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Contemporary Issues and
Court Decisions

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LAW AND EDUCATION

Contemporary Issues and Court Decisions

Eighth Edition

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MATTHEW  BENDER

Dedication

This book is lovingly dedicated to the memory of Edward C. and Hazel Bolmeier.

This book is also dedicated to Dr. H.C. Hudgins, Jr., whose friendship, creative mind, superb research skills and sustained interest in the law were instrumental in creating the initial volume of this text and in the development of the first five revised editions.

It is also dedicated to all of our graduate students at the master's and doctoral degree levels. Their interest, hard work, and enthusiasm in the study of law have sustained us over the years.

INTRODUCTION

Since the original publication of this book in 1979, the authors have experienced two matters of interest. The first has been the very positive reception of people throughout the country to this text. Individual purchasers and professors who have adopted the book for their courses have invariably remarked very favorably about the book's scope, its treatment of issues important to them, and its readability. Based on these reactions, the authors feel that the original intent in writing such a book has been achieved.

The second matter of interest is the authors' realization that law constantly changes. That in itself is not a revelation; however this realization becomes acutely obvious when one attempts to keep abreast of court decisions that affect in some way what has already been written. The authors decided that five years is long enough before revising the book.

In considering the various options for bringing the book up-to-date, the authors chose not to undertake what would probably have been the easiest route. Instead, we decided to revise the contents more comprehensively and, accordingly, have added new court opinions to each of the succeeding editions. These opinions represented a variety of topics that have variously modified previous law, supplemented what courts formerly held, and treated new issues.

In this eighth edition, the authors have attempted to bring the material up-to-date with the current state of law as it affects public education. As in the seven previous editions, the strategy has been to identify issues that affect the daily operation of schools. These issues affect boards of education, administrators, teachers, and students. It is hoped that the treatment of these matters will help readers to understand their various roles in the education system and perform those roles consistently with law and sound educational practice.

The preparation of revised editions is no small task. For two authors who have worn the dual hats of professor and college administrator, the task can be very challenging, particularly with respect to time, or lack of it. The assistance, as well as encouragement, of others has helped us reach our objective.

Professors Vacca and Bosher wish to thank Mrs. Sue Goins, for her expert assistance with this edition. Her pleasant personality and efficient and effective skills helped bring each project to conclusion.

Professor Vacca gives special thanks to his wife Nancy Turner Vacca; their three children, Richard, Lynn, and John; and ten grandchildren; for their love, encouragement, and support.

Professor Bosher gives special thanks to his wife, Jo Anne, for her support and spirit; his children, Cleve, Matthew, and Joy, for what they have become; and to his teacher and friend, Dick Vacca, for his tireless efforts to strengthen the character and skills of his students.

R. S. V.
W.C.B., Jr.

Summary Table of Contents

PART I	LAW: SOURCES AND RESOURCES	1
CHAPTER 1	SOURCES OF EDUCATION LAW	3
§ 1.0	The American Legal System.	3
§ 1.1	Sources of Law.	3
§ 1.2	Forms of American Law.	4
§ 1.3	The Adjudication Process and Conflict Resolution.	5
§ 1.4	Federal Government and Public Education.	6
§ 1.5	State Government and Public Education.	15
§ 1.6	Summary.	19
CHAPTER 2	TOOLS OF LEGAL RESEARCH	21
§ 2.0	Law Libraries.	21
§ 2.1	Statutes.	22
§ 2.2	Legal Digests.	25
§ 2.3	The American Digest System.	26
§ 2.4	Shepard's Citations.	31
§ 2.5	United States Law Week.	34
§ 2.6	Legal Encyclopedias.	34
§ 2.7	American Law Reports Annotated.	37
§ 2.8	Legal Dictionaries.	38
§ 2.9	Index to Legal Periodicals.	39
§ 2.10	ELA.	40
§ 2.11	Computer Research.	41
§ 2.12	Researching a Topic.	42
PART II	LAW AND LOCAL BOARDS OF EDUCATION	45
CHAPTER 3	LOCAL SCHOOL DISTRICTS AND BOARDS OF EDUCATION	47
§ 3.0	Introduction.	47
§ 3.1	Status of Local School Districts.	47
§ 3.2	Powers of Local School Boards.	49
§ 3.3	Meetings of School Boards.	52
§ 3.4	Office-Holding of Board Members.	60

SUMMARY TABLE OF CONTENTS

CHAPTER 4	TORT LIABILITY	65
§ 4.0	Introduction.	65
§ 4.1	Intentional Interference.	65
§ 4.2	Negligence.	67
§ 4.3	School District Immunity.	69
§ 4.4	School Board Immunity.	70
§ 4.5	School Board Member Immunity.	71
§ 4.6	School Employee Immunity.	71
§ 4.7	Accountability.	83
§ 4.8	Preventing Injuries.	85
§ 4.9	Civil Rights Torts.	86
CHAPTER 5	COLLECTIVE NEGOTIATIONS	93
§ 5.0	Introduction.	93
§ 5.1	Scope of Bargaining.	94
§ 5.2	Required Union Membership.	105
§ 5.3	Impasse.	107
§ 5.4	Arbitration.	111
§ 5.5	Summary.	113
CHAPTER 6	FINANCE	115
§ 6.0	Introduction.	115
§ 6.1	Local Boards and the Power to Tax.	115
§ 6.2	Indebtedness and Expenditure of Funds.	117
§ 6.3	School Property.	119
§ 6.4	Uses of School Buildings and Grounds.	119
§ 6.5	Challenges to State Finance Schemes.	120
§ 6.6	School Fees.	129
§ 6.7	Summary.	130
PART III	LAW AND PROFESSIONAL STAFF	133
CHAPTER 7	EMPLOYMENT AND JOB SECURITY	135
§ 7.0	Types of School District Employees.	135
§ 7.1	Certification.	136
§ 7.2	Legal Status of Professional Employees in Schools.	138
§ 7.3	Selection and Assignment of Employees.	143
§ 7.4	Board Authority and Teacher Personnel.	148
§ 7.5	Teachers' Tenure as Job Security.	152
§ 7.6	Antidiscrimination in Employment: <i>Griggs v. Duke Power Company</i> .	163

SUMMARY TABLE OF CONTENTS

§ 7.7	Teacher Evaluation and Job Security.	167
§ 7.8	The Civil Rights Tort (42 U.S.C. § 1983).	172
§ 7.9	Privacy Issues: Drug Testing and AIDS.	178
§ 7.10	Legal Issues in the Late 1990s and Early 2000s.	181
§ 7.11	Summary.	186

CHAPTER 8 ACADEMIC FREEDOM 189

§ 8.0	In General.	189
§ 8.1	Freedom Within the School.	191
§ 8.2	Freedom Outside the School.	205

PART IV LAW AND STUDENTS 217

CHAPTER 9 ASSIGNMENT AND PLACEMENT 219

§ 9.0	Introduction.	219
§ 9.1	Compulsory Attendance.	220
§ 9.2	Vaccination.	226
§ 9.3	Admission to Public School.	229
§ 9.4	Bases of Pupil Assignment to Classes and Schools.	233
§ 9.5	State Testing of Student Competencies.	255
§ 9.6	Summary.	256

CHAPTER 10 CONTROL AND PUNISHMENT 259

§ 10.0	In Loco Parentis.	259
§ 10.1	Corporal Punishment.	260
§ 10.2	Sanctions.	265
§ 10.3	Exclusion From School.	266
§ 10.4	Search and Seizure.	274
§ 10.5	AIDS.	285
§ 10.6	Substance Abuse.	286
§ 10.7	School Violence.	288
§ 10.8	Peer Sexual Harassment.	290
§ 10.9	Summary.	293

CHAPTER 11 EXPRESSION 295

§ 11.0	Introduction.	295
§ 11.1	Expression Defined.	296
§ 11.2	Student Appearance as Expression.	296
§ 11.3	Student Publications as Expression.	304
§ 11.4	Freedom of Association and Assembly.	314

SUMMARY TABLE OF CONTENTS

§ 11.5	Flag Salute.	320
§ 11.6	The Right to Receive Expression.	322
§ 11.7	Freedom of Expression in the 1990s.	330
§ 11.8	Assaultive Speech.	333
§ 11.9	Summary.	335

CHAPTER 12 RELIGION 337

§ 12.0	Introduction.	337
§ 12.1	Finance of Religious Activities.	338
§ 12.2	Activities Involving Religion.	348
§ 12.3	Study of Religion.	355
§ 12.4	Religion in the General Curriculum.	359
§ 12.5	Religion and Extracurricular Activities.	362
§ 12.6	Accommodating the Needs of Religious Sects.	363

CHAPTER 13 SPECIAL EDUCATION 365

§ 13.0	Introduction.	365
§ 13.1	The Impact of <i>P.A.R.C.</i> and <i>Mills</i>	366
§ 13.2	The Right to Education: Redefinition and Redirection.	368
§ 13.3	The Emergence of Statutes at the Federal Level.	369
§ 13.4	Recent Litigation Involving Special Education.	372
§ 13.5	Discipline and Children with Disabilities.	387
§ 13.6	Emerging Legal Issues in Special Education.	391
§ 13.7	Summary.	395

Appendix United States Constitution 397

Table of Cases	TC-1
--------------------------	------

Index	I-1
-----------------	-----

Table of Contents

PART I	LAW: SOURCES AND RESOURCES	1
CHAPTER 1	SOURCES OF EDUCATION LAW	3
§ 1.0	The American Legal System.	3
§ 1.1	Sources of Law.	3
§ 1.2	Forms of American Law.	4
§ 1.3	The Adjudication Process and Conflict Resolution.	5
§ 1.4	Federal Government and Public Education.	6
[a]	Congress and the Schools.	6
[b]	The Executive Branch and Schools.	8
[c]	The Federal Courts and Schools.	10
§ 1.5	State Government and Public Education.	15
[a]	State Legislatures and Schools.	15
[b]	The Governor and Schools.	17
[c]	The State Judiciary and Schools.	18
[d]	State Attorneys General and Schools.	19
§ 1.6	Summary.	19
CHAPTER 2	TOOLS OF LEGAL RESEARCH	21
§ 2.0	Law Libraries.	21
§ 2.1	Statutes.	22
[a]	In General.	22
[b]	Federal.	23
[c]	State.	24
§ 2.2	Legal Digests.	25
[a]	In General.	25
[b]	State Digests.	26
§ 2.3	The American Digest System.	26
[a]	The Key Number System.	28
[b]	The National Reporter System.	29
§ 2.4	Shepard's Citations.	31
§ 2.5	United States Law Week.	34
§ 2.6	Legal Encyclopedias.	34
§ 2.7	American Law Reports Annotated.	37
§ 2.8	Legal Dictionaries.	38
§ 2.9	Index to Legal Periodicals.	39
§ 2.10	ELA.	40
§ 2.11	Computer Research.	41

TABLE OF CONTENTS

§ 2.12	Researching a Topic.	42
--------	------------------------------	----

PART II LAW AND LOCAL BOARDS OF EDUCATION 45

CHAPTER 3 LOCAL SCHOOL DISTRICTS AND BOARDS OF EDUCATION 47

§ 3.0	Introduction.	47
§ 3.1	Status of Local School Districts.	47
§ 3.2	Powers of Local School Boards.	49
[a]	Expressly Granted and Implied Powers.	50
[b]	Discretionary and Ministerial Acts.	51
§ 3.3	Meetings of School Boards.	52
[a]	Notice of Regular Meetings.	52
[b]	Notice of Special Meetings.	53
[c]	Closed Meetings.	53
[d]	Executive Sessions.	55
[e]	Rules of Procedure.	56
[f]	Voting.	57
[g]	Minutes.	58
§ 3.4	Office-Holding of Board Members.	60
[a]	Selection of Board Members.	60
[b]	Restrictions on Office-Holding.	60
[1]	Employment of Relatives.	61
[2]	Dual Office-Holding.	61
[3]	Conflict of Interest.	62
[c]	Disqualification for Office.	63

CHAPTER 4 TORT LIABILITY 65

§ 4.0	Introduction.	65
§ 4.1	Intentional Interference.	65
[a]	Assault and Battery.	65
[b]	Defamation.	66
§ 4.2	Negligence.	67
[a]	Criteria of Negligence.	67
[b]	Defenses Against Negligence.	67
§ 4.3	School District Immunity.	69
[a]	Historical Precedents.	69
[b]	Governmental and Proprietary Functions.	70
§ 4.4	School Board Immunity.	70
§ 4.5	School Board Member Immunity.	71
§ 4.6	School Employee Immunity.	71

TABLE OF CONTENTS

[a]	Supervision.	72
[b]	Instruction.	77
[c]	Facilities.	78
[d]	Field Trips.	81
[e]	Medical Treatment.	82
§ 4.7	Accountability.	83
§ 4.8	Preventing Injuries.	85
§ 4.9	Civil Rights Torts.	86

CHAPTER 5 COLLECTIVE NEGOTIATIONS 93

§ 5.0	Introduction.	93
§ 5.1	Scope of Bargaining.	94
[a]	Subjects in General.	94
[1]	Mandatory Subjects.	95
[2]	Prohibitive Subjects.	97
[3]	Permissive Subjects.	98
[b]	Specific Subjects.	98
[1]	Class Size.	99
[2]	Work Load.	100
[3]	Financial Benefits.	100
[4]	Calendar and School Days.	101
[5]	Academic Freedom.	102
[6]	Professional Growth.	103
[7]	Nonrenewal of Teachers' Contracts.	104
§ 5.2	Required Union Membership.	105
§ 5.3	Impasse.	107
[a]	Strikes.	107
[b]	Injunctions.	108
[c]	Sanctions.	109
[d]	Picketing.	109
[e]	Penalties.	110
§ 5.4	Arbitration.	111
§ 5.5	Summary.	113

CHAPTER 6 FINANCE 115

§ 6.0	Introduction.	115
§ 6.1	Local Boards and the Power to Tax.	115
[a]	Fiscally Independent School Boards.	116
[b]	Fiscally Dependent School Boards.	117
§ 6.2	Indebtedness and Expenditure of Funds.	117
§ 6.3	School Property.	119

TABLE OF CONTENTS

§ 6.4	Uses of School Buildings and Grounds.	119
§ 6.5	Challenges to State Finance Schemes.	120
[a]	<i>McInnis</i> -type Cases.	121
[b]	<i>Serrano</i> -type Cases.	122
[c]	<i>San Antonio v. Rodriguez</i>	123
[d]	Post- <i>Rodriguez</i> and School Finance.	124
[e]	Finance Litigation in the Late-1980s and into the 1990s.	126
[f]	School Finance Litigation in the 1990s to 2011.	127
§ 6.6	School Fees.	129
§ 6.7	Summary.	130

PART III LAW AND PROFESSIONAL STAFF 133

CHAPTER 7 EMPLOYMENT AND JOB SECURITY 135

§ 7.0	Types of School District Employees.	135
§ 7.1	Certification.	136
§ 7.2	Legal Status of Professional Employees in Schools.	138
[a]	The Legal Status of Superintendents.	139
[b]	The Legal Status of Principals.	141
[c]	The Legal Status of Supervisors.	142
[d]	The Legal Status of Counselors.	142
§ 7.3	Selection and Assignment of Employees.	143
[a]	Selection of Employees.	143
[b]	Recommendation.	144
[c]	Contract.	145
[d]	Assignment.	147
§ 7.4	Board Authority and Teacher Personnel.	148
§ 7.5	Teachers' Tenure as Job Security.	152
[a]	The Probationary Teacher.	153
[b]	Tenure Guarantees.	155
[c]	Teacher Reassignment, Transfer, and Demotion.	157
[d]	Procedural Safeguards: <i>Bishop v. Wood</i>	160
§ 7.6	Antidiscrimination in Employment: <i>Griggs v. Duke Power Company</i>	163
§ 7.7	Teacher Evaluation and Job Security.	167
[a]	Fairness in Evaluation: The Ultimate Remedy.	168
[b]	The Doctrine of Business Necessity and Teacher Evaluation.	169
[c]	Seniority: Last-Hired, First-Fired and Job Security.	170
§ 7.8	The Civil Rights Tort (42 U.S.C. § 1983).	172
§ 7.9	Privacy Issues: Drug Testing and AIDS.	178
[a]	Drug Testing in Employment.	179
[b]	Employees and AIDS.	180

TABLE OF CONTENTS

§ 7.10	Legal Issues in the Late 1990s and Early 2000s.	181
[a]	Sexual Harassment in the Workplace.	181
[b]	The Americans with Disabilities Act.	185
§ 7.11	Summary.	186

CHAPTER 8 ACADEMIC FREEDOM 189

§ 8.0	In General.	189
§ 8.1	Freedom Within the School.	191
[a]	Teaching Controversial Subjects.	191
[1]	Sex Education.	192
[2]	Evolution.	193
[3]	Assignments.	195
[4]	Discussions.	196
[b]	Teaching Forbidden Subjects.	198
[c]	Refusing to Salute the Flag.	199
[d]	Selection of Methods of Instruction.	200
[e]	Censorship.	202
§ 8.2	Freedom Outside the School.	205
[a]	Association.	205
[1]	Affiliations.	205
[2]	Loyalty Oaths.	207
[3]	Living Arrangements.	209
[b]	Residency Requirements.	210
[c]	Public Statements.	211
[d]	Political Activity.	213
[1]	Campaigning for Office.	214
[2]	Holding Office.	215

PART IV LAW AND STUDENTS 217

CHAPTER 9 ASSIGNMENT AND PLACEMENT 219

§ 9.0	Introduction.	219
§ 9.1	Compulsory Attendance.	220
[a]	<i>Yoder</i> and Exceptions to Compulsory Attendance.	222
[b]	State Law and Exceptions to Compulsory Attendance.	225
§ 9.2	Vaccination.	226
§ 9.3	Admission to Public School.	229
§ 9.4	Bases of Pupil Assignment to Classes and Schools.	233
[a]	Race as a Factor.	235
[b]	Sex as a Factor.	245
[c]	Marriage or Pregnancy as a Factor.	248

TABLE OF CONTENTS

[d]	Disability as a Factor.	250
§ 9.5	State Testing of Student Competencies.	255
§ 9.6	Summary.	256
CHAPTER 10	CONTROL AND PUNISHMENT	259
§ 10.0	In Loco Parentis.	259
§ 10.1	Corporal Punishment.	260
[a]	Supreme Court Decisions.	260
[b]	Legal Guidelines.	261
[1]	It Is Consistent with Statutory Law.	261
[2]	It Is for Correction.	261
[3]	It Is Not Cruel or Excessive.	262
[4]	It Leaves No Permanent or Lasting Injury.	263
[5]	It Involves No Malice.	263
[6]	It Suits the Age and Sex of the Child.	263
[7]	It Involves an Appropriate Instrument.	264
§ 10.2	Sanctions.	265
§ 10.3	Exclusion From School.	266
[a]	Substantive Due Process.	266
[b]	Procedural Due Process.	268
[1]	Notice of Charges.	271
[2]	Right to a Hearing.	272
[3]	Right to Counsel.	272
[4]	Weight of Evidence.	272
[5]	Call of Witnesses.	273
[6]	Privilege Against Self-Incrimination.	273
[7]	Right to a Transcript.	273
[8]	Right to Appeal.	274
§ 10.4	Search and Seizure.	274
[a]	The Constitutional Issue.	274
[b]	Consent to Search.	277
[c]	Reasonable Cause.	278
[1]	The Nature of the Place.	278
[2]	The Purpose of the Search.	279
[d]	Administrative Versus Police Searches.	281
[e]	Searches Involving Dogs.	282
[f]	Illegal Searches.	283
§ 10.5	AIDS.	285
§ 10.6	Substance Abuse.	286
§ 10.7	School Violence.	288
§ 10.8	Peer Sexual Harassment.	290

TABLE OF CONTENTS

§ 10.9	Summary.	293
CHAPTER 11	EXPRESSION	295
§ 11.0	Introduction.	295
§ 11.1	Expression Defined.	296
§ 11.2	Student Appearance as Expression.	296
[a]	<i>Tinker v. Des Moines Independent Community School District.</i>	299
[b]	Student Appearance Post- <i>Tinker</i>	301
§ 11.3	Student Publications as Expression.	304
[a]	School-Sponsored Publications.	305
[b]	Nonschool Publications.	308
§ 11.4	Freedom of Association and Assembly.	314
[a]	Association.	315
[b]	Assembly.	317
[c]	Time and Place Regulations.	319
§ 11.5	Flag Salute.	320
§ 11.6	The Right to Receive Expression.	322
[a]	Books and Instructional Materials.	322
[b]	Theatrical Production and Films.	325
[c]	<i>Pico</i>	327
§ 11.7	Freedom of Expression in the 1990s.	330
§ 11.8	Assaultive Speech.	333
§ 11.9	Summary.	335
CHAPTER 12	RELIGION	337
§ 12.0	Introduction.	337
§ 12.1	Finance of Religious Activities.	338
[a]	Textbooks.	338
[b]	Transportation.	340
[c]	Teachers' Salaries.	344
[d]	Tuition.	345
[e]	Maintenance.	346
[f]	Special Services.	346
§ 12.2	Activities Involving Religion.	348
[a]	Prayer and Bible Reading.	348
[b]	Meditation.	352
[c]	Voluntary Prayer During Non-instructional Time.	353
[d]	Graduation Exercises.	354
§ 12.3	Study of Religion.	355
[a]	At School.	355
[b]	Outside School.	358

TABLE OF CONTENTS

§ 12.4	Religion in the General Curriculum.	359
§ 12.5	Religion and Extracurricular Activities.	362
§ 12.6	Accommodating the Needs of Religious Sects.	363

CHAPTER 13 SPECIAL EDUCATION 365

§ 13.0	Introduction.	365
§ 13.1	The Impact of <i>P.A.R.C.</i> and <i>Mills</i>	366
§ 13.2	The Right to Education: Redefinition and Redirection.	368
§ 13.3	The Emergence of Statutes at the Federal Level.	369
§ 13.4	Recent Litigation Involving Special Education.	372
[a]	Right to an Appropriate Educational Program.	374
[b]	The Individualized Educational Program (I.E.P.).	379
[c]	Tuition Reimbursement and Transportation.	383
§ 13.5	Discipline and Children with Disabilities.	387
§ 13.6	Emerging Legal Issues in Special Education.	391
[a]	Inclusion.	391
[b]	Americans with Disabilities Act (ADA).	393
§ 13.7	Summary.	395

Appendix United States Constitution 397

Table of Cases TC-1

Index I-1
