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## EDUCATION LAW LIBRARY RESEARCH GUIDE

(SPE405, 554, EAD564, HPE540)

### INTRODUCTION

Education Law refers to the body of state and federal constitutional provisions; local, state, and federal statutes; court opinions; and government regulations that provide the legal framework from educational institutions (*West's Encyclopedia of American Law*). SPE 405, 554 prepare students in identifying key legal issues in special education area, HPE 540 provides legal implications of those involved with physical education, recreation, and athletic programs, and EAD 564 provides legal, ethical, and political structures under which school personnel and community counselor function within emphasis on school-community interaction and instructional advocacy. Most print sources (such as books, periodicals) related to Education Law are located on 10<sup>th</sup> floor in Houston Cole Library. Electronic sources (such as databases) can be accessed via computer stations on each floor.

### PRINT SOURCES

Books are important sources of basic information on a topic, providing necessary definitions, background information, and historical information. Books provide a foundation for research which can be supplemented by more current information from periodical articles. Books may also contain useful bibliographies which may lead to additional sources of research. When looking for books, consult the Library of Congress Subject Headings to select the proper term(s) to use as subjects under "Find Books (Library Catalog <http://library.jsu.edu/>)". The following table shows education law in the Library of Congress System:

KF4101-4120	General	KF4121	Administration. Office of Education
KF 4124	Church and education	KF4135	School
KF4151-4155	Right	KF4164	Students
KF4166	School sports	KF4215-4216	Handicapped
KF4220	Private education	KF4221	Domestic education. Home schools
KF 4315	Libraries and library services	KFA	Alabama Law

Other subject headings can be: Educational law and legislation United States; Educational accountability Law and legislation United States; Children with disabilities legal status, laws, Sports--- Law and legislation, and etc. Some commonly used reference books are:

*Education Law* (REF KF4119.R36 1984)

*Yearbook of Education Law* (REF KF4102.5.Y4)

*The Education Law and the Public Schools* (REF KF4119.G3)

*Law and Public Education: Cases and Materials* (KF 4118.G6)

*Sports Law: Cases, Documents, and Materials* (KF 3989 C474 2005)

JSU students can also use ALLIES (Alabama Libraries Exchange Services, <http://library.jsu.edu/cgi-bin/Pwebrecon.cgi?PAGE=dbPage>) to borrow circulating books from UAB Sterne Library, University

of Alabama, Auburn University, Auburn University at Montgomery, either on-site with the student ID or by requesting the items through the library catalog.

## ELECTRONIC RESOURCES

Current print issues of periodicals to which the Library subscribes can be found at the Current Periodical Section on 10<sup>th</sup> floor. Older print issues of magazines and journals, usually bound into complete years or volume numbers, are located in the 10<sup>th</sup> floor Bound Periodical Section. Electronic Databases are the main electronic sources in the HCL providing indexes, full textbooks (via netLibrary), articles, statutes, and legal cases, etc. To access the HCL subscribed databases, your student ID and your Last name are required for log-in at. <http://www.jsu.edu/library/resources/> to identify articles on particular topics in magazines, journals, and the following table lists some commonly used databases for your research:

Database Title	Description	Full Text?
Academic Search Elite	Journal articles in all subject areas.	Yes
Education Full Text	Journal Articles in Education	Yes
ERIC	Index to education publications.	Yes
Expanded Academic ASAP	Scholarly journals, news magazines, and newspapers	Yes
GPO Access	U.S. Congressional and government publications.	Yes
LegalTrac	Articles in all major law reviews, law journals, specialty law and bar association journals and legal newspapers.	Yes
Omini File	Full text articles, page images, article abstracts, and citations from over 4,000 journals.	Yes
ProQuest Databases	U.S. and international news sources.	Yes
Westlaw Campus Research	Federal and state statutes, administrative codes, cases, encyclopedias, law reviews	Yes

Some electronic Journals are:

*Journal of College and University Law* (Per. K10.O856)

*Journal of Law & Education* (Per. K10.O873)

ELA NOTES (PER. K14.N66)

*School Law Reporter* (Per. K14.N67)

## FEDERAL & ALABAMA LEGISLATION

The federal government in the United States plays a far smaller role in education than most other national governments. Federal statutes have concerned themselves with education to a greater degree in recent years so that now the role of the federal government in education is broad in scope. The following are some examples:

Adult Education: *Adult Education & Family Literacy Act of 1998*: Pub. L. 105-220

Civil Rights: *Age Discrimination Act of 1975*: Pub. L. 93-112, *Race and National Origin*

*Discrimination*: Pub. L. 88-352, *Sex Discrimination (Title IX of the Education Amendments of 1972)*:

Pub. L. 92-318, *Family Educational Rights & Privacy Act of 1974*: Pub. L. 93-380, *Equal Education*

*Opportunities Act of 1974*: Pub. L. 93-380, *The School Lunch Act*: 42 U.S.C. 1751 note, Public Law 108-265 (amended the Richard B. Russell National School Lunch Act and the Child Nutrition Act of 1966), *Elementary and Secondary Education Act of 1965*: 20 USC § 6301 et seq. (1965), *Elementary & Secondary Education: No Child Left Behind Act of 2001*: Pub. L. 107-110 known as The No Child Left Behind (NCLB) Act of 2001, <http://www.ed.gov/policy/elsec/leg/esea02/index.html>.

Higher Education: *Amendments to the Higher Education Act of 1965*: Pub. L. 105-244

Research & Statistics: *Education Sciences Reform Act of 2002*: Pub. L. 107-279

Special Education & Rehabilitative Services: *IDEA and Section 504 of Rehabilitation Act*: Pub. L. 94-142, *Individuals with Disabilities Education Act (IDEA of 1997*: Pub. L.105-17, *The Rehabilitation Act*: Pub. L. 93-112, [http://www4.law.cornell.edu/uscode/html/uscode20/usc\\_sec\\_20\\_00001400----000-.html](http://www4.law.cornell.edu/uscode/html/uscode20/usc_sec_20_00001400----000-.html)

Vocational Education: *Carl D. Perkins Vocation & Technical Education Act of 1998*: Pub. L. 105-332

Within the framework of the Federal and state constitutions, the individual states have enacted laws applicable to education. State statutes are the most abundant sources of law affecting the public schools.

*The Code of Alabama 1975* Title 15, Title 16, and Title 22

## EXECUTIVE ORDERS

The President of the United States occasionally promulgates executive orders relating to education. His executive orders are published in the *Federal Register* (Call Number:KF70.A2)

## CASE LAW

*Education Law Reporter* (Call Number: KF4110.A2 W47)

Cases can also be accessed at Campus Database (<http://www.jsu.edu/library/resources/>)

## INTERNET RESOURCES

The U.S. Department of Education <http://www.ed.gov>

Center for Law and Education <http://www.cleweb.org>

Alabama State Department of Education <http://www.alsde.edu/html/home.asp>