

# LANDMARK COURT CASES IN EDUCATION

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## **Kalamazoo School Case (1874)**

### *Tax support for public schools*

The Michigan Supreme Court determined that school boards could use tax dollars to fund high schools. This court case made it possible for other townships to create publicly funded high schools and was cited in cases in surrounding states.

## **Brown v. Board of Education (1954)**

### *Student rights -- desegregation*

In Topeka, Kansas in the 1950s, schools were segregated by race. Each day, Linda Brown and her sister had to walk through a dangerous railroad switchyard to get to the bus stop for the ride to their all-black elementary school. There was a school closer to the Brown's house, but it was only for white students. Linda Brown and her family believed that the segregated school system violated the Fourteenth Amendment and took their case to court. Federal district court decided that segregation in public education was harmful to black children, but because all-black schools and all-white schools had similar buildings, transportation, curricula, and teachers, the segregation was legal. The Browns appealed their case to Supreme Court, stating that even if the facilities were similar, segregated schools could never be equal to one another. The Court decided that state laws requiring separate but equal schools violated the Equal Protection Clause of the Fourteenth Amendment.

## **Engel v. Vitale (1962)**

### *School initiated-prayer in the public school system violates the First Amendment.*

In the New York school system, each day began with a nondenominational prayer acknowledging dependence upon God. This action was challenged in Court as an unconstitutional state establishment of religion in violation of the First Amendment. The Supreme Court agreed, stating that the government could not sponsor such religious activities.

## **Pickering v. Board of Education (1968)**

### *Teachers have 1<sup>st</sup> Amendment rights*

Appellant Marvin Pickering, a high school teacher, was fired by appellee, the Board of Education, for sending a letter to a local newspaper in which he criticized the Board's allocation of school funds between educational and athletic programs. The Board determined that the letter contained false statements and that its publication was "detrimental to the efficient operation and administration of the schools of the district" and therefore, they argued in the interests of the schools, Mr. Pickering's dismissal was required. The Supreme Court ruled that absent proof of false statements knowingly or recklessly made by the teacher, a teacher's exercise of his right to speak on issues of public importance may not furnish the basis for his dismissal from public employment. This reversed the ruling of the Illinois Supreme Court.

## **Tinker v. Des Moines (1969)**

### *Students do not leave their rights at the schoolhouse door.*

To protest the Vietnam War, Mary Beth Tinker and her brother wore black armbands to school. Fearing a disruption, the administration prohibited wearing such armbands. The Tinkers were removed from

school when they failed to comply, but the Supreme Court ruled that their actions were protected by the First Amendment.

### **Lemon v. Kurtzman (1971)**

#### *First Amendment*

A case in which the [Supreme Court of the United States](#) ruled that [Pennsylvania's](#) 1968 Nonpublic Elementary and Secondary Education Act, which allowed the state Superintendent of Public Instruction to reimburse nonpublic schools (most of which were [Catholic](#)) for the salaries of teachers who taught secular material in these nonpublic schools, secular textbooks and secular instructional materials, violated the [Establishment Clause](#) of the First Amendment. The decision also upheld a decision of the [First Circuit](#), which had struck down the Rhode Island Salary Supplement Act providing state funds to supplement salaries at nonpublic elementary schools by 15%. As in Pennsylvania, most of these funds were spent on Catholic schools.

### **Erb v. Iowa State Board of Public Instruction (1974)**

#### *Teacher Rights*

Robert Johnson (farmer) issued a complaint against Richard Polk (teacher, coach, senior class sponsor). Polk was having an affair with Johnson's wife. Johnson wanted Polk's teaching license revoked and Polk removed from the school in which both Polk and Johnson's wife were teachers. Johnson hid in the trunk of his wife's car in order to verify the affair. Additionally, Johnson had a group of friends search for, find, and take pictures of Polk and Johnson's wife in the act, as evidence. The affair took place in remote and secluded areas. The State Board of Examiners revoked Polk's license on the basis of moral [turpitude](#). (Extreme immorality) They referenced the State code. Ultimately, the adulterous affair was terminated. Polk disclosed the affair to his wife. He offered to resign, but his resignation was not accepted by the local board. They cited his high rating as a teacher and the respect he commanded by the community. The trial court acknowledged that Polk's behavior did not impair his teacher-student relationship. It was his admission of adulterous conduct that was sufficient to have his license revoked. Polk appealed.

### **Goss v. Lopez (1975)**

#### *Student Rights--Students are entitled to certain due process rights.*

Nine students at an Ohio public school received 10-day suspensions for disruptive behavior without due process protections. The Supreme Court ruled for the students, saying that once the state provides an education for all of its citizens, it cannot deprive them of it without ensuring due process protections.

### **Ingraham v. Wright (1977)**

#### *Corporal punishment—the court did not consider paddling, per se, to be “cruel and unusual” punishment (8<sup>th</sup> Amendment).*

Ruling: Florida's public schools were within their right to use paddling as a disciplinary measure. Further, state laws and legal options exist if parents feel a punishment was excessive.

### **Hazelwood v. Kuhlmeier (1983)**

#### *Administrators may edit the content of school newspapers.*

The principal of Hazelwood East High School edited two articles in the school paper, *The Spectrum*, that he deemed inappropriate. The student authors argued that this violated their First Amendment right to freedom of speech. The Supreme Court disagreed, stating that administrators can edit materials that reflect school values.

**Allen v. Wright (1984)**

*Textbooks for parochial schools*

**Grand Rapids vs. Ball (1985)**

*Title I in parochial schools*

**New Jersey v. T.L.O. (1985)**

*Student Rights--Students have a reduced expectation of privacy in school.*

A teacher accused T.L.O. of smoking in the bathroom. When she denied the allegation, the principal searched her purse and found cigarettes and marijuana paraphernalia. A family court declared T.L.O. a delinquent. The Supreme Court ruled that her rights were not violated since students have reduced expectations of privacy in school.

**Bethel School District #43 v. Fraser (1987)**

*Students do not have a First Amendment right to make obscene speeches in school.*

Matthew N. Fraser, a student at Bethel High School, was suspended for three days for delivering an obscene and provocative speech to the student body. In this speech, he nominated his fellow classmate for an elected school office. The Supreme Court held that his free speech rights were not violated.

**Edwards v. Aguillard (1987)**

*Evolution and creationism*

**DeShaney v. Winnebago County (1989)**

*Parents' rights*

**Franklin v. Gwinnett County Public Schools (1992)**

*Title IX and sexual harassment—Title IX does not provide for damages to victims of sexual harassment, however legal processes exist for seeking damages.*

In this case a teacher accused of sexual harassment resigned on the condition that all matters pending against him be dropped, and the school closed its investigation. The student victim sought damages under Title IX instead of in civil court.

**Lee v. Weisman (1992)**

*School prayer*

**Good News Club v. Milford Central School (2001) and Lamb's Chapel v. Center Moriches Union Free School District (1993)**

*Free speech, use of school facilities for religious purposes*

**Vernonia School District v. Acton (1995)**

*Drug testing*

**Agostini v. Felton (1997)**

*Overruled Aguilar v. Felton on First Amendment Establishment Clause (religious education)*

**Santa Fe Independent School District v. Doe (2000)**

*First Amendment--Students may not use a school's loudspeaker system to offer student-led, student-initiated prayer.*

Before football games, members of the student body of a Texas high school elected one of their classmates to address the players and spectators. These addresses were conducted over the school's loudspeakers and usually involved a prayer. Attendance at these events was voluntary. Three students sued the school arguing that the prayers violated the Establishment Clause of the First Amendment. A majority of the Court rejected the school's argument that since the prayer was student initiated and student led, as opposed to officially sponsored by the school, it did not violate the First Amendment. The Court held that this action did constitute school-sponsored prayer because the loudspeakers that the students used for their invocations were owned by the school.

**Board of Education of Independent School District #92 of Pottawatomie County v. Earls (2002)**

*Random drug tests of students involved in extracurricular activities do not violate the Fourth Amendment.*

In *Veronia School District v. Acton* (1995), the Supreme Court held that random drug tests of student athletes do not violate the Fourth Amendment's prohibition of unreasonable searches and seizures. Some schools then began to require drug tests of all students in extracurricular activities. The Supreme Court in *Earls* upheld this practice.

**Owassa Independent School District v. Falvo (2002)**

*Students grading each other's papers – FERPA*

**Zelman v. Simmons-Harris (2002)**

*First Amendment--Certain school voucher programs are constitutional.*

The Ohio Pilot Scholarship Program allowed certain Ohio families to receive tuition aid from the state. This would help offset the cost of tuition at private, including parochial (religiously affiliated), schools. The Supreme Court rejected First Amendment challenges to the program and stated that such aid does not violate the Establishment Clause.

**Grutter v. Bollinger (2003)**

*Colleges and universities have a legitimate interest in promoting diversity.*

Barbara Grutter alleged that her Equal Protection rights were violated when the University of Michigan Law School's attempt to gain a diverse student body resulted in the denial of her admission's application. The Supreme Court disagreed and held that institutions of higher education have a legitimate interest in promoting diversity.

**Roper v. Simmons (2005)**

It is cruel and unusual punishment to execute persons for crimes they committed before age 18. Matthew Simmons was sentenced to death for the murder of a woman when he was seventeen years of age. In the 1988 case *Thompson v. Oklahoma*, the Supreme Court ruled that executing persons for crimes committed at age fifteen or younger constitutes cruel and unusual punishment in violation of the Eighth Amendment. Roper argued that "evolving standards of decency" prevented the execution of an individual for crimes committed before the age of eighteen. A majority of the Supreme Court agreed with Roper, and held that to execute him for his crime would violate the Eighth Amendment.

## **Hosanna-Tabor Lutheran Church and School v. EEOC (2011)**

### *Teacher rights*

The Supreme Court reversed the Sixth Circuit Court of Appeals in a unanimous decision, finding that the Establishment and Free Exercise Clauses of the First Amendment bar suits brought on behalf of ministers against their churches, claiming termination in violation of employment discrimination laws. As the teacher who brought the claim against Hosanna-Tabor was a "called" -- read: ordained -- teacher at the school, she fell within the ministerial exception.

### Sources:

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