





Schools & Society
and
Public School Law

Foundations of Education
in America




 **Pre-Test** 

- Purposes of Education
- Role of Family; Community; Society
- Community
- Society
- Structure of Public School District
- Environment
- Sources of Legal Authority
- Judicial Decisions
- Constitutional Rights
- Sources of Info on School Law



Schools & Society

The Purposes and Functions
of Education in America



Questions?



- Role of schools?
 - Historical Background
 - Society's Expectations
 - Changes in Society
- How to measure effectiveness?
- How are our schools organized?
- How do they function?



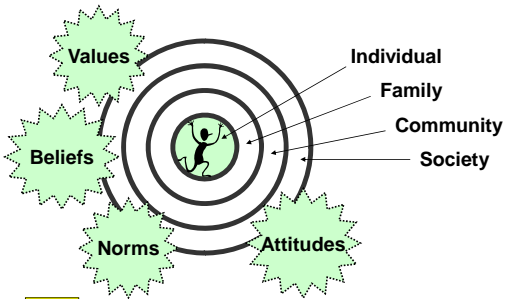
Perspectives



- The Individual in Society
- Functional and Structural View
- Systems View



The Individual



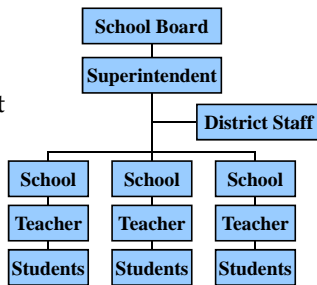
Functions

- Socialization
- Selection, Training, Allocation
- Social and Personal Development
- Stabilization
- Change and Innovation



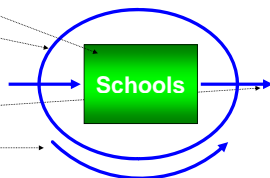
Structure

- State
- School Board
- Superintendent
- Schools
- Teachers
- Students



System

- Organism
- Environment
- Inputs
- Outputs
- Feedback



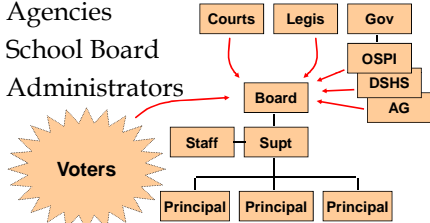
School Law

Federal Interest,
State Responsibility,
Local Function



Governance

- Executive, Legislative, Judicial
- Agencies
- School Board
- Administrators



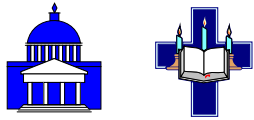
Case Law

- Religion
- Attendance
- Instruction Program
- Student Rights
- Rights of Handicapped
- Desegregation
- Employment
- Teacher Freedoms
- Finance
- Bargaining
- Discrimination




Church & State

- First Amendment
“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.”
- Finances
- Prayer



Attendance

- Residence
- Compulsory Attendance
 - Pierce v Society of Sisters - parochial school
 - Wisconsin v Yoder - compulsory HS
 - WV v Riddle - home instruction
- Vaccination
 - State can require
 - BOE cannot act without underlying statute 



Instructional Program

- Required and Restricted Content
 - Curriculum and Books
 - Creationism
 - Sex Education
- Student Testing and Promotion



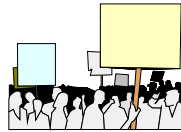
Student Rights

- In Loco Parentis
- Corporal Punishment
- Due Process
 - Extended from court to agency action
 - Notification
 - Right to hearing



Student Rights

- Freedom of Speech
 - Tinker v Des Moines (1968)
 - Bethel v Fraser (1980)
 - Student Publications
- Search and Seizure
 - Reasonableness
 - Excessive intrusion



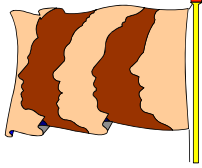
The Handicapped

- Background
 - Elective - private, govt funded
 - Mandates - legislative, judicial
 - "Free, Appropriate Public Education"
- Legislation
 - PL 94-142
 - Voc Rehab Act of 1973
 - Individuals w/Disabilities Education Act



Desegregation

- Separate but Equal
 - XIV Amendment
 - Plessy v Ferguson
 - Brown v BOE
- De facto vs De jure
- Quotas and Busing
- Interdistrict Desegregation



Employment

- Certification
- Scope of Duties
- Contracts
- Tenure



Teacher Freedoms

- Freedom of Speech
 - Pickering v BOE (1968) - criticize BOE
 - Cleveland BOE v La Fleur (1974)
pregnancy, rehiring
- Freedom of Religion
- Loyalty
- Self-Incrimination
- Teacher Dismissal
- Procedural Due Process and Tenure



Finance

- Taxation for Education
 - Kalamazoo (1874) - state can tax
 - Equity and Levy Limitation
- Budgeting and Accounting
- Public School Indebtedness



Collective Bargaining

- Private vs Public Sector
- Right to Bargain Collectively
- Positional vs Interest-based



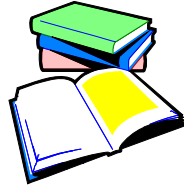
Discrimination

- Race Discrimination
- Sex Discrimination
- Age Discrimination
- Discrimination Against the Handicapped (ADA)



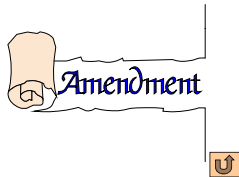
References

- Constitution
- Federal Statutes
- State of Washington
 - RCW
 - WAC



Constitution

- Education is not mentioned
- General Welfare Clause
- Commerce/Defense Clauses
- Amendments
 - I
 - IV
 - V
 - VIII
 - X
 - XIV



Federal Laws

- Equal Pay Act
- Family Rights and Privacy Act
- Education of Handicapped Children
- Protection of Pupil Rights



Federal Laws

- Civil Rights Act of 1964
 - Title VI - Federally Assisted Programs
 - Title VI - Equal Employment Opportunities
- Title IX, 20 USCA
 - Discrimination Based on Sex



State Laws

- Basic Education Act (1977)
- HB 1209 (1993)
- I-601
- Right to Strike
- Charter Schools/Vouchers
- ???




Financing Public Education

Revenues & Expenditures



Revenues



- Local
 - Ad Valorem Tax / Tuition
 - Fees (transportation, food svc, student fees)
 - Investments / Rentals / Contributions
- Intermediate
 - County School Fund
 - ESD Apportionment (Equalization Levy)
 - Natural Resources (Natural Gas, Oil, etc.) 



Revenues



- State (Unrestricted)
 - State School Fund: General; School Lunch;
 - Common School Fund; State Timber;
 - State School Fund: Transportation
- State (Restricted)
 - Driver Education
 - State School Fund: Transportation Equip

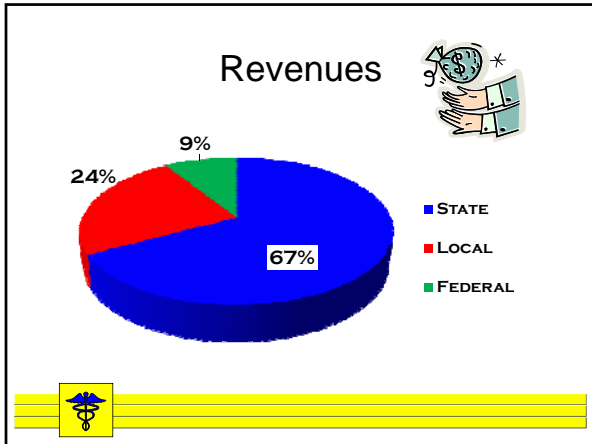


Revenues



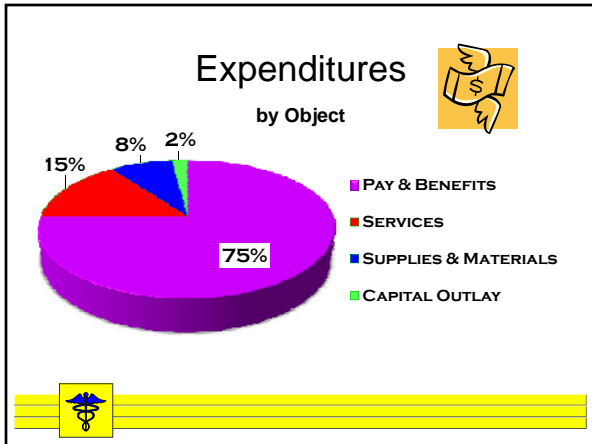
- Federal (Unrestricted)
 - Direct / Indirect thru State
- Federal (Restricted)
 - Direct / Indirect thru State (Vocational, ESEA, Child Nutrition, Title 1, Bilingual, Voc Ed)
- Federal Forest fees; Impact aid
- Other (Bond sales)





Expenditures

1000 Instruction	3000 Enterprise/ Community Svcs
2000 Support Services	4000 Facilities
2130 - Health	5000 Other
2132 - Medical	6000 Contingencies
2133 - Dental	7000 Unappropriated
2134 - Nurse	
2139 - Other	



Summary

- Schools and Society
- School Law
- Financing Public Education