

Harpaz - Student Speech Essay - Exam No. _____ Points _____ Grade _____

High School for Social Justice - Paul Park - SLAM (50 points)

Paul Park (PP) arguments (25 points):

- Case is governed by Tinker** - personal political expression by a student as in Tinker----(4) _____
- SLAM logo is speech** - includes drawing of glass & up arrow, but like black armband is “akin to ‘pure speech’” & symbolic speech within Free Speech Clause plus includes some words-(4) _____
- Must satisfy Tinker standard - no reasonable forecast of disruption** - school not named in SLAM flyers or t-shirts, effort at law reform not criticism of school------(4) _____
- Tinker-no actual disruption** - only talk in hallways and cafeteria and phone calls to principal, no interruption of classes or any other school activity -----(4) _____
- Tinker exceptions don’t apply, not profane or vulgar speech under Fraser**------(2) _____
- Not Kuhlmeier S-sponsored speech**-not for grade or credit; no req’d review by advisor-(5) _____
- Miscellaneous** (add’l credited args) _____(2) _____

School (S) arguments (25 points):

- Not governed by Tinker-S-sponsored speech under Kuhlmeier** - student club project, teacher advisor, student social justice plans hang in advisor’s classroom------(5) _____
- Reasonably perceived to bear imprimatur of school** - focus of school is social justice & school club project, perceived as approved by the school like the school newspaper------(4) _____
- Satisfies Kuhlmeier standard**-school has reasonable educational objective, school perceived to advocate alcohol use-parent phone calls, takes position on controversial issue------(4) _____
- Fraser**-slam means aggressive sex (Urban Dictionary); lewd under Fraser------(2) _____
- If Tinker applies**-forecast disruption-underage drinking is controversial issue, S could forecast anger at school promoting drinking by kids as young as 14------(4) _____
- Tinker**-actual disruption-discussions in school, angry calls from parents blaming school-(4) _____
- Miscellaneous** (add’l credited args) _____(2) _____