

**Title:** Taking a stand – even when it’s not popular  
January, 2019  
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**Description**

When a group of students in Des Moines, Iowa, in 1965 decided they should be able to silently express their opinion of the Vietnam War by wearing black armbands to school. The students believed it was important to show others how wrong the war was, and they decided wearing the armbands would be a silent way to encourage others to think about the situation. The district’s principals didn’t agree and suspended them. If you felt strongly about something that the government was doing, what ways would you use to could show others your beliefs? Based on what the Supreme Court decided about this case, what would be some things to think about as you planned your actions?

**Learner Outcomes** *(high school level)*

- Students will be able to list their rights under the First Amendment.
- Students will be able to research and apply the Supreme Court’s ruling to free speech in today’s schools.
- Students will be able to develop and present a plan to use their right of free speech and explain its value with specific support.

**Common Core State Standards** <http://www.corestandards.org/ELA-Literacy/W/11-12/>

<a href="#">CCSS.ELA-Literacy.W.11-12.1</a>	Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.
<a href="#">CCSS.ELA-Literacy.SL.11-12.1.c</a>	Propel conversations by posing and responding to questions that probe reasoning and evidence; ensure a hearing for a full range of positions on a topic or issue; clarify, verify, or challenge ideas and conclusions; and promote divergent and creative perspectives.
<a href="#">CCSS.ELA-Literacy.SL.11-12.2</a>	Integrate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, orally) in order to make informed decisions and solve problems,

	evaluating the credibility and accuracy of each source and noting any discrepancies among the data.
<a href="#">CCSS.ELA-Literacy.SL.11-12.5</a>	Make strategic use of digital media (e.g., textual, graphical, audio, visual, and interactive elements) in presentations to enhance understanding of findings, reasoning, and evidence and to add interest.

## Length

50 minutes in class for the set-up, out-of-class work research  
Possible additional class for students to present their plans

## Materials / resources

Computers or other access to digital information about the Tinker case.  
(Links from Lesson step-by-step)

- <http://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-land-marks/tinker-v-des-moines-podcast> (podcast about the case)
- [https://tinkertourusa.files.wordpress.com/2013/02/tinker101rebels\\_onepage.jpg](https://tinkertourusa.files.wordpress.com/2013/02/tinker101rebels_onepage.jpg) (photo of Tinkers in 1965)
- Computers for research

## Lesson step-by-step

- Play the short 3:50 [podcast](#) from United States Courts about the Tinker v. Des Moines case. If possible, project [a photo](#) of Mary Beth and John Tinker with their armbands so students can see them. Discuss with students what rights they have from the First Amendment. (religion, speech, press, assembly, petition)
- At the end of the podcast, the speaker says why it's important to take the civil liberties of our students seriously: "Teaching young people how to exercise their rights of citizenship and allowing them to do it is at the heart of our democracy." This, the speaker says, is what will encourage them to be active participants when they're older. Discuss with students if and how they are encouraged to use their rights today.
- Assign to students a proposal:
  - What cause or situation might make you willing to openly protest?
  - How would you do so without breaking the rules – or, if you believe there's no way to do that, how would you explain why you broke the rules?

- Create a physical representation for your protest (a sign, a badge, an armband, a Tweet or Facebook post?)
- Write a paper and prepare a class presentation explaining your protest. (see rubric below)
- For the next class, write a short paragraph about your protest and be sure to include what you will do to try to ensure it is legal. (HINT: Look at the wording in the Tinker decision. What do you think it allows you to do? What do you think it indicates you should be careful not to do?)
- Spend the rest of the class researching the issue students would want to use and the Tinker decision and how it both supports their rights to do this and reminds them how to do it legally.

## **Assessment**

Students will share their protest plan with the class. Plans will be graded on the following:

1. Introduction clearly explains what the issue is and why the student wants to take a stand about it.
2. Protest suggestion has been researched so information is factual and supported by experts. List of resources is included.
3. Steps to execute the protest are described clearly and logically.
  - a. These may be physical actions by the student/student and others. What materials would they need? Signs, badges, armbands, etc.
  - b. Or they may be digital approaches. What platforms would they use and how would they execute their dissemination?
4. Explain what in the Tinker v. Des Moines case would allow them to do this.
  - a. They don't disrupt the school process.
  - b. They don't invade the rights of others.
5. The physical representation or a mock-up for the protest – sign, etc. or Tweet/Facebook post – show the issue and/ or take a stand and/or are designed to make others agree/react/join the protest.

