

UNITED STATES
SCHOOL LAWS
AND
RULES

edited by
Michael I. Levin, Esq.

Volume 1



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Every effort has been made to ensure that this book is a complete and accurate reference. The material is reprinted from West's *United States Code Annotated* and the *Code of Federal Regulations*. However, since it is a compilation of selected statutes, rules and other materials, the book may not include every provision that might be considered important by every user.

The materials published herein are complete and up-to-date to a specific point in time; further research to ensure the continued effectiveness of particular provisions must be done by the user.

The author would like to thank the National School Board Association and the NSBA Council of School Attorneys, for their permission to reprint the Annual Notices document among the Guidance Documents contained in Volume 3 of this set.

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ISBN: 979-8-350-21017-0

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PREFACE

United States School Laws and Rules is a compilation of federal statutes, regulations and guidance documents, with research aids, that govern education in America. Edited by Michael I. Levin, it provides an authoritative and up-to-date reference, in a convenient and affordable format, for education policy-makers, school board members, school administrators, teachers and their representatives, other school employees, attorneys, and the general public.

Summaries of statute sections referred to less often appear at the end of the Chapter or Subchapter to which they belong. Each summary consists of the appropriate citation and a brief description of the law.

Research aids include a volume of Guidance Documents, containing interpretations of statutes and regulations; a User's Guide, containing background information and hints for effective use; and a detailed Subject Index, incorporating both legal and popular terminology for quick access to the law.

WHAT'S NEW

Statutory provisions, current through July 30, 2025, are compiled for specific areas or concerns relevant to the school law community, including education, labor, and civil rights.

Federal agency rules, current through July 14, 2025, cover topics such as education, labor, discrimination, equal employment opportunity, and civil rights.

New guidance documents have been added to this compilation, including the following:

- Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or at Risk;
- Ensuring Educational Stability and Success for Students in Foster Care;
- Equal Access to Elementary and Secondary Education for Students Who Are English Learners with Disabilities; and
- Online or Digital Sexual Harassment under the 2020 Title IX Regulations: A Resource for Students, Families, and Educators.

Finally, we are including the Executive Orders issued by President Trump that implicate school law, including the following:

- Expanding Educational Freedom and Opportunity for Families;
- Designating English as the Official Language of the United States;
- Ending Radical Indoctrination in K-12 Schooling;
- Reevaluating and Realigning United States Foreign Aid;
- Ending Radical and Wasteful Government DEI Programs and Preferencing;
- Ending Illegal Discrimination and Restoring Merit-Based Opportunity;
- Protecting Children From Chemical and Surgical Mutilation;
- Protecting the American People Against Invasion;
- Enhancing Public Safety in the Interior of the United States;

PREFACE

- Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government;
- Keeping Men Out of Women’s Sports; and
- Improving Education Outcomes by Empowering Parents, States, and Communities.

CONTACT US

For additional information or research assistance, contact the Reference Attorneys at 1-800-REF-ATTY (1-800-733-2889) or by Live Chat: Access via Westlaw. Contact our U.S. legal editorial department directly with your questions and suggestions by e-mail at editors.us-legal@tr.com.

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THE PUBLISHER

August 2025

ABOUT THE AUTHOR

Michael I. Levin is the president of the law firm of Levin Legal Group, P.C., concentrating in public school law, civil rights, litigation and labor and employment law. A graduate of Temple University, he earned his J.D. at the Dickinson School of Law, where he was on the editorial staff of the Law Review. Prior to entering private practice, he served as a law clerk for the Honorable Lee F. Swope, President Judge of the Court of Common Pleas of Dauphin County, Pennsylvania.

Mr. Levin is a member of the Labor Law Section and the Litigation Section of the American Bar Association. He is past chairman of PBA's School Law Section. He is former member of the Board of Directors of the National Council of School Attorneys and has chaired its committee on the American Institute of Architects contract. He serves as General Counsel to the Pennsylvania School Boards Association, the PSBA Institute (formerly the Pennsylvania School Boards Association Insurance Trust), and the Pennsylvania Principals Association.

Mr. Levin has lectured statewide and nationally, and at colleges and universities, on numerous topics pertaining to public school law, employment law, and construction law related to the architects. He has served as Editor of Pennsylvania School Laws and Rules since 1991 and as Editor of United States School Laws and Rules since its inception in 1994, both of which he updates annually. He is author of Pennsylvania School Personnel Actions, a text analyzing the laws governing public school employment, and updates that publication annually. He is also the author of the Chapter on Schools, Colleges and Universities in West's Legal Forms and co-author of the textbook *Municipal Liability: An Analysis of the Political Subdivision Tort Claims Act*. He has authored over 150 magazine articles in addition to the books he has authored and edited.

Mr. Levin is the inventor of the two-player rules of the popular board game Risk and he is the 2007 Recipient of the *President's Award for Distinguished Career Achievement in School Law*, presented by the Pennsylvania School Boards Solicitors Association.

USER'S GUIDE

INTRODUCTION

United States School Laws and Rules is a compilation of federal statutes, regulations, and guidance documents, with research aids, that govern education in America. Edited by Michael I. Levin (see About the Editor), it contains the full text (or a summary) of the federal laws and rules referred to most often by education policy-makers, school board members, school administrators, teachers and their representatives, other school employees, attorneys, and the general public.

United States School Laws and Rules is the only publication that brings together in three volumes education statutes from the United States Code and related U.S. government agency regulations from the *Code of Federal Regulations*. Statutory provisions are compiled for four areas of particular concern to the school law community—education, labor, the environment, and civil rights. Federal agency rules include provisions on education, labor, age discrimination, equal employment, disabilities, the environment, and civil rights.

In addition, selected documents from federal agencies are included in a third volume to provide guidance in interpreting statutes and regulations. Guidance documents are provided for topics including employment and labor issues, civil rights, sexual harassment, bullying and many other issues.

Research aids include this User's Guide; References to Related Laws, listing additional, less frequently used statutory and rule provisions; and a detailed Subject Index, incorporating both legal and popular terminology for quick access to the materials.

This User's Guide describes features of the publication and provides hints for effective use. It is intended to assist both new and experienced users and may be read in whole or in part, as needed.

THE CONSTITUTION OF THE UNITED STATES

The United States Constitution is reprinted in its entirety, with all amendments to date.

The United States Constitution enumerates the rights and liberties of citizens and establishes the powers of the federal government and the states. The Tenth Amendment declares that those powers not delegated to the federal government are reserved to the states. Certain Amendments are applicable to the states through specific enforcement clauses, while courts have held that the Bill of Rights applies to the states through the Fourteenth Amendment.

United States School Laws and Rules contains the full text of the U.S. Constitution, with amendments to date, unannotated. For case law and other annotations, see West's *United States Code Annotated*.

UNITED STATES CODE—SELECTED PROVISIONS

This part of the book contains selected provisions of the United States Code relating to education. The materials are reprinted from West's *United States Code Annotated*. Following a detailed Table of Contents, individual provisions are arranged in numerical order by title and section number. The full text of each section is printed, together with its official heading and current legislative history. Summaries of sections referred to less often appear at the end of the Chapter or Subchapter to which they belong.

How to Cite

In informal communications, *United States School Laws and Rules* can be cited using standard bibliographic notation; for example, "42 U.S.C.A. § 2000d, as reprinted in *United States School Laws and Rules* (West, 1998)."

USER'S GUIDE

For legal citations, according to *A Uniform System of Citation* (Sixteenth Edition), cite the *United States Code Annotated* in the following manner:

x U.S.C.A. § y (West 19zz)

where “x” is the title number of the Code, “y” is the section number, and “19zz” is the year of publication of the volume, the year appearing on the title page, or the latest copyright year. For example, 42 U.S.C.A. § 300g–6 (West 1994) cites section 300g–6 from Title 42 of a volume of the *United States Code Annotated* that was published by West in 1994.

CODE OF FEDERAL REGULATIONS—SELECTED PROVISIONS

This part of the book contains the full text of administrative rules relating to education promulgated by the U.S. Department of Education and other federal agencies. The regulations are published first in the *Federal Register (FR)*, which is issued daily. They are then compiled into the multi-volume *Code of Federal Regulations (CFR)*. Within the *CFR*, the rules are arranged by subject matter into fifty (50) titles and updated annually.

How to Cite

According to *A Uniform System of Citation* (Sixteenth Edition), regulatory material, with the exception of Treasury materials, should be cited to the *Code of Federal Regulations (CFR)*. When a regulation is known by name, the name should also be included, followed by the title and year; for example:

DOE Chapter 1 Program in Local Educational Agencies, 34 C.F.R. § 200.1 (1989).

Because agency regulations change frequently, the *CFR* and the *FR* must be used together to find the most recent version of a regulation. The following instructions are quoted from the *CFR*:

To determine whether a Code volume has been amended since its revision date . . . consult the “List of *CFR* Sections Affected (LSA),” which is issued monthly, and the “Cumulative List of Parts Affected,” which appears in the Reader Aids section of the daily Federal Register. These two lists will identify the Federal Register page number of the latest amendment of any given rule.

Federal agencies should be contacted to determine whether they have issued any interpretative bulletins or can offer any guidance. Among the agencies which can provide assistance to the education community are the following:

Federal Agencies

U.S. Commission on Civil Rights
624 9th Street, N.W.
Washington, D.C. 20425
(202) 376–7700 (Main number)
(202) 376–8116 (Locator number)
Internet Homepage: <http://www.usccr.gov>

Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460
(202) 260–2090 (Locator number)
Internet Homepage: <http://www.epa.gov>

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Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463
800-424-9530
Internet Homepage: <http://www.fec.gov>

National Transportation Safety Board
490 L'Enfant Plaza East, S.W.
Washington, D.C. 20594
(202) 314-6000 (Main number)
(202) 314-6230 (Locator number)
Internet Homepage: <http://www.nts.gov>

U.S. Departments

U.S. Department of Education
400 Maryland Avenue
Washington, D.C. 20202
(202) 401-3000 (Main number)
(202) 401-2000 (Locator number)
Internet Homepage: <http://www.ed.gov>

The U.S. Department of Education provides, free of charge, the *Guide to U.S. Department of Education Programs*. This publication supplies direction for beginning the application process to receive funding from federal education programs. These programs are offered through the Offices of Elementary and Secondary Education, Postsecondary Education, Educational Research and Improvement, Bilingual Education and Minority Languages Affairs, Vocational and Adult Education, and Special Education and Rehabilitative Services.

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An in-depth Subject Index integrates topical references to the U.S. Constitution, statutes, regulations, guidance documents, and the Federal Reference Table included in *United States School Laws and Rules*.

Index cross references are included to eliminate unnecessary duplication of entries under multiple headings and to assist users in researching related topics.

Every effort has been made to afford quick and easy access to the material. Index headings include frequently-used nonlegal terms as well as the language of the law.

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