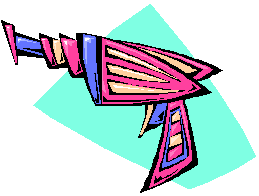
**THE CIVIL CASE OF THE TOY GUN**



Ten-year-old Jeffrey Parks brought a 2-inch plastic handgun to his elementary school. The gun was a pistol that comes with the “G.I. Joe” action figure. The gun did not fire bullets and had no moving parts.

The school has a “zero-tolerance” rule on weapons. The rule clearly states that toys that appear to be weapons cannot be brought to school. Anyone bringing a real or toy weapon to school will be expelled from the school district for one year. The principal expelled Jeffrey from school for one year.

Jeffrey says the gun was in his pocket by mistake. He said that a friend saw it when he was getting his lunch money out of his pocket. His father says he is a “typical ten year old.” Jeffrey had received a detention earlier in the year for hitting a kid who had been bothering him, but otherwise, he has not been in trouble before for aggressive behavior.

The principal states that the rule is clear and there is a very important reason for the rule—to keep students safe. At the start of the school year, she went to each classroom. She told all the students not to bring weapons, including toy weapons, to school or there would be consequences. She also sent a letter home explaining the consequences of expulsion and the zero-tolerance policy, and this is posted on the school website. The principal also said that Jeffrey’s previous behavior record was a factor in the decision to expel him, and claimed that Jeffrey pointed the gun at another student.

After several meetings with the principal and school administration failed to change the decision to expel Jeffrey for a year, Jeffrey’s parents sued the school to get Jeffrey reinstated.

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1) Who is the plaintiff (or the one making an accusation/filing a lawsuit) in this case?

The plaintiff is

2) Who is the defendant in this case?

3) What are the most important facts?

4) What is the school rule on weapons?

5) What do Jeffrey and his parents want?

6) What does the principal want?

7) What is the problem that must be decided during the case?

8) Make a list of all the arguments you can think of for Jeffrey and his parents. Think about what the principal and school will argue and what response you can make to their arguments. Make sure to support your arguments with evidence.

9) Make a list of all the arguments you can think of for the principal and the school. Think about what Jeffrey and his parents will argue and what response you can make. Make sure to support your arguments with evidence.

10) If you were the jury in this case, which argument would persuade you the most? Essentially, would you decide for the plaintiff, or for the defendant? Why? Explain your verdict.