First Amendment: Speech

Fictional Cases

1. At a school-hosted poetry reading in the cafeteria, a student performed an ee cummings work titled *she being Brand*. While the poem is literally about a man’s car, it is clearly very sexual in nature. The students in the cafeteria whistled and cheered when the poem was being read, and a teacher present interrupted the reader and ended the event. The student who read the poem was suspended for two days.
2. A student was stopped in the hallway when a teacher noticed her backpack, covered in pins, had one pin that said “Legalize it”. The image was of a pink cat wearing sunglasses on top of a green leaf. The student was told to remove the pin when she was on school grounds. The student refused, and was sent home.
3. A student came to school wearing a t-shirt of a band named “SOD”. The picture on the t-shirt was a skeleton in a US Army uniform, stabbing a bayonet into the ground. Below the skeleton was the sentence “Speak English or Die”. The administration was approached by a group of English language learners at the school who voiced that the shirt made them feel unsafe. The student was asked to turn the t-shirt inside-out when he was at school or face suspension.
4. A group of high-school seniors put on a series of dramatic monologues for a year-end project. One of the monologues was about an 18-year-old struggling with alcohol abuse and living with a violent partner. The drama teacher supported the student’s monologue, but the principal said it wasn’t appropriate to include in the year-end show for parents. The student’s monologue was pulled from the show.
5. A student wore a hat in math class with a picture of the president on it with the word ‘LIAR’ underneath. Many classmates who supported the president complained and asked the hat to be removed. The student did not remove the hat, and the teacher sent him home. The school wrote a statement to the student’s parents claiming that “the classroom is a place for learning, and the quarrel about the hat entirely derailed the day’s lesson.”
6. A student who sang in the school chorus refused to sing the song *God Bless America* which was to be performed as part of a set during a basketball game. The choral conductor refused to allow the student to sing in any other songs during the set unless he also sang *God Bless America*, stating that he could not pick and choose songs from a repertoire.
7. A student attended the prom in a dress she made herself, fashioned after the confederate flag. A teacher at the prom told her she had to go home and change. The student claimed she is descended from a confederate soldier, and the flag dress is about “heritage, not hate.”