
Business Result Intermediate Teachers Book Pdf

Don Hart explained that more conferences are required at the primary school than in the intermediate grades because the intermediate grades generally do not have any elective courses and parents are more apt to approach the teacher on routine questions. Teachers, therefore, are not as apt to be involved in conferences with parents in the primary grades. The respondents' expert, while testifying to the need for a teacher to be present during the actual instruction period, agreed that a teacher should also be at the school to help with the workload. The teachers' expertise, frequently and subtly observed by those who work with them, is highly valuable in the area of instruction. In conclusion, the subcommittee did not believe that the respondent Board had established a "[58 Cal. App. 3d 710]" satisfactory system for providing additional compensation to teachers as intermediate school teachers. Though the cost of this additional compensation may be borne by the taxpayers, it appears that it may be more effectively met by a differential in salary or in cost of the services to the Board. The subcommittee believes that this inequitable policy is the result of a lack of incentive for teachers to seek training. There are far more training opportunities for elementary and primary teachers than for intermediate ones. There are far fewer opportunities for training in English for intermediate teachers than for primary or elementary teachers. The Subcommittee had a number of conversations with school principals about this in relation to the Elementary Teachers Association. Despite this inequitable financial inducement to the intermediate classes, the subcommittee was able to establish that in some of the schools in the respondent District there was no guidance for intermediate teachers regarding their professional development.

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A general rule governing contracts of employment of permanent teachers by an educational agency is that the sole function of the courts is to determine whether the proceedings leading to the contract were legal and whether the contract is valid and binding. (Bogert, The Law of Service Contracts, chap. 11, sec. 260, pp. 12-13.) The approval of the contract by the board of trustees is a matter of internal management and cannot be reviewed by the courts. (Abbott v. Board of Trustees, 25 Cal. App. (2d) 743 [78 P.2d 498]; Beam v. Board of Trustees, 22 Cal. App. (2d) 685 [72 P.2d 295].) The [58 Cal. App. 3d 713] Abbott case was a 10-day contract involving a primary school teacher where a majority of the board approved it in spite of the notice having been insufficient in form and content and the notice of the board not being given to the teacher or his attorney. The court found no merit in a claim that the respondent board had breached its contract in an action instituted by a teacher at the same school who had previously taught there for many years. The court said: 'The complaint does not allege that the action of the board was ultra vires, arbitrary or unauthorized or that it was adopted without due process, or any of the usual defects that warrant the interference of equity.' (25 Cal. App. (2d) at page 751.) See also Bogert, The Law of Service Contracts, supra, at page 13: 'The general proposition that the courts do not have the power to control or question the wisdom of the terms of a contract of employment by a school board or the discretion with which the board may decide upon the advisability of a contract is strictly limited to the matter of constitutionality. The courts may, if possible, find grounds for declaring the contract void, but, when this is done, it is for them to determine if the grounds alleged are sufficient or not. While it is an abuse of the school board's discretion to set up a contract which is clearly illegal, the courts have no power to fix the salary of teachers, and may only consider the question of constitutionality; they cannot, in the discharge of their judicial powers, exercise an administrative function and determine the matter for the school board. A rule promulgated by the board regarding the salary of teachers has the force of a statute. The courts can review it for the purpose of determining whether it is a reasonable rule for it to promulgate, but they have no power to vary the terms of the contract and substitute their own salary for that fixed by the board. 5ec8ef588b

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