Graduate Certificate in Education Law

Entry Requirements
Eligible students will be four-year trained teachers or equivalent, or have a law degree. Graduates in other disciplines will be considered for entry on an individual basis, and should contact the Institute of Legal Studies for further information.

This course is not available for auditing students.

Commitment
Each unit involves the equivalent of twenty-four contact hours with the same amount of self-directed learning for each unit. All units are taught with on-line support. Assessment for each unit will be in a variety of forms but will be equivalent to a 4,500 word paper.

Cost
The fee for each unit studied is 2008 is $1190;

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The Institute of Legal Studies is a national Institute within the University. It offers specialist inter-disciplinary postgraduate programs to meet a variety of needs in the wider community. Courses are taught by the Institute’s academic staff and by expert guest lecturers.

Questions about the application process may be directed to:
Student Centre
Australian Catholic University
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115 Victoria Parade
Fitzroy Vic. 3065
Telephone: 03 9953 3062
Fax: 03 9953 3115
Email: studentcentre@patrick.acu.edu.au

Further information is available from:
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Education and the Law

Education has always operated within the legal environment.

It is due to an increasingly complex legal context — threats of litigation, demands for greater accountability, and expanding awareness of rights and corresponding obligations — that school policies and procedures have had to become more explicitly legal in nature. Recent research suggests that senior educational staff spend a significant amount of time managing legal issues. Staff involved in governance and administration of schools — especially those in positions of leadership — need to have a sound knowledge of the law as it relates to education.

The Benefits of the Graduate Certificate in Education Law

A graduate of the course will have the necessary knowledge and skills needed to deal confidently, effectively and appropriately with legal issues. Students have the opportunity to develop practical skills to identify possible legal problems before they arise, and to respond effectively when they do. Students will also understand better the role of lawyers, when to involve them and how to work most effectively with them.

The course will also introduce students to the general principles of school governance, including Government regulation. It will also highlight the roles and different expectations of those concerned with education, including parents, students, the regulators and the community. Students will gain understanding of the various statutory, contractual and common law duties, particularly the duty to take reasonable care, which underpin the educational process.

To encourage the development of practical skills, students will be encouraged to bring their own experience to the course, and to share that experience with others.

The Graduate Certificate in Education Law benefits both the participant and their school.

Course Structure

The Graduate Certificate in Education Law is offered in online mode. However, for specified cohorts it may be offered in other flexible modes. It is taught by specialist staff with a wealth of practical and research experience in the relevant fields.

The course comprises four units:

Introduction to Education Law

This first unit provides an understanding of the way law is made and applied in Australia. It seeks to give students greater confidence with legal concepts and language and to introduce students to the legal framework which surrounds education.

Governance of Independent and State Schools

Good governance is an essential component of quality education in the 21st century. It is a legal requirement. All educators must exercise proper diligence in the discharge of their responsibilities, particularly with regard to the formulation and implementation of policy. This unit aims to give students an understanding of the hierarchy of relationships responsible for the governance of schools.

Legal Obligations and Rights

The educational process is underpinned by a complex matrix of relationships, each giving rise to certain obligations and rights. Principals, school administrators and teachers need to understand the various legal relationships that exist in the educational process and the obligations and rights that flow from them. This unit will examine the various statutory, common law, including contractual duties, particularly the duty to take reasonable care, which underpins the educational process. It will also critically examine the obligations and rights of parents and students.

Managing Legal Issues

This unit aims to equip teachers and educational administrators to manage legal issues effectively. Students will be educated to identify potential legal problems and how best to avoid them. Students will learn about various ways of settling disputes, including mediation and other primary dispute resolution strategies. They will gain an understanding of the language used in legal correspondence and threats of litigation and how to participate in court proceedings. The unit will also examine in detail contemporary legal issues in the education sector such as family law, privacy, discrimination and occupational health and safety.

Comments from past students

“Excellent...entirely relevant to my day to day work”

“...a good balance of theory and practice, including the opportunity to visit the Courts and observe real cases...it put the theory into context...”

“...the lecturers background as an experienced lawyer and teacher was invaluable in the delivery of the course.”