

# Law and Education



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## Contemporary Issues and Court Decisions

NINTH EDITION

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GOVERNMENT AND PUBLIC AFFAIRS  
VIRGINIA COMMONWEALTH UNIVERSITY

**William C. Boshier, Jr.**

1946–2014



CAROLINA ACADEMIC PRESS

Durham, North Carolina

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ISBN 978-1-53100-480-4  
eISBN 978-1-53100-481-1  
LCCN 2017938255

Carolina Academic Press, LLC  
700 Kent Street  
Durham, North Carolina 27701  
Telephone (919) 489-7486  
Fax (919) 493-5668  
[www.cap-press.com](http://www.cap-press.com)

Printed in the United States of America

# Special Dedication

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This revised ninth edition is dedicated to my valued friend, colleague, and co-author, Dr. William C. Boshier, Jr. Bill suddenly passed away on December 1, 2014. A faith filled family man, scholar, teacher, school administrator, State Superintendent of Public Instruction, University dean, and Distinguished Professor of Public Policy, Bill Boshier's leadership and many contributions to public education over the years both here in Virginia and across the nation were instrumental in providing quality public education to countless families, children, and university students. Bill's wisdom, advice, and his reasoned and common sense approach to solving complex issues cannot be replicated or surpassed. Deeply saddened by his passing, all who knew and loved "Dr. B" miss him very much.



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# Introduction

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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 ninth 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 eight 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 Vacca gives a special thank you to Marti Collier for her encouragement and support as a friend and colleague at CEPI.

Professor Vacca wishes to thank Emily Smith, a student at the T.C. Williams School of Law, University of Richmond, for her research assistance in identifying and analyzing recent case law for inclusion in this revised Ninth Edition.

Professor Vacca gives special thanks to Jo Anne, wife of his late colleague and co-author, Bill Bosher, and to their children, Cleve, Matthew, and Joy, for their support of the Ninth Edition project.

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