

Name: _____

Date: _____

TINKER V. DES MOINES INDEPENDENT COMMUNITY SCHOOL DISTRICT by U. S. SUPREME COURT

Guided Notes – Lesson 7

How does the Supreme Court use the case of Tinker v Des Moines to advocate for a quality public education for U.S. students?

Objective: *In this lesson you will learn to analyze the connection between constitutional principle and public advocacy by examining legal reasoning in a text.*

Steps:

1. Identify a section of text in which the court advocates for a public institution.
2. Note how the court demonstrates the connection between constitutional principle and public institutions.
3. Ask yourself: "What effect will this constitutional principle have on the institution?"

Page 6 (Paragraph 3):

1. Identify a section of text in which the court advocates for a public institution.
(Read the passage below. Highlight a section of text in which the court advocates for a public institution)

“The vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.’ Shelton v. Tucker, [364. U.S. 479,] at 487. The classroom is peculiarly the ‘marketplace of ideas.’ The Nation’s future depends upon leaders trained through wide exposure to that robust exchange of ideas which discovers truth ‘out of a multitude of tongues, [rather] than through any kind of authoritative selection.’”

Page 5 (Paragraph 4-5):

2. Note how the court demonstrates the connection between constitutional principle and public institutions.
(Read the passage below. Highlight information that explains how constitutional principles are connected to schools. In the box, make notes about why principles and institutions are related.)

In Meyer v. Nebraska, supra, at 402, Mr. Justice McReynolds expressed this Nation's repudiation of the principle that a State might so conduct its schools as to "foster a homogeneous people." He said: "In order to submerge the individual and develop ideal citizens, Sparta assembled the males at seven into barracks and intrusted their subsequent education and training to official guardians. Although such measures have been deliberately approved by men of great genius, their ideas touching the relation between individual and State were wholly different from those upon which our institutions rest; and it hardly will be affirmed that any legislature could impose such restrictions upon the people of a [393 U.S. 503, 512] State without doing violence to both letter and spirit of the Constitution."

Constitutional Principles and Institutions are related because...

Page 6 (Paragraph 3):

3. Ask yourself: "What effect will this constitutional principle have on the institution?"
(Re-read the constitutional principle at stake. Consider what effect this idea will have on American public schools. Write your answer in the box below.)

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This constitutional principle will affect schools because...

