

THE ATTITUDES OF TEACHERS AND STUDENTS  
TOWARD STUDENT RIGHTS IN SELECTED  
INTEGRATED HIGH SCHOOLS IN EASTERN  
NEWFOUNDLAND

CENTRE FOR NEWFOUNDLAND STUDIES

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HARRY R. TEMPLEMAN









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TOWARD STUDENT RIGHTS IN SELECTED  
INTEGRATED HIGH SCHOOLS IN EASTERN  
NEWFOUNDLAND**

by

© Harry R. Templeman, B.A. (Ed.), B.A.

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## ABSTRACT

The major purpose of this study was to examine teacher and student attitudes toward student rights in selected integrated high schools in Eastern Newfoundland. These attitudes were analyzed for both teachers and students by computing and comparing the means for each item, area, and for the total questionnaire. T-tests were used to make these comparisons. The study's secondary purpose was to analyze teacher attitudes in relation to various demographic variables such as sex, age, teaching certificate, school size, and the completion or non-completion of a university course in school law. The attitudes of students enrolled in Levels I, II, and III were also analyzed in relation to demographic variables such as sex, age, career aspirations, school size, and the completion or non-completion of Canadian Law 2104. Data for this secondary purpose were analyzed by multiple regression, using the SPSS package.

Information was collected through a self-designed questionnaire administered to two hundred and twenty teachers and nine hundred Levels I, II, and III students in regional and central high schools during October, 1987. The questionnaire was designed specifically for teachers and students and focused on specific aspects of student rights. Of particular concern in this study were teacher and student attitudes toward academic freedom, free speech and expression, personal appearance and behaviour, privacy, and reasonable punishment.

The analysis of these data revealed that in the area of academic freedom there was a difference between the attitudes of teacher and student respondents. A large majority of the students claimed they should be entitled to these rights, but only a small percentage of the teachers felt that way. Actually, teachers showed least support for this particular area. Only slightly more than half of the

students and an even smaller number of teachers indicated that students should have the right of free speech and expression. The students themselves were least supportive of these rights. Students, more so than teachers, asserted that they should have the rights to personal appearance and behaviour. It was apparent in the study that a large percentage of both teachers and students believed that students should, indeed, have the rights to privacy. It is interesting to note that both groups were most supportive of this area. Similarly, the majority of each group supported the view that students should be entitled to due process. In the area of reasonable punishment, there was little difference between the attitudes of teachers and students, with both groups endorsing these rights. It should be pointed out that this was the closest area of agreement between the two groups. An analysis of the total attitude score revealed that the majority of both teacher and student respondents agreed or strongly agreed with granting students their rights.

When the data for teachers were also analyzed by multiple regression, the only factor to statistically register as significant, with respect to privacy, reasonable punishment, and the total attitude score, was sex. Age was the strongest factor in explaining differences in teacher attitudes for the area of personal appearance and behavior. There was a correlation between the age of the teacher respondents and their attitudes toward personal appearance and behaviour. As age increased, teachers tended to be less supportive of giving students rights in this particular area. The study also showed that females were more in favour of student rights than males.

For students, sex was the only statistically significant contributor to student attitudes for the areas of academic freedom and due process. School size was the major contributor to the variance for the area of free speech and expression, and

for the total attitude score. When considering the area of personal appearance and behaviour, the strongest factor in explaining differences was sex. It should be noted that school size also entered the regression equation for this particular area.

Male students were slightly more supportive of student rights than female students for the areas of academic freedom, free speech and expression, personal appearance and behaviour, and due process, as well as for the total attitude score. For the other two areas, privacy and reasonable punishment, the difference between the means was not statistically significant. For students, there was an inverse relationship between school size and the areas of free speech and expression, personal appearance and behaviour, and privacy, as well as for the total attitude score. Students in larger schools tended to more strongly agree that they should be entitled to greater freedom in these particular areas.

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Mercer v. State of Texas (1970), U.S. Cited in Update, Spring, 1978.

Murdock v. Richards (1954), 1 DLR 766 (NSSC).

People v. Overton (1969), 283 NYS 2d (CA).

R. v. Burko (1968), Ont. Cited in The Canadian Charter of Rights and Freedoms: Implications for Students, 1983.

R. v. G. (1985), Ont. Cited in Trends and Implications for Developing Policies and Practices in the Area of Students and Parents. Alberta School Trustees Association, 1986.

R. v. Haberslock (1971), 1 CCC (2d) 433 (Sask. CA).

R. v. Kind (1984), 50 Nfld. and P.E.I. Reports 332.

Taylor v. Board of School Trustees of School District No. 35 (1985), BCCA.

Tinker v. Des Moines Independent Community School District (1969), 393 U.S. 503.

Ward v. Blaine Lake School (1971), 4 WWR 161 (Sask. QB).

Wilkes v. Municipal School Board of the County of Halifax (1978), 26 NSR (2d) 628 (NSSC).

## CHAPTER I

### THE PROBLEM

#### Introduction

The concept of students' rights has not been well developed in Canada. School authorities have avoided any references to students' rights in regulations or policy manuals. If students had been mentioned at all in such policy statements, it would have been under the heading of "duties" rather than rights. There also have been few Canadian court cases dealing with students' rights. This is in keeping with the Canadian tendency to resolve educational issues at the administrative rather than the judicial level. Furthermore, there has been little scholarly comment on students' rights in Canada, and what writing there is has been recent and not optimistic about a real recognition of students' rights of free choice.<sup>1</sup>

The traditional view of children was that they were the property or possession of parents. In the school setting, educators were considered to be in loco parentis, in place of the parent, where parents delegated their authority over the child to teachers and administrators. Teachers could order or forbid students to do different tasks, as would reasonable and prudent parents. As early as 1865, Chief Justice Cockburn explained, as follows, how a teacher was to behave with respect to the child:

Now, as to this, I have to tell you, that the authority of the school-master is, while it exists, the same as that of the parent. A parent, when he places his child with a school-master, delegates to him all his own authority as far as is necessary for the welfare of the child.<sup>2</sup>

The in loco parentis principle has imposed upon teachers and administrators not only the duty of caring for their students and guiding them as reasonable parents would do, but also the right to control, correct, and discipline students.

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<sup>1</sup>A.W. Mackay, Education Law in Canada (Toronto: Emond-Montgomery Publications Limited, 1984), p. 293.

<sup>2</sup>Cited in M. Parry, "Canadian Charter of Rights and Freedoms, 1982: Some Possible Implications for Teachers and Students," Mimeographed (January, 1983), p.

As a result of the in loco parentis principle, students have been accorded few rights other than those of children. Courts have upheld the rights of schools to control student appearance and dress, student behaviour, student publications, and even student privacy. In the following statement, Manley-Casimir points out the predicament of the student in the school setting before the entrenchment of the Canadian Charter of Rights and Freedoms (hereafter referred to as the Charter):

In Canada, the regulation of student conduct and the making of rules and regulations falls within the purview of school boards and their officers. Since the Canadian Bill of Rights lacks constitutional force, recourse to its provisions is pointless; so the Canadian student is totally dependent on the discretion of local school authorities.<sup>3</sup>

In Canada, there has been very little in provincial statutory law to protect the rights of students. For example, only one section of The Schools Act (R.S.N., 1970), deals with student rights. Section 84 gives the parents the right to appeal to the Minister a decision of expulsion. There was no constitutional protection of student rights prior to 1982.

#### Background to the Problem

There are increasing signs that the status of the student is changing. Student rights issues have been increasingly examined in recent years. News media and professional publications have dealt with the subject in great detail. Consequently, a new awareness of such rights has developed. This new awareness has enticed parents, students, and educators alike to bring controversial issues to the courts. As a result, landmark decisions have been rendered which help resolve some present and future concerns. The entrenchment of the Charter in the Canadian Constitution (1982) has contributed to the increase in litigation. The Charter

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<sup>3</sup>Cited in A.W. Mackay, Education Law in Canada (Toronto: Emond-Montgomery Publications Limited, 1984), p. 293.

makes no distinction between children and adults. Terminology used throughout the document, such as "every person", "any person", and "everyone", can apply to students as well as adults and grant to them any right afforded in the land. This being the case, the Charter may have far-reaching implications for the issue of student rights in Canadian schools. Magsino states that:

Section 15 of the Charter specifies that every individual is equal under, and has the right to equal benefit of, the law without discrimination based on age, among others. Thus it is now possible to view young people as possessing the fundamental freedoms enumerated under Section 2, such as the freedoms of belief, conscience, opinion, expression, peaceful assembly, and association. In addition, they may now be regarded as vested with various legal rights usually enjoyed by adults only, such as the right to fundamental justice or due process, to security against unreasonable search and seizure, to protection against cruel and unusual punishment.<sup>4</sup>

Granting students their rights may require many changes in our educational system. Administrators and teachers will have to respect the rights of students. Limits will have to be placed on the authority of administrators and classroom teachers concerning many administrative decisions such as student conduct, dress, privacy, and due process. Under such a system, students will have to be involved in making decisions about their school and their lives.

It is interesting to note that attempts have been made to formalize student rights and privileges in Canada. In his article, "What? Students Have No Rights in Canada?", Walsh states that student groups throughout Canada have drafted bills of rights and are working to get them recognized and passed by their various provinces.<sup>5</sup> Many people believe that in a democracy adults cannot be expected

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<sup>4</sup>R. Magsino, "Students' Rights in a New Era," The Canadian School Executive (November, 1983), p. 3.

<sup>5</sup>J.E. Walsh, "What? Students Have No Rights in Canada?" Update (Fall, 1979), p. 19.

to use their freedoms properly unless as students they are given the opportunity to practice these rights in schools.

The student rights movement may now be underway in Newfoundland. During 1985-86, there were several student demonstrations in the Province, focusing on the rights of students. We have heard a great deal about the rights of all students to an education, particularly those with special needs. It is appropriate, therefore, to conduct research in this area. Such research may provide teachers with new insights and help students realize that they do indeed have rights in the educational system. It may provide the basis for inservice programs for teachers and administrators.

#### Purpose of the Study

The general purpose of this study was to gather information concerning teacher and student attitudes toward student rights in a sample of integrated high schools in Eastern Newfoundland. The rights related to the following areas were examined: academic freedom, free speech and expression, personal appearance and behaviour, privacy, due process, and reasonable punishment. The study attempted to discover similarities and differences between teachers' and students' attitudes toward student rights.

#### Research Questions

This study attempted to address the following questions:

1. What are the attitudes of teachers toward student rights?
2. What are the attitudes of students toward student rights?
3. Do teacher attitudes toward student rights differ from those of students?



4. Do teacher attitudes toward student rights vary with sex, age, teaching certificate, school size, and the completion or non-completion of a university course in school law?
5. Do student attitudes toward student rights vary with sex, age, career aspirations, school size, and the completion or non-completion of Canadian Law 2104?

Based on twenty-two years' teaching experience and preliminary personal interviews with seventy-five educators, made up of superintendents, assistant superintendents, program coordinators, guidance counsellors, administrators, teachers, and students, the researcher believes that teachers in smaller high schools are more aware and supportive of student rights than teachers in larger ones. Teachers in smaller schools have greater personal contact with individual students. It could also be hypothesized that younger, beginning teachers are more willing to grant students their rights than are older, more experienced ones; that female teachers are more cognizant of and more sensitive to student rights than are male teachers; and that the teachers' level of certification has an impact on their attitude toward student rights.

#### Definition of Terms

breach:	To violate or break; for example, the breaking of a statutory provision.
corporal punishment:	Punishment inflicted directly on the body, e.g., strapping.
due process:	A doctrine that requires that all persons be treated in accordance with proper legal protections. Most of these protections are procedural in nature, and typically include

the right to a fair hearing before an unbiased decision-maker.

education malpractice: Denying a student the right to a proper education.

In loco parentis: In place of the parent.

litigation: The contesting of a matter in court; a lawsuit.

negligence: The failure to take reasonable care in the circumstances to prevent harm to another. In order for negligence to be actionable, it is necessary that damage or loss actually result from the negligent act.

option rights: These refer to the exercise of free will and autonomy on the part of the student, e.g. academic freedom, free speech and expression.

prudent parent: A careful or reasonable parent.

statutory law: Law created by the legislative body of a country or province.

welfare rights: Those rights which are usually exercised by parents on behalf of the students, e.g. due process, reasonable punishment.

### Limitations of the Study

The following are acknowledged as limitations of the study:

1. The method of data collection. Perceptions of teachers and students were obtained by means of questionnaires. The use of questionnaires imposes limitations that are beyond the control of the present investigator. The interpretation of each question and the care with which respondents answer each question are factors which may not be controlled nor measured in a study of this type.
2. The questionnaire was administered to a limited number of teachers and students: a sample rather than the total population.
3. Because little research concerning student rights has been conducted in Canada, there are few bases for comparison, except with United States literature.

### Delimitations of the Study

The following are recognized as delimitations of the study:

1. The study is limited to teachers and students in integrated high schools.
2. The integrated high schools selected were located in Eastern Newfoundland.
3. Only certain areas of student rights were surveyed by the questionnaire.

### Organization of the Thesis

This introductory chapter has provided the background to the study, stated the purpose, posed some research questions, provided the necessary definition of terms, and acknowledged the limitations and delimitations of the study. In Chapter II, a review of the literature related to student rights is provided.

Chapter III presents the methodology used in the conduct of the research, while Chapter IV presents the findings of the study. The final chapter provides a summary of the thesis, identifies major conclusions, and make recommendations for the future.

## CHAPTER II

### REVIEW OF RELATED LITERATURE

#### Introduction

When addressing the rights of students, it is helpful to group them into various categories. One such categorization is welfare rights or option rights. The dominant emphasis in welfare rights is equality, while in option rights it is freedom. Welfare rights, which are usually exercised by parents on behalf of students, generally include equality rights, and the right to procedural due process, life and security, and reasonable punishment. These are the rights with which the Canadian educational scene has been most concerned. Option rights have been defined to include the right to academic freedom, free speech and expression, religion and association, and peaceful assembly. For the purposes of this study, however, student rights have been categorized as follows: the right to academic freedom, free speech and expression, personal appearance and behaviour, privacy, due process, and reasonable punishment. This categorization will be used to organize the literature reviewed in this chapter.

It should be noted that the literature review contains few related studies. In fact, with the exception of Magsino's study of student rights in Newfoundland and Wisconsin, the writer was unable to identify any related Canadian studies. The Magsino study will be reviewed in some detail near the end of this chapter.

#### The Right to Academic Freedom

Although students were demanding participation in academic affairs in the United States and Canada during the late sixties and seventies, little was accomplished in this area. However, the members of the Toronto Board of Education felt that

learning to take increasing measures of responsibility was part of the education of students in secondary schools. They realized that students should be involved in the operation of the schools, in assessing the courses of study, and in making decisions about their future. It was argued that the more the students are involved in the decision-making process, the better they will be prepared for the lives they will lead after leaving school. They believed that students should also have the right to pursue programs suited to their individual needs and aspirations. With this in mind, the Toronto Board of Education developed, in 1980, a booklet entitled Students' Rights and Responsibilities, which states that students have the following freedoms:

VII. Courses

- 1 (a) The right to attend, and receive credit for, courses, at a school other than the one at which they are enrolled, if vacancies exist;
- (b) The right to transfer to the school where the course of their choice is available;
- (c) The right to request new courses in the school;
- (d) The right to attend special courses such as English as a Second Language, Special Education, third-language courses, and French programs.
2. Students have the right to participate in the decision-making process as they form personal educational goals, select courses, and plan their use of scheduled and unscheduled time.
5. Students have the right to comment on the course content and method of teaching of each course in which they are enrolled at the end of each school year...
6. All students have the right to be informed of alternative schools, course and program options available to them.<sup>8</sup>

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<sup>8</sup>Toronto Board of Education, Students' Rights and Responsibilities (December, 1980), pp. 6-7.

The Newfoundland Teachers' Association's Policy on Student Rights and Responsibilities states:

2. General

- (b) All students should have the continuous opportunity to develop individuality through classroom responsibilities and programmes.
- (c) All students should have the opportunity to participate in normal curricular and co-curricular activities.<sup>7</sup>

Most Canadian provinces have provided for exclusion of students from religious courses if the parents so wish. Because Newfoundland schools are under denominational control, the possibility of this breached freedom ever reaching court is rather remote. If parents do not want their child to study religion courses, then these students will generally be excused from the religion classes by a letter from the parents. Section 64 of The Schools Act (R.S.N.), 1970 (hereafter referred to as The Schools Act), states:

No person shall, in any college or school aided by money granted under this Act, impart to any child attending it any religious instruction which may be objected to, in writing, by the parent or guardian of that child.<sup>8</sup>

This issue of exemption from a school subject arose in Chabot v. Les Commissaires d'Écoles de la Morandière (1957). Chabot was a Jehovah's Witness whose children were being required to attend religious classes in a Catholic school in Quebec and were expelled for refusal to do so. The court agreed that the parents had the right to have their children excluded from the religious instruction and the school board had no right to exclude the children from school.

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<sup>7</sup>Newfoundland Teachers' Association, "Policy on Student Rights and Responsibilities," N.T.A. Bulletin (November, 1975), p. 96.

<sup>8</sup>Newfoundland Schools Act (R.S.N.) 1970, Section 64, p. 40.

Parents who have opted for home instruction have received court support in cases where educational authorities have failed to prove that such instruction is not commensurate with what is offered in school. In a recent Newfoundland case, R. v. Kind (1984), the court was asked to decide whether a superintendent could refuse application for home instruction where efficient instruction was provided, simply on the ground that it was not equivalent to the school program. The accused father, Paul Kind, who was a qualified teacher, taught his ten-year-old daughter, Deborah Kind, at home using a program obtained from the Manitoba Department of Education. In that case, the superintendent refused approval for home instruction on the basis of his apparent disapproval of home education. He opposed home education because it lacked the social aspects of the public school. The father was charged with neglecting his daughter under Section 11(1) of the School Attendance Act. The Newfoundland Provincial Court convicted him on the ground that he lacked the superintendent's approval. The father appealed. The Newfoundland District Court allowed the appeal and acquitted the father. The court held that the superintendent should have approved the girl's home instruction because she was receiving efficient instruction at home and the lack of the social aspects of public school and of exact equivalency of program were irrelevant. The court also concluded that the conferring upon the superintendent of an absolute and unfettered discretion to refuse approval of home education deprived the parent of the right to a fair hearing and violated the principles of fundamental justice.

Efforts are now being made to provide adequate education for all and to let each student's potential be developed to its maximum. If adequate education is not provided, school officials may be sued for denying a student's right in this regard. This is currently known as education malpractice. While no educational



malpractice claims have as yet been made in Canada, there have been a number of unsuccessful suits in the United States. Hoffman v. Board of Education of New York (1978) is a tragic illustration of the importance of correctly classifying students. A child of normal intelligence was placed in a class for the mentally retarded because his performance on the Stanford-Binet Intelligence test showed him to have an I.Q. of 74. He would have been placed in a regular class if his score had been one point higher. Even though the psychologist recommended that his intelligence be re-evaluated in two years, he stayed in the class for retarded children for eleven years without being retested.

The child's mother, a single parent, was never informed of her son's placement in a class for the mentally retarded. The mother discovered that her son had been misclassified when he was tested at age seventeen. The court concluded that it would only intervene in school management in extreme cases, and stated that the courtroom was not the proper forum in which to assess the adequacy of student placement.

### The Right to Free Speech and Expression

Writers in the United States and Canada have debated whether or not schools have reduced students' opportunity to free speech in action. This dilemma was expressed quite clearly by the United States Supreme Court:

The classroom is peculiarly the "marketplace of ideas." The nation's future depends upon leaders trained through wide exposure to that robust exchange of ideas which discovers "truth out of a multitude of tongues" [rather] than through any kind of authoritative selection.<sup>9</sup>

Freedom of speech in Canada is much more limited or restricted than what is normally permitted in the United States. It seems that change may be slow in

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<sup>9</sup>Cited in A.W. Mackay, Education Law in Canada (Toronto: Emond-Montgomery Publications Limited, 1984), p. 301.

coming to Canada where such issues are usually settled at the school board level. However, the Tinker v. Des Moines Independent Community School District case in the United States during 1969 may be an example of what we may expect in Canada.

Tinker provided the landmark case where students organized themselves to protest an important issue. Five students wore black arm bands to school to protest the Vietnam War.\* The students were suspended from school. In this case, the United States Supreme Court tipped the balance in favour of the students. It ruled that school officials acted unlawfully in stopping students from wearing black arm bands to school to protest the war. Stating that students do not shed their constitutional rights to freedom of speech or expression at the schoolhouse gate, the Court said:

School officials do not possess absolute authority over students. Students in school as well as out of school are 'persons' under our Constitution. They are possessed of fundamental rights which the State must respect....In the absence of a specific showing of constitutionally valid reasons to regulate their speech, students are entitled to freedom of expression of their views.<sup>10</sup>

The opinion of the Supreme Court, delivered by Mr. Justice Fortas, was an effort to balance the rights of students to freedom of expression with the rights of the school board to maintain order and discipline and to ensure that there be no disruption of school activities.

Prior to the Tinker decision, students were not recognized as having the First Amendment right of freedom of speech. Thus, the Tinker case ushered in a new era of student rights in the United States. Surely, no greater watershed case could be imagined in the field of school law than Tinker, which completely changed students from objects of public direction to persons in their own right.

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<sup>10</sup>Cited in R. Magsino, "Student Rights in Canada: Nonsense Upon Stilts?" Children's Rights: Legal and Educational Issues (Toronto: The Ontario Institute for Studies in Education, 1978), p. 90.

It was concluded that students did have a right to express themselves as long as they didn't materially disrupt the educational process. The Supreme Court stated:

[The student] may express his opinions, even on controversial subjects like the war in Vietnam, if he does so without "materially and substantially interfering with the requirements of appropriate discipline on the operation of the school" and without colliding with the rights of others...<sup>11</sup>

Court cases cited in the United States have resulted in placing responsibility on school officials to decide what constitutes disruption in school discipline. School authorities may restrict the expression of ideas when there is a reasonable forecast of substantial disruption to the work of the school. It is not enough that the school administrator merely believes there will be a disruption; he/she must be able to reasonably forecast a substantial disruption.

American cases demonstrate that freedom of speech and expression does not imply that a student has a right to give speeches or engage in demonstrations where and when he/she pleases. Students have to comply with the rules of society as well as those of the school. Insolence or disrespect on the part of students is not necessarily tolerated and may be subdued when necessary. As noted earlier, it is reasonable to assume that school personnel have the responsibility to ensure that each student can learn and study in an environment conducive to study. The school has a mandate to its students to see that all activities, especially in the classroom, are carried on in a disciplined manner so that everyone can benefit from formal education.

It is generally agreed that courts in Canada have a long history of putting the rights of groups before those of individuals. The old adage, "children should be seen but not heard", is still prevalent in our schools and courts today.

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<sup>11</sup>Cited in A.W. Mackay, Education Law in Canada (Toronto: Emend-Montgomery Publications Limited, 1984), p. 302.

Court cases related to censorship of student publications have not arisen in Canada. In the Canadian case of B. v. Burko (1968), former high school students lost a battle to distribute material in their school. University students returned to their old high school and distributed literature in the corridors. Their intent was to make high school students aware of flaws in the present educational structure. The case went to court and the decision was awarded in favour of the school. The reason for such a decision was based on grounds of trespassing, not on the issue of distributing material in schools. As yet, distributing literature as a form of protest has not been challenged. Problems such as these often arise when students are over-critical of the school officials or publish something that is vulgar or offensive.

Recent lawsuits concerning the right of students to publish controversial articles have raised the following question: How much freedom of the press can and should be given to newspapers written and edited by students? In the past, student newspapers generally were approved by administrators. Teacher advisors had strict control over the student press. In his article "School Boards v. The Student Press (the Kids are Winning)", Nolte states the traditional rationale offered by school boards for such strict control:

Students are immature and need guidance; the school administration should be able to censor what it deems will hurt the education programs; since the newspapers are owned by the school board, the board has the right to censor what appears in the paper; and school boards have a right to protect their students - a captive audience - from the immature diatribes of fellow students.<sup>12</sup>

The removal of books from school libraries and the banning of curriculum materials have raised controversies in Canada. Book banning has usually involved the parents on one side and the school officials on the other. Sometimes, students

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<sup>12</sup>M.C. Nolte, "School Boards vs. The Student Press (the Kids are Winning)," American School Board Journal (February, 1978), p. 23.

find themselves in the middle on such issues. When acting with their parents, students have blocked the removal of some books, but a student's chance of successfully demanding a right to receive information which is in opposition to the desires of both the school and his or her parents is very slim indeed.

In contrast to the Canadian situation, school censorship has been litigated in the United States. However, parents who have tried to ban books in Canada have done so through the means of political strategy. Neither teachers nor students have the legal authority to select books for courses or for the school library but, on many occasions, are consulted on this issue. Such issues do not usually get beyond discussions at school board meetings and reports in the newspapers.

#### The Right to Personal Appearance and Behaviour

Newfoundland students have long had the right to attend school wearing any apparel recognized as clean and tidy. On this issue, Section 82(a) of The Schools Act states that every student in a school shall:

come to school clean and tidy in his person and his clothing and be courteous to his fellow pupils, obedient to his teacher and diligent in his studies.<sup>13</sup>

School officials usually set their own individual standards with certain sanctions for non-compliance. There seems to be a commonly accepted attitude that students have the right to self-expression through personal appearance. In his book Children's Rights, Wringe states:

At a certain stage the child clearly has an interest in exercising freedoms in the matter of personal appearance, for in some degree what one appears to be is what one is. One's appearance profoundly affects the way one is seen by others and above all the esteem in which one is held by one's peers. It may also be thought that children should be allowed some limited freedom of choice in this area in order to acquire

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<sup>13</sup> Newfoundland Schools Act (R.S.N.) 1970, Section 82(a), p. 54.

a sense of taste and appropriateness while still in the protected and educative environment of the family or school.<sup>14</sup>

In the past, United States courts have agreed that school boards have the right to develop dress codes; however, problems have arisen from the content, interpretation, and enforcement of those codes. When dress codes are challenged in the courts, it is usually on the grounds that they restrict individual freedoms. If a dress code which takes into consideration the basic principles of individual freedom is designed, then many problems can possibly be solved before the courts become involved. In his article "Before You Bring Back School Dress Codes, Recognize That The Courts Frown Upon Attempts To 'Restrict' Students' Rights", Sparks offers some cautionary advice to educators as they create or revise their student dress codes. He says:

School boards do not have the right to set grooming and appearance standards based solely on your collective perception of what school standards ought to be. You may not arbitrarily institutionalize your values and attitudes on appearance. For instance, long hair on male high school students cannot be banned merely because board members don't like it. As the courts have pointed out repeatedly, reasons-good reasons - are needed when dress code guidelines begin to affect liberties defined by the Bill of Rights, especially by the First and Fourteenth Amendments.<sup>15</sup>

To win a court case, it generally must be shown that regulations concerning student appearance are necessary for schools to function properly and that the dress code is reasonably related to the goals that schools are trying to accomplish. A thoroughly stated dress code can, in fact, have some merit in schools. Sparks argues that it can provide necessary safety regulations for schools, help students

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<sup>14</sup>C. Wringe, Children's Rights (Boston: Routledge and Kegan Paul, 1985), p. 152.

<sup>15</sup>R.K. Sparks, "Before You Bring Back School Dress Codes, Recognize That The Courts Frown Upon Attempts To 'Restrict' Students' Rights," American School Board Journal (July, 1983), p. 24.

develop into responsible citizens, and serve as a helpful link between the school and community. He concludes that:

- ✓ The courts will support your code as long as you can prove the guidelines<sup>16</sup> are an integral part of the total school program and help achieve the school's legitimate goals.<sup>16</sup>

Questions have arisen concerning the clothing worn by girls. In an Alberta case, Choukales v. St. Albert Protestant Separate School Board (1962), the court upheld the suspension of a student for wearing blue jeans and a T-shirt.

In his book Education Law in Canada, Mackay cites a case concerning hair length, in which the court favoured the school board. A Saskatchewan court upheld a rule regulating the length of boys' hair in Ward v. Blaine Lake School (1971). In that particular case, an eleven-year-old boy was supported by his mother who approved of his long hair. The court, however, ruled against the student in favour of the school board. No investigation was carried out to determine whether the boy's hair created any danger or disruption in the classroom.

In Wisconsin, a school board's dress code concerning boys' hair stated:

Hair shall be washed, combed, and worn so it does not hang below the collar line in back, and over the ears on the side, and it must be above the eyebrows. Boys should be clean shaven; long side burns are out.<sup>17</sup>

The boys attending a high school in the district were expected to follow the above regulation. In that school, two boys were given the choice of getting haircuts or being expelled. The boys chose a third alternative. They asked the court for clarification of their legal standing to ignore the regulation.

The court asked the school board to provide evidence to show that the code was really needed. Since the board could not supply satisfactory evidence, the

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<sup>16</sup> ibid., p. 25.

<sup>17</sup> Cited in M.C. Nolte, "Your District's Dress Code and Why It Probably Hasn't a Hair of a Chance in Court," American School Board Journal (August, 1971), p. 23.

court upheld the boys' suit. In refusing to hear the case on appeal, the Supreme Court upheld the lower court and ruled in favour of the students.

The results of many court decisions in the United States on students' personal appearance and dress have been inconclusive. Some courts have upheld school rules while others have indicated that personal appearance constitutes freedom of expression, and, therefore, must be protected. Prohibition of certain fashions may be justified if they create a disruption.

The new Charter, both Section 2 and the "liberty" reference of Section 7, will possibly provide additional grounds for challenges to school board actions in this area. The Charter, in no way, creates absolute freedoms and liberties for students to rely on in their dealings with school officials, but it does create limited essential rights.

#### The Right to Privacy

There are really no expressed guarantees of privacy in the Charter, nor has privacy been as well protected in Canada as in the United States. One of the important areas of privacy in the school is the access to student records. Most provinces in Canada now have freedom of information statutes, and some have provisions relating to students records in their educational laws.

The student record, which is the only source of accumulated information on the student and on his or her education, may include a wide range of data about students and their families. At times, such data are highly personal; therefore, educators must protect the personal privacy of students and their families. Parents and students have a right to expect no less.

The administrator of a school may face the problem of how to balance the needs for privacy with those for more comprehensive information which is needed



today for better decision-making. Administrators must also be able to balance student gains because of better programs, which will accrue from better information, against student losses of privacy which could result when personal information is collected, retained and utilized in decision-making.

In his article "Student Records—Personal Privacy or Knowledge of Client? The Dilemma", Humphreys states that:

Information may be managed in a responsible manner to minimize the risk to privacy and the risk of inappropriate decisions. The risk to the student's privacy may be reduced by employing good information practices and by ensuring that only necessary data are collected and retained.<sup>18</sup>

Information collected about students should be dealt with in a professional manner and be protected against misuse. The interests of students are better met when their personal privacy is honored. In the United States, there are laws concerning access to student records in schools, and students are much better protected than in Canada.

Commenting on access to students' educational records in Canada, Beverly McLachlin says:

There are three components to privacy in respect to educational records: first, confidential documents such as student records should be kept private; second, a student should have access to his or her own files; third, a student has a right to have errors on the record corrected.<sup>19</sup>

Although the new Charter guarantees to everyone the right of life, liberty, and security of the person, school boards generally regard it to be their right to search student lockers and desks. They regard lockers and desks as school property and, therefore, subject to inspection by school authorities. When a student is

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<sup>18</sup>E.H. Humphreys, "Student Records—Personal Privacy or Knowledge of Client? The Dilemma," Education Canada (Spring, 1985), p. 50.

<sup>19</sup>Cited in A.W. Mackay, Education Law in Canada (Toronto: Emond-Montgomery Publications Limited, 1984), p. 308.

assigned a locker, he/she is often informed that the school has the right to conduct periodic searches.

United States courts have usually upheld administrators' searches of school lockers on the basis that the lockers belong to the school and are only provided to the student for limited purposes. In the two United States' cases, Kansas v. Stein (1969) and People v. Overton (1969), the courts have declared that under certain conditions, administrators have a right, and perhaps even a duty, to inspect a student's locker.

There have been no cases in Canada where the courts have decided that principal or teacher has the authority to search a student locker. Authority could exist, however, under the "in loco parentis" doctrine. School officials often justify searches by saying that they have the authority and responsibility to ensure the discipline of the school and the safety and welfare of students. Because of growing violence and vandalism and widespread drug use in schools, school officials consider searches to be a necessary if an unpleasant responsibility. However, under the Charter only "reasonable" searches are permitted. For the most part, principals may be found to have the authority to search lockers and desks if there is probable cause and the search is reasonable.

Personal searches, however, are another matter. These can be emotionally disturbing both for the student being searched and for the principal or teacher conducting the search. When the search of a person takes place for the breaking of a school rule, the reasonable suspicion test should be applied and the search must be of a reasonable nature. To demand that a student strip naked to be searched is not reasonable. It would be advisable for principals to have a witness to all searches conducted in the school.

In the United States case Belinier v. Lund (1977), a strip search was conducted by school officials with police involvement of a fifth-grade student to find \$3.00 reported missing by one of the students. The search also included a search of student desks, books and coats. The money was not recovered as a result of the search. Judge Munson ruled that the search was in contravention of the Fourth Amendment. He stated:

It is entirely possible that there was reasonable suspicion and even probable cause, based upon the facts, to believe that someone in the classroom has possession of the stolen money. There were no facts, however, which allowed the officials to particularize with respect to which students might possess the money something which has time and again, with exceptions not relevant to this case, been found to be necessary to a reasonable search under the Fourth Amendment.<sup>20</sup>

In some cases, trained dogs have been used to sniff out drugs in schools. In the United States case Doe v. Renfrow (1980), a dog was used to examine a student's garments. As a result of the dog's reaction to the girl, she was strip-searched in the nurse's office. Since no drugs were discovered, the search was declared unconstitutional. This particular case is very important because it was the first United States case on record involving the use of scent dogs in the schools.

A greater breach of the students' rights occurs when the search is conducted for the purpose of seeking evidence that could lead to a criminal conviction. In Mercer v. State of Texas (1970), a principal acting on a tip searched a student who was in possession of marijuana at school. The search was upheld because the principal was acting with the delegated power of a parent.

The relationship between school officials and the police in Canada is undergoing judicial scrutiny. In an Ontario case B. v. G., a thirteen-year-old student was convicted of possession of marijuana. Another student had provided a teacher

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<sup>20</sup>J. Anderson. "Fundamental Freedoms and Legal Rights," Paper for Presentation to the Newfoundland Workshop (March, 1984), p. 39.

with information that the accused was carrying drugs on his person, hidden in his socks. The teacher conveyed this information to the principal, who called the accused student to his office. The principal asked the student to remove his shoes and socks. When he did so, the principal noticed some tin foil in the pant leg or sock of the accused. The principal then seized the tin foil package. Two cigarettes were discovered in the tin foil. After discovering the material, the police were called in and charges were laid.

Justice MacDonald concluded that a search had been conducted and, even though it was done with discretion, such a search was illegal. He held that a principal is not paid to enforce "drug" laws. His discretion should be used to adjudicate rumours which come to his attention and report those which have some substance or validity to the police. Then, it is up to the police to investigate and lay charges when they are satisfied there are grounds to do so.

A statement concerning the judgement of an Ontario Provincial Court Judge, J.L. Lunney, is relevant:

The practice of permitting police to enter schools and question students has been sharply criticized by Provincial Court Judge J.L. Lunney in North Bay. He dismissed a charge of assault against a 16 year old youth because an involuntary statement was taken from the student by a constable on school premises.

The authorities of the school stand in loco parentis, taking the place and the responsibility of parents, during school hours, and the parents of the child are entitled to expect that the responsibility will be discharged in a manner becoming the trust that has been reposed by them, said Judge Lunney.

The practice of conducting police interrogations of school children in school is hardly ever, if ever, to be justified. It is not to be condoned.<sup>21</sup>

This statement makes it clear that school administrators have a legal obligation to the student.

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<sup>21</sup> ibid., p. 40.

In an address, Judge Brian Stevenson, a Calgary Provincial Court judge, made the following suggestions for procedures to be used by school officials when police come to the school:

1. The officer should be questioned as to the urgency of the matter, and advised that if it is not urgent that he should attend at the residence of the student outside of school hours to pursue his investigation.
2. If the officer persists (on the urgency basis), then the student's attendance should be arranged.
3. A written record containing the identity of the officer and his reasons for appearance at the school should be made.
4. The student should be advised of his rights.
5. The parents or a relative of the student should be contacted and apprised of the situation, and requested to attend.
6. The school official should remain with the student at all times when the police officer is present.
7. A written record should be made by the school official of all conversations.
8. If the student is arrested prior to the arrival of the parents' or legal counsel, then the administration's legal counsel should be immediately contacted and apprised of the situation.<sup>22</sup>

One can predict that distinctions will be drawn between actions by school officials alone, and actions by school officials with police officers where criminal penalties or sanctions may result. Section 8 of the Charter will likely be invoked whenever police officers are involved in school searches or seizures, if Judge Lunney's and Judge Stevenson's statements are any indication of the feelings of the judiciary.

According to Mackay, the following factors have been identified as relevant to the reasonableness of the search:

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<sup>22</sup> ibid., p. 41.

Age of the student, school record, past behaviour, seriousness of the problem, information base for the search, and the need for haste.<sup>23</sup>

Search and seizure procedures raise complicated and troubling questions whenever a search takes place. How can we equate the student's rights to privacy with the authority and responsibility of school authorities to maintain order, safety, and discipline in the school? Does it make a difference if the search is of a student's locker, wallet, or person? What if the search is to discover a weapon, drugs, or stolen goods? Is the evidence to be used in school disciplinary proceedings or criminal prosecutions? Finally, how reliable was the information that precipitated the search?

#### The Right to Due Process

In the student-teacher relationship, it is obvious that educators should treat students fairly. It is generally agreed that students should be given "due process"; that is, opportunity should be given to pupils to hear charges levied against them and to present their side of the story. Although school officials previously had leverage in making and enforcing rules, the new Charter may place many restrictions on these people. Under the Charter, all Canadians, including students, have the right to be considered innocent until proven guilty, and have the right to tell their story before an independent and impartial body.

The court-sanctioned notion that students cannot be denied due process emerged only during the past few years and is almost certain to be the most difficult phenomenon school officials will have to face in the future. In a 1974 article entitled, "Due Process or Don't Let Your District Get Caught on the Losing End of a Lawsuit", Ruhala commented on this issue. He said that because

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<sup>23</sup>Cited in A.W. Mackay, Education Law in Canada (Toronto: Emond-Montgomery Publications Limited, 1984), p. 220.

of the changes evolving in the legal interpretation of student rights, the Delegate Assembly of the National School Boards Association, which comprises school board members from all areas of the United States, passed a resolution which addressed itself directly to the area of student rights. It said that:

The National School Boards Association urges all local school boards, after involving students, staff and community, to establish written policies on student rights and responsibilities that are in accord with recent court decisions. N.S.B.A. further urges that all local school boards establish due process procedures for the administration of these policies in order that the rights of students are protected.<sup>24</sup>

In Newfoundland, statutory provisions and school board regulations outlining due process procedures concerning suspension and expulsion have been developed. According to The Schools Act, a school principal is given the authority to suspend a pupil from school, subject to school board regulations. A school board, therefore, in its policies and regulations, may require that suspensions have its authorization before they can come into force. As a result, with some school boards, the authority to suspend a pupil may lie entirely with the principal, while with other boards it may be necessary for a principal to receive board authorization before a student is suspended.

Most school boards suggest that the first suspension should be of a short duration (two days) and that the principal should require that one of the parents accompany the student when he or she returns to school so that the parents can be better informed of the child's behaviour. If a student makes no effort to conform, after a reasonable period the principal may suspend for a period not exceeding five days any student who is guilty of a serious misdemeanour, persistent disregard of authority, the use of profane or improper language, or causing damage

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<sup>24</sup>R.J. Ruhala, "Due Process or Don't Let Your District Get Caught on the Losing End of a Lawsuit," American School Board Journal (July, 1974), p. 25.

to school property. Such action must be reported immediately to the superintendent or assistant superintendent by telephone, and in writing, and also to the parents.

The expulsion of a student from school is a more serious extension of a suspension, and is, therefore, treated somewhat differently. The power to expel a student rests with the school board. Section 83 of The Schools Act clearly awards this power to the board. In addition, the procedures to be followed are also clearly enunciated.

Section 83 states:

When a pupil fails to apply himself to his studies or does not comply with the discipline of the school or in respect of whom the principal, for any other serious reason, is of the opinion that such action should be taken, the principal shall

- (a) warn him and record the date of the warning and the reason;
- (b) inform, by letter, the pupil's parents or guardians that the pupil has been warned;
- (c) send a copy of the letter referred to in paragraph (b) to the appropriate superintendent; and
- (d) discuss with the pupil's parents or guardians the circumstances giving cause for the warning.<sup>25</sup>

The school board also has the right to expel from school any student who is outside the compulsory attendance age group, as stated by the School Attendance Act, and who because of lack of interest, industry, application or ambition is not benefitting from attendance at school or whose presence has an adverse effect on his classmates or teachers. There is a provision in Section 83A(1) of The Schools Act which allows the parents or guardians of an expelled student to request a review of the expulsion. This provision does not apply to student suspensions. However, some school boards may have policies allowing the review of a suspension.

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<sup>25</sup> Newfoundland Schools Act (R.S.N.) 1970, Section 83, p. 55.



Suspension and expulsion of students are generally administered as punishment in either of four instances: when students seriously disrupt the educational process of others; when students damage school property; when students pose a threat to others; or when students are consistently disobedient. In most instances, students are to be given a warning of a suspension or expulsion before action is taken by a school board or principal. However, Canadian and American courts have found that the "due warning" requirement may not apply in cases where students are involved in criminal activity. One such case is Taylor v. Board of School Trustees of School District No. 35 (1985). In that case, a thirteen-year-old girl was suspended from school for a period of eight months for smoking marijuana before returning to school from lunch. The British Columbia Court of Appeals ruled that the girl's suspension was valid even though she had not been given a warning upon the discovery that she was under the influence of an illegal narcotic at school.

The issue of a student's right to "due process" is a controversial one; especially since the coming of the Charter. However, it is generally accepted that students should be granted certain procedural rights before disciplinary action is taken against them. Mackay suggests that:

The recently developed concept of procedural fairness extends the obligation to observe procedural standards to bodies making administrative decisions. It is accepted that these procedural safeguards are applicable to decisions made by school officials, such as the suspension of a student. The specific procedures required probably would simply consist of the student being given the opportunity to hear all the allegations against him or her and to respond to them.<sup>26</sup>

The procedure for suspension and/or expulsion outlined above may not be applicable in all instances. There are, in fact, situations where these steps may be

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<sup>26</sup> Cited in A.W. Mackay, Education Law in Canada (Toronto: Emond-Montgomery Publications Limited, 1984), p. 98.

reversed or revoked, especially when the protection and safety of others is at stake. An example is the case of Wilkes v. Municipal School Board of the County of Halifax (1978), where a student was expelled from school for selling drugs to other students. The court ruled that the school board was justified in expelling the student since there is a duty on the trustees to take action to protect the students under their charge. They may act, even in the absence of a conviction, to expel a student whose conduct, in their opinion, endangers the other students.

It must be remembered that the requirement of due process and fairness does not necessitate the establishment of any sort of appeal. This normally would mean that students have the right to respond to any accusations or charges against them, but have no rights beyond that. However, the right to an appeal of a school decision, especially with respect to suspension and expulsion, is guaranteed in most provincial education acts or school board policies.

It must be realized that students, like all other individuals, have rights which cannot be encroached upon, even in the school setting. Parents entrust their children to the care of educators daily, and the onus is on school officials not only to provide the best possible education but also to use sound judgement when disciplining them.

#### The Right to Reasonable Punishment

It is reasonable to assume that everyone has the right not to be subjected to cruel or unusual treatment or punishment. Teachers and administrators stand in loco parentis with respect to students. The teacher's authority to administer corporal punishment arises from this relationship, which is the basis for the long-established view that teachers have the same rights as parents to correct children

under their charge by way of corporal punishment. Manley-Casimir states that the power to stand in the place of parents:

included the right to punish students in the service of discipline and education, providing such discipline was reasonable and imposed with due care and attention to the offence, size, age, sex and physique of the student.<sup>27</sup>

Furthermore, he concludes that:

the courts have supported the idea that school officials stand in loco parentis and have pursued a policy of judicial non-intervention in the administration of schools except where some flagrant abuse is at issue.<sup>28</sup>

The Criminal Code of Canada acknowledges that teachers must act in place of a parent while children are placed in their care. According to Section 43:

Every schoolteacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances.<sup>29</sup>

There are two theories concerning how teachers acquired the status of in loco parentis. One is that parents grant their authority when they send their children to school. The other is that disciplinary authority arises from the need to maintain order and to act on behalf of the students. The second theory is probably more defensible in court since the first theory may allow a parent to remove a teacher's authority to administer corporal punishment by reclaiming the delegated authority.

The fact that courts uphold the rights of teachers to use corporal punishment is well established. In 1951, Justice McDougall of the Quebec Court of King's Bench stated:

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<sup>27</sup>M. Manley-Casimir, "The Supreme Court, Students' Rights and School Discipline," Journal of Research and Development in Education (1978), p. 103.

<sup>28</sup>Ibid.

<sup>29</sup>E.L. Greenspan, Martin's Criminal Code, (Ontario: Canada Law Book Inc., 1985), Section 43, p. 55.

That schoolmasters and parents have a right to use force in order to discipline their pupils and children is undeniable. What would under the law generally be assault is permitted in the case of school children provided that the offence committed by the child merits punishment and that the punishment inflicted is reasonable and appropriate to the offence. That the punishment naturally may cause pain hardly needs to be stated; otherwise its whole purpose would be lost.<sup>30</sup>

Although Section 43 of the Criminal Code is a federal statute, some provinces have prohibited the use of corporal punishment in schools. British Columbia, for one, states in Section 14(1) of its School Act that:

The discipline in every school shall be similar to that of a kind, firm, and judicious parent, but shall not include corporal punishment.<sup>31</sup>

Most provinces, however, do permit the use of corporal punishment as a disciplinary measure. Newfoundland and Labrador is one such province.

A study of school board policies governing punishment of students in schools reveals that there is, in fact, some general consensus. Most of these policies agree, for example, that any punishment must be administered by or in the presence of the principal and complete records of all instances are to be kept. Section 84(2) of The Schools Act states:

A teacher shall not administer corporal punishment to any pupil unless a third person, not being a pupil, is present to witness such punishment.<sup>32</sup>

School board policies also agree that punishment should only be resorted to when discipline cannot be maintained by other measures. According to Section 84(1) of The Schools Act:

Teachers are permitted to administer corporal punishment in reason and with humanity, but they shall refrain from the use of it, until other means of discipline have been tried, and striking children on the head

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<sup>30</sup>Cited in P.F. Borgen, The Legal Status of the Canadian Public School Pupil (Toronto: MacMillan, 1968), p. 126.

<sup>31</sup>British Columbia School Act, Section 14(1).

<sup>32</sup>Newfoundland Schools Act (R.S.N.) 1970, Section 84(2), p. 56.

is forbidden, and corporal punishment shall not be administered to delicate or nervous children.<sup>33</sup>

Section 81(d) of The Schools Act states that a teacher must keep a record of all offenses and the punishment administered, and all records must be open to inspection by the principal and the appropriate superintendent. Section 80(2) (s) states that the principal must also keep a record of offenses and the punishment administered, and all records must be open to the appropriate superintendent. Many school boards require that each time corporal punishment is administered, a record must be kept indicating the name of the pupil, date, the name of the witness, and the reason for the punishment. This record must be kept by the principal for future reference.

It is important to note that when punishment falls outside the boundaries of reasonable, a teacher could be found guilty of criminal assault. However, what constitutes reasonable is difficult to determine since it is a factor of social attitude, legal precedent and the facts of individual cases. These factors are all subject to interpretation and change with time. Nevertheless, Bergen, as cited in Mackay's Education Law in Canada, distinguishes between what constitutes reasonable and unreasonable punishment. Bergen has identified the following eight factors to be considered in determining what is reasonable punishment:

- (a) It is for the purpose of correction and without malice.
- (b) There is sufficient cause for punishment.
- (c) It is not cruel or excessive and leaves no permanent mark or injury.
- (d) It is suited to the age and sex of the pupil.
- (e) It is not protracted beyond the child's power of endurance.
- (f) The instrument used for punishment is suitable.
- (g) It does not endanger life, limb, or health, or disfigure the child.
- (h) It is administered to an appropriate part of the pupil's anatomy.<sup>34</sup>

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<sup>33</sup> Ibid., Section 84(1), p. 55.

<sup>34</sup> Cited in A.W. Mackay, Education Law in Canada (Toronto: Emond-Montgomery Publications Limited, 1984), p. 87.

Generally speaking, courts have been very reluctant to find teachers guilty of criminal assault in administering corporal punishment, often finding that the punishment was reasonable under the circumstances. In the Canadian case R. v. Haberslock (1971), a teacher was charged with assault after he slapped a student across the face as punishment for a name-calling incident which had occurred three days previously. The appeals court judge found the teacher not guilty since the punishment was reasonable under the circumstances and was given for correction purposes.

In the Canadian case Murdock v. Richards (1954), the teacher pulled a resisting student from the desk and pushed her down the aisle. As a result, the student hit her head on a desk or the floor. When the teacher and student were in the corridor, the strap was administered. Here, the court ruled that resistance caused the injury and the punishment was considered reasonable.

One of the most well-known cases addressing the constitutional issues involved in excessive corporal punishment was the United States case of Ingraham v. Wright (1977). The punishment consisted of paddling the student, Ingraham, on the buttocks more than twenty times. The paddling was so severe that he suffered a hematoma requiring medical attention and keeping him out of school for eleven days. His punishment was given because he was slow to respond to his teacher's instructions. The Supreme Court found that this punishment did not fall under the cruel and unusual punishment prohibition of the Eighth Amendment because this Amendment was clearly designed to limit only criminal punishments. The Court also found that the right to due process did not apply in this case.

In extreme cases, the courts have found certain punishments administered by teachers unreasonable, and the responsible teacher guilty of assault. Campau v. B. (1951) is an example of such a case. In this case, a teacher was charged with

common assault when he punished a child by striking the back of the child's hands across the edge of a desk. The court found the teacher guilty since the punishment carried with it a risk of permanent injury and was, therefore, unreasonable.

It is possible that a Canadian court will interpret Section 12 of the Charter, which reads that everyone has the right not to be subjected to any cruel and unusual treatment or punishment, as applying to students at school. Because of the established tradition of the use of corporal punishment in schools, it is unlikely that reasonable corporal punishment would be held to be cruel and unusual treatment. It is more likely that such punishment would be regarded as a reasonable limit on a student's freedoms within the meaning of Section 1 of the Charter. A court may view punishments such as detention, writing repetitive lines, standing in the corner, or being subjected to ridicule from classmates as cruel and unusual. However, Canadian courts may be reluctant to get involved in determining appropriate discipline in the schools.

In the past few years, parents, teachers, administrators, and school trustees have had to re-evaluate and re-examine the question of corporal punishment. Most teachers today, in trying to create a good educational situation and make school a challenging, interesting place to be, are searching for constructive discipline which has more positive and long-lasting results than corporal punishment.

#### Related Study

It is important to point out that during the review of the literature, only one related study could be identified. This study, entitled Student Rights in Newfoundland and the United States: A Comparative Study, was conducted by

Magsino in 1980.<sup>35</sup> It examined whether or not certain itemized rights were granted to students as a matter of school board policy in Newfoundland and Wisconsin, U.S.A., and whether or not the policy was included in a formal school board document or statement. The rights were grouped under the following headings: free speech, free press, free association, personal appearance, privacy, reasonable punishment, due process, and rights in academic matters. Responses to the questionnaire came from school superintendents.

Regarding the area of academic freedom, Magsino found that only 5 per cent of the Newfoundland educators surveyed granted students freedom to determine the content of their subjects and only 10 per cent allowed them to decide on the manner of completing their work in these courses. Forty-eight per cent of the educators permitted Newfoundland students to choose their elective courses, but a much larger number gave students the right to have the final say in determining whether they would choose the academic or general course of study. Approximately 25 per cent of the Newfoundland educators supported the students' right to decide if they would go to a special class, or to any similar special grouping based on ability or talent. It should be noted that for each of these issues, Wisconsin students possessed greater freedom than did Newfoundland students. Magsino also found that Wisconsin students enjoyed greater representation on policy-making committees and on curriculum committees than Newfoundland students. In Newfoundland, students were involved very little in the formulation of codes and guidelines.

It was surprising to discover that Newfoundland and Wisconsin educators were in close agreement concerning issues in the area of free speech and expression.

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<sup>35</sup>R. Magsino, Student Rights in Newfoundland and the United States: A Comparative Study (St. John's: MUN Printing Services, 1980).



However, differences did exist on particular items. For example, a greater percentage of Wisconsin educators granted students the right to criticize educators and their policies publicly, as well as to write articles critical of teachers and their policies in school-sponsored student papers. They also gave them the freedom to include in student papers articles that dealt with sensitive or controversial topics. However, a larger number of Newfoundland educators would allow students to demonstrate and to encourage others to do so.

The study clearly indicated that both the Wisconsin and Newfoundland educators were concerned not only with maintenance of school order but also with insisting on school morality. Moreover, while both showed a willingness to tolerate criticism of educators and to see in writing student treatment of sensitive issues, they hardened their positions as the freedom claimed approached likely disorder in the schools.

The survey confirmed that the right to personal appearance and behaviour had been achieved by students in Wisconsin and Newfoundland. Approximately equal numbers of both groups indicated that male students were free to wear long hair and female students could come to class with hairdos of their choice. About 90 per cent of each group favoured these freedoms. Similarly, 71 per cent of the Newfoundland educators compared with 64 per cent of the Wisconsin educators stated that students were free from dress codes. In contrast, only 5 per cent in the Newfoundland situation and 4 per cent for the Wisconsin counterpart permitted kissing or intimate embrace in schools. Absolutely no educators allowed smoking in the classroom, whether in Newfoundland or Wisconsin. However, they did specify areas where students could smoke.

Close agreement was seen between the Newfoundland and the Wisconsin educators regarding the area of student privacy. Both groups stated that they had the

authority to search student lockers on the basis that lockers were school property. They also agreed that students had the right not to have confidential information about them discussed by educators except in professional situations. However, they did differ in their attitudes toward releasing information from a student's personal record. While only 24 per cent of the Newfoundland educators would withhold such information, 89 per cent of the Wisconsin educators would do so.

Newfoundland and Wisconsin educators recognized the need for certain procedures before a student was subjected to suspension or expulsion. A very large majority of both groups required that students be given a hearing. However, a far greater percentage of Wisconsin educators provided for certain procedural steps which were unprovided for in the Newfoundland situation. While 95 per cent of the Wisconsin educators informed students they were entitled to legal representation, only 48 per cent of the Newfoundland educators did so. Although both groups undertook certain uniform procedures leading to suspension of a student, they differed in the process they followed.

A vast majority of both the Newfoundland and Wisconsin educators surveyed in this study indicated they would suspend and expel students for serious offenses. However, only a small percentage of the Newfoundland educators agreed with giving students a list of punishable school offenses. Approximately 50 per cent felt this way in the Wisconsin situation. It is interesting to note that while 71 per cent of the educators in Newfoundland allowed corporal punishment, only 46 per cent of the American educators did.

One expected to see vast differences between the attitudes of Newfoundland and Wisconsin educators toward student rights. The study, however, did not bear out that expectation. Nevertheless, there were differences in some areas. The greatest differences between Newfoundland and Wisconsin educators, according to

Magsino, was the degree to which the Wisconsin educators had put in place official policies in relation to student rights.

### Conclusion

The emergence of the issue of student rights has sparked the interest of many writers and scholars, as evidenced by the growing collection of literature on the subject. Educators, in Canada and elsewhere, are gradually gathering information in this area. It is expected that Canadian students will continue to demand their rights in accordance with those stated in The Canadian Charter of Rights and Freedoms. Assuredly, the Charter will foster growth of these rights.

It is evident that with the increase in student rights, teachers will undoubtedly have to re-examine their role as disciplinarians. Teachers and administrators may no longer be the makers of the law; instead, their role could conceivably become one of interpretation of this law. In the future, both teachers and students will need to become more knowledgeable in this field.

The adoption of comprehensive policies on student rights will require changes in the character of the school as a formal institution. Such acceptance would place obligations upon teachers to respect the rights of students. It would require administrators and teachers to redesign their schools, to generate a distinctive climate of mutual respect and justice, and to involve students in governing themselves and making decisions about their lives.

According to the review of related literature, there seems to be some discrepancy among educators as to what constitutes student rights. In public schools across the Nation, there is a lack of consensus as to what students should and should not be permitted to do. The Charter will undoubtedly excite meaningful discussion in this important aspect of education.

## CHAPTER III

### DESIGN OF THE STUDY

#### Introduction

This chapter describes the questionnaire used in this study, including the validity and reliability of the scale used to measure attitudes toward student rights. The samples, as well as the procedures used to collect and analyze the data, are also discussed in detail.

#### The Attitude Scale

The present section describes by general type and detail the attitude scale used in the study. The questionnaire developed by Magsino for his 1980 study, Student Rights In Newfoundland and the United States: A Comparative Study, became the basis for the attitude scale used.

#### Type of Attitude Scale

The attitude scale utilized a Likert format, wherein a number of statements were given and participants were asked to circle the one response, out of five, which best describes their reaction to the particular statement. The five responses provided were: strongly agree, agree, undecided, disagree and strongly disagree. An arithmetic value ranging from one to five was assigned each of these responses respectively, in the following manner:

Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
1	2	3	4	5

Such a scale is considered to be quite reliable, when properly designed, for establishing a ranking of people with regard to a particular attitude. It should be pointed out that:

1.00 to 1.49 = Strongly Agree

1.50 to 2.49 = Agree

2.50 to 3.49 = Undecided

3.50 to 4.49 = Disagree

4.50 to 5.00 = Strongly Disagree

The Likert technique was adopted because it has been widely used, and is familiar to most teachers. Likert items, while requiring care in formulating and organizing, are usually not difficult to construct, administer, or interpret.

#### Description of the Questionnaire

To facilitate analysis of data, the questionnaire was divided into seven separate sections. Teachers and students were asked to respond to seventy items comprising rights in six areas: academic freedom, free speech and expression, personal appearance and behaviour, privacy, due process, and reasonable punishment. The final section was designed differently for teachers and students. The personal and professional information required from teachers included sex, age, level of certification, school size, and completion or non-completion of a university course in school law. The background information required from students included sex, age, career aspiration, school size, and completion or non-completion of Canadian Law 2104.

### Validity

The development of a reliable and valid questionnaire to assess teacher and student attitudes toward student rights was an important part of this study.

Steps in this process included the following:

1. Examining American, Canadian and Newfoundland literature.
2. Conducting a computer search to identify related studies.
3. Developing a pool of items from the related studies. The original item pool was then reduced by combining or eliminating items.
4. Selecting two juries of so-called "experts" to critique the first draft of the questionnaire for content validity. One jury consisted of teachers, principals, students, superintendents, assistant superintendents, program coordinators, lawyers, judges, and other people knowledgeable in the area of student rights. This first group was asked for their reactions to the questionnaire in terms of any ambiguous questions or statements, interpretations, inconsistencies, and in terms of coverage. Their responses led to several deletions, additions and modifications to the questionnaire.

The revised questionnaire was then given to the second jury, made up of four professors at Memorial University of Newfoundland: Dr. P. Warren, Dr. H. Kitchen, Dr. V. Spelgrove, and Dr. R. Magsino. These individuals were asked to examine the items for ambiguity, comprehension, interpretations, range of coverage, as well as to suggest any items to be added, deleted, or modified. Their responses were then considered in preparing the questionnaire to be used in this study.

### Reliability

After the parties identified in the validation process had been provided with sufficient opportunity to react to the items, the questionnaire was piloted in both Integrated and Roman Catholic high schools in Central and Eastern Newfoundland. The high schools participating in this pilot study were Gander Collegiate; St. Paul's Central High, Gander; William Mercer Academy, Dover; and St. Mark's Central High, King's Cove. Questionnaires were administered to fifty teachers and two hundred Levels I, II, and III students at the above schools, yielding a 100 per cent return rate. As a result of comments received through this process, slight changes were made to three of the questionnaire items. The reliability of the questionnaire was then determined by re-testing the first twenty teachers and fifty students three weeks after their initial return was received. All seventy questionnaires were returned and the Pearson product-moment correlation coefficient was calculated to confirm the reliability of each item. These correlation coefficients are shown in Tables 1 and 2. The majority of the items had extremely high correlations. The correlation coefficients for each area included in the study, as well as for the questionnaire, are also shown in the two tables.

In order to gain an overall view of the reliability of the instrument, all items were translated into Z scores, using Fisher's  $Z_r$  transformation. The mean Z-score was then calculated and transformed back into a correlation coefficient in the same manner. In this case, a correlation coefficient of .95 was calculated for the questionnaire as a whole for both teachers and students. Tables 1 and 2 indicate the statistical results of this process for each of the six areas and for the questionnaire as a whole.

**TABLE 1**  
**RELIABILITY OF QUESTIONNAIRE ITEMS (TEACHERS)**

ITEM	r	ITEM	r	ITEM	r
1	.9810	5	.9833	9	.8548
2	.9584	6	.9623	10	.9270
3	.9561	7	.9499	11	.6837
4	.9742	8	.9372		
Reliability for Academic Freedom = .95					
12	.9852	17	.9884	22	1.0000
13	.9514	18	.9633	23	.9621
14	.9767	19	.9407	24	.9606
15	.9671	20	.9810	25	.8847
16	.9847	21	.9101	26	.7640
Reliability for Free Speech and Expression = .97					
27	.9589	31	.9835	34	.7792
28	.9596	32	1.0000	35	.8858
29	.9513	33	.8511	36	.9324
30	.9823				
Reliability for Personal Appearance and Behaviour = .96					
37	.9666	41	.8800	45	.9122
38	.9450	42	.9064	46	.9645
39	.9780	43	.9139	47	1.0000
40	.9513	44	1.0000		
Reliability for Privacy = .96					
48	.9009	53	.9788	57	.6253
49	.9774	54	.8649	58	.9326
50	.7343	55	.8616	59	.9391
51	.8793	56	.7592	60	.8665
52	.9349				
Reliability for Due Process = .90					
61	.9205	65	.8698	68	.9707
62	.6354	66	.9792	69	.9321
63	.9803	67	.8863	70	.9629
64	.9821				
Reliability for Reasonable Punishment = .94					
Reliability for Total Questionnaire = .95					



**TABLE 2**  
**RELIABILITY OF QUESTIONNAIRE ITEMS (STUDENTS)**

ITEM	r	ITEM	r	ITEM	r
1	.9789	5	.9847	9	.9136
2	.9507	6	.9661	10	.6307
3	.9674	7	.8937	11	.9845
4	.9664	8	1.0000		
Reliability for Academic Freedom = .96					
12	.9653	17	.9645	22	.9867
13	.9672	18	.9792	23	.9744
14	.9667	19	.9519	24	.8972
15	.9852	20	.9588	25	.8295
16	.9860	21	.9618	26	.9189
Reliability for Free Speech and Expression = .96					
27	.9247	31	1.0000	34	.9169
28	.9766	32	.9888	35	.9121
29	.9664	33	.8001	36	.9584
30	.9752				
Reliability for Personal Appearance and Behaviour = .96					
37	1.0000	41	.7669	45	.9622
38	.9446	42	.9793	46	.9743
39	.9550	43	.9169	47	1.0000
40	.9507	44	.9225		
Reliability for Privacy = .97					
48	.9082	53	.9750	57	.9075
49	.9733	54	.8686	58	.9471
50	.6492	55	.7700	59	.8936
51	.9104	56	.6311	60	.9704
52	.9612				
Reliability for Due Process = .91					
61	.6805	65	.8926	68	.9713
62	.8905	66	.9131	69	.9280
63	.9794	67	.9619	70	.9760
64	.9558				
Reliability for Reasonable Punishment = .94					
Reliability for Total Questionnaire = .95					

### The Samples

The samples consisted of two hundred and twenty teachers and nine hundred Levels I, II, and III students in sixteen randomly selected integrated high schools in Eastern Newfoundland. The schools comprised thirteen of the nineteen central high schools and three of the five regional high schools, from Bonavista along the coast to St. John's, drawn randomly from lists provided by the Department of Education. The three regional high schools included in this research were Booth Memorial Regional High, St. John's; Prince of Wales Collegiate, St. John's; and Ascension Collegiate, Bay Roberts. The other thirteen schools included were Cabot Collegiate, Bonavista; T.A. Lench Memorial Regional High, Catalina; Integrated High, Clarendville; Central High, Musgrave town; E.J. Pratt Central High, Brownsdale; James Moore Central High, Carbonear; St. Martin's Central High, Dunville; St. Paul's Central High, Harbour Grace; Holy Trinity Regional High, Heart's Content; Holy Trinity Central High, Norman's Cove; Persalvic Central High, Victoria; Jackson Walsh Central High, Western Bay; and Central High, Whitbourne.

Questionnaires were administered to four hundred and fifty students enrolled in two randomly selected classes from each level in each of the three regional high schools and four hundred and fifty students in central high schools. In these central high schools, the students were enrolled in one randomly selected class from each of the levels. All classes were chosen by drawing from an envelope. One hundred and ten teachers were employed in the three regional high schools with the remaining one hundred and ten teaching in central high schools. Therefore, the respondents, both teachers and students, ranged from those in very large schools to those in small schools. The teachers participating in the study were teaching courses in Levels I, II, and III. Two hundred and twenty teachers and

nine hundred students was believed to be a good sample from the number of teachers and students in central and regional high schools in Eastern Newfoundland.

#### Collection of Data

Prior to the distribution of questionnaires, two letters, one signed by Dr. P. Warren and the other by the writer, were sent to the various board superintendents informing them of the nature of the study and seeking their permission to administer the questionnaires in their districts. Follow-up contact was made by telephone. The writer then contacted, by telephone, the principals of all sixteen schools and asked for their co-operation. The full co-operation of both superintendents and principals was assured.

In October, 1987, the questionnaires were administered to the teachers and students, either by the writer or by the principal of each school. Included with each questionnaire was a covering letter signed by the writer. This method of administering the questionnaires gave a high return rate of 90.9 per cent for teachers and 97.6 per cent for students.

#### Analysis of Data

When the data were collected, they were analyzed using descriptive and inferential statistics. Teacher attitudes toward student rights were analyzed by computing the mean for each item and area, and for the total questionnaire. The same procedure was used to analyze student attitudes toward student rights. Also considered were the attitudes of teachers toward student rights compared with the attitudes of students themselves toward student rights. The means of teachers and the means of students were calculated for each item and area, and for the total questionnaire. T-tests were carried out between item means of teachers and item

means of students, area means of teachers and area means of students, and the grand mean of teachers and the grand mean of students, to discover if differences were significant at the .01 level.

Teacher and student attitudes toward student rights were analyzed in six areas: academic freedom, free speech and expression, personal appearance and behaviour, privacy, due process, and reasonable punishment. The level of significance for all testing was set at the .01 level.

A statistical analysis of teacher attitudes toward student rights in relation to the demographic variables of sex, age, teaching certificate, school size, and the completion or non-completion of a university course in school law was conducted. Also, the attitudes of students enrolled in Levels I, II, and III toward student rights were analyzed statistically in relation to sex, age, career aspirations, school size, and the completion or non-completion of Canadian Law 2104. These data were analyzed by multiple regression. This procedure uses the principles of correlation and regression to help explain the variance of a dependent variable by estimating the contributions of two or more independent variables to this variance. Step-wise multiple regression was used to determine the order of importance for each of the variables under study. The predictors were ranked in the order in which they contributed to the variance. The computer at Memorial University of Newfoundland was used to assist in the analysis. The tables in Chapter IV delineate the analyses.

## CHAPTER IV

### ANALYSIS OF DATA

#### Introduction

This chapter presents the findings of the study, dealing in order with each of the research questions established in Chapter I. Preliminary to this, data are presented concerning the respondents.

#### Respondents and Non-Respondents

The generalizability or external validity of research findings is affected by the extent to which the respondents represent the populations being studied. In the present study, questionnaires were sent to teachers and students in regional and central high schools, but not all responded.

As indicated in Table 3, 90.9 per cent of both the regional and central high school teachers returned completed questionnaires. Each group returned one hundred questionnaires from the one hundred and ten administered. It is important to note that many teachers, individually, mailed the writer completed questionnaires a few days before they were computer analyzed. At this time, the researcher cut off the number of questionnaires for computer analysis when equal numbers of questionnaires were received from central and regional high school teachers. Because of the high return rate, the few questionnaires which were received during the time of computer analysis were not included in the study. Twenty of the teachers did not return questionnaires in time for the statistical analysis. These teachers were scattered throughout the area of the Province studied. Since the number was quite small, it is unlikely that the answers of non-respondents would seriously have altered the findings of this study.

The table also shows that 97.6 per cent of both the regional and central high school students completed and returned questionnaires. Each group returned four hundred and thirty-nine questionnaires from the four hundred and fifty administered. It should be pointed out that equal numbers of questionnaires were returned by students prior to the computer analysis. The writer deliberately cut off the number of questionnaires to be analyzed at this time. There were twenty-two students who did not return questionnaires in time to participate in the study. These non-respondents were not located in one school, but were distributed throughout five of the schools taking part in the research. It is unlikely that the answers of such a small number of non-respondents would have seriously changed the findings.

**TABLE 3**  
**SUMMARY OF TEACHER AND STUDENT RETURNS**

School System	Number Distributed	Number Returned	Per Cent Returned
Regional High (Teachers)	110	100	90.9
Central High (Teachers)	110	100	90.9
Regional High (Students)	450	439	97.6
Central High (Students)	450	439	97.6

Table 4 presents the distribution of teacher and student respondents according to sex. It can be seen that one hundred and twenty-seven male teachers and seventy-three female teachers participated in this research. Four hundred and fifty-four female students and four hundred and twenty-four male students responded.

**TABLE 4**  
**DISTRIBUTION OF TEACHER AND STUDENT**  
**RESPONDENTS BY SEX**

Sex	Respondents	
	Number	Per Cent
Female (Teachers)	73	36.5
Male (Teachers)	127	63.5
Female (Students)	454	51.7
Male (Students)	424	48.3

The distribution of teacher respondents according to age is shown in Table 5. The ages ranged from twenty-two to fifty-eight years.

As shown in Table 6, student respondents ranged in age from fourteen to twenty, with 84 per cent falling in the category fifteen to seventeen.

Table 7 contains data concerning the type of professional training attained by teacher respondents. In this study, approximately 55 per cent of the practicing teachers held a Grade VI teaching certificate. The vast majority, 98 per cent, held either a Grade V, VI, or VII teaching certificate.

The career aspirations of the student respondents are summarized in Table 8. The largest number of students, 55.2 per cent, aspire to obtain a university education, with the second largest group aspiring to attend the College of Trades and Technology, Community College, Marine Institute or Private School. Only 12.8 per cent indicated that they planned to enter the work force immediately following the completion of high school.

**TABLE 5**  
**DISTRIBUTION OF TEACHER RESPONDENTS BY AGE**

Age	Respondents	
	Number	Per Cent
22	4	2.0
23	9	4.5
24	5	2.5
25	9	4.5
26	7	3.5
27	6	3.0
28	8	4.0
29	5	2.5
30	3	1.5
31	6	3.0
32	12	6.0
33	7	3.5
34	11	5.5
35	3	1.5
36	13	6.5
37	15	7.5
38	5	2.5
39	8	4.0
40	6	3.0
41	8	4.0
42	14	7.0
43	9	4.5
44	4	2.0
45	8	4.0
46	3	1.5
47	6	3.0
48	1	0.5
49	2	1.0
52	1	0.5
53	1	0.5
58	1	0.5



**TABLE 6**  
**DISTRIBUTION OF STUDENT RESPONDENTS**  
**BY AGE**

Age	Respondents	
	Number	Per Cent
14	32	3.6
15	231	26.3
16	255	29.0
17	251	28.6
18	55	6.3
19	36	4.1
20	18	2.1

**TABLE 7**  
**DISTRIBUTION OF TEACHER RESPONDENTS**  
**BY TEACHING CERTIFICATE**

Teaching Certificate	Respondents	
	Number	Per Cent
Grade IV	4	2.0
Grade V	50	25.0
Grade VI	109	54.5
Grade VII	37	18.5

**TABLE 8**  
**DISTRIBUTION OF STUDENT RESPONDENTS**  
**BY CAREER ASPIRATION**

Career Aspiration	Respondents	
	Number	Per Cent
University	485	55.2
College of Trades and Technology, Community College, Marine Institute, Private School	281	32.0
Work Force	112	12.8

Data concerning the distribution of teacher respondents according to school size are presented in Table 9. The enrollment of the schools included in this research ranged from forty to eight hundred and ninety students. Therefore, the teachers surveyed ranged from those in small central high schools to teachers in large regional ones.

Table 10 illustrates the distribution of student respondents according to school size. The students participating in this study ranged from those enrolled in very small schools to students in relatively large ones.

Teachers were asked whether or not they had completed a university course in school law. Table 11 demonstrates that 62 per cent had no training in this area.

As indicated in Table 12, 50.2 per cent of the students responding had completed a course entitled Canadian Law 2104.

**TABLE 9**  
**DISTRIBUTION OF TEACHER RESPONDENTS**  
**BY SCHOOL SIZE**

School Size	Respondents	
	Number	Per Cent
40 students	5	2.5
70	5	2.5
80	8	4.0
100	4	2.0
125	11	5.5
135	17	8.5
160	10	5.0
200	8	4.0
225	11	5.5
250	15	7.5
300	6	3.0
545	33	16.5
785	33	16.5
890	34	17.0

**TABLE 10**  
**DISTRIBUTION OF STUDENT RESPONDENTS**  
**BY SCHOOL SIZE**

School Size	Respondents	
	Number	Per Cent
40 students	14	1.6
70	30	3.4
80	22	2.5
100	29	3.3
125	58	6.6
135	68	7.7
160	37	4.2
200	48	5.5
225	54	6.2
250	50	5.7
300	30	3.4
545	147	16.7
785	145	16.5
890	146	16.6

**TABLE 11**  
**DISTRIBUTION OF TEACHER RESPONDENTS**  
**BY COMPLETION OR NON-COMPLETION**  
**OF A UNIVERSITY COURSE IN SCHOOL LAW**

School Law Course	Respondents	
	Number	Per Cent
Yes	76	38.0
No	124	62.0

**TABLE 12**  
**DISTRIBUTION OF STUDENT RESPONDENTS**  
**BY COMPLETION OR NON-COMPLETION**  
**OF CANADIAN LAW 2104**

Canadian Law 2104	<u>Respondents</u>	
	Number	Per Cent
Yes	441.	50.2
No	437	49.8

As stated earlier, the general purpose of this study was to examine teacher and student attitudes toward student rights in a sample of integrated high schools in Eastern Newfoundland. To accomplish this end, five research questions were generated as a basis for the collection and analysis of data. Each of these questions will be addressed in the remainder of this chapter. For each of these research questions, the findings will be presented by each of the six areas studied: academic freedom, free speech and expression, personal appearance and behaviour, privacy, due process, and reasonable punishment. When these questions are discussed, a summary will be provided.

#### Research Question #1

*What are the attitudes of teachers toward student rights?*

#### Academic Freedom

Inspection of Table 13, indicates that in the area of academic freedom, teachers' average score was 3.241 (undecided). Inspection of the distribution

indicates this indecision to be really a mixture of agreement and disagreement. On no item was teachers' average score strongly disagree or strongly agree. Only on item 6 (Students should be represented on extra-curricular committees,) did teachers on average score agree. On five items (1, 2, 4, 9 and 11) the average score was disagree. On the remaining items the average score was undecided. On each of the eleven items there were teachers who checked each of the five categories.

TABLE 13  
TEACHER ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF  
ACADEMIC FREEDOM (N=200)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
1. Students, even against the advice of teachers, counsellors; and parents, should have the final say in selecting their elective subjects.	3	27	5	42	23	3.555
2. Students should have the right to be consulted regarding the selection of their textbooks.	1	28	7	39	25	3.580
3. Students should have the right to be consulted concerning the content of their subjects.	2	31	9	39	19	3.435
4. Students should have the right to choose the manner/methods of completing their work in their subjects.	2	14	10	51	23	3.790
5. Students should be represented on curriculum committees.	8	45	11	22	14	2.905
6. Students should be represented on extra-curricular committees.	23	61	9	4	3	2.020
7. Students should be represented on policy-making committees in the school.	8	56	12	19	5	2.588

(TABLE 13 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
8. Students should have the final say in determining whether they will choose the academic or general course of study.	6	32	8	41	13	3.235
9. Students, even against the advice of teachers, counsellors, and parents, should have the final say in determining whether they will go to a special class, or any similar special grouping based on ability or talent.	3	17	11	55	14	3.585
10. Students should have access to any standardized or intelligence test results administered by the school or school board.	10	31	11	32	16	3.120
11. Students should have the right to have a student representative present at staff meetings.	8	12	8	39	35	3.835
Average Distribution	7	32	9	35	17	3.241

A large majority of the teachers disagreed or strongly disagreed with the ideas that students should have the final say in selecting their elective subjects (item 1) and in choosing the manner/method of completing work in their subjects (item 4). Magsino, in his study entitled Student Rights in Newfoundland and the United States: A Comparative Study (1980), found that a higher percentage, 48 per cent, of Newfoundland educators would permit students to choose their elective subjects than was the case in the present study (30 per cent). However, on item 4, the finding (16 per cent) concerning the right to decide the manner of completing work in their courses tends to concur with that of Magsino (10 per cent). Only

29 per cent of the teachers surveyed were in agreement with students being consulted regarding the selection of their textbooks (item 2), with a slightly higher percentage granting them the freedom to be consulted concerning the content of their subjects (item 3).

In the present study, approximately 84 per cent of the teacher respondents agreed or strongly agreed that students should be represented on extra-curricular committees (item 6), while 53 per cent agreed or strongly agreed they should also serve on curriculum committees in the school (item 5). Only 7 per cent disagreed or strongly disagreed with students' acting on extra-curricular committees, with 9 per cent being undecided. This item received the strongest support from teachers, showing a mean of 2.020. While 64 per cent would include students on policy-making committees (item 7), only a very small number, 18 per cent, would allow them a representative at staff meetings (item 11). Actually, teachers showed least support for this latter item, which had a mean score of 3.835.

Only 38 per cent of the respondents surveyed were in agreement with permitting students to have the final say in determining whether they will choose the academic or general course of study (item 8), with only 20 per cent granting them the final say in determining whether they will go to a special grouping based on ability or talent (item 9). This last finding concurs with that indicated by Magsino who stated that about 24 per cent of the Newfoundland educators would grant students this right.

#### Free Speech and Expression

Table 14 shows that in the area of free speech and expression, teachers' average score was 3.074 (undecided). This indecision is really a combination of agreement and disagreement. Forty-three per cent of the teachers agreed or strongly agreed with the items in this area while the average score for disagree



or strongly disagree was 46 per cent. On item 26 (Students should have the right to an elected student government.) not one teacher strongly disagreed.

**TABLE 14**  
**TEACHER ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF**  
**FREE SPEECH AND EXPRESSION (N=200)**

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
12. Students should be allowed to use symbolic materials (arm bands, badges, etc.) in classrooms and on other school property to silently express their beliefs.	8	39	17	26	10	2.920
13. Students should be allowed to engage in demonstrations such as sit-ins and boycotts as an acceptable form of student protest.	5	32	15	38	10	3.175
14. Students should be permitted to encourage others to demonstrate or sit in.	3	20	22	39	16	3.465
15. Students should be free to criticize, publicly, teachers and school officials and their educational policies.	8	31	13	35	13	3.150
16. Students should be free to invite speakers of their choice for student affairs without consulting school authorities.	1	6	7	58	28	4.055
17. Students should be permitted to invite speakers whose views on sensitive, controversial matters are unpopular or rejected in the community served by the school.	2	26	16	43	13	3.385
18. Students should have the right to express any controversial beliefs (political, social, religious, sexual, etc.) without prejudice or penalty.	15	56	12	12	5	2.375

(TABLE 14 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
19. Students should have the right to contribute to the disciplinary policies to be used in the school.	13	61	5	16	5	2.400
20. Students should be given the privilege to express their feelings and beliefs on all issues in an open forum so that the whole student body would have an opportunity to listen and respond.	10	55	17	16	2	2.475
21. Students should be free to write articles and editorials, in school-sponsored student papers, critical of individual teachers and other school officials and their policies.	4	11	11	50	24	3.780
22. Students should be permitted to publish and distribute school-sponsored student papers without any review or censorship by school authorities.	2	8	5	57	28	4.020
23. Students should be allowed to publish "underground" papers (i.e., papers not officially recognized by school authorities) within school premises.	3	4	4	49	40	4.190
24. The student editorial staff should be free to choose their teacher advisor.	14	39	9	25	13	2.839
25. Students should be free to include in their school-sponsored student papers articles that deal with sensitive or controversial topics.	13	60	13	12	2	2.285
26. Students should have the right to an elected student government.	48	47	3	2	0	1.595
Average Distribution	10	33	11	32	14	3.074

Less than half of the teachers were supportive of the ideas that students should be given the privilege of using symbolic materials to express their beliefs (item 12), or being engaged in demonstrations as a form of student protest (item 13). More than half of the respondents disagreed or strongly disagreed with the idea that students should encourage others to demonstrate (item 14). Also, about half of the respondents disagreed or strongly disagreed that students should be given the opportunity to publicly criticize teachers and their educational policies (item 15), while three-quarters of the teachers declared that students should not be entitled to write articles criticizing individual teachers and other school officials and their policies (item 21). Only 7 per cent agreed or strongly agreed that students should be free to invite into the school speakers of their choice without consulting school authorities (item 16). The mean score for item 16 was 4.055. This agrees with Magsino's finding that only 19 per cent of the Newfoundland educators would give students the freedom to invite speakers without consulting school authorities. It should be noted that 56 per cent of the respondents surveyed in this study would not grant students the opportunity to invite speakers whose views on sensitive, controversial matters are unpopular or rejected in the community served by the school (item 17).

Approximately three-quarters of the teacher respondents were of the opinion that students should feel free to express any controversial beliefs (political, social, religious, sexual) without prejudice or penalty (item 18), as well as be given the opportunity to contribute to the disciplinary policies used in the school (item 19). Although a very high percentage did not agree with students' publishing and distributing school-sponsored student papers without any censorship by school authorities (item 22), they did approve of the idea that students should be free to include articles which deal with sensitive or controversial issues in these papers.

(item 25). According to Maglino's study, 52 per cent of the Newfoundland educators granted students the freedom to include in their student papers articles that deal with sensitive or controversial topics. In this area, the item teacher respondents most strongly objected to was publishing underground papers within school premises, showing a mean score of 4.190 (item 23). The item which received strongest support from teachers was students' being entitled to an elected student government, showing a mean of 1.595 (item 26).

#### Personal Appearance and Behaviour

Table 15 indicates that in the area of personal appearance and behaviour, teachers' average score was 2.566 (undecided). However, inspection of the table shows that 63 per cent (average score) of the teachers agreed or strongly agreed with the items in this area. It can be seen that their strongest support was for item 33 (Students should have the right to be informed as to what constitutes appropriate student conduct in school.). Not one teacher strongly disagreed with female students having the right to wear the amount and type of make-up of their choice (item 35).

TABLE 15

#### TEACHER ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF PERSONAL APPEARANCE AND BEHAVIOUR (N=200)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
27. Male students should be free to wear long hair.	22	69	7	1	1	1.885
28. Female students should be permitted to attend class with hairdos of their choice.	20	65	7	6	2	2.060

(TABLE 15 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
29. Students should be free from dress codes imposed by school authorities.	9	42	13	31	5	2.815
30. Students should have the right to wear the type and style of dress clothing of their choice in school.	8	42	17	26	7	2.810
31. Students should be given the freedom to kiss and to embrace intimately in school.	2	4	3	47	44	4.280
32. Students should have access to a smoking room in the school.	5	17	4	32	42	3.885
33. Students should have the right to be informed as to what constitutes appropriate student conduct in school.	61	33	2	2	2	1.500
34. Students should have the right to be informed what is, or is not appropriate jewellery.	40	40	9	9	2	1.920
35. Female students should have the right to wear the amount and type of make-up of their choice.	18	52	14	16	0	2.270
36. Students should have the right to participate in the making of school rules regarding student conduct in school.	23	52	8	10	7	2.255
Average Distribution	21	42	8	18	11	2.568

Approximately 90 per cent of the teachers surveyed felt that, in their view, male students should be free to wear long hair (item 27); while a slightly smaller percentage would permit female students to come to class with hairdos of their choice (item 28). Magsino's study stated that 90 per cent of the Newfoundland

educators would allow students these freedoms. A large majority of teachers surveyed in the present study also endorsed the belief that students should be informed what is, or is not, appropriate jewellery in school (item 34). It is interesting to note that about three-quarters of the teacher respondents would permit female students to wear the amount and type of make-up of their choice (item 35). The data also showed that about half of the respondents felt that students should be free from dress codes imposed by school authorities (item 29), and should be allowed to wear the type and style of dress clothing of their choice to school (item 30). Approximately 70 per cent of the Newfoundland educators who participated in Magsino's study claimed that students should be free from dress codes. Concerning the issue of students' being given the opportunity to kiss and embrace intimately in school (item 31), the teachers, in the present study, disagreed or strongly disagreed, showing a mean score of 4.280. It is important to note that only 6 per cent of the teachers agreed or strongly agreed with this item. In Magsino's study, only 5 per cent would grant students this freedom. Similarly, the respondents in this study also objected to providing a smoking room in the school for students (item 32), showing a mean of 3.885. Absolutely no educators surveyed in Magsino's study would give students this freedom. Seventy-five per cent of the teachers would permit students to participate in the making of school rules regarding student conduct in school (item 36).

#### Privacy

As shown in Table 16, teachers' average score for the area of privacy was 2.095 (agree). Their average score of 77 per cent indicates that they agree or strongly agree with the items in this area. Only 13 per cent disagreed or strongly disagreed with this area. There was very strong agreement for item 44 (Students should have the right to have their student records kept private and revealed

only to those who have immediate use for them.), and item 45 (Students should have the right not to have confidential information about them discussed by educators except in professional or official situations.).

TABLE 16

TEACHER ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF  
PRIVACY (N=200)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
37. Students should be informed before their lockers and briefcases are searched by school authorities.	19	45	16	18	2	2.395
38. Students should have free and open access to their personal records.	18	40	16	22	4	2.548
39. Students should have the right to question comments on their school records and, where errors exist, have them corrected.	30	56	4	8	2	1.940
40. Students should have the right to have their parents/guardians informed before a search of their child's belongings is conducted.	20	49	15	15	1	2.300
41. Students should have the right to have their parents/guardians informed that a police officer will be present during all searches conducted in school of students or their belongings.	20	54	10	13	3	2.230
42. Students should have the right to have their parents/guardians informed before any information from a student's personal file may be released.	22	56	9	11	2	2.130
43. Students should have the right to have a witness of their choice present during all searches.	22	48	11	17	2	2.275

(TABLE 16 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
44. Students should have the right to have their student records kept private and revealed only to those who have immediate use for them (e.g., teachers, parents).	47	47	3	2	1	1.620
45. Students should have the right not to have confidential information about them discussed by educators except in professional or official situations.	44	51	3	2	0	1.635
46. Students should be informed that the administration has the right to inspect lockers.	40	56	2	2	0	1.635
47. Students should be allowed to insert material of their choice (e.g., results of outside testing and evaluation, medical or psychological reports) into their records.	21	43	20	14	2	2.320
Average Distribution	27	50	10	11	2	2.095

Approximately 60 per cent of the teacher respondents supported the view that students should have free and open access to their personal records (item 38), while 86 per cent maintained they should be given the opportunity to question comments on their school records and, where errors exist, have them corrected (item 39). Sixty-four per cent would allow students to insert material of their choice into their records (item 47).

Nearly 65 per cent of the respondents agreed or strongly agreed that students should be informed before their lockers or belongings are searched by school authorities (item 37). A larger number of respondents agreed that students should



have a witness of their choice present during the search (item 43), showing a mean of 2.275, and that parents or guardians should be informed that a police officer will be present (item 41). A very large majority, 98 per cent, favoured the idea that students should be informed that administrators have the authority to inspect lockers at any time (item 46). It should be noted that very few teachers, 4 per cent, were undecided or disagreed with this idea. About 85 per cent of the Newfoundland educators surveyed by Magsino supported this issue.

#### Due Process

It can be seen from Table 17 that for the area of due process the teachers' average score was 2.543 (undecided). Inspection of the distribution indicates this indecision to be really a mixture of agreement and disagreement. The teachers' average score for agree and strongly agree on all items was 61 per cent. Ninety-two per cent agreed or strongly agreed with item 50 (Students should have the right to be informed that they could be suspended or expelled from school for reasons of lack of interest or application to academic work.). On four items (48, 51, 53, and 54) not one teacher strongly disagreed.

**TABLE 17**  
**TEACHER ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF**  
**DUE PROCESS (N=200)**

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
48. Students should have the right to have parents/guardians present when suspension or expulsion of their child is being discussed.	23	53	7	17	0	2.180

(TABLE 17 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
49. Students should be given a warning, in writing, before any suspension can be imposed.	24	50	12	13	1	2.165
50. Students should have the right to be informed that they could be suspended or expelled from school for reasons of lack of interest or application to academic work.	29	63	6	1	1	1.800
51. Students should have the right to a hearing before they are subjected to long-term suspension or expulsion.	28	58	7	7	0	1.920
52. Students should be given the opportunity to be present and participate in the discussion of their possible suspension or expulsion.	16	53	13	16	2	2.335
53. Students should have the right to appropriate publication/promulgation of school rules.	28	58	8	6	0	1.925
54. Students should be given the opportunity to make an appeal in cases of suspension and expulsion.	21	57	7	15	0	2.160
55. Students should have the right not to be removed from school premises immediately unless they threaten the welfare of others.	8	33	22	32	5	2.940
56. Students should have the right to be informed that they could be suspended or expelled from school after being found guilty of committing a criminal act outside school.	22	45	13	14	6	2.360
57. Students should have the right not to be given long-term suspension or expelled for serious offences.	4	12	13	50	21	3.745

(TABLE 17 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
58. Students should have the right to legal representation when charged with breaking a school rule that could lead to possible expulsion.	5	26	25	36	8	3.150
59. Students should have the right to complete all assignments and tests missed during the suspension.	12	40	10	32	6	2.800
60. Students should have the right to have information regarding suspension removed from their records.	7	14	12	47	20	3.575
Average Distribution	18	43	12	22	5	2.543

There was considerable consensus among the teachers surveyed that students should be permitted to have their parents or guardians present during the discussion of their suspension or expulsion (item 48) and that they should receive a warning, in writing, before such suspension could occur (item 49). As well, a large majority felt that students should be given the opportunity to be present and participate in the discussion of their possible suspension or expulsion (item 52). In contrast, only about 20 per cent would be in agreement with students' removing information regarding their suspension from the records (item 60). Seventy-one per cent of the respondents were against students' having the right not to be given long-term suspension or expelled for serious offences (item 57).

Eighty-six per cent of the teachers maintained that students should have the right to a hearing before they are subjected to long-term suspension or expulsion (item 51), while a slightly smaller percentage indicated that they should be given

the opportunity to appeal their suspension or expulsion (item 54). Contrary to this, only one-third of the respondents would allow students the right to legal representation when charged with breaking a school rule that could lead to possible expulsion (item 58). It should be noted that in Magsino's study, 48 per cent of the Newfoundland educators agreed with this item. It is interesting to note that approximately half of the respondents surveyed were in favour of students' completing assignments and tests missed during the suspension (item 59).

### Reasonable Punishment

Inspection of Table 18 indicates that for the area of reasonable punishment, teachers' average score was 2.308 (agree). Their average score of 70 per cent shows that they agree or strongly agree with the items included in this particular area. There was very strong agreement for item 62 (Students should have the right to be informed of all punishable school offences.). On each of the ten items there were teachers who checked each of the five categories.

**TABLE 18**  
**TEACHER ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF**  
**REASONABLE PUNISHMENT (N=200)**

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
61. Students should have the right to expect teachers and administrators to act as reasonable parents when administering corporal punishment.	33	55	4	2	6	1.915
62. Students should have the right to be informed of all punishable school offences.	40	57	1	1	1	1.638

(TABLE 18 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
63. Students should be permitted to have a witness of their choice present during the administration of corporal punishment.	17	44	12	19	8	2.555
64. Students should have the right not to be subjected to corporal punishment.	15	36	22	22	5	2.665
65. Students should have the right to have corporal punishment administered only by administrators, if such punishment is allowed at all.	16	60	10	6	8	2.290
66. Students should have the right to have their parents/guardians informed before corporal punishment is administered.	23	44	12	15	6	2.380
67. Students should be aware of a method for appeal should they have the opportunity to question certain forms of discipline.	16	60	15	8	1	2.175
68. Students should be free from the punitive use of grades and the extension of school authority into non-school activities.	15	32	20	25	8	2.790
69. Students should be free from punishment for their participation in a non-school sponsored activity.	15	44	15	20	6	2.585
70. Students should have the right to have corporal punishment administered only as a last resort.	34	46	7	5	8	2.065
Average Distribution	22	48	12	12	6	2.306

It is quite clear that a very large percentage of the respondents maintained that when teachers and administrators were administering corporal punishment, they should act as reasonable parents (item 61). Seventy-six per cent agreed or strongly agreed that corporal punishment should be applied by administrators only (item 65), and a smaller number advocated that students should be permitted a witness of their choice present during the administration of such punishment (item 63). The majority also agreed with informing the parents or guardians before such punishment was administered (item 66). Eighty per cent claimed that such punishment should be used only as a last resort (item 70). Approximately half of the respondents agreed or strongly agreed that students should have the right not to be subjected to corporal punishment (item 64). It is interesting to note that in Magsino's study, 71 per cent of the Newfoundland educators agreed with corporal punishment.

In the present study, a considerable number of teachers, 76 per cent, stated that students should be aware of a method of appeal, should the occasion arise to question certain forms of discipline (item 67). Surprisingly, less than half of the respondents felt that students should be free from the punitive use of grades and the extension of school authority into non-school activities (item 68). However, it should be noted that approximately 60 per cent did believe that students should be free from punishment for their participation in a non-school sponsored activity (item 69). The mean score for item 69 was 2.585.

#### Areas and Total Questionnaire

Table 19 presents the findings for each area studied, as well as the total attitude score for the questionnaire. In the area of academic freedom, less than half of the teachers surveyed disagreed or strongly disagreed with granting students these rights, showing a mean score of 3.241. This was the strongest area of

disagreement among the teacher respondents. The mean score for the area free speech and expression was 3.074. A fairly large number of teachers, 63 per cent, did believe that students should be entitled to the rights to personal appearance and behaviour. The table also displays that an extremely large percentage of respondents would be willing to grant students their rights in the area of privacy. The percentage agreeing or strongly agreeing was 77, making it the highest area of agreement among teachers. In contrast, in the area of due process, a smaller percentage concluded that students should be entitled to their rights. The mean for this particular area was 2.543. The teachers surveyed strongly supported the view that students should be permitted rights in the area of reasonable punishment, showing a mean score of 2.306. Seventy per cent were in favour of student rights in this area.

TABLE 19  
TEACHER ATTITUDES TOWARD STUDENT RIGHTS FOR EACH AREA  
AND THE TOTAL QUESTIONNAIRE (N=200)

Area	SA 1	A 2	U 3	D 4	SD 5	Mean
Academic Freedom	7	31	11	32	18	3.241
Free Speech and Expression	10	33	11	32	14	3.074
Personal Appearance and Behaviour	21	42	8	18	11	2.568
Privacy	27	50	10	11	2	2.095
Due Process	18	43	12	22	5	2.543
Reasonable Punishment	22	48	12	12	8	2.306
Total Attitude Score	18	41	11	21	9	2.666

As reported in the table, the mean score of teachers for the total questionnaire was 2.666. Fifty-nine per cent would grant students their rights in the areas

studied, with 11 per cent being undecided and the remaining 30 per cent either disagreeing or strongly disagreeing.

### Research Question #2

*What are the attitudes of students toward student rights?*

#### Academic Freedom

Inspection of Table 20 indicates that in the area of academic freedom, students' average score was 2.128 (agree). Their average score of 72 per cent shows that they agree or strongly agree with the items in this particular area. Only 13 per cent disagreed or strongly disagreed with the items.

TABLE 20  
STUDENT ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF  
ACADEMIC FREEDOM (N=878)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
1. Students, even against the advice of teachers, counsellors, and parents, should have the final say in selecting their elective subjects.	27	50	8	13	2	2.140
2. Students should have the right to be consulted regarding the selection of their textbooks.	16	50	21	11	2	2.323
3. Students should have the right to be consulted concerning the content of their subjects.	23	52	15	9	1	2.120
4. Students should have the right to choose the manner/methods of completing their work in their subjects.	16	35	17	28	4	2.684



(TABLE 20 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
5. Students should be represented on curriculum committees.	31	43	19	5	2	2.025
6. Students should be represented on extra-curricular committees.	40	45	11	3	1	1.786
7. Students should be represented on policy-making committees in the school.	32	47	14	6	1	1.956
8. Students should have the final say in determining whether they will choose the academic or general course of study.	38	41	11	8	2	1.920
9. Students, even against the advice of teachers, counsellors, and parents, should have the final say in determining whether they will go to a special class, or any similar special grouping based on ability or talent.	26	32	16	21	5	2.468
10. Students should have access to any standardized or intelligence test results administered by the school or school-board.	33	41	14	9	3	2.062
11. Students should have the right to have a student representative present at staff meetings.	41	36	14	7	2	1.925
Average Distribution	29	43	15	11	2	2.128

A relatively high percentage of respondents, 77 per cent, believed that students should have the final say in the selection of their elective subjects (item 1) and, have the right to be consulted concerning the content of their subjects (item 3). However, a smaller number agreed that students should have the right to be

consulted regarding the selection of their textbooks (item 2), or to choose the methods of completing work in their subjects (item 4).

There was overwhelming support for student representation on curricular, extra-curricular and policy-making committees in the school. It might be of interest to note that the largest percentage claimed they should be represented on extra-curricular committees (item 6). The mean score for item 6 was 1.786. Seventy-seven per cent agreed or strongly agreed they should have a representative present at staff meetings (item 11). Only 9 per cent disagreed or strongly disagreed with this item. The student respondents were also in agreement that they should have access to standardized or intelligence test results, administered by the school or school board (item 10), as well as have the final say in determining whether they will choose the academic or general course of study (item 8). Only 58 per cent wanted the final say in determining whether they will go to a special class based on ability or talent (item 9). Twenty-six per cent disagreed or strongly disagreed with this particular item, with the remaining 16 per cent being undecided.

#### Free Speech and Expression

Table 21 shows that for the area of free speech and expression, students' average score was 2.489 (agree). Inspection of the distribution indicates that the students agreed or strongly agreed with an average percentage of 57 with the items in this area. Twenty-four per cent disagreed or strongly disagreed with these items. Nineteen per cent were undecided.

TABLE 21

STUDENT ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF  
FREE SPEECH AND EXPRESSION (N=878)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
12. Students should be allowed to use symbolic materials (arm bands, badges, etc.) in classrooms and on other school property to silently express their beliefs.	26	43	18	10	3	2.204
13. Students should be allowed to engage in demonstrations such as sit-ins and boycotts as an acceptable form of student protest.	21	39	25	12	3	2.372
14. Students should be permitted to encourage others to demonstrate or sit-in.	12	37	25	21	5	2.678
15. Students should be free to criticize, publicly, teachers and school officials and their educational policies.	21	25	20	25	9	2.771
16. Students should be free to invite speakers of their choice for student affairs without consulting school authorities.	7	15	14	55	9	3.426
17. Students should be permitted to invite speakers whose views on sensitive, controversial matters are unpopular or rejected in the community served by the school.	9	29	33	24	5	2.853
18. Students should have the right to express any controversial beliefs (political, social, religious, sexual, etc.) without prejudice or penalty.	40	44	10	5	1	1.837
19. Students should have the right to contribute to the disciplinary policies to be used in the school.	19	48	21	10	2	2.278

(TABLE 21 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
20. Students should be given the privilege to express their feelings and beliefs on all issues in an open forum so that the whole student body would have an opportunity to listen and respond.	37	46	12	4	1	1.855
21. Students should be free to write articles and editorials, in school-sponsored student papers, critical of individual teachers and other school officials and their policies.	17	30	21	26	6	2.737
22. Students should be permitted to publish and distribute school-sponsored student papers without any review or censorship by school authorities.	10	17	21	43	9	3.232
23. Students should be allowed to publish "underground" papers (i.e., papers not officially recognized by school authorities) within school premises.	8	19	25	36	12	3.239
24. The student editorial staff should be free to choose their teacher advisor.	26	46	16	10	2	2.155
25. Students should be free to include in their school-sponsored student papers articles that deal with sensitive or controversial topics.	24	50	20	5	1	2.079
26. Students should have the right to an elected student government.	53	36	8	2	1	1.612
Average Distribution	22	35	19	19	5	2.489

Sixty per cent of the students surveyed in this study felt they should be allowed to engage in demonstrations such as sit-ins and boycotts as an acceptable

form of student protest (item 13), but only 49 per cent thought they should be allowed to encourage others to do so (item 14). Less than half of the respondents were of the opinion that they should be free to publicly criticize teachers and school officials and their educational policies (item 15), or write articles in school-sponsored student papers, critical of individual teachers and other school officials and their policies (item 21). A large majority disagreed with students' having the freedom to invite speakers of their choice into the school without consulting school authorities (item 16). Item 16 showed a mean score of 3.426. Approximately half of the student respondents disagreed or strongly disagreed with students' being permitted to publish and distribute school-sponsored student papers without any review or censorship by school authorities (item 22). They also disagreed with students' publishing underground papers (item 23). Despite this, over 80 per cent did support the view that they should be permitted to express their controversial beliefs (political, social, religious, sexual) without being penalized (item 18). There was also considerable consensus regarding students' being allowed to contribute to the disciplinary policies of the school (item 19). The vast majority of the respondents, 89 per cent, declared that they should possess the right to an elected student government (item 25). Three per cent disagreed or strongly disagreed with this item.

#### Personal Appearance and Behaviour

Table 22 indicates that in the area of personal appearance and behaviour, students' average score was 2.037 (agree). The students strongly supported item 28 (Female students should be permitted to attend class with hairdos of their choice.), and item 30 (Students should have the right to wear the type and style of dress clothing of their choice in school.). On each of the ten items there were students who checked each of the five categories.

TABLE 22

STUDENT ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF  
PERSONAL APPEARANCE AND BEHAVIOUR (N=878)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
27. Male students should be free to wear long hair.	46	44	4	4	2	1.691
28. Female students should be permitted to attend class with hairdos of their choice.	55	39	3	2	1	1.510
29. Students should be free from dress codes imposed by school authorities.	53	31	8	6	2	1.685
30. Students should have the right to wear the type and style of dress clothing of their choice in school.	53	35	6	5	1	1.636
31. Students should be given the freedom to kiss and to embrace intimately in school.	18	24	20	27	11	2.896
32. Students should have access to a smoking room in the school.	25	23	11	17	24	2.921
33. Students should have the right to be informed as to what constitutes appropriate student conduct in school.	26	52	17	3	2	2.009
34. Students should have the right to be informed what is, or is not, appropriate jewellery.	32	43	8	8	9	2.176
35. Female students should have the right to wear the amount and type of make-up of their choice.	42	44	8	4	2	1.776

(TABLE 22 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
36. Students should have the right to participate in the making of school rules regarding student conduct in school.	34	39	14	11	2	2.075
Average Distribution	38	37	10	9	6	2.037

Approximately 90 per cent advocated that female students should be free to wear the amount and type of make-up of their choice (item 35). A smaller number felt they should have the right to be informed as to what is, or is not, appropriate jewellery in school (item 34). A very surprising finding was that only 42 per cent agreed or strongly agreed with being permitted to kiss or embrace intimately in school (item 31). Also, less than half of the respondents surveyed maintained that they should have access to a smoking room in the school (item 32). Item 32 showed a mean of 2.921. A substantial majority of the students expressed the opinion that they should have the right to be informed as to what constituted suitable student conduct in school (item 33), as well as be permitted to participate in the making of school rules regarding their conduct (item 36).

#### Privacy

Inspection of Table 23 shows that in the area of privacy, students' mean score was 1.793 (agree). Eighty-two per cent of the students supported the items in this particular area. It should be noted that only 7 per cent disagreed or strongly disagreed with these items. On each of the eleven items there were

students who checked each of the five categories. Three items received more than 90 per cent support. These were item 39 (Students should have the right to question comments on their school records and, where errors exist, have them corrected.), item 44 (Students should have the right to have their student records kept private and revealed only to those who have immediate use for them.), and item 46 (Students should be informed that the administration has the right to inspect lockers.).

TABLE 23  
STUDENT ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF  
PRIVACY (N=878)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
37. Students should be informed before their lockers and briefcases are searched by school authorities.	59	22	8	8	3	1.747
38. Students should have free and open access to their personal records.	39	36	14	9	2	2.013
39. Students should have the right to question comments on their school records and, where errors exist, have them corrected.	53	38	6	2	1	1.574
40. Students should have the right to have their parents/guardians informed before a search of their child's belongings is conducted.	40	40	12	6	2	1.880
41. Students should have the right to have their parents/guardians informed that a police officer will be present during all searches conducted in school of students or their belongings.	39	40	15	4	2	1.878



(TABLE 23 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
42. Students should have the right to have their parents/guardians informed before any information from a student's personal file may be released.	43	41	10	4	2	1.772
43. Students should have the right to have a witness of their choice present during all searches.	46	42	7	4	1	1.706
44. Students should have the right to have their student records kept private and revealed only to those who have immediate use for them (e.g., teachers, parents).	60	33	4	2	1	1.476
45. Students should have the right not to have confidential information about them discussed by educators except in professional or official situations.	58	30	9	2	1	1.566
46. Students should be informed that the administration has the right to inspect lockers.	42	49	4	3	2	1.740
47. Students should be allowed to insert material of their choice (e.g., results of outside testing and evaluation, medical or psychological reports) into their records.	20	41	25	11	3	2.372
Average Distribution	45	37	11	5	2	1.793

An overwhelming majority, 81 per cent, supported the idea that students should be informed before their lockers and briefcases were searched by school authorities (item 37). Similarly, 80 per cent agreed or strongly agreed with having their parents or guardians informed before such a search occurred (item

40), and that a police officer should be present (item 41). They also concluded that students should be entitled to a witness of their choice being present during the search (item 43).

Three-quarters of the respondents surveyed in this study expressed the belief that they should be given free and open access to their personal records (item 38). Respondents showed considerable support for having confidential information about them discussed by educators only in professional situations (item 45). Sixty per cent of the students would request the right to insert material of their choice inserted into their records (item 47).

#### Due Process

Table 24 shows that in the area of due process, students' mean score was 2.184 (agree). Seventy per cent of the students indicated that they agreed or strongly agreed with the items in this area. Item 52 (Students should be given the opportunity to be present and participate in the discussion of their possible suspension or expulsion.) received the strongest support, with item 57 (Students should have the right not to be given long-term suspension or expelled for serious offences.) receiving the least support. On each of the thirteen items there were students who checked each of the five categories.

TABLE 24

STUDENT ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF  
DUE PROCESS (N=878)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
48. Students should have the right to have parents/guardians present when suspension or expulsion of their child is being discussed.	36	48	9	5	2	1.891
49. Students should be given a warning, in writing, before any suspension can be imposed.	38	46	9	6	1	1.845
50. Students should have the right to be informed that they could be suspended or expelled from school for reasons of lack of interest or application to academic work.	38	41	10	7	4	1.968
51. Students should have the right to a hearing before they are subjected to long-term suspension or expulsion.	42	42	10	5	1	1.782
52. Students should be given the opportunity to be present and participate in the discussion of their possible suspension or expulsion.	43	46	7	3	1	1.172
53. Students should have the right to appropriate publication/promulgation of school rules.	26	46	24	3	1	2.065
54. Students should be given the opportunity to make an appeal in cases of suspension and expulsion.	30	48	16	5	1	1.960
55. Students should have the right not to be removed from school premises immediately unless they threaten the welfare of others.	29	38	19	12	2	2.190

(TABLE 24 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
56. Students should have the right to be informed that they could be suspended or expelled from school after being found guilty of committing a criminal act outside school.	30	41	10	11	8	2.247
57. Students should have the right not to be given long-term suspension or expelled for serious offences.	10	18	27	31	14	3.184
58. Students should have the right to legal representation when charged with breaking a school rule that could lead to possible expulsion.	17	40	27	13	3	2.444
59. Students should have the right to complete all assignments and tests missed during the suspension.	32	40	13	12	3	2.148
60. Students should have the right to have information regarding suspension removed from their records	15	22	24	31	8	2.952
Average Distribution	30	40	15	11	4	2.184

Students felt that they had the right to have parents/guardians present when their suspension or expulsion was being discussed (Item 48). The majority of respondents agreed or strongly agreed they should be informed that they could be suspended or expelled for lack of interest or application to academic work (Item 50), or for being found guilty of committing a criminal act outside school (Item 56). The respondents overwhelmingly favoured the ideas that students should be entitled to a warning (Item 49), a hearing (Item 51), and an appeal procedure (Item 54) in all cases of suspension and expulsion. A smaller number of students,

57 per cent, were of the opinion that they should have the right to legal representation when charged with breaking a school rule that could lead to possible expulsion (item 58). Although 72 per cent supported the idea that students should be given the opportunity to complete assignments and tests missed during the suspension (item 59), only 37 per cent agreed or strongly agreed that information regarding suspension should be removed from their records (item 60).

### Reasonable Punishment

Table 25 indicates that in the area of reasonable punishment, students' average score was 2.090 (agree). The students' average score of 71 per cent shows that they agreed or strongly agreed with the items in this area. Only 11 per cent disagreed or strongly disagreed with the items, with 18 per cent being undecided. Item 62 (Students should have the right to be informed of all punishable school offences.) received greatest support. On all ten items there were students who checked each of the five categories.

TABLE 25

### STUDENT ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF REASONABLE PUNISHMENT (N=878)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
61. Students should have the right to expect teachers and administrators to act as reasonable parents when administering corporal punishment.	26	41	19	9	5	2.247
62. Students should have the right to be informed of all punishable school offences.	44	49	4	2	1	1.662

(TABLE 25 CONTINUED)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
63. Students should be permitted to have a witness of their choice present during the administration of corporal punishment.	31	47	13	6	1	1.960
64. Students should have the right not to be subjected to corporal punishment.	27	26	26	16	5	2.442
65. Students should have the right to have corporal punishment administered only by administrators, if such punishment is allowed at all.	17	43	29	6	5	2.349
66. Students should have the right to have their parents/guardians informed before corporal punishment is administered.	39	47	9	4	1	1.794
67. Students should be aware of a method for appeal should they have the opportunity to question certain forms of discipline.	29	50	18	2	1	1.971
68. Students should be free from the punitive use of grades and the extension of school authority into non-school activities.	24	32	28	12	4	2.372
69. Students should be free from punishment for their participation in a non-school sponsored activity.	33	45	13	7	2	1.975
70. Students should have the right to have corporal punishment administered only as a last resort.	36	34	17	8	7	2.127
Average Distribution	30	41	18	7	4	2.090

A large number of respondents surveyed supported the belief that students should have the right to have their parents or guardians informed before corporal punishment is administered (item 66). Approximately 67 per cent also maintained that teachers and administrators should act as reasonable parents when administering such punishment (item 61). As well, they supported the ideas that corporal punishment should be administered by administrators only (item 65), and then only as a last resort (item 70). Very few respondents disagreed or strongly disagreed with these ideas. Eighty per cent of the student respondents felt they should be permitted to have a witness of their choice present during the administration of such punishment (item 63), and that they should be aware of a method of appeal should they have the opportunity to question certain forms of discipline (item 67). Two surprising findings were that only slightly more than half of the respondents supported the view that students should have the right not to be subjected to corporal punishment (item 64), and that they should be free from the punitive use of grades and the extension of school authority into non-school activities (item 68). It should be noted that a very large majority, 78 per cent, were highly supportive of the idea that students should be free from punishment by school officials for their participation in a non-school sponsored activity (item 69).

#### Areas and Total Questionnaire

The mean scores of students for each area and the total questionnaire are displayed in Table 26. Approximately 75 per cent of the student respondents felt they should be entitled to the rights to academic freedom. It was surprising to find that just slightly more than half of the respondents indicated they would agree with the items associated with free speech and expression. It may be claimed that the respondents were least supportive of these rights of students. However, 75 per cent maintained they should be entitled to the rights to personal

appearance and behaviour. An even higher percentage concluded they should be given the rights to privacy. This area showed a mean score of 1.793. It can be seen that the respondents were most supportive of this particular set of rights of students. Contrary to this, a smaller number of respondents believed they should have the rights to due process. Seventy-one per cent felt they should have the rights to reasonable punishment. For the total questionnaire, 71 per cent of the student respondents supported the view that students should be entitled to the rights included in this particular study.

TABLE 26

STUDENT ATTITUDES TOWARD STUDENT RIGHTS FOR EACH AREA  
AND THE TOTAL QUESTIONNAIRE (N = 878)

Item	SA 1	A 2	U 3	D 4	SD 5	Mean
Academic Freedom	29	43	15	11	2	2.128
Free Speech and Expression	22	35	19	19	5	2.489
Personal Appearance and Behaviour	38	37	10	9	6	2.037
Privacy	45	37	11	5	2	1.793
Due Process	30	40	15	11	4	2.184
Reasonable Punishment	30	41	18	7	4	2.090
Total Attitude Score	32	39	15	10	4	2.145

Research Question #3

*Do teacher attitudes toward student rights differ from those of students?*

Academic Freedom

Table 27 presents the mean scores of both teachers and students for each item in the area of academic freedom. As well, the probability statistic (p) is presented to indicate the statistical significance of the difference in the means of the two groups.



TABLE 27

## A COMPARISON OF TEACHER AND STUDENT ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF ACADEMIC FREEDOM

Item	Item Mean of Teachers	Item Mean of Students	p
1. Students, even against the advice of teachers, counsellors, and parents, should have the final say in selecting their elective subjects.	3.555	2.140	0.000
2. Students should have the right to be consulted regarding the selection of their textbooks.	3.580	2.323	0.000
3. Students should have the right to be consulted concerning the content of their subjects.	3.435	2.120	0.000
4. Students should have the right to choose the manner/methods of completing their work in their subjects.	3.790	2.684	0.000
5. Students should be represented on curriculum committees.	2.905	2.025	0.000
6. Students should be represented on extra-curricular committees.	2.020	1.786	0.000
7. Students should be represented on policy-making committees in the school.	2.588	1.956	0.000
8. Students should have the final say in determining whether they will choose the academic or general course of study.	3.235	1.920	0.000
9. Students, even against the advice of teachers, counsellors, and parents, should have the final say in determining whether they will go to a special class, or any similar special grouping based on ability or talent.	3.585	2.468	0.000
10. Students should have access to any standardized intelligence test results administered by the school or school board.	3.120	2.062	0.000

(TABLE 27 CONTINUED)

Item	Item Mean of Teachers	Item Mean of Students	p
11. Students should have the right to have a student representative present at staff meetings.	3.835	1.925	0.000

For each of the eleven items in this area of student rights, namely academic freedom, the difference in means was statistically significant, with the mean of students being higher in every case than that of teachers ( $p = 0.000$ ). Students were more supportive of student rights than were teachers.

For items 1, 2, 9, and 11, students on the average chose agree while teachers chose disagree. Thus, they were two categories apart on students having the final say in selecting their elective subjects, in having the right to be consulted regarding the selection of textbooks, in having the final say in determining whether they will go to a special class, and in having a student representative present at staff meetings. For item 6, namely that students should be represented on extra-curricular committees, both teachers and students chose agree, that is, they were in the same category. For the other six items they were in adjacent categories.

#### Free Speech and Expression

Teachers and students differed on many of the items in the area of free speech and expression. As demonstrated in Table 28, they differed on issues such as giving students rights to demonstrate, to encourage others to demonstrate, to criticize teachers, and to write articles critical of school officials and their

policies. \* Students tended to agree, more than teachers, that they should be entitled to freedom concerning these issues.

**TABLE 28**  
**A COMPARISON OF TEACHER AND STUDENT ATTITUDES TOWARD STUDENT RIGHTS**  
**IN THE AREA OF FREE SPEECH AND EXPRESSION**

Item	Item Mean of Teachers	Item Mean of Students	p
12. Students should be allowed to use symbolic material (arm bands, badges, etc.) in classrooms and on other school property to silently express their beliefs.	2.920	2.204	0.000
13. Students should be allowed to engage in demonstrations such as sit-ins and boycotts as an acceptable form of student protest.	3.175	2.372	0.000
14. Students should be permitted to encourage others to demonstrate or sit-in.	3.465	2.678	0.000
15. Students should be free to criticize, publicly, teachers and school officials and their educational policies.	3.150	2.771	0.000
16. Students should be free to invite speakers of their choice for student affairs without consulting school authorities.	4.055	3.426	0.000
17. Students should be permitted to invite speakers whose views on sensitive, controversial matters are unpopular or rejected in the community served by the school.	3.385	2.853	0.000
18. Students should have the right to express any controversial beliefs (political, social, religious, sexual, etc.) without prejudice or penalty.	2.375	1.837	0.000

(TABLE 28 CONTINUED)

Item	Item Mean of Teachers	Item Mean of Students	p
19. Students should have the right to contribute to the disciplinary policies to be used in the school.	2.400	2.278	0.113
20. Students should be given the privilege to express their feelings and beliefs on all issues in an open forum so that the whole student body would have an opportunity to listen and respond.	2.475	1.855	0.000
21. Students should be free to write articles and editorials, in school-sponsored student papers, critical of individual teachers and other school officials and their policies.	3.780	2.737	0.000
22. Students should be permitted to publish and distribute school-sponsored student papers without any review or censorship by school authorities.	4.020	3.232	0.000
23. Students should be allowed to publish "underground" papers (i.e., papers not officially recognized by school authorities) within school premises.	4.190	3.239	0.000
24. The student editorial staff should be free to choose their teacher advisor.	2.839	2.155	0.000
25. Students should be free to include in their school-sponsored student papers articles that deal with sensitive or controversial topics.	2.285	2.079	0.002
26. Students should have the right to an elected student government.	1.595	1.612	0.780

There was a significant difference between the means regarding students' having the right to express controversial beliefs without being penalized, with the mean score for teachers being 2.375 and for students 1.837. Students were also

more supportive than teachers of the suggestions that students should be permitted to publish and distribute school-sponsored student papers without any review by school authorities, to publish underground papers, and to include in their papers articles dealing with controversial topics.

In summary, Table 28 shows that for thirteen of the fifteen items contained in this section of the questionnaire, the differences between the means were statistically significant at  $p < .01$ . For seven items the mean scores of students and teachers were in the same category, and for the other eight items in adjacent categories.

#### Personal Appearance and Behaviour

Table 29 provides a comparison of the mean scores of teachers with those of students on the items concerning personal appearance and behaviour. Differences existed between teachers and students in their attitudes toward hair length, hair styles, and the amount and type of make-up female students should wear to school. There was disagreement concerning dress codes, the right of students to choose their type and style of school clothing, their freedom to kiss and to embrace intimately in school, and to have access to a smoking room. For each item mentioned, the mean of teachers was higher than that of students, that is, students were more supportive of student rights than teachers. However, for two items, namely that students should have the right to be informed as to what constitutes appropriate conduct and appropriate jewellery (items 33 and 34), teachers were more supportive of student rights than students were. For item 36 dealing with students' right to participate in the making of school rules regarding student conduct in school, there was no statistically significant difference. For six of the ten items the means for the teachers and students were in the same category, for the remaining four in adjacent categories.

TABLE 29

A COMPARISON OF TEACHER AND STUDENT ATTITUDES TOWARD STUDENT RIGHTS  
IN THE AREA OF PERSONAL APPEARANCE AND BEHAVIOUR

	Item	Item Mean of Teachers	Item Mean of Students	p
27.	Male students should be free to wear long hair.	1.885	1.691	0.002
28.	Female students should be permitted to attend class with hairdos of their choice.	2.060	1.510	0.000
29.	Students should be free from dress codes imposed by school authorities.	2.815	1.685	0.000
30.	Students should have the right to wear the type and style of dress' clothing of their choice in school.	2.810	1.636	0.000
31.	Students should be given the freedom to kiss and to embrace intimately in school.	4.280	2.896	0.000
32.	Students should have access to a smoking room in the school.	3.885	2.921	0.000
33.	Students should have the right to be informed as to what constitutes appropriate student conduct in school.	1.500	2.009	0.000
34.	Students should have the right to be informed what is, or is not, appropriate jewellery.	1.920	2.176	0.006
35.	Female students should have the right to wear the amount and type of make-up of their choice.	2.270	1.776	0.000
36.	Students should have the right to participate in the making of school rules regarding student conduct in school.	2.255	2.075	0.030

### Privacy

A comparison of the mean scores obtained by teachers and students for privacy, as well as the probability statistic (p), is presented in Table 30. For ten items, the means of teachers and students were in the same categories, for one item, in adjacent categories. For eight of the eleven items in the area of privacy, statistically significant differences were found between the mean scores of teachers and those of students, with the scores of the former being less in favour of student rights. No statistically significant differences were found between teachers and students respecting students rights not to have confidential information discussed by educators except in professional situations (Item 45), nor about students' rights to be informed that the administration has the right to inspect lockers (Item 46), nor that students should be allowed to insert material of their choice into their records (Item 47). Among the differences found between teachers and students in this study were students' having open access to their personal records, questioning comments on these records and having any errors corrected, having records kept private, and releasing information from these records only after the parents or guardians have been informed. Students indicated stronger agreement for these rights than did teachers.

TABLE 30

A COMPARISON OF TEACHER AND STUDENT ATTITUDES TOWARD STUDENT RIGHTS  
IN THE AREA OF PRIVACY

Item	Item Mean of Teachers	Item Mean of Students	p
37. Students should be informed before their lockers and briefcases are searched by school authorities.	2.395	1.747	0.000

(TABLE 30 CONTINUED)

Item	Item Mean of Teachers	Item Mean of Students	p
38. Students should have free and open access to their personal records.	2.548	2.013	0.000
39. Students should have the right to question comments on their school records and, where errors exist, have them corrected.	1.940	1.574	0.000
40. Students should have the right to have their parents/guardians informed before a search of their child's belongings is conducted.	2.300	1.880	0.000
41. Students should have the right to have their parents/guardians informed that a police officer will be present during all searches conducted in school of students or their belongings.	2.230	1.876	0.000
42. Students should have the right to have their parents/guardians informed before any information from a student's personal file may be released.	2.130	1.772	0.000
43. Students should have the right to have a witness of their choice present during all searches.	2.275	1.706	0.000
44. Students should have the right to have their student records kept private and revealed only to those who have immediate use for them (e.g., teachers, parents).	1.620	1.476	0.008
45. Students should have the right not to have confidential information about them discussed by educators except in professional or official situations.	1.635	1.566	0.258
46. Students should be informed that the administration has the right to inspect lockers.	1.655	1.740	0.176



(TABLE 30 CONTINUED)

Item	Item Mean of Teachers	Item Mean of Students	p
47. Students should be allowed to insert material of their choice (e.g., results of outside testing and evaluation, medical or psychological reports) into their records.	2.320	2.372	0.511

The table also reveals that students asserted more strongly than teachers that they should be informed before their lockers or briefcases were searched. The students had a mean score of 1.747 and the teachers 2.395.

#### Due Process

The data contained in Table 31 provide a comparison of the mean scores obtained by teachers and students in the area of due process. For eight of the thirteen items, teachers' and students' means were in the same categories, for the other five they were in adjacent categories. For nine of the thirteen items, statistical comparison of means indicated that students were more supportive of students' rights than were teachers. There was no statistically significant difference in students' right to be informed that they could be suspended or expelled for lack of interest or application (item 50), nor their right to a hearing before expulsion or long-term suspension (item 51), their right to appropriate publication of school rules (item 53) nor their right to be informed that they could be expelled after being found guilty of committing a criminal act outside school (item 56). However, students more so than teachers believed that students should have the right to have parents or guardians present during the discussion of their suspension

or expulsion, and that students should be entitled to a warning, appeal procedures, and legal representation if the need arose. There was also a significant difference between the means of teachers and students regarding students' being given the opportunity to complete assignments and tests missed during the suspension. The mean score for teachers was 2.800 and for students 2.148. Again, students more so than teachers felt that students should have the right to have information regarding suspension removed from their records.

TABLE 31

A COMPARISON OF TEACHER AND STUDENT ATTITUDES TOWARD STUDENT RIGHTS IN THE AREA OF DUE PROCESS

Item	Item Mean of Teachers	Item Mean of Students	p
48. Students should have the right to have parents/guardians present when suspension or expulsion of their child is being discussed.	2.180	1.891	0.000
49. Students should be given a warning, in writing, before any suspension can be imposed.	2.165	1.845	0.000
50. Students should have the right to be informed that they could be suspended or expelled from school for reasons of lack of interest or application to academic work.	1.800	1.968	0.030
51. Students should have the right to a hearing before they are subjected to long-term suspension or expulsion.	1.920	1.782	0.035
52. Students should be given the opportunity to be present and participate in the discussion of their possible suspension or expulsion.	2.335	1.712	0.000

(TABLE 31 CONTINUED)

Item	Item Mean of Teachers	Item Mean of Students	
53. Students should have the right to appropriate publication/promulgation of school rules.	1.925	2.065	0.028
54. Students should be given the opportunity to make an appeal in cases of suspension and expulsion.	2.160	1.960	0.003
55. Students should have the right not to be removed from school premises immediately unless they threaten the welfare of others.	2.940	2.190	0.000
56. Students should have the right to be informed that they could be suspended or expelled from school after being found guilty of committing a criminal act outside school.	2.360	2.247	0.231
57. Students should have the right not to be given long-term suspension or expelled for serious offences.	3.745	3.184	0.000
58. Students should have the right to legal representation when charged with breaking a school rule that could lead to possible expulsion.	3.150	2.444	0.000
59. Students should have the right to complete tests and assignments missed during the suspension.	2.800	2.148	0.000
60. Students should have the right to have information regarding suspension removed from their records.	3.575	2.952	0.000

Reasonable Punishment

An analysis of Table 32 shows a comparison of the mean scores for teachers and students in the area of reasonable punishment. Significant differences in

mean scores were found between the two groups under study for six of the ten items. Regarding the right for students to expect teachers and administrators to act as reasonable parents when administering corporal punishment, there was a significant difference between the mean scores. The mean for teachers was 1.915 and for students 2.247. On this item teachers were more in agreement with students' rights than were students. However, for the other five items where statistically significant differences existed, students were more in favour with student rights than were teachers. For example, students more so than teachers indicated that parents or guardians should be informed before such punishment took place, and that students should be free to have a witness of their choice present. Again, students, more than teachers, felt that they should be free from the punitive use of grades, and the extension of school authority into non-school activities. The table shows that a significant difference existed between teachers and students in their view that students should not be punished by school authorities for their participation in non-school sponsored activities, with teacher responses showing a mean of 2.585 and student responses 1.975. In all cases the means of teachers and students were in the same or adjacent categories.

TABLE 32

A COMPARISON OF TEACHER AND STUDENT ATTITUDES TOWARD STUDENTS RIGHTS IN THE AREA OF REASONABLE PUNISHMENT

Item	Item Mean of Teachers	Item Mean of Students	p
61: Students should have the right to expect teachers and administrators to act as reasonable parents when administering corporal punishment.	1.915	2.247	0.000

(TABLE 32 CONTINUED)

Item	Item Mean of Teachers	Item Mean of Students	p
62. Students should have the right to be informed of all punishable school offences.	1.638	1.662	0.665
63. Students should be permitted to have a witness of their choice present during the administration of corporal punishment.	2.555	1.960	0.000
64. Students should have the right not to be subjected to corporal punishment.	2.665	2.442	0.015
65. Students should have the right to have corporal punishment administered only by administrators, if such punishment is allowed at all.	2.290	2.349	0.449
66. Students should have the right to have their parents/guardians informed before corporal punishment is administered.	2.380	1.794	0.000
67. Students should be aware of a method for appeal should they have the opportunity to question certain forms of discipline.	2.175	1.971	0.001
68. Students should be free from the punitive use of grades and the extension of school authority into non-school activities.	2.790	2.372	0.000
69. Students should be free from punishment for their participation in a non-school sponsored activity.	2.585	1.975	0.000
70. Students should have the right to have corporal punishment administered only as a last resort.	2.065	2.127	0.499

### Areas and Total Questionnaire

Table 33 presents a comparison of the mean scores for both teachers and students for each area and the total questionnaire. A significant difference in mean scores between teachers and students in the area of academic freedom was revealed. The mean score for teachers was 3.241 and for students 2.128. The difference in attitudes between the two groups was greatest in this area.

**TABLE 33**  
**A COMPARISON OF TEACHER AND STUDENT ATTITUDES**  
**TOWARD STUDENT RIGHTS FOR EACH AREA AND THE TOTAL QUESTIONNAIRE**

	Teachers	Students	p
Academic Freedom	3.241	2.128	0.000
Free Speech and Expression	3.074	2.489	0.000
Personal Appearance and Behaviour	2.568	2.037	0.000
Privacy	2.095	1.793	0.000
Due Process	2.543	2.184	0.000
Reasonable Punishment	2.306	2.090	0.000
Total Attitude Score	2.666	2.145	0.000

There was also a significant difference between the two groups concerning free speech and expression, with teacher responses showing a mean of 3.074 and students 2.489.

For each of the remaining four areas, the mean scores for students were significantly higher than those for teachers. The rights contained in the area of privacy received the lowest mean scores from both students and teachers. The mean scores for reasonable punishment produced the closest area of agreement, with a mean score of 2.090 for students and 2.306 for teachers.

According to the results of this study, a significant difference between the means of teachers and students was found to exist with respect to the total attitude score. The grand mean for teacher responses was 2.668 and for student responses 2.145.

#### Research Question #4

*Do teacher attitudes toward student rights vary with sex, age, teaching certificate, school size, and the completion or non-completion of a university course in school law?*

For each of the areas under study and the total attitude scale, the five variables examined for teachers by multiple regression were sex, age, teaching certificate, school size and the completion or non-completion of a university course in school law. Table 34 contains the results of the multiple regression analysis (stepwise selection).

TABLE 34

SUMMARY OF REGRESSION ANALYSIS FOR TEACHERS FOR EACH AREA AND THE TOTAL QUESTIONNAIRE (N=200)

Dependent Variable	Independent Variable	Step	R <sup>2</sup>	p
Personal Appearance and Behaviour	Age	1	.066	.0002
Privacy	Sex	1	.048	.002
Reasonable Punishment	Sex	1	.064	.0003
Total Instrument	Sex	1	.038	.006

Of the five variables examined for academic freedom, none contributed to R at the .01 level of statistical significance. For free speech and expression, and for due process, no variables entered into the equation.

The attitudes of teachers toward the students' right to personal appearance and behaviour were influenced by only one variable, age. This variable was significant at  $p = .0002$  and accounted for 6.3 per cent of the variance. For the area of privacy, the only significant factor of the five was sex which accounted for 4.8 per cent of the variance at  $p = .002$ .

The attitudes of teachers toward students' right to reasonable punishment were influenced by only one variable, sex, which accounted for 6.4 per cent of the variance at  $p = .0003$ .

The results of the multiple regression analysis of teachers for the total questionnaire are also shown in the table. Again, of the five variables considered, only one contributed to R. That factor was sex, which accounted for 3.8 per cent of the variance at  $p = .006$ .

Apart from the variables, sex and age, none of the other three-hypothesized factors—teaching certificate, school size, and the completion or non-completion of a university course in school law—were found to be related to teacher attitudes toward student rights.

As shown in Table 35, female teachers were slightly more supportive of student rights than male teachers in the areas of privacy and reasonable punishment, as well as for the total attitude score. The difference between the means for each of these areas, as well as for the total attitude score, was statistically significant at  $p < .01$ . The difference between the means for each of the other areas was not statistically significant. It is worthy of note that all differences, including those that were statistically significant, were only slight.



TABLE 35

SUMMARY OF MEAN SCORES FOR TEACHERS FOR EACH AREA AND THE TOTAL QUESTIONNAIRE ACCORDING TO SEX

	Mean		p
	Female (N=73)	Male (N=127)	
Academic Freedom	3.103	3.321	0.014
Free Speech and Expression	3.048	3.089	0.612
Personal Appearance and Behaviour	2.545	2.581	0.624
Privacy	1.950	2.178	0.002
Due Process	2.456	2.592	0.047
Reasonable Punishment	2.103	2.423	0.000
Total Attitude Score	2.568	2.723	0.006

It can be seen from Table 36 that there was a positive correlation between the age of the teacher respondents and their attitudes toward personal appearance and behaviour. As age increased, teacher scores on items relating to personal appearance and behaviour increased. This means that as their age increased, teachers tended to disagree with giving students rights in this particular area.

TABLE 36

CORRELATION BETWEEN PERSONAL APPEARANCE AND BEHAVIOUR AND THE SCORE ON THE INDEPENDENT VARIABLE, AGE, FOR TEACHERS (N=200)

Independent Variable	Personal Appearance and Behaviour	
	r	p
Age	.26	.000

### Research Question #5

*Do student attitudes toward student rights vary with sex, age, career aspirations, school size, and the completion or non-completion of Canadian Law 2104?*

The five variables examined for students by multiple regression were sex, age, career aspirations, school size and the completion or non-completion of Canadian Law 2104. These were considered for each area and the total instrument. The results of the multiple regression analysis (stepwise selection) are shown in Table 37.

**TABLE 37**  
**SUMMARY OF REGRESSION ANALYSIS FOR STUDENTS FOR**  
**EACH AREA AND THE TOTAL QUESTIONNAIRE (N=878)**

Dependent Variable	Independent Variable	Step	R <sup>2</sup>	p
Academic Freedom	Sex	1	.01	.004
Free Speech and Expression	School Size	1	.028	.0000
	Sex	2	.048	.0000
Personal Appearance and Behaviour	Sex	1	.028	.0000
	School Size	2	.043	.0003
Due Process	Sex	1	.011	.002
Total Questionnaire	School Size	1	.024	.0000
	Sex	2	.04	.0002

For academic freedom, only one of the five variables considered contributed to R. This factor was sex, which registered at  $p = .004$  and  $R^2 = .01$ . This  $R^2$  was quite small, accounting for 1 per cent of the variance.

The attitudes of students toward free speech and expression items were influenced by two factors. School size was the major contributor to the variance (28 per cent). Sex also entered the regression equation (2.0 per cent). In all, only 4.8 per cent of the variance in student attitudes toward free speech and expression was accounted for by sex and school size, in combination.

Student attitudes toward personal appearance and behaviour items were influenced by sex and school size. Sex accounted for 2.8 per cent of the variance, while school size accounted for 1.5 per cent for a total of 4.3 per cent of the variance.

The table also shows the results of the multiple regression analysis for students in the area of privacy. No variable contributed to R at the .01 level of statistical significance. The only significant variable for due process was sex, which accounted for 1.1 per cent of the variance at  $p = .002$ . The attitudes of students toward reasonable punishment were not influenced by any factor at the .01 level of statistical significance.

The table also shows the results of the multiple regression analysis of students for the total scale. Of the five variables examined, only two contributed to R. School size was the major contributor to the variance (2.4 per cent). However, sex also entered the regression equation (1.6 per cent). In total, they accounted for 4 per cent of the variance in student attitudes toward the areas studied.

Apart from the variables, school size and sex, which made minor although statistically significant contributions to the multiple regression equation, none of the other three hypothesized factors—age, career aspirations, completion or non-completion of Canadian Law 2104—were found to be related to student attitudes toward student rights.

Table 38 shows that for the areas of academic freedom, free speech and expression, personal appearance and behaviour, and due process, as well as for the

total attitude score, male students were slightly more supportive of students rights than female students. The difference between the means for each of these areas, as well as for the total attitude score, was statistically significant at  $p < .01$ . For the other two areas, privacy and reasonable punishment, the differences between the means were not statistically significant. It should be noted that all differences, including those which were statistically significant, were very slight.

**TABLE 38**  
**SUMMARY OF MEAN SCORES FOR STUDENTS FOR EACH AREA AND THE**  
**TOTAL QUESTIONNAIRE ACCORDING TO SEX**

	Mean		P
	Female (N=454)	Male (N=424)	
Academic Freedom	2.170	2.082	0.004
Free Speech and Expression	2.559	2.414	0.000
Personal Appearance and Behaviour	2.093	1.978	0.001
Privacy	1.793	1.794	0.976
Due Process	2.232	2.132	0.002
Reasonable Punishment	2.129	2.048	0.017
Total Attitude Score	2.189	2.097	0.000

Table 39 indicates that, for students, there was an inverse relationship between school size and the areas of free speech and expression, personal appearance and behaviour, and privacy, as well as for the total attitude score. As school size increased, students' scores on the items relating to these areas decreased. This means that, in larger schools, students tended to more strongly agree that they should have freedom in these particular areas.

TABLE 39

CORRELATION BETWEEN DEPENDENT VARIABLES AND SCORES ON THE  
INDEPENDENT VARIABLE, SCHOOL SIZE, FOR STUDENTS (N=878)

Independent Variable	Free Speech and Expression		Personal Appearance and Behaviour		Privacy		Total Attitude Score	
	r	p	r	p	r	p	r	p
School Size	-.09	.005	-.12	.000	-.09	.006	-.09	.006

### Summary

This study indicates that the majority of both teacher and student respondents agreed or strongly agreed with granting students their rights. There was a significant difference in means between teachers and students with respect to academic freedom. The difference in attitudes between the two groups was greatest in this particular area. It should be noted that teachers were least supportive of student rights in this area. Once again, there was a significant difference between the two groups regarding free speech and expression. Teachers were less supportive than students in this particular area of student rights.

On seven of the ten items comprising the area of personal appearance and behaviour, students more so than teachers supported students rights. However, on two items teachers were more supportive than students. It can also be concluded that students more so than teachers would allow students the rights to privacy. It is noteworthy, however, that both groups showed greatest support for these rights of students.

The majority of each group indicated that students should be given the right to due process, with students more so than teachers being supportive. For reasonable punishment, students were more supportive than teachers on five items, teachers more

supportive than students on one item, with no difference on four items. It is interesting to note that this was the closest area of agreement between the two groups.

Five variables were examined for teachers by multiple regression for each area studied and for the total attitude score. These were sex, age, teaching certificate, school size and the completion or non-completion of a university course in school law. For the areas of privacy and reasonable punishment, as well as for the total attitude score, sex was the only factor to statistically register as significant with female teachers being slightly more supportive of student rights. The only factor explaining differences in teacher attitudes for the area of personal appearance and behaviour was age. This study indicated that as the age of teachers increased, there was a slight tendency to be less supportive of students rights.

The variables considered for students were sex, age, career aspirations, school size and the completion or non-completion of Canadian Law 2104. Sex was the only statistically significant contributor to student attitudes for the areas of academic freedom and due process. School size was the major contributor to the variance for the area of free speech and expression and for the total attitude score. However, sex also entered the regression equation. The strongest factor in explaining differences in student attitudes for personal appearance and behaviour was sex. School size also entered the regression equation for this area.

This study showed that male students were slightly more supportive of student rights than female students for the areas of academic freedom, free speech and expression, personal appearance and behaviour, and due process, as well as for the total attitude score. However, for the areas of privacy and reasonable punishment, there was no statistically significant difference in the means. The study also revealed that students in larger schools were more supportive of students' rights

in general, and particularly in the areas of free speech and expression, personal appearance and behaviour, and privacy.

## CHAPTER V

### SUMMARY, CONCLUSIONS AND RECOMMENDATIONS

This chapter presents a synopsis of the problem under investigation, reports the basic conclusions reached in the study, and offers some recommendations related to the topic.

#### Summary

The major purpose of this study was to examine teacher and student attitudes toward student rights in selected integrated high schools in Eastern Newfoundland. The rights relating to academic freedom, free speech and expression, personal appearance and behaviour, privacy, due process, and reasonable punishment were studied. An analysis of teacher and student attitudes toward student rights was also conducted in relation to different demographic variables. Sex, age, teaching certificate, school size, and the completion or non-completion of a university course in school law were the variables considered for teachers. The demographic variables examined for students were sex, age, career aspirations, school size, and the completion or non-completion of Canadian Law 2104.

Answers to the following research questions were sought:

1. What are the attitudes of teachers toward student rights?
2. What are the attitudes of students toward student rights?
3. Do teacher attitudes toward student rights differ from those of students?
4. Do teacher attitudes toward student rights vary with sex, age, teaching certificate, school size, and the completion or non-completion of a university course in school law?
5. Do student attitudes toward student rights vary with sex, age, career aspirations, school size, and the completion or non-completion of Canadian Law 2104?



In Chapter II, research literature was reviewed under the following headings: introduction, academic freedom, free speech and expression, personal appearance and behaviour, privacy, due process, reasonable punishment, related study, and conclusion.

A data collection questionnaire was developed by the investigator from resources available in the related literature. In October, 1987, this questionnaire was administered by the researcher or the principal of each school to two hundred and twenty teachers and nine hundred students. The return rate for teachers was 90.9 per cent and for students 97.6 per cent.

A statistical analysis of teacher attitudes, as well as student attitudes, toward student rights was carried out by computing the mean for each item, area, and the total questionnaire. A comparison of the attitudes of teachers and students toward student rights was also conducted. The means of teacher responses and student responses, as well as the probability statistic (p) which shows the significance of the difference between the means, were calculated for each item, area, and the total attitude score. Multiple regression was used to analyze statistically teacher attitudes toward student rights in relation to various demographic variables such as sex, age, teaching certificate, school size, and the completion or non-completion of a university course in school law. This method was also used to analyze the attitudes of students toward student rights in relation to demographic variables such as sex, age, career aspirations, school size, and the completion or non-completion of Canadian Law 2104. All testing was set at the .01 level of significance.

### Conclusions

The results of this study clearly indicated the attitudes of teachers and students toward academic freedom. The majority of teacher respondents did not

believe that students should be permitted to choose their elective courses, textbooks, content of their courses, and the methods of completing their work. Furthermore, they stated that students should not be allowed a representative at staff meetings. However, the student respondents felt that they should be entitled to all these rights. Interestingly, both groups did support the view that students should be represented on the various committees in the school. Less than 40 per cent of the teachers, in comparison with 79 per cent of the students, asserted that students should have the final say in determining whether they will choose the academic or general course of study. Also, less than one-quarter of the teacher respondents, and slightly more than half of the students, claimed that students should have the final say in determining whether students should go to a special class based on their ability or talent. It should be pointed out that for each item in this area, the difference between the means for the two groups was statistically significant ( $p = 0.000$ ).

In the area of free speech and expression, 48 per cent of teacher respondents did not agree with giving students the right to demonstrate, and 55 per cent did not agree with students being permitted to encourage others to demonstrate. Although 60 per cent of the students asserted they should have the right to demonstrate, only half of the respondents felt they should encourage others to do so. Almost half the teachers disagreed with students being free to criticize teachers publicly, while 74 per cent disagreed with students being allowed to write articles in school newspapers critical of individual teachers and their policies. Surprisingly, fewer than half of the student respondents would wish to have these rights. Similarly, both groups disagreed with inviting speakers into the school or publishing and distributing school-sponsored student papers without the permission of school authorities. Contrasted with this, they both agreed with the idea that

students should be free to include in their papers articles which were controversial. They also indicated that students should be given the opportunity to contribute to the disciplinary policies of the school, as well as be entitled to an elected student government.

One could conclude from this study that the great majority of both teachers and students were in agreement with students wearing hair styles of their choice. They also stated that female students should feel free to wear the amount and type of make-up they desire. From the findings, it could also be concluded that both groups supported the ideas that students should not only be informed as to what constituted appropriate student conduct, but also be involved in the formation of school rules concerning such conduct.

An analysis of the data revealed that approximately 60 percent of the teacher respondents did agree with students having free and open access to their personal records, while 86 per cent felt that students should be permitted to question comments on these records and, where errors exist, have them corrected. The students also agreed with each of these ideas. Similarly, both groups surveyed asserted that these records should be kept private and any confidential information relating to students should be discussed only by educators in professional situations. They were also in strong agreement that parents or guardians should be informed before any information from a student's personal file was released. Again, there was agreement that students should be notified before their lockers were searched, and that they should know that school officials could inspect these lockers. The vast majority of the students, 88 per cent, and approximately three-quarters of the teachers, stated that students should be allowed to have a witness of their choice present during all searches. They also asserted that parents or guardians

should be notified that such searches would take place and that a police officer would be present.

This study indicated that both teachers and students recognized the need for certain procedures before students were subjected to suspension or expulsion. The vast majority of teacher and student respondents believed that parents or guardians should be present during the discussion of their child's suspension or expulsion. Both groups were also of the opinion that students should be entitled to a warning, hearing and appeal procedures. Teachers and students were less supportive of the idea that students should have the right to legal representation. They also indicated that students should have the right to be informed that they could be suspended or expelled for lack of interest or application to academic work, and for being found guilty of committing a criminal act outside school. Surprisingly, slightly more than half of the teachers and approximately three-quarters of the students asserted that students should be permitted to complete assignments and tests missed during the suspension.

In this research, both groups surveyed believed that students should be entitled to rights such as corporal punishment being applied by administrators only, acting as reasonable parents, with a witness of their choice being present. They also indicated that parents or guardians should be informed before such punishment takes place, and that it should be used only when all other forms of discipline have been tried and failed. It should be noted that approximately half of each group claimed that students should not be subjected to corporal punishment. More than three-quarters of both teachers and students felt that students should be aware of appeal procedures. It can also be seen that students, more so than teachers, felt that students should be free from the punitive use of grades and punishment for their participation in non-school sponsored activities.

The data revealed that both teacher and student respondents were most supportive of students in the area of privacy. The teachers were least supportive of the students' rights to academic freedom, while the students were least favourable towards free speech and expression. For each of the six areas studied, the difference between the means was statistically significant ( $p = 0.000$ ). It should also be pointed out that for the total attitude score, the difference between the means of the two groups was statistically significant ( $p = 0.000$ ). For each of the areas and for the total attitude score, although not for every item, students were more supportive of students' rights than were teachers.

For each area studied and the total questionnaire, five variables were examined for teachers by multiple regression. These were sex, age, teaching certificate, school size, and the completion or non-completion of a university course in school law. The only factor to statistically register as significant, with respect to privacy, reasonable punishment, and the total attitude score, was sex. For the area of personal appearance and behaviour, it was found that age was the only factor explaining differences in teacher attitudes.

This study showed that female teachers were somewhat more in favour of student rights than were male teachers. There was also a correlation between the age of the teacher respondents and their views toward personal appearance and behaviour. As age increased, teachers tended to be less supportive of granting students their rights in this area.

The variables considered for students by multiple regression were sex, age, career aspirations, school size, and the completion or non-completion of Canadian Law 2104. In the areas of academic freedom, and due process, sex was the only significant contributor to student attitudes. When considering the area of free speech and expression, and the total attitude score, school size was the major

contributor to the variance. However, sex also entered the regression equation. For the area of personal appearance and behaviour, the strongest factor in explaining differences in student attitudes was sex. Also, school size was a factor in explaining the differences in their attitudes toward these rights.

This research revealed that male students were slightly more supportive of student rights than female students for the areas of academic freedom, free speech and expression, personal appearance and behaviour, and due process, as well as for the total attitude score. For the other two areas, privacy and reasonable punishment, the difference between the means was not statistically significant. The study also indicated that there was an inverse relationship between school size and the areas of free speech and expression, personal appearance and behaviour, and privacy, as well as for the total attitude score. In larger schools, students tended to more strongly support the view that they should be entitled to greater freedom in these particular areas.

The researcher would like to believe that this study will encourage and stimulate school authorities and students into thinking more seriously and conscientiously about the rights of students. Signs of change are, indeed, appearing in this field. One of the clearest indications of the changing status of the student was the enactment of the Young Offenders Act which recognized the young person as being autonomous and responsible. As well, the entrenchment of the Charter of Rights and Freedoms may have a positive effect in Newfoundland in the area of student rights. This Charter could pave the way for an era of justice and liberty for students. The view has been maintained by teachers and students surveyed in this study that students should be allowed a certain degree of independence and consideration. Therefore, educators could be increasingly under pressure to respond positively to these freedoms. One is encouraged to see

that educators are becoming progressively sensitive to rights claimed by students. As well, one can also see that teachers are gradually developing more progressive attitudes toward student rights in high schools. The findings of this research clearly demonstrated that to recognize that students do have rights is to see them as persons, not only whose interests but also whose wishes, aspirations, and points of view are to be considered seriously. To deny the rights of students could lead to discontent which does not enhance the general well-being of the school.

It should be pointed out that all demands made by students are not to be met immediately. Quite possibly, some are not to be met at all. However, those rights that students do possess should be a matter of concern for administrators, teachers, and parents upon whose activities and responses the happiness, fortunes, and well-being of students depend. It is important to note that in the school setting, the task is to balance the rights of students with an orderly school environment. This implies that freedom has to be balanced with responsibility. Surely, greater involvement of students in their school affairs cannot help but contribute to the improvement of our educational system.

### Recommendations

There are several recommendations emerging from this study. These include:

1. That a similar study be conducted in integrated high schools in different areas of the Province of Newfoundland and Labrador.
2. That a similar study be carried out in Roman Catholic and Pentecostal high schools in this Province.
3. That a similar study be conducted using principals of high schools to ascertain more specifically their attitudes toward student rights.
4. That similar research be undertaken concerning the attitudes of parents toward student rights.

5. That further research be conducted, using variables other than those used in this study, to help determine teacher and student attitudes toward student rights.
6. That the Newfoundland Teachers' Association, in conjunction with school boards, conduct in-service seminars to make educators more aware of student rights.
7. That the Department of Education, the Newfoundland Teachers' Association, and the school boards pool their efforts to build up resource materials on student rights and to dispense, on a continuing basis, such literature to all educators.
8. That school boards and schools be encouraged to subscribe to professional journals that deal with issues concerning student rights.
9. That teachers and administrators become familiar with the new Charter of Rights and Freedoms and the Young Offenders Act.
10. That more information concerning human rights, including students rights, be made available to high school students themselves.



# BIBLIOGRAPHY

- Ackerly, S. M., and Rieske, L. (1975). Courts and Trials. New York: West Publishing Company.
- Anderson, J. (May, 1985). "Catholic School Rights In British Columbia." The Canadian School Executive, 5 (1), 23-26.
- Anderson, J. (March, 1986). "Legal Notes. Students' Rights Violated." The Canadian School Executive, 5 (9), 19-21.
- Anderson, J. (March, 1984). "Fundamental Freedoms and Legal Rights." Paper for Presentation to the Newfoundland Workshop.
- Audain, T. (November, 1983). "Parent Involvement Ensures Children's Educational Rights." The Canadian School Executive, 3 (5), 11-12.
- Bala, N., and Clarke, K. L. (1981). The Child and the Law. Toronto: McGraw-Hill Ryerson Limited.
- Balderson, J. (January, 1983). "Principal Ignores Rights, Strips Students." The Canadian School Executive, 2 (7), 36.
- Bergen, P. F. (1968). The Legal Status of the Canadian Public School Pupil. Toronto: MacMillan Press.
- Barnhorst, S., and Mather, J. (1985). Introduction to Canadian Law. - Ontario: Prentice-Hall Canada Inc.
- Batstone, M. (December, 1984). "Information Privacy: The Role of the School Administrator." The Canadian School Executive, 4 (6), 3-7.
- Bergen, J. J. (September, 1982). "Students Should have Appeal Procedures." The Canadian School Executive, 2 (3), 2-5.
- British Columbia School Act.
- Canadian Charter of Rights and Freedoms, 1982.
- Chisholm, B. (November, 1979). "Children As Persons In Canada." Social Sciences, in Canada, 7, 3-22.
- Cox, A. W. (September, 1984). "Charter Rights Are Not Absolute." The Canadian School Executive, 4 (3), 10-13.
- Fischer, L., Schimmel, D., and Kelly, C. (1981). Teachers and the Law. New York: Longman Inc.
- Fischer, L., and Schimmel, D. (1982). The Rights of Students and Teachers. New York: Harper and Row Publishers.

- Flygare, T. (December, 1979). "Detecting Drugs in School: The Legality of Scent Dogs and Strip Searches." Phi Delta Kappan, 61 (4), 280-1.
- Flygare, T. (March, 1985). "High Court Approves of Students But Ducks Many Tough Issues." Phi Delta Kappan, 504-5.
- Franklin, D. L. (September, 1985). "Search and Seizure in Public Schools." American School and University, 58 (1), 42-50.
- Friesen, D. (November, 1983). "Managing Freedom and Justice in Schools." The Canadian School Executive, 3 (5), 7-10.
- Gibson, D. L., and Murphy, T. G. (1977). All About Law. Toronto: Wiley Publishers of Canada Limited.
- Greenspan, E. L. (1985). Martin's Annual Criminal Code. Ontario: Canada Law Book Inc.
- Gross, N. (Spring, 1978). "Search and Privacy in the Schools." Update, 2 (2).
- Humphreys, E. H. (Spring, 1985). "Student Records Personal Privacy or Knowledge of Client? The Dilemma." Education Canada, 25 (1) 47-51.
- Jarman, F. E. (1976). In Pursuit of Justice. Toronto: Wiley Publishers of Canada Limited.
- Jennings, W. H., and Zuben, T. G. (1979). Canadian Law. Toronto: McGraw-Hill Ryerson Limited.
- Johnson, T. P. (April, 1973). "The Constitution, the Courts, and Long Hair." NASSP Bulletin, 57 (372), 24-33.
- Jones, T. N. (February, 1985). "Search and Seizure: The Constitution is Bent, But Not Broken." Nolpe Notes, 20 (2), 1-3.
- LaMorte, M. W. (1982). School Law. Englewood Cliffs, New Jersey: Prentice Hall Inc.
- Lemley, C. R. (Winter, 1982). "Students and Freedom of Expression." College Student Journal, 16 (4), 312-4.
- Luffer, H. S. Jr., and Krushner, B. (1984). "Student Rights and Responsibilities: A Handbook on School Law in Wisconsin." Program Report, 82 (2).
- Mackay, A. W. (1984). Education Law in Canada. Toronto: Emond-Montgomery Publication Limited.
- Magsino, R. (1978). "Student Rights in Canada: Nonsense Upon Stilts?" Children's Rights: Legal and Educational Issues. Toronto: The Ontario Institute for Studies in Education, 89-107.

Magsino, R. (1980). Student Rights in Newfoundland and the United States: A Comparative Study. St. John's, Newfoundland: MUN Printing Services.

Magsino, R. (November, 1983). "Students' Rights in a New Era." The Canadian School Executive, 3 (5), 3-6.

Mahon, J. P. (February, 1979). "Beyond Judicial Intervention: Student Discipline and the Courts." NASSP Bulletin, 63 (424), 68-73.

Manley-Casimir, M. E. (1978). Discretion in School Discipline in Interchange on Students' Rights, Toronto: OISE Press.

Manley-Casimir, M. E. (1978). "The Supreme Court, Students' Rights and School Discipline." Journal of Research and Development in Education, 2 (4), 101-15.

Manley-Casimir, M. E. (Fall, 1979). "The Rights of the Child at School." Education Canada, 19 (3), 9-13, 25.

Mazzarella, J. (January, 1983). "Self-Defence For Principals. On Staying Out Of Court: Part Two," The Principal, 11-5.

McCarthy, M. M., and Cambron, N. H. (1981). Public School Law. Boston: Allyn and Bacon, Inc.

McDaniel, T. R. (June, 1979). "The Teacher's Ten Commandments: School Law in the Classroom." Phi Delta Kappan, 60 (10), 703-8.

Moskowitz, J. S. (1975). "Parental Rights and State Education." Washington Law Review, 50, 623-51.

NASSP (February, 1979). "Search and Seizure in Schools." A Legal Memorandum, 1-8.

Newfoundland Schools Act (R. S. N.) 1970.

Newfoundland Teachers' Association (November, 1975). "Policy on Student Rights and Responsibilities." N.T.A. Bulletin, 19, 1.

Nicholls, A. C., and Martin, Y. M. (May, 1984). "Preventing Educational Malpractice Litigation." The Canadian School Executive, 4 (1), 21-3.

Nolte, M. C. (August, 1971). "Your District's Dress Code and Why It Probably Hasn't a Hair of a Chance in Court." American School Board Journal, 159 (2), 23-26.

Nolte, M. C. (February, 1978). "School Boards vs. the Student Press (the Kids Are @ Winning)." American School Board Journal, 165 (2), 23-5, 51.

Omstein, A. C. (November, 1980). "An Update of Student Rights." The High School Journal, 64 (2), 60-4.

- Omstein, A. C. (Summer, 1981). "Student Rights for Secondary Students: An Overview." Contemporary Education, 52 (4), 214-18.
- Parry, M. (1975). Teacher Liability and Tenure. St. John's, Newfoundland: MUN Printing Services.
- Parry, M. (January, 1983). "Canadian Charter of Rights and Freedoms, 1982: Some Possible Implications for Teachers and Students." Mimeographed, 1-8.
- Repa, B. K., and Daly, J. L. (January, 1985). "A Supreme Court Case Preview. Does the Fourth Amendment Belong in School?" Social Education, 49 (1), 76-8.
- Rich, J. M. (April, 1985). "The Student's Right to Privacy." The High School Journal, 32-3.
- Ruhala, R. J. (July, 1974). "Due Process or Don't Let Your District Get Caught on the Losing End of a Lawsuit." American School Board Journal, 161 (7), 23-5.
- Schlesinger, S., and Baldridge, J. V. (Spring, 1982). "Is Student Power Dead in Higher Education?" College Student Journal, 16 (1), 9-17.
- Sendor, B. (March, 1983). "When It Comes to School Drug Searches, Take This Prudent Advice: Beware of the Dog." American School Journal, 170 (3), 23.
- Sendor, B. (March, 1984). "Student Drug Searches: Can You Risk The Frisk?" American School Board Journal, 171 (3), 27, 54.
- Sendor, B. (April, 1985). "That Heralded High Court Ruling on Student Searches Leaves Crucial Questions Unanswered." American School Board Journal, 172 (4), 24-5.
- Sendor, B. (March, 1986). "Good News: Courts Uphold Reasonable Searches." American School Board Journal, 173 (3), 24.
- Shroyer, G. (October, 1982). "Legal Implications of Requiring Pupils to Enroll in Physical Education." Physical Educator, 39 (3), 159-62.
- Sparks, R. K. (July, 1983). "Before You Bring Back School Dress Codes, Recognize That the Courts Frown Upon Attempts to 'Restrict' Students' Rights." American School Board Journal, 170 (7), 24-5.
- Spetz, S. N. (1978). Take Notice. Toronto: Copp Clarke Pitman.
- Stelly, P. (March, 1984). "Okaying the Use of Metal Detectors Proves Easier than Actually Using Them." American School Board Journal, 171 (3), 47.
- Stern, R. (February, 1982). "The Law and Public Education - Projections for the 1980's." Education and Urban Society, 14 (2), 211-34.
- Stevens, G. (July, 1980). "Invasion of Student Privacy." Journal of Law and Education, 9, 343-51.

Tarnopolsky, W. S. and Beaudoin, G. A. (1982). The Canadian Charter of Rights and Freedoms. Toronto: Carswell Company Limited.

Toronto Board of Education. (1980). Students' Rights and Responsibilities. Toronto.

Walsh, J. E. (Fall, 1979). "What? Students Have No Rights in Canada." Update, 3 (3), 17-9.

Wringe, C. (1985). Children's Rights. Boston: Routledge and Kegan Paul.

Young Offenders Act, 1982.

**APPENDICES**

**APPENDIX A**  
**TEACHER QUESTIONNAIRE**

# THE ATTITUDES OF TEACHERS AND STUDENTS TOWARD STUDENT RIGHTS IN SELECTED INTEGRATED HIGH SCHOOLS IN EASTERN NEWFOUNDLAND

**Directions:** Listed below are a number of items relating to different aspects of student rights. Please indicate your general feeling toward each item contained under its respective sub-heading. Indicate your feeling by circling one of the numbers at the right using the following code:

- |                   |              |                      |
|-------------------|--------------|----------------------|
| 1. Strongly Agree | 3. Undecided | 4. Disagree          |
| 2. Agree          |              | 5. Strongly Disagree |

PLEASE BEGIN HERE:

## Section I: The Right to Academic Freedom

- |   | Strongly Agree | Agree | Undecided | Disagree | Strongly Disagree |
|---|----------------|-------|-----------|----------|-------------------|
| 1. Students, even against the advice of teachers, counsellors, and parents, should have the final say in selecting their elective subjects. | 1              | 2     | 3         | 4        | 5                 |
| 2. Students should have the right to be consulted regarding the selection of their textbooks.   | 1              | 2     | 3         | 4        | 5                 |
| 3. Students should have the right to be consulted concerning the content of their subjects.   | 1              | 2     | 3         | 4        | 5                 |
| 4. Students should have the right to choose the manner/ methods of completing their work in their subjects.                                 | 1              | 2     | 3         | 4        | 5                 |
| 5. Students should be represented on curriculum committees.   | 1              | 2     | 3         | 4        | 5                 |
| 6. Students should be represented on extra-curricular committees.   | 1              | 2     | 3         | 4        | 5                 |
| 7. Students should be represented on policy-making committees in the school.  | 1              | 2     | 3         | 4        | 5                 |
| 8. Students should have the final say in determining whether they will choose the academic or general course of study.                      | 1              | 2     | 3         | 4        | 5                 |



- |  | Strongly Agree | Agree | Undecided | Disagree | Strongly Disagree |
|--|----------------|-------|-----------|----------|-------------------|
| 9. Students, even against the advice of teachers, counselors, and parents, should have the final say in determining whether they will go to a special class, or any similar special grouping based on ability or talent. | 1              | 2     | 3         | 4        | 5                 |
| 10. Students should have access to any standardized or intelligence test results administered by the school or school board.   | 1              | 2     | 3         | 4        | 5                 |
| 11. Students should have the right to have a student representative present at staff meetings.   | 1              | 2     | 3         | 4        | 5                 |

## Section II. The Right to Free Speech and Expression

- |  |   |   |   |   |   |
|--|---|---|---|---|---|
| 12. Students should be allowed to use symbolic materials (arm bands, badges, etc.) in classrooms and on other school property to silently express their beliefs.     | 1 | 2 | 3 | 4 | 5 |
| 13. Students should be allowed to engage in demonstrations such as sit-ins and boycotts as an acceptable form of student protest.                                    | 1 | 2 | 3 | 4 | 5 |
| 14. Students should be permitted to encourage others to demonstrate or sit-in.   | 1 | 2 | 3 | 4 | 5 |
| 15. Students should be free to criticize, publicly, teachers and school officials and their educational policies.  | 1 | 2 | 3 | 4 | 5 |
| 16. Students should be free to invite speakers of their choice for student affairs without consulting school authorities.  | 1 | 2 | 3 | 4 | 5 |
| 17. Students should be permitted to invite speakers whose views on sensitive, controversial matters are unpopular or rejected in the community served by the school. | 1 | 2 | 3 | 4 | 5 |
| 18. Students should have the right to express any controversial beliefs (political, social, religious, sexual, etc.) without prejudice or penalty.                   | 1 | 2 | 3 | 4 | 5 |
| 19. Students should have the right to contribute to the disciplinary policies to be used in the school.  | 1 | 2 | 3 | 4 | 5 |

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
20. Students should be given the privilege to express their feelings and beliefs on all issues in an open forum so that the whole student body would have an opportunity to listen and respond.	1	2	3	4	5
21. Students should be free to write articles and editorials, in school-sponsored student papers, critical of individual teachers and other school officials and their policies.	1	2	3	4	5
22. Students should be permitted to publish and distribute school-sponsored student papers without any review or censorship by school authorities.	1	2	3	4	5
23. Students should be allowed to publish "underground" papers (i.e., papers not officially recognized by school authorities) within school premises.	1	2	3	4	5
24. The student editorial staff should be free to choose their teacher advisor.	1	2	3	4	5
25. Students should be free to include in their school-sponsored student papers articles that deal with sensitive or controversial topics.	1	2	3	4	5
26. Students should have the right to an elected student government.	1	2	3	4	5

### Section III: The Right to Personal Appearance and Behaviour

27. Male students should be free to wear long hair.	1	2	3	4	5
28. Female students should be permitted to attend class with hairdos of their choice.	1	2	3	4	5
29. Students should be free from dress codes imposed by school authorities.	1	2	3	4	5
30. Students should have the right to wear the type and style of dress clothing of their choice in school.	1	2	3	4	5

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
31. Students should be given the freedom to kiss and to embrace intimately in school.	1	2	3	4	5
32. Students should have access to a smoking room in the school.	1	2	3	4	5
33. Students should have the right to be informed as to what constitutes appropriate student conduct in school.	1	2	3	4	5
34. Students should have the right to be informed what is, or is not appropriate jewelry.	1	2	3	4	5
35. Female students should have the right to wear the amount and type of make-up of their choice.	1	2	3	4	5
36. Students should have the right to participate in the making of school rules regarding student conduct in school.	1	2	3	4	5

#### Section IV: The Right to Privacy.

37. Students should be informed before their lockers and briefcases are searched by school authorities.	1	2	3	4	5
38. Students should have free and open access to their personal records.	1	2	3	4	5
39. Students should have the right to question comments on their school records and, where errors exist, have them corrected.	1	2	3	4	5
40. Students should have the right to have their parents/guardians informed before a search of their child's belongings is conducted.	1	2	3	4	5
41. Students should have the right to have their parents/guardians informed that a police officer will be present during all searches conducted in school of students or their belongings.	1	2	3	4	5

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
42. Students should have the right to have their parents/guardians informed before any information from a student's personal file may be released.	1	2	3	4	5
43. Students should have the right to have a witness of their choice present during all searches.	1	2	3	4	5
44. Students should have the right to have their student records kept private and revealed only to those who have immediate use for them (e.g., teachers, parents).	1	2	3	4	5
45. Students should have the right not to have confidential information about them discussed by educators except in professional or official situations.	1	2	3	4	5
46. Students should be informed that the administration has the right to inspect lockers.	1	2	3	4	5
47. Students should be allowed to insert material of their choice (e.g., results of outside testing and evaluation, medical or psychological reports) into their records.	1	2	3	4	5

#### Section V: The Right to Due Process

48. Students should have the right to have parents/guardians present when suspension or expulsion of their child is being discussed.	1	2	3	4	5
49. Students should be given a warning, in writing, before any suspension can be imposed.	1	2	3	4	5
50. Students should have the right to be informed that they could be suspended or expelled from school for reasons of lack of interest or application to academic work.	1	2	3	4	5

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
51. Students should have the right to a hearing before they are subjected to long-term suspension or expulsion.	1	2	3	4	5
52. Students should be given the opportunity to be present and participate in the discussion of their possible suspension or expulsion.	1	2	3	4	5
53. Students should have the right to appropriate publication/promulgation of school rules.	1	2	3	4	5
54. Students should be given the opportunity to make an appeal in cases of suspension and expulsion.	1	2	3	4	5
55. Students should have the right not to be removed from school premises immediately unless they threaten the welfare of others.	1	2	3	4	5
56. Students should have the right to be informed that they could be suspended or expelled from school after being found guilty of committing a criminal act outside school.	1	2	3	4	5
57. Students should have the right not to be given long-term suspension or expelled for serious offences.	1	2	3	4	5
58. Students should have the right to legal representation when charged with breaking a school rule that could lead to possible expulsion.	1	2	3	4	5
59. Students should have the right to complete all assignments and tests missed during the suspension.	1	2	3	4	5
60. Students should have the right to have information regarding suspension removed from their records.	1	2	3	4	5

#### Section VI: The Right to Reasonable Punishment

61. Students should have the right to expect teachers and administrators to act as reasonable parents when administering corporal punishment.	1	2	3	4	5
---	---	---	---	---	---

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
62. Students should have the right to be informed of all punishable school offences.	1	2	3	4	5
63. Students should be permitted to have a witness of their choice present during the administration of corporal punishment.	1	2	3	4	5
64. Students should have the right not to be subjected to corporal punishment.	1	2	3	4	5
65. Students should have the right to have corporal punishment administered only by administrators, if such punishment is allowed at all.	1	2	3	4	5
66. Students should have the right to have their parents/guardians informed before corporal punishment is administered.	1	2	3	4	5
67. Students should be aware of a method for appeal should they have the opportunity to question certain forms of discipline.	1	2	3	4	5
68. Students should be free from the punitive use of grades and the extension of school authority into non-school activities.	1	2	3	4	5
69. Students should be free from punishment for their participation in a non-school sponsored activity.	1	2	3	4	5
70. Students should have the right to have corporal punishment administered only as a last resort.	1	2	3	4	5

\*\*\*\*\*

Please place a check ( ) or the answer in the appropriate blank at the right of each item:

71. Your sex:      1. Female  
                          2. Male

\_\_\_\_\_  
 \_\_\_\_\_

72. Your age (last birthday): \_\_\_\_\_

73. Your teaching certificate:

1. Grade II
2. Grade III
3. Grade IV
4. Grade V
5. Grade VI
6. Grade VII

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

74. Your school name: \_\_\_\_\_

75. Have you completed a university course in school law?

Yes \_\_\_\_\_

No \_\_\_\_\_

Thank You

QUESTIONNAIRE NUMBER \_\_\_\_\_

76-79

**APPENDIX B**  
**STUDENT QUESTIONNAIRE**



# THE ATTITUDES OF TEACHERS AND STUDENTS TOWARD STUDENT RIGHTS IN SELECTED INTEGRATED HIGH SCHOOLS IN EASTERN NEWFOUNDLAND

**Directions:** Listed below are a number of items relating to different aspects of student rights. Please indicate your general feeling toward each item contained under its respective sub-heading. Indicate your feeling by circling one of the numbers at the right using the following code:

- |                   |              |                      |
|-------------------|--------------|----------------------|
| 1. Strongly Agree | 3. Undecided | 4. Disagree          |
| 2. Agree          |              | 5. Strongly Disagree |

## PLEASE BEGIN HERE:

### Section I: The Right to Academic Freedom

- |  | Strongly Agree | Agree | Undecided | Disagree | Strongly Disagree |
|--|----------------|-------|-----------|----------|-------------------|
| 1. Students, even against the advice of teachers, counsellors, and parents, should have the final say in selecting their elective subjects | 1              | 2     | 3         | 4        | 5                 |
| 2. Students should have the right to be consulted regarding the selection of their textbooks.  | 1              | 2     | 3         | 4        | 5                 |
| 3. Students should have the right to be consulted concerning the content of their subjects.  | 1              | 2     | 3         | 4        | 5                 |
| 4. Students should have the right to choose the manner/ methods of completing their work in their subjects.                                | 1              | 2     | 3         | 4        | 5                 |
| 5. Students should be represented on curriculum committees.  | 1              | 2     | 3         | 4        | 5                 |
| 6. Students should be represented on extra-curricular committees.  | 1              | 2     | 3         | 4        | 5                 |
| 7. Students should be represented on policy-making committees in the school.   | 1              | 2     | 3         | 4        | 5                 |
| 8. Students should have the final say in determining whether they will choose the academic or general course of study.                     | 1              | 2     | 3         | 4        | 5                 |

- |   | Strongly Agree | Agree | Undecided | Disagree | Strongly Disagree |
|---|----------------|-------|-----------|----------|-------------------|
| 9. Students, even against the advice of teachers, counsellors, and parents, should have the final say in determining whether they will go to a special class, or any similar special grouping based on ability or talent. | 1              | 2     | 3         | 4        | 5                 |
| 10. Students should have access to any standardized or intelligence test results administered by the school or school board.  | 1              | 2     | 3         | 4        | 5                 |
| 11. Students should have the right to have a student representative present at staff meetings.  | 1              | 2     | 3         | 4        | 5                 |

#### Section II. The Right to Free Speech and Expression

- |  |   |   |   |   |   |
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| 12. Students should be allowed to use symbolic materials (arm bands, badges, etc.) in classrooms and on other school property to silently express their beliefs.     | 1 | 2 | 3 | 4 | 5 |
| 13. Students should be allowed to engage in demonstrations such as sit-ins and boycotts as an acceptable form of student protest.                                    | 1 | 2 | 3 | 4 | 5 |
| 14. Students should be permitted to encourage others to demonstrate or sit-in.   | 1 | 2 | 3 | 4 | 5 |
| 15. Students should be free to criticize, publicly, teachers and school officials and their educational policies.  | 1 | 2 | 3 | 4 | 5 |
| 16. Students should be free to invite speakers of their choice for student affairs without consulting school authorities.  | 1 | 2 | 3 | 4 | 5 |
| 17. Students should be permitted to invite speakers whose views on sensitive, controversial matters are unpopular or rejected in the community served by the school. | 1 | 2 | 3 | 4 | 5 |
| 18. Students should have the right to express any controversial beliefs (political, social, religious, sexual, etc.) without prejudice or penalty.                   | 1 | 2 | 3 | 4 | 5 |
| 19. Students should have the right to contribute to the disciplinary policies to be used in the school.  | 1 | 2 | 3 | 4 | 5 |

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
20. Students should be given the privilege to express their feelings and beliefs on all issues in an open forum so that the whole student body would have an opportunity to listen and respond.	1	2	3	4	5
21. Students should be free to write articles and editorials, in school-sponsored student papers, critical of individual teachers and other school officials and their policies.	1	2	3	4	5
22. Students should be permitted to publish and distribute school-sponsored student papers without any review or censorship by school authorities.	1	2	3	4	5
23. Students should be allowed to publish "underground" papers (i.e., papers not officially recognized by school authorities) within school premises.	1	2	3	4	5
24. The student editorial staff should be free to choose their teacher advisor.	1	2	3	4	5
25. Students should be free to include in their school-sponsored student papers articles that deal with sensitive or controversial topics.	1	2	3	4	5
26. Students should have the right to an elected student government.	1	2	3	4	5

### Section III: The Right to Personal Appearance and Behaviour

27. Male students should be free to wear long hair.	1	2	3	4	5
28. Female students should be permitted to attend class with hairstyles of their choice.	1	2	3	4	5
29. Students should be free from dress codes imposed by school authorities.	1	2	3	4	5
30. Students should have the right to wear the type and style of dress clothing of their choice in school.	1	2	3	4	5

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
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32. Students should have access to a smoking room in the school.	1	2	3	4	5
33. Students should have the right to be informed as to what constitutes appropriate student conduct in school.	1	2	3	4	5
34. Students should have the right to be informed what is, or is not appropriate jewelry.	1	2	3	4	5
35. Female students should have the right to wear the amount and type of make-up of their choice.	1	2	3	4	5
36. Students should have the right to participate in the making of school rules, regarding student conduct in school.	1	2	3	4	5

#### Section IV: The Right to Privacy

37. Students should be informed before their lockers and briefcases are searched by school authorities.	1	2	3	4	5
38. Students should have free and open access to their personal records.	1	2	3	4	5
39. Students should have the right to question comments on their school records and, where errors exist, have them corrected.	1	2	3	4	5
40. Students should have the right to have their parents/guardians informed before a search of their child's belongings is conducted.	1	2	3	4	5
41. Students should have the right to have their parents/guardians informed that a police officer will be present during all searches conducted in school of students or their belongings.	1	2	3	4	5

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
42. Students should have the right to have their parents/guardians informed before any information from a student's personal file may be released.	1	2	3	4	5
43. Students should have the right to have a witness of their choice present during all searches.	1	2	3	4	5
44. Students should have the right to have their student records kept private and revealed only to those who have immediate use for them (e.g., teachers, parents).	1	2	3	4	5
45. Students should have the right not to have confidential information about them discussed by educators except in professional or official situations.	1	2	3	4	5
46. Students should be informed that the administration has the right to inspect lockers.	1	2	3	4	5
47. Students should be allowed to insert material of their choice (e.g., results of outside testing and evaluation, medical or psychological reports) into their records.	1	2	3	4	5

#### Section V: The Right to Due Process

48. Students should have the right to have parents/guardians present when suspension or expulsion of their child is being discussed.	1	2	3	4	5
49. Students should be given a warning, in writing, before any suspension can be imposed.	1	2	3	4	5
50. Students should have the right to be informed that they could be suspended or expelled from school for reasons of lack of interest or application to academic work.	1	2	3	4	5

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
51. Students should have the right to a hearing before they are subjected to long-term suspension or expulsion.	1	2	3	4	5
52. Students should be given the opportunity to be present and participate in the discussion of their possible suspension or expulsion.	1	2	3	4	5
53. Students should have the right to appropriate publication/promulgation of school rules.	1	2	3	4	5
54. Students should be given the opportunity to make an appeal in cases of suspension and expulsion.	1	2	3	4	5
55. Students should have the right not to be removed from school premises immediately unless they threaten the welfare of others.	1	2	3	4	5
56. Students should have the right to be informed that they could be suspended or expelled from school after being found guilty of committing a criminal act outside school.	1	2	3	4	5
57. Students should have the right not to be given long-term suspension or expelled for serious offences.	1	2	3	4	5
58. Students should have the right to legal representation when charged with breaking a school rule that could lead to possible expulsion.	1	2	3	4	5
59. Students should have the right to complete all assignments and tests missed during the suspension.	1	2	3	4	5
60. Students should have the right to have information regarding suspension removed from their records.	1	2	3	4	5

#### Section VI: The Right to Reasonable Punishment

61. Students should have the right to expect teachers and administrators to act as reasonable parents when administering corporal punishment.	1	2	3	4	5
---	---	---	---	---	---

	Strongly Agree	Agree	Undecided	Disagree	Strongly Disagree
62. Students should have the right to be informed of all punishable school offences.	1	2	3	4	5
63. Students should be permitted to have a witness of their choice present during the administration of corporal punishment.	1	2	3	4	5
64. Students should have the right not to be subjected to corporal punishment.	1	2	3	4	5
65. Students should have the right to have corporal punishment administered only by administrators, if such punishment is allowed at all.	1	2	3	4	5
66. Students should have the right to have their parents/guardians informed before corporal punishment is administered.	1	2	3	4	5
67. Students should be aware of a method for appeal should they have the opportunity to question certain forms of discipline.	1	2	3	4	5
68. Students should be free from the punitive use of grades and the extension of school authority into non-school activities.	1	2	3	4	5
69. Students should be free from punishment for their participation in a non-school sponsored activity.	1	2	3	4	5
70. Students should have the right to have corporal punishment administered only as a last resort.	1	2	3	4	5

\*\*\*\*\*

Please place a check ( ) or the answer in the appropriate blank at the right of each item:

71. Your sex:      1. Female  
                              2. Male

\_\_\_\_\_  
 \_\_\_\_\_

72. Your age (last birthday):

1. 14 years
2. 15 years
3. 16 years
4. 17 years
5. 18 years
6. 19 years
7. 20 years

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

73. Career aspiration:

1. University
2. College of Trades and  
Technology, Community  
College, Marine Institute,  
Private School
3. Work Force

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

74. Your school name: \_\_\_\_\_

1.

75. Have you completed (now completing)  
Canadian Law 2104?

Yes

\_\_\_\_\_

No

Thank You

QUESTIONNAIRE NUMBER \_\_\_\_\_

76-79



**APPENDIX C**  
**CORRESPONDENCE**

P.O. Box 501  
Bonavista, Nfld.  
AOC 1B0  
1987 02 18

Dear Sir/Madam:

I am preparing a questionnaire entitled, "The Attitudes of Teachers, and Students Toward Student Rights in Selected Integrated High Schools in Eastern Newfoundland", as part of my thesis for the M. Ed. degree in Educational Administration at Memorial University. I would greatly appreciate your cooperation in helping validate the attached questionnaire. I would ask you to look for:

- (a) Ambiguous questions or statements
- (b) Interpretations
- (c) Inconsistencies
- (d) Coverage of topic
- (e) Items which should be deleted, if any
- (f) Additional items.

Thanking you in advance for your cooperation.

Yours sincerely,

Harry R. Templeman

P.O. Box 501  
Bonavista, Nfld.  
AOC 1B0  
1987 02 18

Dear Student:

I am preparing a questionnaire entitled, "The Attitudes of Teachers and Students Toward Student Rights in Selected Integrated High Schools In Eastern Newfoundland", as part of my thesis for the M. Ed. degree in Educational Administration at Memorial University. I would greatly appreciate your cooperation in helping validate the attached questionnaire. I would ask you to look for:

- (a) Ambiguous questions or statements
- (b) Interpretations
- (c) Inconsistencies
- (d) Coverage of topic
- (e) Items which should be deleted, if any
- (f) Additional items.

Thanking you in advance for your cooperation.

Yours sincerely,

Harry R. Templeman

P.O. Box 501  
Bonavista, Nfld.  
AOC LBO  
1987-09 15

Mr. C. M. Pinsent, Superintendent  
Bonavista Trinity Placentia Integrated School Board  
P.O. Box 2001  
Clarenville, Nfld.  
AOE LJO

Dear Sir:

I am asking for your assistance in a very important study entitled, "The Attitudes of Teachers and Students Toward Student Rights in Selected Integrated High Schools in Eastern Newfoundland", which I am undertaking as part of my Master's degree programme in the Department of Educational Administration at Memorial University. I am planning to administer a questionnaire to a number of teachers and students in your school district. Your help will be greatly appreciated.

Sincerely,

Harry R. Templeman

P.O. Box 501  
Bonavista, Nfld.  
AOC 1B0  
1987 09 15

Dr. M. Trask, Superintendent  
Avalon North Integrated School Board  
P.O. Box 500  
Spaniard's Bay, Nfld.  
NOA 3X0

Dear Sir:

I am asking for your assistance in a very important study entitled, "The Attitudes of Teachers and Students Toward Student Rights in Selected Integrated High Schools in Eastern Newfoundland", which I am undertaking as part of my Master's degree programme in the Department of Educational Administration at Memorial University. I am planning to administer a questionnaire to a number of teachers and students in your school district. Your help will be greatly appreciated.

Sincerely,

Harry R. Templeman

P.O. Box 501  
Bonavista, Nfld.  
AOC 1B0  
1987 09 15

Mr. Newman Keliand, Superintendent  
Avalon Consolidated Integrated  
School Board  
P.O. Box 1980  
St. John's, Nfld.  
ALC 5R5

Dear Sir:

I am asking for your assistance in a very important study entitled, "The Attitudes of Teachers and Students Toward Student Rights in Selected Integrated High Schools In Eastern Newfoundland", which I am undertaking as part of my Master's degree programme in the Department of Educational Administration at Memorial University. I am planning to administer a questionnaire to a number of teachers and students in your school district. Your help will be greatly appreciated.

Sincerely,

Harry R. Templeman

P.O. Box 501  
Bonavista, Nfld.  
AOC 1B0  
1987 09 15

Dear Principal:

I am engaged in a comprehensive study of the attitudes of teachers and students towards student rights as part of my Master's degree programme in the Department of Educational Administration at Memorial University. I am seeking permission to administer my questionnaire to a number of your teachers and students. Your assistance will be greatly appreciated.

Yours sincerely,

Harry R. Templeman



MEMORIAL UNIVERSITY OF NEWFOUNDLAND

St. John's, Newfoundland, Canada A1B 3X8

Department of Educational Administration

Telex: 016-4101

Tel.: (709) 737-7647/8

1987-10-02

Dear Colleague:

I am conducting a study of the attitudes of teachers and students towards student rights as part of my Master's degree programme in the Department of Educational Administration at Memorial University. Would you please assist me by completing this questionnaire and returning it in the envelope provided.

At the end of the questionnaire, you are asked for certain school and personal information. Please be assured that all responses will be kept in the strictest confidence and tabulated in an anonymous manner.

Thank you for your help.

Yours sincerely,

Harry R. Templeman



P.O. Box 501  
Bonavista, Nfld.  
AOC LBO  
1987 10 02

Dear Student:

I am conducting a study of the attitudes of teachers and students towards student rights as part of my Master's Degree programme in the Department of Educational Administration at Memorial University. Would you please assist me by completing this questionnaire and returning it in the envelope provided.

At the end of the questionnaire, you are asked for certain school and personal information. Please be assured that all responses will be kept in the strictest confidence and tabulated in an anonymous manner.

Thank you for your help.

Yours sincerely,

Harry R. Templeman

P.O. Box 501  
Bonavista, Nfld.  
AOC 1B0  
December 1, 1987

Mr. C. M. Pinsent, Superintendent  
Bonavista Trinity Placentia  
Integrated School Board  
P.O. Box 2001  
Clareville, Nfld.  
AOE 1JO

Dear Sir:

I wish to express thanks for your cooperation  
with my research, "The Attitudes of Teachers and  
Students Toward Student Rights in Selected Integrated  
High Schools in Eastern Newfoundland."

Yours very sincerely,

Harry R. Templeman

P.O. Box 501  
Bonavista, Nfld.  
AOC 1B0  
December 1, 1987

Dr. M. Trask, Superintendent  
Avalon North Integrated School Board  
P.O. Box 500  
Spaniard's Bay, Nfld.  
AOA 3X0

Dear Sir:

I wish to express thanks for your cooperation with my research, "The Attitudes of Teachers and Students Toward Student Rights in Selected Integrated High Schools in Eastern Newfoundland."

Yours very sincerely,

Harry R. Templeman

P.O. Box 501  
Bonavista, Nfld.  
AOC 1B0  
December 1, 1987

Mr. Newman Kelland, Superintendent  
Avalon Consolidated Integrated School Board  
P.O. Box 1980  
St. John's, Nfld.  
ALC 5R5

Dear Sir:

I wish to express thanks for your cooperation  
with my research, "The Attitudes of Teachers and  
Students Toward Student Rights in Selected Integrated  
High Schools in Eastern Newfoundland."

Yours very sincerely,

Harry R. Templeman

Bonavista  
Newfoundland  
AOC 180

19th November, 1987

Dear Colleagues:

Thank you for your participation in my study, "The Attitudes of Teachers and Students Toward Student Rights in Selected Integrated High Schools in Eastern Newfoundland." I sincerely appreciate your completing the questionnaires and returning them to me. Please accept my thanks for your assistance in this research.

Yours sincerely,

Harry K. Templeman

Bonavista  
Newfoundland  
AOC 1B0

19th November, 1987

Dear Students:

Thank you for your participation in my study, "The Attitudes of Teachers and Students Toward Student Rights in Selected Integrated High Schools in Eastern Newfoundland." I sincerely appreciate your completing the questionnaires and returning them to me. Please accept my thanks for your assistance in this research.

Yours sincerely,

Harry R. Templeman









