

From Schoolhouse to Courthouse



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The Judiciary's Role in
American Education



JOSHUA M. DUNN AND MARTIN R. WEST, EDITORS

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著者:West, Martin R. (EDT)/ Dunn, Joshua (EDT)

出版者:

出版时间:2009-8

装帧:

isbn:9780815703075

From race to speech, from religion to school funding, from discipline to special education, few aspects of education policy have escaped the courtroom over the past fifty years. Predictably, much controversy has ensued. Supporters of education litigation contend that the courts are essential to secure student (and civil) rights, while critics insist that the courts distort policy and that the mere threat of litigation undermines the authority of teachers and administrators. "From Schoolhouse to Courthouse" brings together experts on law, political science, and education policy to test these claims. Shep Melnick (Boston College) and James Ryan (University of Virginia School of Law) draw lessons from judicial efforts to promote school desegregation and civil rights. Martha Derthick (University of Virginia), John Dinan (Wake Forest University), and Michael Heise (Cornell Law School) discuss litigation over high-stakes testing and school finance in the era of No Child Left Behind. Richard Arum (New York University), Samuel R. Bagenstos (Washington University Law School), and Frederick M. Hess (American Enterprise Institute) analyze the consequences of court rulings for school discipline, special education, and district management. Finally, editors Joshua Dunn and Martin R. West probe the tangled relationship between religious freedom, student speech, and school choice.

作者介绍:

目录:

[From Schoolhouse to Courthouse](#) [下载链接1](#)

标签

评论

[From Schoolhouse to Courthouse](#) [下载链接1](#)

书评

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