

## **The School Uniform**



# **First Amendment United States Constitution**

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

# The School Uniform



## Case Study Sheet

I. What are the Facts?

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II. State the Issue to be Decided:

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III. Arguments for Petitioner:

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IV. Arguments for Respondent:

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V. What Would You Decide?

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VI. Reasons/Evaluation:

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VII. Mock Supreme Court Conference Decision:

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VIII. Actual Decision of the Court:

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# The School Uniform



## Jimmy Madden v. School Board of Union County

One day, the Union County School Board members read a report about school uniforms. The report said that students who wear school uniforms have better grades and don't get into as much trouble. After reading the report, the School Board created a new rule. The new rule said that all students in the county must wear uniforms to school. The School Board said that the school uniform rule would also help parents because they would not have to pay as much for school clothes.

When school started in the fall, Jimmy Madden decided that he didn't want to wear a uniform to school. Jimmy and his parents filed a lawsuit against the School Board. They said that making Jimmy wear a school uniform went against Jimmy's First Amendment right to express himself and wear what he wanted to.

The circuit court, where Jimmy's suit went to trial, decided that the School Board could not make Jimmy wear a school uniform. The court said that the rule took away Jimmy's First Amendment right to express himself as a special person. The School Board appealed the circuit court's decision to the next highest court, the District Court of Appeal. The district court disagreed with the circuit court and decided that the school uniform rule was okay and did not take away Jimmy's right to express himself.

Jimmy appealed the district court's decision to the Florida Supreme Court. Because school uniform rules affect so many people, the Court has decided to hear oral argument.

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## Constitutional Question

Does the School Board's rule requiring students to wear school uniforms violate a student's First Amendment right to freedom of expression?

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## Petitioner Arguments (Students' Arguments)

**MAY IT PLEASE THE COURT. MY NAME IS \_\_\_\_\_ AND I REPRESENT JIMMY. WE DON'T THINK THAT THE SCHOOL BOARD SHOULD MAKE STUDENTS WEAR SCHOOL UNIFORMS BECAUSE THE RULE GOES AGAINST THE FIRST AMENDMENT.**

**Students' Arguments (for *not wearing* school uniforms) include:**

1. Under the First Amendment, students should be able to wear whatever they want so that they can show that they are special people.
2. Uniforms will not save parents any money because uniforms cost as much as regular clothes.
3. Students will do better in school if they can wear what they want.
4. If all students have to wear the same clothes, they will be just like everybody else and can't show that they are special people.
5. The school dress code already makes sure that students wear proper clothes to school.

**Try to think of other arguments against school uniforms. Write these arguments on the note pad at your seat.**

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## Respondent Arguments (School Board's Arguments)

**MAY IT PLEASE THE COURT. MY NAME IS \_\_\_\_\_ AND I REPRESENT THE SCHOOL BOARD. WE THINK THAT THE SCHOOL UNIFORM RULE IS A GOOD RULE AND THAT IT DOES NOT GO AGAINST THE FIRST AMENDMENT.**

**The School Board's Arguments (*for* wearing school uniforms) include:**

1. Uniforms will help school safety. Teachers can tell if somebody shouldn't be at the school because the person will not be wearing a uniform.
2. Students will do better school work if they are not thinking about clothes and what the other students are wearing.
3. If everyone wears uniforms, teachers won't have to spend time checking whether students are wearing clothes that are okay under the school dress code.
4. Uniforms will save parents money on school clothes because they won't have to buy as many outfits.
5. All students will be dressed the same and you won't be able to tell how much money students have.

**Try to think of other arguments for school uniforms. Write these arguments on the note pad at your seat.**

# The School Uniform



## Sample Questions for Justices

### Questions to ask Jimmy:

1. Don't students who wear crazy clothes cause trouble in classes and keep the other students from learning?
2. Does worrying about fashion and clothes keep students from learning in school?
3. Isn't it good to get rid of things that keep students from learning in school?
4. Can't students show that they are special people in other ways than their clothing?
5. Students can wear the clothes they want to outside school. Doesn't that give students enough chance to express themselves as special people?

**Try to think of other questions for the attorneys who don't like school uniforms. Write these questions on the note pad at your seat.**

### Questions to ask the School Board:

1. Doesn't the school uniform rule take away the students' right to be special people?
2. Do crazy clothes cause lower grades on tests? How?
3. If you have a dress code that keeps students from wearing crazy clothes, why do you need uniforms?
4. Do school uniforms cost less than regular clothes?
5. Can't schools use some other way to find out if people are at school who shouldn't be there?

**Try to think of other questions for the attorneys who like school uniforms. Write these questions on the note pad at your seat.**

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## Marshal's Script

*(You must call Court to order in a very **loud** voice.)*

**All rise.**

**Hear ye! Hear ye! Hear ye!**

**The Supreme Court of Florida is now in session.**

**All who have cause to plea, draw near, give attention, and you shall be heard.**

**God save these United States, this great State of Florida, and this honorable Court.**

**Ladies and gentlemen, the Florida Supreme Court.**

**Please be seated.**



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## Chief Justice's Script

**The Court is ready to hear the case of  
Jimmy Madden v. School Board of Union County.**

**Are the attorneys ready to proceed?**

**Attorneys for the Petitioner may begin.**

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*[When the Marshal calls time, you tell the petitioner's attorneys that their time is up. If the attorneys are in the middle of an answer when time is called, then you can tell them that they may briefly finish their answer.]*

**Attorneys for the Respondent may begin.**

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*[When the Marshal calls time, you tell the respondent's attorneys that their time is up. If the attorneys are in the middle of an answer when time is called, then you can tell them that they may briefly finish their answer.]*

**Attorneys for the Petitioner may present rebuttal.**

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*[When the Marshal calls time, you tell the petitioner's attorneys that their time is up. If the attorneys are in the middle of an answer when time is called, then you can tell them that they may briefly finish their answer.]*

**Attorneys, thank you for your arguments. The Court will announce its decision shortly.**

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## Clerk

*(place on Clerk's desk)*

After the arguments, the Justices will vote on the case. Count the votes for the Petitioner (Jimmy) and Respondent (School Board).

### ***READ:***

The Florida Supreme Court has reached a decision in this case. By a vote of \_\_\_\_\_ to \_\_\_\_\_ the Court rules in favor of the \_\_\_\_\_.

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## Vote Sheet

Votes:

Chief Justice Labarga

\_\_\_\_\_  
Petitioner/Jimmy    Respondent/School

Justice Pariente

\_\_\_\_\_  
Petitioner/Jimmy    Respondent/School

Justice Quince

\_\_\_\_\_  
Petitioner/Jimmy    Respondent/School

Justice Canady

\_\_\_\_\_  
Petitioner/Jimmy    Respondent/School

Justice Polston

\_\_\_\_\_  
Petitioner/Jimmy    Respondent/School

Justice Lewis

\_\_\_\_\_  
Petitioner/Jimmy    Respondent/School

Justice Perry

\_\_\_\_\_  
Petitioner/Jimmy    Respondent/School