

# 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).

