

1971

Book Review

James C. Williams

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Recommended Citation

James C. Williams, *Book Review*, 20 Clev. St. L. Rev. 670 (1971)
available at <https://engagedscholarship.csuohio.edu/clevstlrev/vol20/iss3/24>

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Book Reviews

*Reviewed by James C. Williams**

LEGAL LIMITS OF AUTHORITY OVER THE PUPIL, by Edward C. Bolmeier (The Michie Co., 1970), 150 pp.

This study focuses on many issues concerning the troublesome area, "parental versus state authority over the pupil." The writer, in pursuing the areas of conflict, distinguishes natural rights, which are rights necessary to personal liberty, and civil rights, which are those rights inherent in an individual by virtue of his citizenship or residence in a community or state. These natural rights and civil rights are frequently brought into focus when pupils and their parents challenge in the courts unfavorable actions of school officials. The writer reports cases which have dealt specifically with these problems. He treats earlier precedential cases, but major emphasis is placed on more recent cases.

This study deals with compulsory school attendance, authority over curricular activity, and control over student behavior. Professor Bolmeier deals objectively with the treatment of the cases reported in the various categories. The publication appears to be an invaluable aid as a jumping off point in research of the related problems regarding "parental versus state authority over the pupil."

Throughout this study the reader is given the impression that legislators and school officials do not possess unlimited authority in determining precisely the activities in which children may or may not participate, but that parents possess natural rights which must be respected.

Acknowledging the many areas of conflict in the public school system today, such as sex education, length of hair, dress codes, display of insignia as protest, this reviewer feels that the schools must be conducted in an orderly fashion, and that school administrators and teachers should prescribe reasonable rules and regulations which are pertinent and commensurate to their areas of responsibilities. The "due process" provision of the fourteenth amendment, as applied to today's standards, seems to be the trend set by the courts.

Professor Bolmeier, in the opinion of the reviewer, has managed an excellent analysis in his presentation regarding the school-pupil area, which should prove useful to lawyer and laymen alike. He has successfully accomplished his purpose of providing an informative and definitive manual for those interested in the area of "Legal Limits of Authority Over the Pupil."

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