

STUDENT'S RIGHTS

WHAT RIGHTS DO STUDENTS HAVE TO ACCESS BOOKS?



Students retain their First Amendment rights in schools. In **Tinker v. Des Moines** Independent Community School District, a 1969 decision, the U.S. Supreme Court held that **students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.”**

“Thirteen years later, in **Board of Education, Island Trees Union Free School District v. Pico**, the Court noted the “special characteristics” of the school library, making it “especially appropriate for the recognition of the **First Amendment rights of students,**” including **the right to access information and ideas.**

The American Library Association’s **Library Bill of Rights** article V states: **“A person’s right to use a library should not be denied or abridged because of origin, age, background, or views.”** The bill of rights specifically states age as a reason patrons should not be denied access to books.

Even more than the Library Bill of Rights, the First Amendment protects the rights of students:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Further, the **Fourteenth Amendment** extends the limits of the First Amendment by protecting the people’s **rights to public education**. Now, not only is it federal law, but state and local laws also ensure access to education and knowledge. **Public schools and school libraries are part of local government; they must follow the First Amendment.**

“[T]he school board’s non-curricular decision to remove a book well after it had been placed in the public school libraries evokes the question whether that action might not be an unconstitutional attempt to ‘strangle the free mind at its source.’”

Campbell v. St. Tammany Parish School Board (1995)



Rights Of Students

L Darling-Hammond



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Table of Contents Rights Of Students

1. Understanding the eBook Rights Of Students
 - The Rise of Digital Reading Rights Of Students
 - Advantages of eBooks Over Traditional Books
2. Identifying Rights Of Students
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Rights Of Students
 - User-Friendly Interface
4. Exploring eBook Recommendations from Rights Of Students
 - Personalized Recommendations
 - Rights Of Students User Reviews and Ratings
 - Rights Of Students and Bestseller Lists
5. Accessing Rights Of Students Free and Paid eBooks
 - Rights Of Students Public Domain eBooks

- Rights Of Students eBook Subscription Services
- Rights Of Students Budget-Friendly Options
- 6. Navigating Rights Of Students eBook Formats
 - ePub, PDF, MOBI, and More
 - Rights Of Students Compatibility with Devices
 - Rights Of Students Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Rights Of Students
 - Highlighting and Note-Taking Rights Of Students
 - Interactive Elements Rights Of Students
- 8. Staying Engaged with Rights Of Students
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Rights Of Students
- 9. Balancing eBooks and Physical Books Rights Of Students
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Rights Of Students
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Rights Of Students
 - Setting Reading Goals Rights Of Students
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Rights Of Students
 - Fact-Checking eBook Content of Rights Of Students
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks

14. Embracing eBook Trends

- Integration of Multimedia Elements
- Interactive and Gamified eBooks

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