Name:

Date:

**HOW DISRUPTIVE IS DISRUPTIVE?**

In the case of Tinker v. Des Moines, the Supreme Court of the United States ruled that student "speech" (expression) could not be punished or stopped unless officials could prove the speech would or did cause a substantial interference with the discipline required for the operation of the school. However, at what level of disruption must the school step in?

#### *Directions*

*Read each example below and determine whether you think the student expression described is potentially disruptive enough to be punished or stopped by the school administration. Remember that “disruptive” means causing disorder, chaos, or trouble, or interrupting the normal functions of school. Write a sentence or two for each question.*

1. Maggie and Sally come to school wearing new khaki pants. On the back of the pants, where pockets usually are, the girls put patches of the American flag. Therefore, when the girls sat down, they sat on the flag.
   * How disruptive are these actions?
   * Would it be constitutional for the school administration to restrict this form of speech? Why or why not?
2. In order to protest the new cafeteria food offered at Valley High School, the student government organizes a protest. During both lunch periods, SGA officials plan to lead a walk-out from the cafeteria and a group march to the local McDonalds.
   * How disruptive are these actions?
   * Would it be constitutional for the school administration to restrict this form of speech? Why or why not?
3. Local gang members wear colored plastic bracelets on their wrists to declare their affiliation.
   * How disruptive are these actions?
   * Would it be constitutional for the school administration to restrict this form of speech? Why or why not?
4. During a pep rally, a student leader uses very obscene language in a speech.
   * How disruptive are these actions?
   * Would it be constitutional for the school administration to restrict this form of speech? Why or why not?
5. Atheists in your school decide they want to publicize and educate others about their beliefs. To make their point, they begin wearing t-shirts that portray important religious figures as a monster with three heads.
   * How disruptive are these actions?
   * Would it be constitutional for the school administration to restrict this form of speech? Why or why not?
6. A student dislikes several of his teachers, and he posts daily on a website that he has created complaining about and making fun of these teachers. He encourages other students to post their own complaints and insults toward teachers on his site, and many students do. While students cannot use their phones to access the site in class, they discuss it a lot amongst themselves throughout the school day, including in class.
   * How disruptive are these actions?
   * Would it be constitutional for the school administration to restrict this form of speech? Why or why not?

1. Now it is your turn to be creative! Think about the freedom of expression that you have in school, as well as the limits placed on it. Create your own scenario (at least 2-3 sentences) in which students may potentially get in trouble for expressing themselves. Then determine if these actions would be considered disruptive and whether the school administration could restrict their speech.