

Student Rights and the Freedom of Expression

SHORT ESSAY QUESTION–SET # 1

This Short Essay Question is based on the accompanying documents and is designed to test your ability to work with historical documents. Each Short Essay Question set will consist of two documents. Some of these documents have been edited for the purposes of this question. Keep in mind that the language and images used in a document may reflect the historical context of the time in which it was created.

Task: Read and analyze the following documents, applying your social studies knowledge and skills to write a short essay of two or three paragraphs in which you:

- Describe the **historical context** surrounding these documents
- Identify and explain the **relationship** between the events and/or ideas found in these documents (Cause and Effect, *or* Similarity/Difference, *or* Turning Point)

In developing your short essay answer of two or three paragraphs, be sure to keep these explanations in mind:

Describe means “to illustrate something in words or tell about it”

Historical Context refers to “the relevant historical circumstances surrounding or connecting the events, ideas, or developments in these documents”

Identify means “to put a name to or to name”

Explain means “to make plain or understandable; to give reasons for or causes of; to show the logical development or relationship of”

Types of Relationships:

Cause refers to “something that contributes to the occurrence of an event, the rise of an idea, or the bringing about of a development”

Effect refers to “what happens as a consequence (result, impact, outcome) of an event, an idea, or a development”

Similarity tells how “something is alike or the same as something else”

Difference tells how “something is not alike or not the same as something else”

Turning Point is “a major event, idea, or historical development that brings about significant change. It can be local, regional, national, or global”

Document 1

Majority Opinion (7-2), *Tinker v. Des Moines*, 1969

It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate. ...The problem posed by the present case does not relate to regulation of the length of skirts or the type of clothing, to hair style, or deportment. It does not concern aggressive, disruptive action or even group demonstrations. Our problem involves direct, primary First Amendment rights akin to "pure speech."

If a regulation were adopted by school officials forbidding discussion of the Vietnam conflict, or the expression by any student of opposition to it anywhere on school property except as part of a prescribed classroom exercise, it would be obvious that the regulation would violate the constitutional rights of students, at least if it could not be justified by a showing that the students' activities would materially and substantially disrupt the work and discipline of the school. In the circumstances of the present case, the prohibition of the silent, passive "witness of the armbands," as one of the children called it, is no less offensive to the Constitution's guarantees.

Document 2

Over the years, students have protested everything from apartheid in South Africa to a ban on dancing. Students with Black Lives Matter have inspired countless young people and adults by standing up for racial justice. And of course, there were 2018's massive student protests that followed the shooting massacre at Marjory Stoneman Douglas High School in Parkland, Florida.

Social media has provided even more opportunities for students to make their voices heard — although some schools have attempted to extend their power to punish students for speaking off-campus and outside school hours.

Schools aren't supposed to only teach things like math and science — they're also supposed to prepare students to participate in society. The ability to speak out and make up your own mind through freedom of expression lies at the core of what it means to live in our society, and it wouldn't make sense for public schools to try to stop students from learning to exercise their speech rights. A half century after the Supreme Court recognized that truth, it's as important now as ever.

Source: **A Supreme Court Milestone for Students' Free Speech Rights**

By Mary Beth Tinker & John Tinker - February 20, 2019

<https://www.aclu.org>

RESPONSE:



Rubric - Short-Essay Question–Set # 1

Score of 5:

- Thoroughly develops both aspects of the task in depth by discussing the historical context surrounding these documents and explaining the relationship between the events and/or ideas found in these documents
- Is more analytical than descriptive
- Integrates relevant outside information
- Supports the theme with many relevant facts and/or examples from the documents

Score of 4:

- Develops both aspects of the task in depth or may do so somewhat unevenly by thoroughly developing one aspect of the task in depth while developing the other aspect of the task in some depth
- Is both descriptive and analytical
- Includes relevant outside information
- Supports the theme with relevant facts and/or examples from the documents

Score of 3:

- Develops both aspects of the task in some depth
- Is more descriptive than analytical
- Includes some relevant outside information
- Includes some relevant facts and/or examples from the documents; may include some minor inaccuracies

Score of 2:

- Minimally develops both aspects of the task or develops one aspect of the task in some depth
- Is primarily descriptive; may include faulty analysis
- Includes little relevant outside information
- Includes a few relevant facts and/or examples from the documents; may include some inaccuracies

Score of 1:

- Minimally addresses the task
- Is descriptive; may lack understanding or application
- Includes minimal or no relevant outside information
- Includes a few relevant facts and/or examples from the documents; may make only vague, unclear references to the documents; may include inaccuracies

Score of 0:

Fails to develop the task or may only refer to the theme in a general way; OR includes no relevant facts, examples, or details; OR includes only the theme, task, or suggestions as copied from the test booklet; OR is illegible; OR is a blank paper

