



You be the Judge

The events listed below are fiction but are based on an actual case. It is your job to use the facts listed below and your knowledge of the Constitution (and amendments) to answer the questions that follow and explain your answers. Do not be afraid to make educated guesses as to the meaning of the laws and the Constitution.

WHAT HAPPENED:

- 1) The school board recently passed a policy that stated the procedure for any protest against American involvement in Iraq. In this policy it was stated that any form of protest or speech in school would be met with appropriate disciplinary action by the principal.
- 2) Two days later, three of your friends come to school wearing black armbands decorated with a “peace symbol.” These students do not hold any kind of demonstration, speech, or other activity.
- 3) Early in the school day, Dr. Mutillo asked the students to remove their armbands in order to uphold the new school board policy. The students refused to remove their armbands.
- 4) In accordance with the new school board policy, Dr. Mutilo proceeded to suspend these students for five days.

QUESTIONS:

- 1) Are symbols, such as armbands, included as a form of speech? Explain.
- 2) Does the school have the right to limit students' freedom of speech? Explain.

YOUR ANSWERS

1) Are symbols, such as armbands, included as a form of speech? Explain.

2) Does the school have the right to limit students' freedom of speech? Explain.

ACTUAL ANSWERS FROM THE SUPREME COURT

1)

2)

THE SUPREME COURT’S DECISION

Tinker v. Des Moines (1969)