

# DIPLOMA CENTRE

## Diploma in Education Law



### **COURSE OVERVIEW**

this highly regarded advanced-level diploma provides participants with a comprehensive understanding of the complex legal topics that arise when advising on education law matters. The practice of education law encompasses a diverse range of potential practice areas, including employment law, equality law, conflict resolution, corporate governance, child protection, and litigation. Added to this complexity of potential legal issues is the fact that, in order to provide effective and informed solutions, those advising in education law disputes also need to understand the governance and decision-making structures that apply within a particular school.

This course begins with a general introduction to the often fascinating development of education law in Ireland, considering key constitutional and legislative provisions, before reflecting in more detail on the specific day-to-day issues that arise when advising on education law matters or, indeed, when acting as a decision-maker within a school.

The course is designed to be as accessible as possible, with key sessions taking place during standard school holidays and all lectures webcast and accessible “live” or in playback format.

### **PROGRAMME OBJECTIVES**

On completion of this training programme, participants will have:

- An excellent understanding of the key employment law issues relevant to the school setting;
- An understanding of school structures and governance arrangements;
- A thorough knowledge of admissions policies and student conduct issues;
- Knowledge of the legal issues relating to special educational needs;
- Familiarity with key considerations regarding negligence and litigation management;
- A thorough knowledge of child protection issues; and
- An understanding of matters relevant to higher, further, and adult education.

### **MODULES**

#### **Module 1: Employment law in the school context – part 1**

- Recruitment of staff; status of workers,
- The contract of employment and understanding Contracts of Indefinite Duration (CIDs),
- Grievance and disciplinary procedures,
- Termination of employment and unfair dismissals,
- The Teaching Council, registration, and “fitness to teach” – part 5 of the *Teaching Council Acts 2001-2015*.

#### **Module 2: Employment law in the school context – part 2**

- Promotion of staff and appointment procedures for principals,
- Equality in the workplace,
- Managing bullying and harassment within schools,
- The application of the *Transfer of Undertaking Regulations* in the school context.

# DIPLOMA CENTRE



## Diploma in Education Law

### **Module 3: Admissions policies and student conduct**

- Admission, enrolment policies, and equality provisions,
- Codes of behaviour and school disciplinary procedures,
- Peer-to-peer bullying and student use of social media,
- Managing parental complaints.

### **Module 4: School structures and governance**

- Legislative framework – the *Education Act 1988* and amending legislation,
- Structure and role of boards of management,
- The role of principals and teachers,
- Financial management,
- The inspectorate.

### **Module 5: Negligence and litigation management**

- The duty of care in the school context,
- The standard of care,
- When the duty of care arises and the “boundaries” of the school,
- Sporting activities organised by schools,
- Teacher negligence and contributory negligence of children,
- Degree of supervision and student maturity,
- Liability of the school authority.

### **Module 6: Providing for special educational needs**

- Constitutional considerations and legislative provisions,
- School policies and procedures for special educational needs,
- Roles and functions of boards of management and principals,
- The examination and assessment process,
- Equality law provisions, with a focus on disability discrimination.

### **Module 7: Compliance matters and miscellaneous provisions**

- Freedom of information and data protection concerns relevant to schools,
- Child protection obligations and the role of the designated liaison person,
- The *Protected Disclosures Act 2014*,
- Participating in case conferences – best practice,
- Tusla reporting requirements,
- Health and safety provisions.

### **Module 8: Higher, further, and adult education**

- Governance structures at third level,
- Student conduct issues,
- Issues relevant to international students.
- The examination process and managing plagiarism.

# DIPLOMA CENTRE

## Diploma in Education Law



### WHO SHOULD ATTEND?

This course is suitable for the following:

- Solicitors, barristers, and trainees who advise or wish to advise on education law matters, and
- Key stakeholders and decision-makers within the education setting, including school principals, teachers, management organisations, trade unions, and staff associations.

If you are interested in applying for a future offering of the course, please subscribe to our [Interested List](#).

**Note:** The information in this document is subject to change as course content and modules may be adapted.