

## Case Argumentation Exercise

For this exercise, one-half of the students will represent the school. The other half will represent the students.

As you prepare to debate whether the school violated the students' Constitutional rights, think about Tinker, Bethel, and Morse. Consider the law and policies that the cases stand for, and how the facts in those cases compare to what happened here. As you read, think how you will use the cases to argue on behalf of your client. Which cases help you? How will you analogize those cases (argue that they are so similar that the outcome should be the same)? Which cases hurt you? How will you distinguish those cases (argue that they are so different that the outcome should be different)? **The best arguments will refer back to the law, policies, and facts in the cases.**

Here are the facts:

Three high school students, Kim, Trent, and Kali, were suspended from school for wearing “inappropriate” t-shirts. The t-shirts had a picture of President Trump with the words “Our Mighty Prez” and pictures of dollar signs, a raised fist with the middle finger extended, and a silhouette of two women in short skirts and high heels clinking martini glasses.

The students wore the t-shirts to school in the morning. Later that afternoon, a Republican Senator, who is known as a supporter of President Trump, was going to speak to all the students about the work that Congressional interns do in Washington D.C.

When Kim, Trent, and Kali came to their first class, some of the other students started laughing, others pointed at Kim, Trent, and Kali. Kim, Trent, and Kali started laughing, too. The teacher in the room told the students to “settle down,” and they eventually did.

During a break, the teacher called the principal. The principal asked the students to remove the t-shirts or to wear them inside-out so that the pictures could not be seen. The students refused. The principal sent the students home and then suspended the students for 2 days.