Morse v. Frederick Applied to Bong Hits 4 Voting

Arguments Worksheet for Students’ Small-Group Preparation – Blank for Students

1. The event was sponsored by the school. The administration was obligated to regulate it.
2. Students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.”
3. The banner did not disrupt the school-related event.
4. The principal’s actions were based solely on opposition to the content of the banner, and the First Amendment protects against such acts of censorship.
5. The school is teaching the students a false narrative about the First Amendment when the assistant principal puts a stop to speech that the administration doesn’t like or understand.
6. School administrators must have the ability to restrict speech that is harmful to other students. In this instance the speech was promoting illegal drug use.
7. Sampson was advocating for illegal drug use. Drug use can have fatal consequences and the administration cannot ignore proactive lobbying for a life-threatening activity at a school event.
8. No third party would reasonably conclude that the school was sponsoring the illegal use of drugs, regardless of what the banner said. The banner was displayed on a student’s van, not on a school vehicle such as a bus.
9. Even if the message were nonsensical, the words “bong hits” could easily be interpreted as promoting illegal drug use. The school has a compelling interest to stop the communication.
10. The state may not censor the student’s message simply because it is unpopular. Afterall, how could a student advocate for change in the law if he cannot advocate for making something legal that currently is illegal?
11. Sampson was communicating his message at a school-sponsored event. The administration had a right to intervene to prevent the false impression that the school endorsed the pro-drug message.
12. Under most circumstances, the First Amendment gives individuals the right to say whatever they wish so long as they are not harming others or interfering with their rights. No one was harmed by the banner on Sampson’s van.