



2007 Equal Justice Under Law High School Student Survey

Student Speech Rights and School Discipline

YOUR SCHOOL: _____ YOUR GENDER: Female _____ Male _____ YOUR AGE: _____

Teachers and administrators have a responsibility to provide a safe and orderly environment for students that is conducive to learning. They also have a responsibility to respect each student's individual rights. What should happen when student speech conflicts with school policy?

Below are the types of situations facing students in schools that involve student speech rights and school discipline. For each situation, choose a response that that best reflects your position. *There are no right or wrong answers to these questions.*

This survey is anonymous. Please answer as honestly as you can. Your opinion matters.

1. A student wears a T-shirt to school with the words "Be Happy, Not Gay" as a counter-demonstration to the Gay, Lesbian, and Straight Education Network's annual "Day of Silence," which promotes tolerance of gays. **Should school officials take action?**
 Yes, officials should tell the student to turn the shirt inside out because it interferes with the rights of other students and poses a risk of disruption.
 No, officials should allow the student to wear the T-shirt because the message is protected under the First Amendment.
 Don't Know
2. A student wears a T-shirt with images of drugs and alcohol on it, including references to cocaine. School officials have given the student options: (1) turn the shirt inside out; (2) change shirt; or (3) cover the images, including the word "cocaine." The student continues to wear the T-shirt but puts duct tape over the word "cocaine" and writes, "CENSORED" on the tape. **Should school officials take action?**
 Yes, officials should suspend the student for violating the school anti-drug and dress code policies.
 No, officials should take no action. The student's "speech" is protected under the First Amendment.
 Don't Know
3. A student posts an "unofficial" home page for her school from her home without using school resources or time. The site includes disclaimers explaining it was not sponsored by the school and was for entertainment purposes only. The site posts mock "obituaries" of at least two friends of the student and are written in a tongue-in-cheek manner. Visitors to the site are permitted to vote on who would be the subject of the next mock obituary. **Should school officials take action?**
 Yes, officials should order the student to stop all activities related to the "obituaries" and if the student fails to do so, the school should suspend the student.
 No, officials should take no action. The student's website is protected under the First Amendment
 Don't Know
4. Several students stage an "anti-moment" of silence at the beginning of 1st period class by speaking to each other during the "moment of silence" in protest of the Illinois Silent Reflection and Student Prayer Act enacted October 12, 2007. **Should school officials take action?**
 Yes, officials should require the student to comply by remaining silent during the "moment" and instruct the students that failure to do so may result in disciplinary action, including suspension.
 No, officials should take no action because the protest is protected under the First Amendment.
 Don't Know

Survey responses may be posted on-line at <http://www.crfc.org/ejul2007.html>