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**P.E Summary**

**Chapter 10 Summary - Liability**

Educators are held to a ***higher standard of care*** in terms of risk management due to the higher degree of danger associated with Physical Education.

* Statistically, the ***greatest number of accidents*** at school occurs during PE.

Intentional and unintentional accidents are covered under the Civil Law of Torts.

1. ***Unintentional negligence*** occurs “when a person ought to have foreseen that his or her actions would cause harm” and is the most common suit for educators.
2. Under Tort Law, guilty parties are ***punished to deter future acts of tort*** and victims receive compensation to mitigate losses incurred.

**Elements Required to Prove Negligence:**

1.       **Duty of care**

2.       **Breach of the standard of care**

3.       **Damage resulting from this breach**

**Three Types of Defence for a Negligence Claim:**

1. ***Contributory Negligence*** - numerous parties accountable if deemed to have contributed to negligence.
2. ***Voluntary Assumption of Risk*** – student assumes legally responsible through an express agreement or implication. In cases involving children, this defense is difficult to prove
3. ***Risk Management*** - reduce potential for accidents by managing legal and physical risks

**Steps to Achieve Risk Management:**

1. ***Identify Risks -*** figure out potential sources for danger
2. ***Classify Risks*** – weigh frequency and severity of injuries to the cost of removal of activity
3. ***Develop Risk Control Measures*** – including not doing activity,  offering activity and accepting full responsibility, reducing of risks, transferring responsibility through an insurance policy and getting students to voluntarily assume risk
4. ***Implement Risk Control Measures*** – additional staff, specialist advice, adequate training, equipment maintenance, establishment of clear rules and a contingency plan
5. ***Monitor and Modify Measures*** – Adapt to changing conditions, demands and data

**Implications of Risk Management and Risk Avoidance:**

1. Results in ***too much risk management and risk avoidance***. The fear of litigation results in educators becoming too conservative with physical education activities
2. Safety guidelines in many provinces and individual schools cover safety of facilities, equipment, instruction, supervision and clothing and footwear
3. “Litigation Paranoia” may result in the ***removal of valuable physical education activities*** from school curriculum.

**Advice Going Forward:**

Use caution and common sense when conducting a physical education lesson. Use risk management to mitigate, or reduce risks and in the event of an incident always take detailed notes.

**Discussion Questions:**

1. How much risk management and risk avoidance do you think is appropriate in order to facilitate a healthy, explorative lesson?
2. Does focusing on risk avoidance remove valuable physical education activities from our school curriculum?
3. How might “litigation paranoia” and risk avoidance contribute to childhood obesity?

**Chapter 11 Summary - Critical Approaches to Pedagogy**

**This chapter:**

1. ***Questions the ‘accepted practices’*** related to social justice, marginalized groups of people, inadequacies of power relationships, and various influences that impact the production of knowledge and teaching practices in schools.
2. ***Challenges the status quo*** and asks if there is a better way to approach things in the school system
3. ***Places emphasis on critical thinking***, and knowing when, where, and how to question something

**The critical pedagogy of teaching:**

1. Is an approach where ***social, cultural, and political justice issues are examined*** in relation to teaching practices
2. It encourages students to ***examine and challenge*** the status quo, the dominant constructions of reality, and the power relations that produce inequalities

**Discussion Questions:**

1. Have you ever encountered anything during your P.E class, or school, that you **thought was inappropriate**? How would you go about it critically? *For instance, the Case Study about the teacher telling a grade 2 student she can't go to the dance in her dress because she is 'too fat'.*
2. Which groups of people would be **identified as marginalized** in Canada? Why? How do you think various groups have been marginalized within the P.E education? *For instance, not enough expectation for girls in a P.E environment, heavier children, low expectation for lower socioeconomic status children, etc.*

**Application of Risk Management in Educational Gymnastics**

1. If students are removing their shoes for gymnastics activity, a routine for handling this activity must be taught and practiced.
2. When handling/moving from one mat or piece of equipment to another, proper lifting techniques should be taught and practiced before moving any equipment
3. If students are assisting in setting up the workspace, they should be taught that mats should not overlap or be placed too close to walls based on the momentum of the skills that will be worked on
4. Use brightly coloured tape or cones to mark boundaries
5. Safely stopping activity on signal in gymnastics, most skill can’t be immediately arrested, a verbal signal of “stop” can be dangerous