

Name: _____

Date: _____

Student notes for: Tinker v. Des Moines Independent Community School District

Day: 2

1. On page 2, the court states, “It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” Delineate and evaluate the reasoning provided in the cases of Meyer v. Nebraska and Bartels v. Iowa (page 2) and West Virginia v. Barnette (page 3). How do the rulings in these cases uphold Justice Fortas’s argument?

2. The court also addresses 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.” Delineate and evaluate the reasoning provided in the cases of Cf. Ferrell v. Dallas Independent School District and Pugsley v. Sellmeyer (page 3). How do the rulings uphold the constitutional rights of the school district?

3. In the District Court’s ruling of the case on page 4, the 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.” How does the Supreme Court challenge the District Court’s ruling? Be sure to analyze the information provided in footnote 3 and the context in which the footnote was provided.

4. In footnote at the bottom of page 6, Justice Fortas references the case of Hammond v. South Carolina State College. How does Justice Fortas use the simile “school is not like a hospital or jail enclosure” to contribute to the discourse on student First Amendment rights?

