Rights in Action

How Supreme Court decisions shape constitutional protections

USG.5.3 "Identify and describe the civil and constitutional rights found in the United States Constitution and Bill of Rights, and describe how they are expanded by decisions of the United States Supreme Court."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline each constitutional right or protection, circle each Supreme Court case, and draw an arrow from each case to the sentence explaining what its ruling meant for that right.

What Do Rights Mean in Practice?

1. Imagine a student arriving at a public school with a message on a jacket. A classmate asks whether the Constitution protects that message, while another wonders whether the school may lead a morning prayer. These are questions about limits on government power, since public schools are government institutions. The First Amendment protects freedom of speech and forbids government establishment of religion. The Bill of Rights originally restricted the federal government. Through the Fourteenth Amendment, the Supreme Court has applied these First Amendment protections to state and local governments, including public schools. Court decisions then clarify what those protections mean in daily life.

2. In 1965, students in Des Moines wore black armbands to protest the Vietnam War. Their public school suspended them. In Tinker v. Des Moines (1969), the Supreme Court ruled that students do not lose First Amendment speech rights at school. School officials could not ban this quiet expression merely because they feared disagreement. They needed evidence that it would substantially disrupt school or invade the rights of others. Another school case addressed religion. In Engel v. Vitale (1962), the Court ruled that public schools may not sponsor an official prayer, even if students can opt out. Students may still pray privately on their own.

3. Rights also matter outside school. Imagine a person charged with a felony who cannot afford a lawyer. The Sixth Amendment guarantees the right to counsel in criminal prosecutions. Before Gideon v. Wainwright (1963), states did not always provide lawyers to defendants who could not pay. The Supreme Court ruled that the Fourteenth Amendment makes this Sixth Amendment protection binding on states and requires them to appoint counsel for defendants who cannot afford a lawyer and face felony charges. Tinker, Engel, and Gideon did not add new words to the Constitution. Each decision made an existing right more concrete by ruling on what government officials must do or may not do.

2 ANSWER WITH EVIDENCE

Use the passage

1. Which constitutional right did Tinker apply, and what could the school not do under the ruling?

2. Which First Amendment protection did Engel enforce, and what school practice did it prohibit?

3. How did Gideon make the Sixth Amendment right to counsel apply to more defendants?

4. What role did the Fourteenth Amendment play in applying the rights discussed in the passage?

3 YOUR TURN

Your own words

A public school principal bans a student's small “Repair Our Park” pin because some classmates disagree with it; no classes are disrupted. In 4 to 5 sentences, identify the constitutional right and relevant Supreme Court case, explain how the case applies, and name a circumstance in which the school could restrict the pin.

ANSWER KEY

Rights in Action

HIGH SCHOOL · USG.5.3

PART 1 · READ AND MARK

Underline each constitutional right or protection, circle each Supreme Court case, and draw an arrow from each case to the sentence explaining what its ruling meant for that right. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Which constitutional right did Tinker apply, and what could the school not do under the ruling?	**Tinker applied First Amendment freedom of speech. The school could not ban the students' quiet expression merely because officials feared disagreement.**
2	Which First Amendment protection did Engel enforce, and what school practice did it prohibit?	**Engel enforced the protection against government establishment of religion. It prohibited public schools from sponsoring an official prayer, even when students could opt out.**
3	How did Gideon make the Sixth Amendment right to counsel apply to more defendants?	**Gideon required states to appoint lawyers for defendants who could not afford one and faced felony charges.**
4	What role did the Fourteenth Amendment play in applying the rights discussed in the passage?	**It made the First Amendment protections discussed in the school cases and the Sixth Amendment right to counsel discussed in Gideon binding on state governments.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The First Amendment protects the student's expression on the pin. In Tinker v. Des Moines, the Supreme Court ruled that students keep speech rights at public school. Classmates' disagreement alone does not justify the ban, so the principal should allow the pin. The school could restrict it if there were evidence that it would substantially disrupt school or invade other students' rights.

Accept answers that accurately connect each case to a constitutional protection and describe what its ruling required or prohibited. For Your Turn, the proposed restriction must use Tinker's standard, not disagreement alone.