



BEST INTENTIONS

Cordelia said: "We are not the first who with best meaning have incurr'd the worst." Her words, however, were not heeded by the teacher dismissed for giving students a version of *King Lear* that had not been approved by the board. Paul Robertson explains how the special character of the school played a key role.

THE EMPLOYMENT RELATIONS

Authority has upheld the dismissal of a teacher for providing a plain English translation of *King Lear* to her year 13 students. The Authority concluded that the teacher was guilty of misconduct for not gaining approval before distributing the translation.

The teacher was employed in a school run by the Exclusive Brethren Church. Her employment contract stated that the "ethos and guiding principles of the school community" were governed at all times and in every detail by the *Holy Bible*. The trustees had absolute discretion in determining what conduct or activity was in accord with the *Bible*. The contract also provided that only literature approved by the trustees was able to be brought onto the school premises.

In 2008, Shakespeare's *King Lear* was included in the English curriculum. A specific imprint of the text was approved by the

trustees. This edition comprised the original text on the right-hand page with a glossary and limited additional commentary on the left.

The teacher had problems translating the Shakespearian language for her students. She was particularly concerned that she did not have the material to help her go beyond the words to encourage students to understand theme and character. Demonstrating such understanding was essential at examination.

She discussed this concern with a trustee who agreed that she could look further afield for appropriate material, but that that material needed the board's approval. She initially looked to the education manager for the Exclusive Brethren Church schools, but did not receive assistance.

The teacher eventually located a complete text of *King Lear* with a detailed modern English translation on the website Sparknotes.com. She downloaded it and gave

it to her students. Unfortunately, she did not discuss the translation with the board.

Subsequently, one student became uncomfortable about a scene where Edmund refers to his illegitimate origins. The modern translation was blunt and to the point. The teacher withdrew the translation from her class but still faced a disciplinary hearing.

She was reminded of the instruction to obtain approval before presenting material to her students. She argued that the modern translation was not that different from the original text once the meaning of the words was known, and that she had been too busy to obtain approval before providing copies to her class.

The board considered parts of the modern text to be offensive and repulsive and that the use of the material was inexcusable. The failure to obtain approval for the translation was, in the view of the board, serious misconduct.

She was summarily dismissed.

The Authority member had considerable sympathy for the teacher who holds Christian beliefs herself. She was motivated by a genuine wish to equip her students as well as she could for success in the NCEA examination, but had difficulty finding appropriate material.

The original text was itself objectionable when the meanings of the words were known. However, this text had been approved by the board and the teacher did not seek approval before distributing the modern translation. Her failure to recognise that the bluntness of the language in the modern translation would cause difficulties was an error of judgement.

Because of the clear words of the employment contract, the dismissal was held to be justified. **et**

Paul Robertson is an associate with Heaney & Co in Auckland.

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Contact: Paul Robertson

Phone: (64-9) 3030-100 Fax: (64-9) 3677-009 PO Box: 105391 DX CP18503 Level 17, ANZ Tower, 23-29 Albert Street, Auckland, New Zealand

www.heaneyco.com