Fitzgerald Name \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Model for Breaking Down a Supreme Court Case

Name of Case - ***Tinker v. Des Moines Independent School District* (1969)**

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| Main Facts - Bulleted.   * John and Mary Beth Tinker and their friend Chris Eckhardt wore black armbands * to school   + John, 15, at North High   + Mary Beth, 13, at Warren Harding Junior High   + Chris, 16, at Roosevelt High * in Des Moines, Iowa * purpose - to protest the war in Vietnam * School officials told them to remove the armbands * when they refused, they were suspended | |
| Who brought the case?  John and Mary Beth Tinker with their parents | |
| What is the issue(s)?/What question is being asked the court?  Is the students' right to wear arms bands in protest of the Vietnam War protected by the First Amendment's right to freedom of speech? | |
| What are the two sides of the case? state the position of each. | |
| Side - Students  Position - We have a right to protest the war. | Side - School District  Position -  We have a right to make sure the classroom is an ***orderly*** environment focused on ***learning***. |
| What amendment in the Bill of Rights is involved?  First Amendment | |
| Is there a particular clause in this amendment that is involved? State it.  Freedom of Speech | |
| What did the Supreme Court decide?  The students' right to wear the arm band was protected because they caused discussion outside of the classrooms, but no interference with work and no disorder | |
| Why did the Supreme Court decide this?   * Students and teachers don't "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." * But the right to self-expression must be balanced against a school's need to keep order.   + The act of expression must not disrupt classwork or school activities or invade the rights of others. | |
| Note any impacts of this decision since it has been made. Bulleted.   * Did not allow   + a school speech containing sexual innuendos   + a banner that seemed to advocate illegal drug use   + a T-shirt displaying a Confederate flag. * Allowed   + school attire, like nose rings and dyed hair | |