

CER SAMPLE STUDENT RESPONSES

How did the landmark decision of *Tinker v. Des Moines* clarify and extend students' rights protected by the First Amendment?

Claim | Answer the question in one sentence.

The landmark decision in the case of Tinker v. Des Moines helped to clarify that freedom of speech and expression is extended to students and is protected in school environments.

Evidence | Provide relevant evidence from the reading.

The court ruled in favor of the students, stating that prohibiting students from wearing armbands to school as a form of protest violated their First Amendment rights to freedom of speech and expression.

"First Amendment rights, applied in light of the special characteristics of the school environment, are available to teachers and students. It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate..." (Tinker v. Des Moines, 1969).

"School officials do not possess absolute authority over their students. Students in school as well as out of school are 'persons' under our Constitution" (Tinker v. Des Moines, 1969).

Reasoning | In a paragraph, explain how the evidence supports your claim.

Tinker v. Des Moines played a significant role in extending and protecting students' rights, according to the Supreme Court's ruling in favor of the students. As Supreme Court Justice Abe Fortas stated in the majority opinion, students and teachers do not leave behind their First Amendment rights when they enter a school or a classroom. So, when the students wore the armbands as a sign of protest, they were merely exercising their constitutional freedoms. Justice Fortas also acknowledged that schools do not have absolute authority over their students, pointing out that the student is still an individual who has protected rights under the Constitution. These statements demonstrate the importance of Tinker v. Des Moines in emphasizing that freedom of speech and expression is extended to students and is protected in school environments.