

FACT CARD 1 On January 24, 2002, the Olympic Torch Relay passed through Juneau, Alaska on its way to the winter games in Salt Lake City, Utah. The torchbearers were to proceed along a street in front of Juneau-Douglas High School while school was in session. The principal, Deborah Morse, decided to permit staff and students to participate in the Torch Relay as an approved class trip.

FACT CARD 2 School officials released students from classes on January 24, 2002 to attend the Olympic Torch Relay on its way to the winter games in Utah. Teachers and administrators monitored the students' actions. Approximately 1,000 students stood in the vicinity of the school, on both sides of the street. Joseph Frederick, an 18-year-old senior, attended the event. He was late to school that day because he got stuck in the snow. When he arrived, he joined his classmates on a public sidewalk across the street from school.

FACT CARD 3 Some students at the Torch Relay event became rambunctious, throwing plastic cola bottles and snowballs and scuffling with other classmates on the street near the school. Just as the torch and media entourage were passing the high school, Frederick and his friends waited for the television cameras to pass by and then unfurled a 14-foot banner bearing the phrase: "BONG HiTS 4 JESUS." The banner was easily readable by the students on the other side of the street.

FACT CARD 4 The school principal, Deborah Morse, saw the banner that read "BONG HiTS 4 JESUS" from across the street. She immediately crossed the street and demanded that the banner be taken down. Everyone but Joseph Frederick complied.

FACT CARD 5 Principal Morse confiscated the banner bearing the phrase: “BONG HiTS 4 JESUS” because she thought it encouraged illegal drug use, a violation of established school policy. She directed Joseph Frederick, a student who refused to take the banner down, to report to her office.

FACT CARD 6 Principal Morse suspended Joseph Frederick for ten days in light of school board policy that states in part, “The Board specifically prohibits any assembly or public expression that ...advocates the use of substances that are illegal to minors.... and subjects “pupils who participate in approved social events or class trips to the same students conduct rules that apply during the regular school program.”

FACT CARD 7 Frederick claimed his school suspension violated his First Amendment right to free speech. He repeatedly affirmed that his banner – “BONG HiTS 4 JESUS” – was a nonsensical manifestation of free speech. He also claimed that Principal Morse doubled his suspension from five to ten days when he quoted Thomas Jefferson in her office. Morse claimed Frederick was given additional days were added because he was uncooperative in her office.

FACT CARD 8 After losing his appeal to the school board, Frederick filed suit against the Juneau School Board and Principal Deborah Morse in federal court. The U.S. District Court ruled in favor of Principal Morse’s position. Frederick subsequently appealed to the US Court of Appeals for the Ninth Circuit, which overturned the district court’s ruling and decided in favor of Frederick. The Court found that the school had violated the student’s First Amendment rights. The U.S. Supreme Court granted the petition of Morse and Juneau School Board for a writ of certiorari.