other hand, the Court has repeatedly emphasized the need for affirming the comprehensive authority of the States and of school officials, consistent with fundamental constitutional safeguards, to prescribe and control conduct in the schools."[822] Restriction on expression by school authorities is only permissible to prevent disruption of educational discipline. "In order for the State in the person of school officials to justify prohibition of a particular expression of opinion, it must be able to show that its action was caused by something more than a mere desire to avoid the discomfort and unpleasantness that always accompany an unpopular viewpoint. Certainly where there is no finding and no showing that engaging in the forbidden conduct would 'materially and substantially interfere with the requirements of appropriate discipline in the operation of the school,' the prohibition cannot be sustained."[823]

The Court reaffimed *Tinker* in *Healy v. James*,[824] in which it held that the withholding of recognition by a public college administration from a student organization violated the students' right of association, which is implicit in the First Amendment. Denial of recognition, the Court held, was impermissible if it had been based on the local organization's affiliation with the national SDS, or on disagreement with the organization's philosophy, or on a fear of disruption with no evidentiary support. Furthermore, the Court wrote, "the precedents of this Court leave no room for the view that, because of the acknowledged need for order, First Amendment protections should apply with less force on college campuses than in the community at large. Quite to the contrary, '[t]he vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.' . . . The college classroom with its surrounding environs is peculiarly the 'market place of ideas,' and we break no new constitutional ground in reaffirming this Nation's dedication to safeguarding academic freedom."[825] A college administra-

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[822] 393 U.S. at 506, 507.

[823] 393 U.S. at 509 (quoting Burnside v. Byars, 363 F.2d 744, 749 (5th Cir. 1966). *See also* Papish v. Board of Curators, 410 U.S. 667 (1973) (state university could not expel a student for using "indecent speech" in campus newspaper). However, offensive "indecent" speech in the context of a high school assembly is punishable by school authorities. *See* Bethel School Dist. No. 403 v. Fraser, 478 U.S. 675 (1986) (upholding 2-day suspension, and withdrawal of privilege of speaking at graduation, for student who used sophomoric sexual metaphor in speech given to school assembly).

[824] 408 U.S. 169 (1972).

[825] 408 U.S. at 180–81 (internal quotation marks omitted).