

## Hypotheticals

### **Case Name: Otis Bewear v. Banneker Student Government Association (SGA) (2002)**

Banneker High School senior Otis Bewear planned to run for the office of student body president in an election process monitored by the SGA sponsor and school principal. When Bewear went to the sponsor, Ms. Chad, to announce his intentions of running, he was informed that it was mandatory for all candidates to a) post a campaign sign and b) submit for prior review to the principal the speech he would give before a school-wide assembly. Mr. Bewear was told that he would have to agree to both in order to run for office. Mr. Bewear informed Ms. Chad that he would comply with the second requirement, but that he was not planning to campaign with posters. Instead, his strategy would involve speaking to voters directly. Mr. Bewear was told his name would not appear on the ballot unless he complied with both mandates. Mr. Bewear then produced one poster as required (11" x 17") with backing (as required) that had "Bewear" typed in small letters. Nothing else appeared on the sign and he hung it in the boy's restroom. Ms. Chad, when informed of this, withdrew Otis Bewear's name from the ballot and he was barred from running. Otis sued, claiming First Amendment violations.

### **Case Name: Doe v. District of Columbia Public Schools (DCPS) (2002)**

The District of Columbia School Board adopted the rule that each school day will begin with a mandatory "moment of silence" to be conducted by the teacher. The "moment" must be observed by having students sit quietly with their hands folded and cease all other activity. The punishment for non-compliance is a one-day suspension. Joe Doe refuses to observe the moment of silence and instead reads quietly while the teacher instructs the class to sit and fold their hands. Joe was sent to the principal's office and was suspended for one day. Joe Doe sued, arguing that the "moment" is a violation of the First Amendment.

### **Case Name: Sloan v. District of Columbia Public Schools (DCPS) (2002)**

The Board of Education in D.C. for the school year 2001-2002 permits parents to use a Public Education Voucher that can be redeemed at any accredited learning institution, including secular and non-secular schools. Some of the schools accepting vouchers include The Jewish Day School, Archbishop Carroll, and The Muslim School. Parents automatically receive a \$5,000 voucher automatically for each of their school-age children, and then may use the voucher to help pay for school. The voucher basically allows parents to "shop around" for their child's school, thereby improving education through competition. Carla Sloan is a parent who sends her children to public school, but is upset with having her state tax dollars supporting religious schools. Sloan sued, claiming First Amendment violations.

### **Case Name: Moses v. Johnson (2002)**

Mr. Johnson is a social studies teacher at Slacker High School where he teaches government and law classes. On his own initiative, he put up the Ten Commandments in his classroom on the very first day of school. The Ten Commandments display was not connected to any one lesson, unit, or the course curriculum. One student, Moses, was offended by the display of these religious symbols in a public school and sued, claiming First Amendment protection.