 7              | 30.4    | 2       |  | 18                       | 48.6    | 2       |  | 1                | 25.0    |         |  | 2                 |      |
|     | 3 (MD)  | 3              | 13.0    |         |  | 5                        | 13.5    |         |  | 0                | 0.0     |         |  |                   |      |
|     | 4 (SD)  | 2              | 8.7     |         |  | 4                        | 10.8    |         |  | 1                | 25.0    |         |  |                   |      |
| Q18 | 1 (YES) | 14             | 60.9    | 1       |  | 20                       | 54.1    | 1       |  | 4                | 100.0   |         |  | 1                 |      |
|     | 2 (NO)  | 9              | 39.1    |         |  | 17                       | 45.9    |         |  | 0                | 0.0     |         |  |                   |      |

Statement 8: Category 2 educators believe that proper performance eliminates the need for worry over liability exposure. (Category 2 response mean equaled "2" in contrast to the population response mean of "3.")

Statement 9: Category 1 educators are not aware of any educators who were charged in a teacher liability lawsuit. (Category 1 response mean equaled "2" in contrast to the population response mean of "1.")

Statement 11: Category 3 educators do not believe that they would be better able to serve the needs of their students even in the absence of liability exposure. (Category 3 response mean equaled "3" in contrast to the population response mean of "2.")

Statement 13: Category 3 educators believe that the courts are necessary for resolving liability disputes, even though school boards are present. (Category 3 response mean equaled "4" in contrast to the population response mean of "2.")

## CHAPTER V

### SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

#### Summary

The purpose of this study was to ascertain Oak Ridge School educators' attitudes toward their professional liability exposure and to examine changes in attitude when attitudes toward professional liability are examined by individual variables. These examined variables consisted of: level of assigned students, degree of teaching experience, educator gender, and education levels of responding educators. The survey questionnaire consisted of three sections: a section to identify respondent attributes, a survey section of eighteen statements designed to survey liability attitudes, and a section for soliciting general comments.

These questionnaires were mailed to 257 Oak Ridge School System educators. The response rate, after adjustment for 33 nondeliverable questionnaires, equaled 28.6% (questionnaires from sixty-four respondents).

The following general observations were made as to the nature of the sample population:

1. Transportation of students — 58% of respondents were not involved often.
2. Supervision of students before/after school hours — 56% of respondents were involved in an occasional or greater basis.
3. Supervision of students away from school grounds — 54% of respondents were involved in an occasional or greater basis.
4. The level of assigned students — elementary, 42%; junior high, 24%; and high school, 34%.

5. The teaching experience of responding educators — less than three years, none; between 3 and 12 years, 45%; between 13 and 20 years, 34%; and greater than 20 years, 21%.

6. The educator gender — female, 75%; and male, 25%.

7. The teachers' education level — had not attained the Master of Science (M.S.) education level, 36%; had attained the M.S. education level, 58%; had attained the M.S. education level but not the Education Specialist (Ed.S.) level, 6%.

### Conclusions

Though some differences are noted when viewing response data by attributes, no trends in variance seem to be attributable to the examined variables of level of assigned students, degree of teaching experience, educator gender, and education levels of responding educators.

Based on examination of the data collected from responding Oak Ridge School System educators during this study, it appears that respondents possess feelings of great personal concern regarding their liability exposure. This conclusion is derived from the following findings:

1. Liability exposure is of great concern. (Statement 7)
2. Proper performance of duty does not eliminate the need for worry over liability exposure. (Statement 8)
3. Respondents are aware of at least one educator who has been charged in a teacher liability lawsuit. (Statement 9)
4. Greater service to students would result if worry over liability exposure were eliminated. (Statement 11)

In spite of this demonstrated concern, Oak Ridge School System educators appear to believe this liability is to some degree manageable. This conclusion is derived from the following statements:

1. Respondents do not feel they will be involved in a liability complaint. (Statement 1)

2. Respondents have had no involvement in liability complaints. (Statement 12)

3. Prior knowledge of liability exposure to be assumed would not have negatively affected respondents' decisions to enter education. (Statement 14)

4. Activities are conducted in such a manner that they need not be concerned about involvement in a liability lawsuit. (Statement 16)

5. Possibility for personal involvement in a liability lawsuit was considered highly improbable. (Statement 17)

Oak Ridge School System educators seem to feel that current teacher liability exposure is unfair to the educator. This conclusion is derived from the following statements:

1. Complainants filing liability actions are opportunists. (Statement 5)

2. Educators should be protected from direct liability complaint. (Statement 6)

3. School boards should handle liability complaints. (Statement 13)

In spite of the expression of unfairness, responding Oak Ridge School System educators appear to feel that:

1. Most laws regarding teacher liability are necessary for the protection of society. (Statement 3)

2. Liability exposure trends have resulted in change in teaching techniques. (Statement 10)

Oak Ridge School System educators seemed to feel that they are adequately knowledgeable regarding current teacher liability concepts. This conclusion is derived from the following statements:

1. They adequately understand their personal liability exposure. (Statement 15)

2. Respondents (59.4%) are completely aware of all liability exposure protection which applies to them. (Statement 18)

Yet, the following statements made by Oak Ridge School System educators seem to be in contrast to "adequate" knowledge:

1. Respondents are unaware of any particular trends in teacher liability legislation or lawsuits. (Statement 2)

2. Respondents do not feel they were adequately educated about teacher liability exposure while in college. (Statement 4)

### Recommendations

1. Study replication would be expected to assist in determining if findings will significantly vary among other sample populations.

2. Increased study population in future studies of this type would be expected to provide greater numbers of categories and should ease identification of variance trends which occur when viewing response data respondent attributes.

3. Efforts should be made to increase professional educators' awareness of teachers' liability concepts. Courses teaching educators (or future educators) teacher liability concepts should be continually examined to insure that educators are made fully aware of professional liability concepts and how to manage this exposure.

4. Political officials should be urged to consider the appropriateness of legislatively exempting educators from teachers' liability exposure in order to raise standards of education.

5. Results of this study should be made available to the Oak Ridge School System.

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## REFERENCES

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## APPENDICES

APPENDIX A

COVER LETTER

October 8, 1984

Dear Professional Educator:

You have been selected to participate in a most important study. As you may know, society is beginning to realize the importance of the educator's role and is undertaking to evaluate problems that limit your effectiveness. This study has been initiated to determine if you view legal liability exposure as one of the areas of concern that should be examined.

Your voluntary participation in this study by completing the attached questionnaire and mailing it in the enclosed prestamped envelope will assist in ensuring that the compiled data are evaluated correctly. Please feel free to expand on any item and/or to add any additional information you may be concerned about. I assure you that all responses will be handled confidentially.

If you have any questions or would like additional information pertaining to this project, feel free to call (615) 483-3039.

Thank you for your assistance.

Sincerely,

Paul E. Guy, Jr.

Enclosures

## APPENDIX B

### LIABILITY REACTION QUESTIONNAIRE

Thank you so much for assisting in this research project. First, a little information is needed about you. Rest assured that this completed questionnaire will be maintained in the strictest of confidence. No attempt will be made to identify the respondent.

.....

Circle Appropriate Response

Number years as a professional educator? 1-2 3-6 7-12 13-20 20+

Best description of primary education specialty:

Academic Physical Ed/Health Vocational Guidance Administrative

Indicate additional areas of present and past educational involvement:

Academic Physical Ed/Health Vocational Guidance Administrative

What grade(s) do you teach (or work with)? K-3 4-6 7-9 10-12

Indicate sex: Male Female

What is your education level? -BS BS MS EdS PhD

.....

NOTE: For purposes of this survey, teachers' (and professional) liability is defined as duties and safeguards required of the educator (professional) either by legislation or common law. Liability Risk is potential monetary and reputational loss which can occur as a result of a legal decision that required duties/safeguards from the educator (professional) have not been provided and damage has resulted.

.....

**SURVEY SECTION.** For each of the following statements show your reaction by circling the appropriate response. 1 = Strong Agreement, 2 = Moderate Agreement, 3 = Moderate Disagreement, and 4 = Strong Disagreement.

1 2 3 4 I feel I will inevitably be involved in a teacher liability lawsuit at some point during my career.

1 2 3 4 To be honest, I am quite unaware of the existence of any particular trend in teachers' liability legislation or lawsuits.

1 2 3 4 I believe most laws regarding teachers' liability are, in fact, necessary for the protection of society.

- 1 2 3 4 I believe I was adequately educated about teachers' liability while attending college.
- 1 2 3 4 Most people pursuing legal liability action against educators and school systems are opportunists. They fabricate injustices for money, or at best try to profit from the occurrence of unfortunate accidents.
- 1 2 3 4 Educators should be protected from direct liability action through legislative exemption.
- 1 2 3 4 Actually, liability exposure is of little concern to me.
- 1 2 3 4 If a teacher performs assigned duties properly, that teacher has no need to worry about liability exposure.
- yes no I personally know at least one teacher who has been charged in a teachers' liability lawsuit.
- 1 2 3 4 The current trends in teacher liability legislation and lawsuits have resulted in changes in teaching techniques.
- 1 2 3 4 I think I would be more fully able to serve students assigned to me if I did not worry about possible liability exposures.
- yes no I have personally been involved in a teacher liability lawsuit.
- 1 2 3 4 Incompetent educators are accountable to school board authorities. Availability of the courts to settle these disputes is unnecessary.
- 1 2 3 4 If I had known the amount of liability exposure I would assume as an educator prior to entering the education field, I would have more strongly considered alternate vocations.
- 1 2 3 4 I feel I adequately understand my personal liability exposure as a professional educator.
- 1 2 3 4 I personally control/conduct my activities in such a manner that I am not the least concerned about being involved in a teachers' liability lawsuit.
- 1 2 3 4 I consider the possibility of my being involved in a teachers' liability lawsuit as highly improbable.
- yes no I am completely aware of any/every teachers' liability insurance coverage I have.

Space for comments to explain my answer above./Optional general comments.

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## APPENDIX C

### COMMENTS BY RESPONDENTS

I was once drawn into a lawsuit investigation because another instructor used a piece of equipment that belonged to me.

Educators should be responsible for their own actions; therefore they should not be protected through legislation. Sometimes with the school board politics there is great need for court involvement. I was not told anything in college about liability; however, administrators of Oak Ridge Schools tell you everything. The Oak Ridge School system is A+ for informing.

On field trips using cars, I never would drive. On all field trips by bus or parent volunteer cars, I was anxious from the time we left (and the night before) until we got back. Concern for "lack" of parental supervision or awareness of parents to the potential for injury to children concerned me more than my being sued. I was probably overly anxious as compared to co-workers.

Primary education specialty varies from year to year — both most years. Educators should not be protected from direct liability action unless ordinary precautions have been taken. We must insure that negligence is not rewarded. I almost refuse to take students on field trips unless parents accompany. One can always work around incidents where liability exposure could result. I rather resent the fact that the teacher herself must provide insurance coverage via team membership (or other) for protection against a lawsuit when performing duties in a prudent manner. The school board should assume this responsibility, particularly in situations directed by the school.

A teacher of English (20 years), I never worried about liability suits even though I took students on field trips occasionally.

Because of my teaching area, liability exposure is a big concern. Teachers, even though doing as they were directed to do, are the first in the firing line. Because of liability exposure I changed the way I teach. (Leans more away from tumbling now whereas in the past was a big part of my class work.) The possibility always exists, so it is always a concern. Pretty sure about insurance.

I just learned how much I do not know. Thanks for making me aware.

I am not completely, but generally, aware of liability insurance coverage. School boards cannot be totally responsible for outlandish things done by individuals. There are some poor teachers who for some reason have not been weeded out. About being adequately educated about teachers' liability -- in 1956, this area was not much of a problem.

I am not presently teaching; however, I feel any teacher who feels competent does not worry over liability unless school discipline is lax. If administration educators were required to return to teaching duties at least one semester every five years in same location, schools would improve tremendously. Most administrators lose contact with reality.

I was involved in a liability lawsuit unjustly. The case was settled out of court, which still did nothing for my feelings except cause resentment toward the case. I was not at fault. I feel parents should be responsible for their own children's health insurance and not expect educators solely to pay for accidents.

I think teachers should be allowed (and expected) to practice their profession with a minimum of red tape and handicaps. They should be paid a fair wage (more than at present) and expected to do the job.

I feel that it is a shame that educators cannot teach freely any more, without having the fear of a lawsuit hanging over them. It hampers good teachers' abilities to teach with such a threat being aimed toward them. It seems that everything is always the teacher's fault.

This questionnaire was difficult to complete because of the extreme position taken in some questions.

The Tennessee Education Association (TEA) provides unlimited insurance coverage (with some provisions). There is no insurance company that can provide this same coverage and/or would require the same provisions. There is no better insurance coverage which includes advice and counselling. If you are considering selling professional liability to teachers or school boards, you will be met with strong resistance and negative advertisement unless you can exceed coverage now available by various organizations.

## VITA

Paul Edward Guy, Jr., was born in Knoxville, Tennessee, on October 20, 1953. He attended Oak Ridge public schools through high school. He graduated from Oak Ridge High School in May of 1972.

He entered the United States Army in August of 1972. On special assignment while in the United States Army, he entered The University of Tennessee, College of Business Administration, in June of 1975, majoring in General Business. He was ordered to return to active duty in January of 1977 prior to completing his degree requirements. After discharge from the armed services in March of 1981, he returned to The University of Tennessee. He completed the requirements for Bachelor of Science degree in Business Administration in June of 1982.

He began study toward a Master of Science degree in September of 1982. He accepted employment with the United States Department of Energy in May of 1983. His Master's degree was awarded in June of 1985.