**WHAT HAPPENED? WHAT IS THE STORY BEHIND THE CASE?**

In December 1965, a group of students in Des Moines held a meeting in the home of 16-year-old Christopher Eckhardt to plan a public showing of their support for a truce in the Vietnam war. They decided to wear black armbands throughout the holiday season and to fast on December 16 and New Year's Eve. The principals of the Des Moines school learned of the plan and met on December 14 to create a policy that stated that any student wearing an armband would be asked to remove it, with refusal to do so resulting in suspension. On December 16, Mary Beth Tinker and Christopher Eckhardt wore their armbands to school and were sent home. The following day, John Tinker did the same with the same result. The students did not return to school until after New Year's Day, the planned end of the protest.

Through their parents, the students sued the school district for violating the students' right of expression and sought an injunction to prevent the school district from disciplining the students. The district court dismissed the case and held that the school district's actions were reasonable to uphold school discipline. The U.S. Court of Appeals for the Eighth Circuit affirmed the decision without opinion.

**NAME OF CASE**

Tinker v. Des Moines Independent Community School District

**YEAR OF CASE**

**1968-1969**

**INVOLVED (ex. people, states, amendments, laws)**

Des Moines Independent Community, Mary Beth Tinker, Christopher Eckhardt, First Amendment

**HOW DID THE SUPREME COURT RULE IN THE CASE?**

**The Supreme court held that the armbands did represent symbolic speech that is entirely separate from the actions or conduct of those participating in it**. Students do not lose their 1st amendment rights when they step onto school property.

**WHAT IS THE CONSTITUTIONAL ISSUE IN THIS CASE?**

Does a prohibition against the wearing of armbands in public school, as a form of symbolic protest, violate the students' freedom of speech protections guaranteed by the First Amendment?