# Arguments Identification Activity – Blank Worksheet for Student Jurors

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| ***Hazelwood* Meets *Mahanoy***Student Clashes with School Over First Amendment Issues |

Put **LP** next to the arguments Lane Peters might make.

Place **BH** next to the arguments Brookside High might make.

1. Students don’t lose their constitutional rights to free expression at the schoolhouse gate.
2. Exercising free speech is not the equivalent of possessing contraband, and it is inappropriate to discipline the two at the same level of severity.
3. School officials are obligated to maintain an orderly learning environment. They have some discretion to restrict speech in order to serve this goal.
4. Free speech on campus is not confined to teacher-supervised discussions in classrooms.
5. The fear or anticipation of disruption is not a valid reason to restrict speech on campus.
6. Off-campus speech is primarily within the authority of a student’s parent or guardian, not the student’s school.
7. A school has authority to set standards for the student speech it distributes through its website. School-set standards may be higher than those in the real world. A school may refuse to distribute student speech that does not meet its standards.
8. The learning environment had already been disrupted by the use of Swarm when the hallway argument drew a crowd and may have made it difficult for some students to get to class on time. It was necessary for the police to be called.
9. Courts should be skeptical of regulating off-campus speech. Off-campus speech occurs 24 hours a day—most of which is outside of school hours.
10. A school has authority to determine appropriate discipline as part of its daily operations.
11. Disallowing disrespectful memes featuring school administrators is within a school’s authority because negative memes can undermine the administration’s credibility and legitimate responsibility for an orderly learning environment.
12. Maintaining an orderly learning environment can involve regulating some off-campus behavior, particularly when it might disrupt the students’ experience at school.

# Arguments Identification Activity – Answer Key for Attorney Discussion Leaders

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| ***Hazelwood* Meets *Mahanoy***Student Clashes with School Over First Amendment Issues |

Put **LP** next to the arguments Lane Peters might make.

Place **BH** next to the arguments Brookside High might make.

1. Students don’t lose their constitutional rights to free expression at the schoolhouse gate. **LP**
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10. A school has authority to determine appropriate discipline as part of its daily operations. **BH**
11. Disallowing disrespectful memes featuring school administrators is within a school’s authority because negative memes can undermine the administration’s credibility and legitimate responsibility for an orderly learning environment. **BH**
12. Maintaining an orderly learning environment can involve regulating some off-campus speech particularly when it might disrupt the students’ learning experience at school. **BH**