**Judicial Decisions**

***Students and Modern Free Expression Analysis***

**Your Name** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**1.** Choose **one** modern scenario to analyze from the lesson—A, B, or C.

Your Scenario Student Wearing a T-Shirt with a Political Message

2. Respond in complete paragraphs to each of the following prompts:

* Identify which case from the lesson could be used as a precedent and explain why. (Note: there could be more than one case used as precedent.)

The landmark Supreme Court case Tinker v. Des Moines Independent Community School District (1969) established that students do not lose their First Amendment rights at school. The Court ruled that wearing black armbands to protest the Vietnam War was protected symbolic speech, as long as it did not substantially disrupt the educational process.

* Explain which side you would rule for. Remember that personal opinion is not a valid justification for a Court opinion. Answer these questions in your explanation:

In this scenario, I would rule in favor of the student wearing the T-shirt with a political message.

I would rule in favor of the student wearing the T-shirt with a political message.

Under Tinker, the First Amendment protects student expression unless it causes a "material and substantial disruption." If the T-shirt's message is non-disruptive and purely political, prohibiting it would overstep school authority. Without evidence of significant disruption, the student's right to free expression should be upheld.

* Does your ruling reflect loose or strict interpretation of the Constitution? Explain your response.

This ruling adheres strictly to the First Amendment, upholding *Tinker*'s criteria that student expression cannot be restricted without clear evidence of substantial disruption. It reinforces the principle that constitutional rights must not be unnecessarily infringed upon in schools.

* Some of your fellow justices do not agree with your ruling. Discuss what reasoning they might use in their dissent.

**Dissenting justices might argue that the school’s policy is justified to prevent potential disruptions. They could claim that political messages on clothing risk provoking conflicts among students, undermining the educational process. Furthermore, they might assert that schools have the authority to enforce dress codes to maintain a focused, distraction-free learning environment, and allowing such expressions could be perceived as endorsing specific political views, which may be inappropriate in an educational context.**