

## **Legal Position of Interns**

Teaching practice is a critically important part of initial teacher training -

That there was a duty owed

The term *in loco parentis*, which means “standing in the place of the parent,” describes the duty of care that is owed by a teacher to a pupil. The “duty owed” is also further defined in Arkansas law (A.C. A. 6-17-305) which basically states that one of the professional duties a teacher may be required to perform is maintaining good order and discipline among the pupils and safeguarding their health and safety both when they are authorized to be on the school premises and when they are engaged in authorized school activities elsewhere.

The *loco parentis* rule is a common law duty regulating the conduct of everyone who works with children; the Arkansas School Discipline Act specifies this as a teachers' contractual obligations. If a teacher acts in breach of contract, that breach may be evidence of negligence.

When student interns are teaching in a school, they should be given support and training. If a student intern does not perform her/his duties safely in accordance with common law principles, or according to good practice/contractual obligations, it would be for the school/college to highlight the problem and to suggest a more appropriate approach. In other words, the school/college owes student interns a duty to provide effective support and training.

However, if student interns ignore the guidance available and act negligently, they may be liable for any injury or loss caused to pupils in their care.

THE DUTY OF CARE makes it clear that student interns owe a duty to all pupils in their charge, whether on the playground or in the classroom

#### WHAT IS THE STANDARD OF THAT DUTY OF CARE?

Under the law of negligence, the standard of conduct expected of student interns is established by determining what a reasonable person would consider appropriate. Some foreseeable risks are therefore acceptable as long as they are within the professional guidelines drawn up by the student's mentor teacher and principal. Students teachers should also take into account the following procedures and provisions in order to ensure that they conform to safe professional practice:

- school rules
- procedures and practices within the department
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Student intern must attend all seminars that university supervisor deems necessary. University supervisors will arrange the place, topic, and design of seminar sessions and notify student interns and mentor teachers in advance.

Student interns cannot drive students to field trips or other school related events or serve as chaperones on busses or vans where no teacher is in attendance.

Student interns must report abuse to appropriate school building officials.

Students are to follow the assigned school's regulations regarding calendar, attendance, arrival and departure times as apply to the regular classroom teacher.

In your role as a student intern you will have responsibilities that require you to represent yourself as a professional. Your participation may include both instructional and non-instructional activities within and outside the immediate classroom assignment in which you will encounter other students, teachers and administrators in educational settings.

There will be occasions when you may not realize what kind of procedures are appropriate for your role. If there are specific concerns inquire of your university supervisor or mentor teacher.

#### GENERAL CODE OF ETHICS:

Keep confidential all information received about pupils in their classes or schools