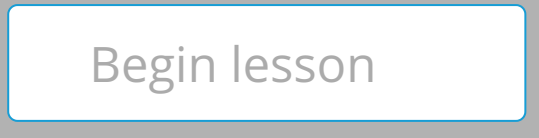


# Day 4: Tinker v. Des Moines Independent Community School District

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## Begin lesson

Card 1 of 16

	<b>Notes</b>

## Before the Lesson

Card 2 of 16

<b>Before the Lesson</b>	<b>Notes</b>


# Anchor Text

Card 3 of 16

<p style="text-align: center;"><b>United States Supreme Court</b> 393 U.S. 503 <b>TINKER v. DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT</b> Argued: Nov. 12, 1968. --- Decided: Feb 24, 1969</p> <p>MR. JUSTICE FORTAS delivered the opinion of the Court.</p> <p>Petitioner John F. Tinker, 15 years old, and petitioner Christopher Eckhardt, 16 years old, attended high schools in Des Moines, Iowa. Petitioner Mary Beth Tinker, John's sister, was a 13-year-old student in junior high school.</p> <p>In December 1965, a group of adults and students in Des Moines held a meeting at the Eckhardt home. The group determined to publicize their objections to the hostilities in Vietnam and their support for a truce by wearing black armbands during the holiday season and by fasting on December 16 and New Year's Eve. Petitioners and their parents had previously engaged in similar activities, and they decided to participate in the program.</p> <p>The principals of the Des Moines schools became aware of the plan to wear armbands. On December 14, 1965, they met and adopted a policy that any student wearing an armband to school would be asked to remove it, and if he refused he would be suspended until he returned without the armband. Petitioners were aware of the regulation that the school authorities adopted.</p> <p>On December 16, Mary Beth and Christopher wore black armbands to their schools. John Tinker wore his armband the next day. They were all sent home and suspended from school until they would come back without their armbands. They did not return to school until after the planned period for wearing armbands had expired—that is, until after New Year's Day.</p> <p>This complaint was filed in the United States District Court by petitioners, through their fathers, under § 1983 of Title 42 of the United States Code. It prayed for an injunction</p>	<h2 style="text-align: center;">Notes</h2>
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# Student Notes Sheet

Card 4 of 16

<p style="text-align: center;"> LearnZillion</p> <p>Name: _____ Date: _____</p> <p><b>Student name for Tinker v. Des Moines Independent Community School District</b></p> <p><b>Day 4</b></p> <p>1. According to the imagery "through the free mind" used by Justice Fortas on page 3, what are the responsibilities of the Branch of Education to its students?</p> <p>2. Take note of the repetition of the word "free" in the first paragraph on page three. How does "free" contribute to the statement that "our history says that it is the sort of freedom founded - this kind of openness - that is the basis of our national strength and of the independence and vigor of Americans who grow up and live in this relatively permissive, often disputatious, society?"</p> <p>3. How does the allusion to Sparta on page 3 contribute to the author's statement that "in our system, state operated schools may not be centers of subservience?"</p>	<h2 style="text-align: center;">Notes</h2>
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# Getting Started

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<h2>Getting Started</h2>	<h3>Notes</h3>
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# Introduction 1 of 2

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<div data-bbox="292 1045 527 1323" style="border: 1px solid black; padding: 5px;"> <p style="text-align: center; font-size: small;">United States Supreme Court 578 U.S. 511 <b>TINKER v. DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT</b> Argued Nov. 12, 2006 — Decided Feb. 22, 2007</p> <p style="font-size: x-small;">MR. JUSTICE FORTAS delivered the opinion of the Court.</p> <p style="font-size: x-small;">Petitioner John T. Tinker, 15 years old, and petitioner Christopher Eckhardt, 14 years old, attended high schools in Des Moines, Iowa. Petitioner Mary Beth Tinker, John's sister, was a 13-year-old student in junior high school.</p> <p style="font-size: x-small;">In December 1965, a group of adults and students in Des Moines held a meeting at the public library. The group discussed the possibility that students wearing armbands in schools and their support for a strike to wearing black armbands during the holiday season and by fasting on December 14 and New Year's Day. Petitioner's and their parents had previously engaged in similar activities, and they decided to participate in the program.</p> <p style="font-size: x-small;">The principals of the Des Moines schools became aware of the plan to wear armbands on December 14, 1965. They sent an advisory circular that students wearing an armband to school would be subject to suspension. It said if the student's parents had previously been notified without the armband, Petitioner were aware of the regulations that the school authorities adopted.</p> <p style="font-size: x-small;">On December 16, Mary Beth and Christopher wore black armbands to their schools. John Tinker wore his armband the next day. They were all sent home and suspended from school until they would come back without their armbands. They did not return to school until after the planned period for wearing armbands had expired—later, and after three New Year's Day.</p> <p style="font-size: x-small;">This complaint was filed in the United States District Court by petitioners, through their fathers, under § 1983 of Title 42 of the United States Code. It sought first an injunction restraining the respondent school officials and the respondent members of the board of directors of the school district from disciplining the petitioners, and it sought monetary damages. After an involuntary hearing the District Court dismissed the complaint. It upheld [505] the constitutionality of the school authorities' action on the ground that it was reasonable in order to prevent disturbance of school discipline. 222 F.Supp. 971 (1964). The court referred to but expressly declined to follow the Fifth Circuit's holding in a similar case that the wearing of armbands like the armbands caused no prohibited action.</p> </div> <div data-bbox="584 1134 730 1207" style="text-align: center; color: green;"> <p>Written by Supreme Court Justice Fortas</p> </div>	<h3>Notes</h3>
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# Introduction 2 of 2

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	<p>As we explore the text we will be asking and answering questions.</p> <p>We will find and keep track of evidence from the text to support our ideas about each question.</p>	<b>Notes</b>

# Exploring the Text

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<h1>Exploring the Text</h1>	<b>Notes</b>

## Supporting Question 1

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According to the imagery "strangle the free mind" used by Justice Fortas on page 3, what are the responsibilities of the Boards of Education to their students?

**Notes**

## Supporting Question 2

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Take note of the repetition of the word "fear" in the first paragraph on page four. How does "fear" contribute to the statement that "our history says that it is this sort of hazardous freedom - this kind of openness - that is the basis of our national strength and of the independence and vigor of Americans who grow up and live in this relatively permissive, often disputatious, society"?

**Notes**

## Supporting Question 3

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<p>How does the allusion to Sparta on page 5 contribute to the author's statement that "in our system, state-operated schools may not be enclaves of totalitarianism"?</p>	<p><b>Notes</b></p>
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## Supporting Question 4

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<p>What is the meaning of the metaphor "marketplace of ideas" as stated on page 6? How does Justice Fortas use and refine the meaning of this phrase?</p>	<p><b>Notes</b></p>
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## Focus Question

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<h1>Focus Question</h1>	<b>Notes</b>

## Focus Question

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In "Tinker v. Des Moines Independent Community School District," how does Justice Fortas's use of rhetoric contribute to the power of the text?	<b>Notes</b>


## After the Lesson

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<h1>After the Lesson</h1>	<b>Notes</b>

## Comprehension Skill Video

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<div style="border: 1px solid #ccc; padding: 10px;"><p><b>Core Lesson</b>    Ask, "What is the effect of this device?"</p><div style="display: flex; justify-content: space-between;"><div style="width: 45%;"><p>The District Court concluded that the action of the school authorities was reasonable because it was based upon their fear of a disturbance from the wearing of armbands. But, in our system of undifferentiated fear or apprehension of disturbance is not enough to overcome the right to freedom of expression. ... variation from the majority's opinion inspire fear. Our history says that a sort of hazardous freedom - this kind of openness - that is the basis of our strength and of the independence and vigor of Americans who grow up and live in this relatively permissive, often disputatious, society.      Page 4</p></div><div style="width: 45%; background-color: #f080f0; padding: 5px;"><p><b>Effect of Rhetorical Devices</b></p><ol style="list-style-type: none"><li>1. The imagery "strangle the free" argues that Boards of Education should protect the constitutional freedoms of students and not them.</li></ol><p>... repeated to emphasize the point that the caption is not enough to overrule a freedom of expression; instead, our strength comes from taking risks.</p><p style="text-align: right;"></p></div></div></div> <p style="text-align: center; margin-top: 10px;">Visit <a href="https://haywood.lzill.co/r/48472">https://haywood.lzill.co/r/48472</a></p>	<b>Notes</b>