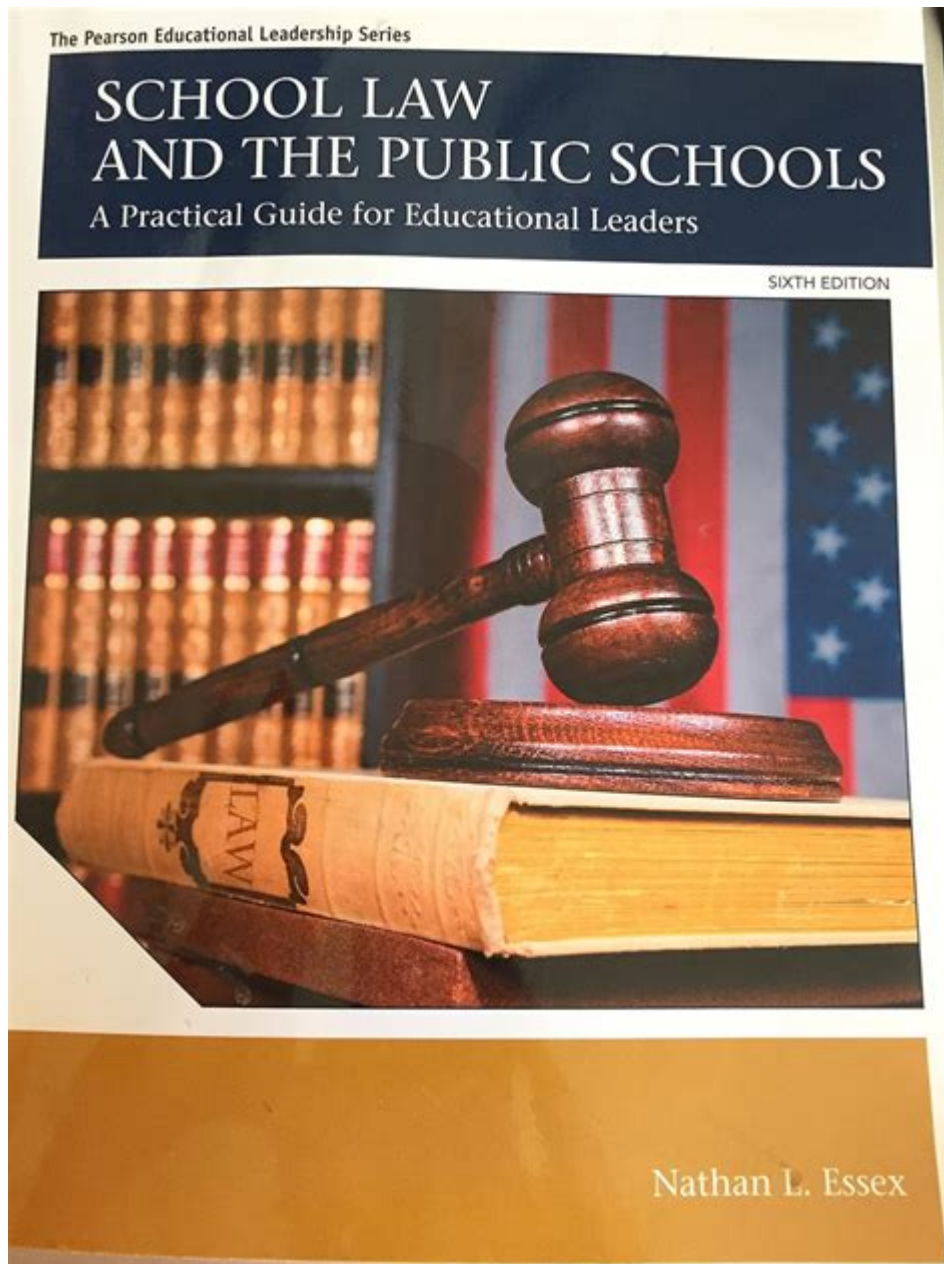


School Law And The Public Schools



School Law and the Public Schools: Navigating the Complexities

Navigating the world of public education can feel like traversing a minefield, especially when legal issues arise. This comprehensive guide delves into the multifaceted area of school law and the public schools, providing insights into key legal aspects impacting students, parents, teachers, and administrators. We'll explore everything from student rights and discipline to special education laws and school funding, equipping you with a better understanding of this crucial area.

Understanding the Foundation: Key Legal Principles in Public Education

Public education in the United States operates within a complex legal framework shaped by federal, state, and local laws. This intricate system ensures students' rights are protected while schools maintain order and effectiveness. Key legal principles underpinning this system include:

The Fourteenth Amendment:

This amendment guarantees equal protection under the law, impacting areas like school segregation, disciplinary actions, and access to educational resources for students with disabilities. Understanding its implications is crucial for ensuring fairness and equity within schools.

Title IX of the Education Amendments of 1972:

This federal law prohibits sex-based discrimination in any school or education program receiving federal funding. Title IX encompasses a wide range of issues, from sexual harassment and assault to equitable opportunities in athletics and extracurricular activities.

The Individuals with Disabilities Education Act (IDEA):

IDEA mandates that students with disabilities receive a free and appropriate public education (FAPE) in the least restrictive environment (LRE). This law outlines procedures for identifying students with disabilities, developing Individualized Education Programs (IEPs), and ensuring their access to appropriate supports and services.

Student Rights and Responsibilities: A Balancing Act

The legal landscape surrounding student rights is often a delicate balance between ensuring a safe and orderly learning environment and safeguarding students' constitutional rights.

Free Speech in Schools:

While students do have First Amendment rights, these rights are not absolute within the school setting. Schools can limit speech that is disruptive, obscene, or violates the rights of others. The line between protected and unprotected speech can be blurry, often requiring careful consideration of context and potential impact.

Due Process Rights:

Students facing disciplinary actions, like suspension or expulsion, are entitled to due process. This means they have the right to be informed of the charges against them, to present their side of the story, and to have a fair hearing before any significant punishment is imposed.

Search and Seizure:

School officials can conduct searches of students and their belongings, but these searches must be reasonable under the circumstances. Unreasonable searches and seizures can violate students' Fourth Amendment rights. The "reasonable suspicion" standard often applies in school searches.

Special Education Law: Ensuring Access and Equity

The Individuals with Disabilities Education Act (IDEA) is a cornerstone of special education law. It provides a framework for identifying, assessing, and educating students with disabilities.

Individualized Education Programs (IEPs):

IEPs are individualized plans designed to meet the unique educational needs of each student with a disability. These plans outline specific goals, services, and accommodations necessary for the student to make progress in school.

Least Restrictive Environment (LRE):

IDEA mandates that students with disabilities be educated in the LRE appropriate to their needs. This typically means inclusion in general education classrooms to the maximum extent possible, with appropriate supports and services provided.

Parental Rights and Due Process:

Parents play a crucial role in the IEP process and have significant rights to participate in decision-making regarding their child's education. They have the right to challenge IEP decisions through due process hearings if they disagree with the school's plan.

School Funding and Resource Allocation: Legal Implications

The funding of public schools is a complex and often contentious issue with significant legal ramifications. State and local laws dictate how schools are funded, and these funding mechanisms can impact everything from class size to curriculum offerings. Legal challenges frequently arise regarding equitable funding distribution and resource allocation across different school districts.

Conclusion: Navigating the Legal Landscape of Public Education

Understanding school law is critical for everyone involved in the public education system. By grasping the key legal principles, students, parents, teachers, and administrators can better advocate for their rights, ensure fairness and equity, and ultimately create a more effective and supportive learning environment for all.

FAQs:

Q1: What should I do if I believe my child's rights have been violated at school?

A1: Document the incident thoroughly, including dates, times, witnesses, and any relevant communications. Consult with an attorney specializing in education law to explore your legal options.

Q2: Can a school search my child's backpack without my permission?

A2: School officials can conduct searches based on reasonable suspicion, but an unreasonable search could violate your child's Fourth Amendment rights. The specifics depend on the circumstances and state law.

Q3: What if I disagree with my child's IEP?

A3: You have the right to request a meeting with the school to discuss your concerns and propose modifications. If the disagreement persists, you can pursue due process hearings to challenge the IEP.

Q4: What constitutes "disruptive" speech that can be limited in school?

A4: Speech that substantially disrupts the educational environment, is obscene, or violates the rights of others is typically considered unprotected. The line can be nuanced and context-dependent.

Q5: Where can I find more information about school law in my state?

A5: Your state's department of education website is a good starting point. You can also consult with an attorney specializing in education law in your jurisdiction.

school law and the public schools: School Law and the Public Schools Nathan L. Essex, 1999 This book includes comprehensive and practical coverage of the relevant legal issues that affect the organization and administration of public schools, using minimal legal jargon, and timely court case studies. Includes a comprehensive bibliography of cases and references and a glossary of relevant terms.

school law and the public schools: American Public School Law Kern Alexander, M. David Alexander, 2011-01-01 Alexander and Alexander's best-selling AMERICAN PUBLIC SCHOOL LAW sets the standard for books in educational law, an increasingly vital area of expertise for today's school and district administrators. Now in its Eighth Edition, this combined textbook/casebook provides an authoritative and comprehensive view of the law that governs the public school system of the United States, including common law, statutes, and constitutional laws as they affect students, teachers, and administrators. Featuring civil and criminal cases selected from hundreds of jurisdictions and newly updated to reflect the latest legal trends and precedents, the book reviews key laws and relevant court decisions. The case method offers ample opportunity for discussions aimed at discovering and exposing the underlying rules and reasoning, and the text actively encourages readers to relate factual situations to the law while anticipating similar experiences they may have as practicing teachers and administrators. Written in an engaging and accessible style, AMERICAN PUBLIC SCHOOL LAW, Eighth Edition, explains even complex points of law clearly and effectively for non-lawyers, and the authors maintain a diligent focus on the unique needs of professional educators preparing for successful careers in administration. Important Notice: Media content referenced within the product description or the product text may not be available in the ebook version.

school law and the public schools: The Schoolhouse Gate Justin Driver, 2019-08-06 A Washington Post Notable Book of the Year A New York Times Book Review Editors' Choice An award-winning constitutional law scholar at the University of Chicago (who clerked for Judge Merrick B. Garland, Justice Stephen Breyer, and Justice Sandra Day O'Connor) gives us an engaging and alarming book that aims to vindicate the rights of public school students, which have so often been undermined by the Supreme Court in recent decades. Judicial decisions assessing the constitutional rights of students in the nation's public schools have consistently generated bitter controversy. From racial segregation to unauthorized immigration, from antiwar protests to compulsory flag salutes, from economic inequality to teacher-led prayer—these are but a few of the cultural anxieties dividing American society that the Supreme Court has addressed in elementary and secondary schools. The Schoolhouse Gate gives a fresh, lucid, and provocative account of the historic legal battles waged over education and illuminates contemporary disputes that continue to fracture the nation. Justin Driver maintains that since the 1970s the Supreme Court has regularly abdicated its responsibility for protecting students' constitutional rights and risked transforming public schools into Constitution-free zones. Students deriving lessons about citizenship from the Court's decisions in recent decades would conclude that the following actions taken by educators

pass constitutional muster: inflicting severe corporal punishment on students without any procedural protections, searching students and their possessions without probable cause in bids to uncover violations of school rules, random drug testing of students who are not suspected of wrongdoing, and suppressing student speech for the viewpoint it espouses. Taking their cue from such decisions, lower courts have upheld a wide array of dubious school actions, including degrading strip searches, repressive dress codes, draconian “zero tolerance” disciplinary policies, and severe restrictions on off-campus speech. Driver surveys this legal landscape with eloquence, highlights the gripping personal narratives behind landmark clashes, and warns that the repeated failure to honor students’ rights threatens our basic constitutional order. This magisterial book will make it impossible to view American schools—or America itself—in the same way again.

school law and the public schools: American Public School Law Kern Alexander, M. David Alexander, 1985 This popular and well-known textbook provides a comprehensive view of the law that governs the state schools systems of the United States. It presents and discusses legal cases concerned with the multitude of issues facing the public school system, including such issues as teaching diverse student populations, teacher rights, and the role of the Federal government. Over 1300 citations and school law case excerpts are included.

school law and the public schools: Legal Issues in Education Kevin Grant Welner, Robert J. Kim, Stuart Biegel, 2017 Softbound - New, softbound print book.

school law and the public schools: School Law and the Public Schools Nathan Essex, 2014-12-29 For courses in School Law (Educational Administration and Leadership) An essential, practical, hands-on resource for school leaders, policymakers, and other educational personnel. Practical, clear, and easy to read and understand, this guide looks at both the historical background and the contemporary legal issues that affect every aspect of schools today. The historical and contemporary legal issues affecting the organization and administration of schools in America today are covered in this practical, easy to read guide. Here readers see how to apply concrete, specific legal knowledge to the real issues and challenges they face every day in the classroom and in and around the school. The new Sixth Edition of School Law and the Public Schools brings readers the latest information on today's most critical issues, among them: recent rulings on religion in public schools, social media, Facebook and Twitter challenges, virtual charter schools, administrators' authority at bus stops, legal aspects of teachers and administrators' evaluation, teacher performance and misconduct, 504 Rehabilitation plans, the McKinney-Vento Homeless Act, violence and tragedy in U.S. schools, procedures for evaluating and responding to threats, natural disasters and school safety, proposed changes to No Child Left Behind by the White House, and the use of chaperones for field trips. Numerous application exercises and case studies give the concepts real-life meaning, and illustrative tables and figures further reinforce and amplify the ideas.

school law and the public schools: America's Public Schools William J. Reese, 2011-04-01 In this update to his landmark publication, William J. Reese offers a comprehensive examination of the trends, theories, and practices that have shaped America’s public schools over the last two centuries. Reese approaches this subject along two main lines of inquiry—education as a means for reforming society and ongoing reform within the schools themselves. He explores the roots of contemporary educational policies and places modern battles over curriculum, pedagogy, race relations, and academic standards in historical perspective. A thoroughly revised epilogue outlines the significant challenges to public school education within the last five years. Reese analyzes the shortcomings of “No Child Left Behind” and the continued disjuncture between actual school performance and the expectations of government officials. He discusses the intrusive role of corporations, economic models for enticing better teacher performance, the continued impact of conservatism, and the growth of home schooling and charter schools. Informed by a breadth of historical scholarship and based squarely on primary sources, this volume remains the standard text for future teachers and scholars of education.

school law and the public schools: Public Legal Education Richard Grimes, 2021-05-11 This book makes the case for a more legally literate society and then addresses why and how a law school

might contribute to achieving that. Moreover examining what public legal education (PLE) is and the forms it can take, the book looks specifically at the ways in which a law school can get involved, including whether that is as part of an academic, credit-bearing, course or as extra-curricular activity. Divided into five main chapters, the book first examines the nature of PLE and why its provision is so central to the functioning of modern society. Models of PLE are then set out ranging from face-to-face tuition to the use of hard-copy material, including the growing importance of e-based technology. One model of PLE that has proven to be very attractive to law schools – Street Law – is described and analysed in detail. The book then turns to look at the considerations for a law school wishing to incorporate PLE into its offerings be that as part of the formal curriculum or not. The subject of evaluation is then raised – how might we find out if what we do by way of PLE is effective and how it might be improved upon? The final chapter reaches conclusions, some penned by the book's author and others drawn from key figures in the PLE movement. This book provides a thorough examination of PLE in a law school context and contains a set of templates that can be implemented and/or adapted for use as the situation and jurisdiction dictate. An accessible and compelling read, this book will be of interest to law students, legal academics, practising lawyers, community activists and all those interested in PLE.

school law and the public schools: The Pursuit of Racial and Ethnic Equality in American Public Schools Kristi L. Bowman, 2014-12-19 In 1954 the Supreme Court decided *Brown v. Board of Education*; ten years later, Congress enacted the Civil Rights Act. These monumental changes in American law dramatically expanded educational opportunities for racial and ethnic minority children across the country. They also changed the experiences of white children, who have learned in increasingly diverse classrooms. The authors of this commemorative volume include leading scholars in law, education, and public policy, as well as important historical figures. Taken together, the chapters trace the narrative arc of school desegregation in the United States, beginning in California in the 1940s, continuing through *Brown v. Board*, the Civil Rights Act, and three important Supreme Court decisions about school desegregation and voluntary integration in 1974, 1995, and 2007. The authors also assess the status of racial and ethnic equality in education today and consider the viability of future legal and policy reform in pursuit of the goals of *Brown v. Board*. This remarkable collection of voices in conversation with one another lays the groundwork for future discussions about the relationship between law and educational equality, and ultimately for the creation of new public policy. A valuable reference for scholars and students alike, this dynamic text is an important contribution to the literature by an outstanding group of authors.

school law and the public schools: Corporal Punishment in U.S. Public Schools Elizabeth T. Gershoff, Kelly M. Purtell, Igor Holas, 2015-01-27 This Brief reviews the past, present, and future use of school corporal punishment in the United States, a practice that remains legal in 19 states as it is constitutionally permitted according to the U.S. Supreme Court. As a result of school corporal punishment, nearly 200,000 children are paddled in schools each year. Most Americans are unaware of this fact or the physical injuries sustained by countless school children who are hit with objects by school personnel in the name of discipline. Therefore, *Corporal Punishment in U.S. Public Schools* begins by summarizing the legal basis for school corporal punishment and trends in Americans' attitudes about it. It then presents trends in the use of school corporal punishment in the United States over time to establish its past and current prevalence. It then discusses what is known about the effects of school corporal punishment on children, though with so little research on this topic, much of the relevant literature is focused on parents' use of corporal punishment with their children. It also provides results from a policy analysis that examines the effect of state-level school corporal punishment bans on trends in juvenile crime. It concludes by discussing potential legal, policy, and advocacy avenues for abolition of school corporal punishment at the state and federal levels as well as summarizing how school corporal punishment is being used and what its potential implications are for thousands of individual students and for the society at large. As school corporal punishment becomes more and more regulated at the state level, *Corporal Punishment in U.S. Public Schools* serves an essential guide for policymakers and advocates across the country as well as for

researchers, scientist-practitioners, and graduate students.

school law and the public schools: Law, Education, and the Place of Religion in Public Schools Charles Russo, 2021-09-30 This text presents a comparative, cross-cultural analysis of the legal status of religion in public education in eighteen different nations while offering recommendations for the future improvement of religious education in public schools. Offering rich, analytical insights from a range of renowned scholars with expertise in law, education, and religion, this volume provides detailed consideration of legal complexities impacting the place of religion and religious education in public education. The volume pays attention to issues of national and international relevance including the separation of the church and state; public funding of religious education; the accommodation of students' devotional needs; and compulsory religious education. The volume thus highlights the increasingly complex interplay of religion, law, and education in diverse educational settings and cultures across developing and developed nations. Providing a valuable contribution to the field of religious secondary education research, this volume will be of interest to researchers, academics, and educators with an interest in religion and law, international and comparative education, and those involved with educational policy at all levels. Those more broadly interested in moral and values education will also benefit from the discussions the book contains.

school law and the public schools: Does God Belong in Public Schools? Kent Greenawalt, 2009-01-10 Controversial Supreme Court decisions have barred organized school prayer, but neither the Court nor public policy exclude religion from schools altogether. In this book, one of America's leading constitutional scholars asks what role religion ought to play in public schools. Kent Greenawalt explores many of the most divisive issues in educational debate, including teaching about the origins of life, sex education, and when--or whether--students can opt out of school activities for religious reasons. Using these and other case studies, Greenawalt considers how to balance the country's constitutional commitment to personal freedoms and to the separation of church and state with the vital role that religion has always played in American society. Do we risk distorting students' understanding of America's past and present by ignoring religion in public-school curricula? When does teaching about religion cross the line into the promotion of religion? Tracing the historical development of religion within public schools and considering every major Supreme Court case, Greenawalt concludes that the bans on school prayer and the teaching of creationism are justified, and that the court should more closely examine such activities as the singing of religious songs and student papers on religious topics. He also argues that students ought to be taught more about religion--both its contributions and shortcomings--especially in courses in history. To do otherwise, he writes, is to present a seriously distorted picture of society and indirectly to be other than neutral in presenting secularism and religion. Written with exemplary clarity and even-handedness, this is a major book about some of the most pressing and contentious issues in educational policy and constitutional law today.

school law and the public schools: Schoolhouses, Courthouses, and Statehouses Eric A. Hanushek, Alfred A. Lindseth, 2009-04-27 Improving public schools through performance-based funding Spurred by court rulings requiring states to increase public-school funding, the United States now spends more per student on K-12 education than almost any other country. Yet American students still achieve less than their foreign counterparts, their performance has been flat for decades, millions of them are failing, and poor and minority students remain far behind their more advantaged peers. In this book, Eric Hanushek and Alfred Lindseth trace the history of reform efforts and conclude that the principal focus of both courts and legislatures on ever-increasing funding has done little to improve student achievement. Instead, Hanushek and Lindseth propose a new approach: a performance-based system that directly links funding to success in raising student achievement. This system would empower and motivate educators to make better, more cost-effective decisions about how to run their schools, ultimately leading to improved student performance. Hanushek and Lindseth have been important participants in the school funding debate for three decades. Here, they draw on their experience, as well as the best available research and

data, to show why improving schools will require overhauling the way financing, incentives, and accountability work in public education.

school law and the public schools: Key Legal Issues for Schools Charles J. Russo, 2013 School business officials (SBOs) must, in many respects, serve as all things to all people in their workplaces. Put another way, SBOs must be knowledgeable about a wide range of legal issues ranging from contracts to setting policy to state bidding laws let alone constitutional matters involving the rights of students and teachers. Aware of the fact that issues involving the law are at the heart of many of a SBO's duties, the chapters in this edited book have been written by a diverse array of individuals with experience as educational leaders in schools and/ or who possess significant expertise in the school law. In light of the need to keep SBOs up-to-date on many issues in the ever changing world of Education Law, this volume is divided into two parts. The first section deals with issues that primarily impact on the management of schools while the second deals with the rights of students and teachers. More specifically, each of the chapters is designed to examine a specific area about which SBOs need information. While no single book can ever hope to cover all of the myriad of legal topics that SBOs and other educational leaders must master in their professional lives, this book will serve as an up-to-date and ready source of information to help keep them abreast of the many changes in the ever evolving area of school law.

school law and the public schools: Race, Law, and the Desegregation of Public Schools Peter William Moran, 2005 Annotation Moran examines Kansas City, Missouri, as a case study of school desegregation during the period 1949 to 1999. He argues that school desegregation is best understood as a process that influenced, and was influenced by, a multitude of factors. In this context, developments in Kansas City and elsewhere are presented as products of the interplay between evolving legal standards, shifting demographic patterns, the changing social, political, and economic climate of the city, fiscal considerations, and the actions and motivations of public policy makers. The successes and failures of desegregation are considered in light of each of these interconnected variables, drawing implications for the nation as a whole.

school law and the public schools: A Teacher's Pocket Guide to School Law Nathan Essex, 2015 Educators and policy makers at all levels get practical, easy-to-read, relevant information on the historical and contemporary legal issues affecting the organization and administration of schools in the United States. An essential resource for all educators and school policy makers, this guide provides vital information on historical and contemporary legal issues affecting the organization and administration of schools in the United States. Virtually every topic of concern to today's educators is covered in a practical, easy-to-read organization and style that's accessible even to those with little or no knowledge of the legal issues affecting public schools.

school law and the public schools: California School Law Frank Kemerer, Peter Sansom, 2009-04 First edition published in 2005.

school law and the public schools: *The Challenges of Mandating School Uniforms in the Public Schools* Todd A. DeMitchell, Richard Fossey, 2015-07-08 School uniform policies, often associated with private schools, are increasingly being adopted in public schools; but not without controversy. The often asserted reasons for mandating uniforms include improved student behavior, better attendance, less competition over clothing, and improved student learning because students would not be distracted by who was wearing what and could focus on their studies. Wishful thinking or empirically tested hypotheses? However, opponents assert that a mandated uniform seeks to homogenize the students, violates their free speech rights, and does not solve the problems the policy is intended to remedy. *The Challenges of Mandating School Uniforms in the Public Schools: Free Speech, Research, and Policy* explores the policy rationale, the constitutional rights of students, and the research on the impact of school uniforms. Educators, parents, and policymakers will find this book and its companion, *Student Dress Codes and the First Amendment: Legal Challenges and Policy Issues*, a must read when considering student attire issues.

school law and the public schools: *A Fine Line* Tim DeRoche, 2020-05-17 Which side of the line do you live on? In 1954 the Supreme Court ruled that little Linda Brown couldn't be excluded

from a public school because of her race. In that landmark decision in *Brown v. Board of Education*, the court famously declared that public education must be available to all on equal terms. But sixty-six years later, many of the best public schools remain closed to all but the most privileged families. Empowered by little-known state laws, school districts draw attendance zones around their best schools, indicating who is, and who isn't, allowed to enroll. In many American cities, this means that living on one side of the street or the other will determine whether you leave eighth grade on a track for future success - or barely able to read. In *Separated By Law*, bestselling author Tim DeRoche takes a close look at the laws and policies that dictate which kids are allowed to go to which schools. And he finds surprising parallels between current education policies and the redlining practices of the New Deal era in which minority families were often denied mortgages and government housing assistance because they didn't live within certain desirable zones of the city. It is an extraordinary story of American democracy gone wrong, and it will make you question everything you think you know about our public education system.

school law and the public schools: *Black Lives Matter at School* Denisha Jones, Jesse Hagopian, 2020-12-01 This inspiring collection of accounts from educators and students is “an essential resource for all those seeking to build an antiracist school system” (Ibram X. Kendi). Since 2016, the Black Lives Matter at School movement has carved a new path for racial justice in education. A growing coalition of educators, students, parents and others have established an annual week of action during the first week of February. This anthology shares vital lessons that have been learned through this important work. In this volume, Bettina Love makes a powerful case for abolitionist teaching, Brian Jones looks at the historical context of the ongoing struggle for racial justice in education, and prominent teacher union leaders discuss the importance of anti-racism in their unions. *Black Lives Matter at School* includes essays, interviews, poems, resolutions, and more from participants across the country who have been building the movement on the ground.

school law and the public schools: *Anderson's Ohio School Law Manual* Kimball H. Carey, 2020

school law and the public schools: *The Public School Advantage* Christopher A. Lubienski, Sarah Theule Lubienski, 2013-11-07 Nearly the whole of America's partisan politics centers on a single question: Can markets solve our social problems? And for years this question has played out ferociously in the debates about how we should educate our children. From the growth of vouchers and charter schools to the implementation of No Child Left Behind, policy makers have increasingly turned to market-based models to help improve our schools, believing that private institutions—because they are competitively driven—are better than public ones. With *The Public School Advantage*, Christopher A. and Sarah Theule Lubienski offer powerful evidence to undercut this belief, showing that public schools in fact outperform private ones. For decades research showing that students at private schools perform better than students at public ones has been used to promote the benefits of the private sector in education, including vouchers and charter schools—but much of these data are now nearly half a century old. Drawing on two recent, large-scale, and nationally representative databases, the Lubienskis show that any benefit seen in private school performance now is more than explained by demographics. Private schools have higher scores not because they are better institutions but because their students largely come from more privileged backgrounds that offer greater educational support. After correcting for demographics, the Lubienskis go on to show that gains in student achievement at public schools are at least as great and often greater than those at private ones. Even more surprising, they show that the very mechanism that market-based reformers champion—autonomy—may be the crucial factor that prevents private schools from performing better. Alternatively, those practices that these reformers castigate, such as teacher certification and professional reforms of curriculum and instruction, turn out to have a significant effect on school improvement. Despite our politics, we all agree on the fundamental fact: education deserves our utmost care. *The Public School Advantage* offers exactly that. By examining schools within the diversity of populations in which they actually operate, it provides not ideologies but facts. And the facts say it clearly: education is better off when

provided for the public by the public.

school law and the public schools: *Public School Law* Martha M. McCarthy, Nelda H. Cambron-McCabe, Stephen B. Thomas, 1998 *Public School Law: Teachers' and Students' Rights*, provides a comprehensive treatment of the evolution and current status of the law governing public schools. The text addresses legal principles applicable to practitioners in a succinct but comprehensive manner. Information in this text should help alleviate concerns voiced by educators who feel that the scales of justice have been tipped against them. In the fourth edition, the content of all chapters has been updated and new sections have been added to reflect emerging issues of legal concern.

school law and the public schools: *Discrimination in Elite Public Schools* Gary Orfield, Jennifer B. Ayscue, 2018 School choice is an increasingly important part of today's educational landscape and this timely volume presents fresh research about the competitive admissions policies of choice systems. Based on their investigation of a unique civil rights challenge to school choice admissions policies in politically and racially divided Buffalo, New York, and the struggle to open its best schools to students of color, authors Orfield and Ayscue contend that without intentional effort, choice systems are likely to exacerbate problems of inequality and segregation. Focusing on issues that will continue to be contested in the courts and in the policy arena, the authors offer research-based recommendations for reducing barriers to enrollment and for creating competitive-admissions choice systems that will allow all students access to important educational opportunities. The book outlines specific steps school systems can take, including developing a district-wide diversity plan, providing more accessible information, conducting holistic admissions processes, expanding the availability of choices, and offering preparation programs to assist students long excluded from these highly competitive schools. Contributors: Natasha Amlani, Jongyeon Ee, Genevieve Siegel-Hawley, Jenna Tomasello, Brian Woodward "This important book ought to inspire a national debate. I hope it will be widely read." —Jonathan Kozol, education activist and bestselling author *In the News: Buffalo Parents Slam School District's Response to Civil Rights Complaint*: "This time around, parents with the District Parent Coordinating Council say that the proposal does not go far enough in addressing their complaints or the recommendations that Orfield proposed earlier this year." —Excerpt from *Education Week* (10/1/15)

school law and the public schools: *The Public School Laws of Missouri* Missouri, 1956

school law and the public schools: *The Educator's Guide to Texas School Law* Jim Walsh, Sarah Orman, 2022-09-13 The standard legal resource for Texas educators.

school law and the public schools: *United States Code* United States, 2013 The United States Code is the official codification of the general and permanent laws of the United States of America. The Code was first published in 1926, and a new edition of the code has been published every six years since 1934. The 2012 edition of the Code incorporates laws enacted through the One Hundred Twelfth Congress, Second Session, the last of which was signed by the President on January 15, 2013. It does not include laws of the One Hundred Thirteenth Congress, First Session, enacted between January 2, 2013, the date it convened, and January 15, 2013. By statutory authority this edition may be cited U.S.C. 2012 ed. As adopted in 1926, the Code established *prima facie* the general and permanent laws of the United States. The underlying statutes reprinted in the Code remained in effect and controlled over the Code in case of any discrepancy. In 1947, Congress began enacting individual titles of the Code into positive law. When a title is enacted into positive law, the underlying statutes are repealed and the title then becomes legal evidence of the law. Currently, 26 of the 51 titles in the Code have been so enacted. These are identified in the table of titles near the beginning of each volume. The Law Revision Counsel of the House of Representatives continues to prepare legislation pursuant to 2 U.S.C. 285b to enact the remainder of the Code, on a title-by-title basis, into positive law. The 2012 edition of the Code was prepared and published under the supervision of Ralph V. Seep, Law Revision Counsel. Grateful acknowledgment is made of the contributions by all who helped in this work, particularly the staffs of the Office of the Law Revision Counsel and the Government Printing Office--Preface.

school law and the public schools: *Debating Yoga and Mindfulness in Public Schools* Candy Gunther Brown, 2019-03-27 Yoga and mindfulness activities, with roots in Asian traditions such as Hinduism or Buddhism, have been brought into growing numbers of public schools since the 1970s. While they are commonly assumed to be secular educational tools, Candy Gunther Brown asks whether religion is truly left out of the equation in the context of public-school curricula. An expert witness in four legal challenges, Brown scrutinized unpublished trial records, informant interviews, and legal precedents, as well as insider documents, some revealing promoters of Vedic victory or stealth Buddhism for public-school children. The legal challenges are fruitful cases for Brown's analysis of the concepts of religious and secular. While notions of what makes something religious or secular are crucial to those who study religion, they have special significance in the realm of public and legal norms. They affect how people experience their lives, raise their children, and navigate educational systems. The question of religion in public education, Brown shows, is no longer a matter of jurisprudence focused largely on the establishment of a Protestant Bible or nonsectarian prayer. Instead, it now reflects an increasingly diverse American religious landscape. Reconceptualizing secularization as transparency and religious voluntarism, Brown argues for an opt-in model for public-school programs.

school law and the public schools: *Failing Law Schools* Brian Z. Tamanaha, 2012-06-18 "An essential title for anyone thinking of law school or concerned with America's dysfunctional legal system." —Library Journal On the surface, law schools today are thriving. Enrollments are on the rise and law professors are among the highest paid. Yet behind the flourishing facade, law schools are failing abjectly. Recent front-page stories have detailed widespread dubious practices, including false reporting of LSAT and GPA scores, misleading placement reports, and the fundamental failure to prepare graduates to enter the profession. Addressing all these problems and more is renowned legal scholar Brian Z. Tamanaha. Piece by piece, Tamanaha lays out the how and why of the crisis and the likely consequences if the current trend continues. The out-of-pocket cost of obtaining a law degree at many schools now approaches \$200,000. The average law school graduate's debt is around \$100,000—the highest it has ever been—while the legal job market is the worst in decades. Growing concern with the crisis in legal education has led to high-profile coverage in the Wall Street Journal and the New York Times, and many observers expect it soon will be the focus of congressional scrutiny. Bringing to the table his years of experience from within the legal academy, Tamanaha provides the perfect resource for assessing what's wrong with law schools and figuring out how to fix them. "Failing Law Schools presents a comprehensive case for the negative side of the legal education debate and I am sure that many legal academics and every law school dean will be talking about it." —Stanley Fish, Florida International University College of Law

school law and the public schools: *The Principal's Guide to School Budgeting* Richard D. Sorenson, Lloyd M. Goldsmith, 2017-12-12 Developing budgets that meet economic constraints and instructional expectations is challenging. This valuable resource is for administrators who want to enhance their instructional, technical, and managerial skills as visionaries, planning coordinators, and budgeting managers.

school law and the public schools: *A Wolf at the Schoolhouse Door* Jack Schneider, Jennifer C. Berkshire, 2023-03-07 A trenchant analysis of how public education is being destroyed in overt and deceptive ways—and how to fight back In the "vigorous, well-informed" (Kirkus Reviews) *A Wolf at the Schoolhouse Door*, the co-hosts of the popular education podcast *Have You Heard* expose the potent network of conservative elected officials, advocacy groups, funders, and think tanks that are pushing a radical vision to do away with public education. "Cut[ing] through the rhetorical fog surrounding a host of free-market reforms and innovations" (Mike Rose), Jack Schneider and Jennifer Berkshire lay bare the dogma of privatization and reveal how it fits into the current context of right-wing political movements. *A Wolf at the Schoolhouse Door* "goes above and beyond the typical explanations" (SchoolPolicy.org), giving readers an up-close look at the policies—school vouchers, the war on teachers' unions, tax credit scholarships, virtual schools, and more—driving the movement's agenda. Called "well-researched, carefully argued, and alarming" by Library

Journal, this smart, essential book has already incited a public reckoning on behalf of the millions of families served by the American educational system—and many more who stand to suffer from its unmaking. “Just as with good sci-fi,” according to Jacobin, “the authors make a compelling case that, based on our current trajectory, a nightmare future is closer than we think.”

school law and the public schools: *The 200 Most Frequently Asked Legal Questions for Educators* Nathan L. Essex, 2009-06-24 This is one of the best books involving legal issues that I have seen. It is practical, well organized, and thorough. Specific court cases and findings clearly illuminate the intent of the law, giving the administrator guidance in making sound legal decisions. This book would be an excellent reference for any administrator’s collection.--Sharon M. Redfern, Principal Highland Park Elementary School, Lewistown, MT The ideal quick-reference guide for understanding legal issues in schools! On a daily basis, today’s educators must make legally sound decisions concerning the instruction, supervision, and safety of students while operating within the boundaries of the U.S. Constitution, federal and state laws, and school district policy. This compact, jargon-free, easy-to-understand reference focuses on two hundred common legal issues to provide school administrators and teachers with authoritative, legally defensible approaches for addressing school challenges. Through the accessible Q&A format, teachers and school leaders can read sequentially or browse for immediate answers on topics such as religious issues, individuals’ rights, disciplinary practices, morality, teacher dismissal, liabilities, NCLB, and more. Practical and concise, this guide provides: A list of relevant court cases pertaining to each question and answer Legal references to guide teachers’ and school leaders’ actions A glossary of legal terms and a list of selected federal statutes Summaries and conclusions at the end of each chapter The 200 Most Frequently Asked Legal Questions for Educators contains invaluable information to assist educators in performing their duties effectively and in accordance with the law.

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The book receives the Bimonthly Review of Law Books five-star rating for readability, accessibility, and relevance. -- Michael Rustad, Bimonthly Review of Law Books, on the first edition This book...provides an excellent overview of education law in the U.S... Both students and practitioners will find this book very helpful. This work would make an excellent textbook for undergraduate and graduate education classes as well as law school classes covering education law. -- Legal Information ALERT, on the first edition Thoroughly researched, well organized, and easy to read, the book concisely outlines each area of law, and cites to numerous cases, laws, and other supporting materials, all in the footnotes and through a table of cases, so as not to interrupt the easy flow of the text. This book is a must for practitioners and legal scholars in the field of education or education law. -- Suffolk University Juvenile Justice Center Newsletter, November 2003, on the first edition

school law and the public schools: *Seven Steps to Effective Instructional Leadership* Elaine K. McEwan, 2002-08-20 Updated Edition of Best Seller! You won't find a more practical, detailed guide to improving school effectiveness than is contained between the covers of this book! Leonard O. Pellicer, Dean School of Education University of La Verne La Verne, CA Few books on school leadership have effectively brought together the best of educational theory and practice for school administrators as Elaine McEwan's *Seven Steps to Instructional Leadership*. Michael Pladus 1999 MetLife/NASSP National Principal of the Year Have the courage and the vision to lead your staff to achieve their highest instructional goals! Make a substantive impact on the lives of your students and your staff. This practical, hands-on guide can help you become a more effective instructional leader. Here are research-based activities to help you lead your staff through McEwan's seven steps: Establish, implement, and achieve academic standards Be an instructional resource for your staff Create a learning-oriented school culture and climate Communicate your school's vision and mission to staff and students Set high expectations for your staff and yourself Develop teacher leaders Develop and maintain positive relationships with students, staff, and parents Integrate these seven steps into your daily behavior. Chapters on each step include research data, discussion and advice from instructional leaders, and practical suggestions from dozens of leading principals that you can use right now in your own school. Use the Instructional Leadership Checklist to: Assess your current level of instructional leadership Find out how your staff thinks you're doing Set goals for improving your instructional leadership practice Evaluate your progress toward your goals Attaining a new and higher level of instructional leadership will make a difference for each person in your school. Staff, students, and parents will get the message that all students matter. Everyone will start expecting that all students can learn, and your school will achieve its mission—improving education.

school law and the public schools: *Rights of Students* David L. Hudson, 2009 Is it fair to restrict certain students' rights in order to make schools safer?

school law and the public schools: *Religion and the Public Schools* Marc D. Stern, 1997-02 Explains what the law is on common religious liberty and church-state questions in the public school context. Covers: prayer in the schools; teaching about religion; use of classroom space for student-initiated religious activities; holiday observances; released time programs; physical facilities; dual enrollment; distribution of Gideon bibles or religious literature; scientific creationism; curriculum content; secular humanism; compulsory attendance and religious holidays; dress codes; vaccination requirements; and teachers' rights and responsibilities.

school law and the public schools: *The Coup D'état of the New Orleans Public Schools* Raynard Sanders, 2018 The coup d'état -- Privatize public education: New Orleans the perfect place -- Intended and unintended consequences; the assault on the children and the citizens in New Orleans -- School communities disenfranchised and destroyed -- The New Orleans public school gold rush -- New Orleans publicly funded private school system.

school law and the public schools: *Public Schools, Public Menace* Joel Turtel, 2005-03 The book explains why public schools are a menace to our children and waste their precious time. The book also shows why public schools are beyond repair, and simply cannot give children the education they need and deserve The author reveals how public schools cripple children's ability to read and indoctrinate innocent children with anti-parent, anti-American, and anti-Judeo-Christian

values. The book also explores why public-school authorities now pressure millions of parents to give their children mind-altering drugs like Ritalin. The good news is that parents don't have to put up with a third-rate, mind-numbing public-school education for their kids any longer. The author gives parents a wealth of practical advice, strategies, and resources about quality, low-cost education alternatives parents can use to give their kids a great education, if they decide to take their kids out of public school. He gives detailed lists of quality, low-cost Internet schools, teaching books, and home-schooling resources parents can use to give their kids a great education. Dr. Laura Schlessinger, syndicated radio talk-show host said about *Public Schools, Public Menace* that, "This book is a must read for every parent . . ."

school law and the public schools: School District Organization Handbook, 1993 This handbook describes procedures for school-district reorganization in California. Following the introductory chapter, chapter 2 offers a historical overview of school-district reorganization in California. Chapters 3 and 4 outline the organization and responsibilities of the county committee and the role and responsibilities of the State Board of Education. The fifth chapter provides a step-by-step process of forming or abolishing school districts, consolidating school districts, transferring territory, and unifying school districts. A series of flowcharts explain the 25 percent petition, the 10 percent petition, the state criteria for approvals, and the guidelines for administering the California Environmental Quality Act regulations. Chapter 6 details the requirements of the Education Code Section 35753 governing reorganization proposals. Chapter 7 lists the various effects of a district organizational change on a school district and its employees, property, funds, obligations, bond indebtedness, and revenue limit. The requirements for elections and public hearings are listed in the eighth chapter. Chapters 9 and 10 describe the new governing board and its operations and other functions of the county committee. The final two chapters summarize the appeals process related to transfers of territory and procedures for reorganizing community colleges. Appendices contain state regulations; a list of chartered counties, cities, and school districts; and sample forms. (LMI)

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