

## **Freedom of Speech: Can schools discipline students for off-campus publications?**



Those who would give up **ESSENTIAL LIBERTY**, to purchase a little **TEMPORARY SAFETY**, deserve neither **LIBERTY** nor **SAFETY**.

Benjamin Franklin, writing on behalf of the Pennsylvania Assembly  
in its reply to the Governor, November 22, 1758.

### **Announcing the 2009 Bill of Rights Essay Contest**

Sponsored by the Lower Hudson Valley Chapter of the New York Civil Liberties Union

We want students to learn about American freedoms and think critically about the benefits they provide to all of us. This contest is also designed to create new free speech works by giving students a vehicle to freely voice their opinions. The essays judged to be the best will be those that effectively address the topic, have a structured argument, and are well written.

### **Topic: Can schools punish students for out-of-school statements?**

We've written a hypothetical situation for students to respond to. Essays should explore and analyze the issues raised by the scenario. Winning entries will discuss the writer's views on students' rights of free expression vs. the school's need to maintain a proper learning environment.

**Hypothetical:** New Tudor City High School's principal is concerned about raising SAT scores so that more graduating students get into top colleges. She has recently told teachers that they must concentrate on "teaching for the SAT" even if that means omitting important material from her curriculum.

Some parents and students feel that the quality of teaching and learning has dropped because of this requirement. Privately, a number of teachers have told their students they agree but they cannot publicly speak against the principal's policy.

Justin and Bradley are two concerned students. Both are in the top five percent of the senior class. From their home computers they created a newsletter called "New Tudor High Flash." They both write for the newsletter which is e-mailed to their friends, word spread and many students, who do not make the list, want to be on the mailing list, which now has about 500 subscribers.

In one issue, under her own name, Justin wrote an article highly critical of the principal which read:

Mrs. Smith (she really should be called "Ms. Small Brain") has sacrificed learning to achieve higher SAT scores. She is hardly an intellectual and not much of a role model for students who want to learn rather than be trained. Her efforts to create a more answer standardized test questions. She should be replaced with a principal who puts learning first.

The principal saw this article, suspended Justin, and began the process of a disciplinary hearing which could result in Justin's expulsion. Led by a reporter of Justin's, a letter march protesting by the First Amendment. The principal stated "my article, written on an off-campus, Web 2.0 public internet and made our teaching mission is not protected."