
Loco Parentis Update V1.2.1.4856 'LINK'

colleges and universities have become much more focused on athletics since the early 1980s when the ncaa issued athletic policies and practices . before this point, many college administrators and faculty were averse to the loss of focus on academics, and were concerned about the amount of time that college athletes were spending exercising and practicing their sport. today, most athletic directors have come to accept that student athletes should be allowed to have in loco parentis relations with their sports coaches, the members of their athletic teams, and the coaches of their opponents.

b. the department shall forward all original driver's licenses issued to persons under the age of 21 years to the judge of the juvenile and domestic relations court in the city or county in which the licensee resides. the judge or a substitute judge shall issue to each person to be licensed the license so forwarded, and shall, at the time of issuance, conduct a formal, appropriate ceremony in which he shall illustrate to the licensee the responsibility attendant on the privilege of driving a motor vehicle. the attorney for the commonwealth who serves the jurisdiction in which the ceremony is to be conducted may request in writing in advance of such ceremony an opportunity to participate in the ceremony. any judge who presides over such ceremony shall, upon request, afford the attorney for the commonwealth the opportunity to participate in such ceremony and to address the prospective licensees and the persons enumerated below who may be accompanying the prospective licensees as to matters of enforcement, prosecutions, applicable punishments, and the responsibility of drivers generally. if the licensee is under the age of 21 years at the time his ceremony is held, he shall be accompanied at the ceremony by a parent, his guardian, spouse, or other person in loco parentis. however, the judge, for good cause shown, may mail or otherwise deliver the driver's license to any person who is a student at any educational institution outside of the commonwealth at the time such license is received by the judge as prescribed in this section.



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examples of schools or institutions of higher learning that still operate under the legal regime of in loco parentis are: university of minnesota iowa state university university of missouri university of virginia there is every reason to believe that such colleges, as well as elementary and secondary schools, will remain under the legal regime of in loco parentis throughout the foreseeable future, and possibly for centuries to come. the 1993 family medical leave act (fmla) is just one example of a federal law that continues to operate under the in loco parentis legal regime. until such time that schools or institutions can properly be considered private entities, laws under which they operate will be subject to judicial review in court. it is the legal regime under which the school operates that we have in mind when we write about in loco parentis's holding and holding back. just as the courts did at the time, universities will very likely continue to make judgments in each case about whether an employee is entitled to leave that is protected under the in loco parentis legal system or whether the employee is to be left to do the job for which the employer has hired him/her while an illness lasts. even the lowest, most underpaid, and least valuable employees, those who are older, less qualified, or less likely to advance the institution, may be able to prove to a court that they have a close personal connection to a sick child or are otherwise important to the welfare of the child. the maintenance of the legal regime of in loco parentis allows universities to satisfy their legal responsibilities to their students by providing the basic necessities of life to those students, even while simultaneously limiting the legal responsibility of the universities for their actions to the families of the students. the principle of in loco parentis is a very strong one, and courts rarely let universities off the hook to make judgments about the needs of their students. 5ec8ef588b

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