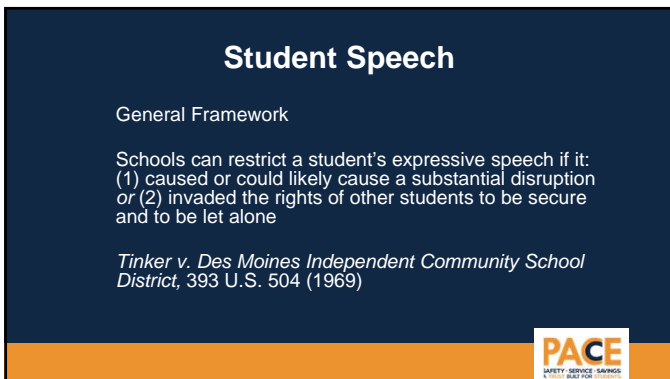




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Student Speech: on campus

Barnes v. Hillsboro School District


4

Student Speech: off-campus



Braeden Burge Ya haha she needs to be shot
April 12 at 3:06pm

Burge v. Colton School District




5

Student Speech: off-campus

C.R. v. Eugene School District 4J

Sexual harassment by middle school students of two younger, disabled children, while all of them made their way home from school




6

Student Speech: off-campus

General Framework

Step 1: Is the speech reachable by the school despite its off-campus origin?

Step 2: Do student-speech precedents permit restriction?




7

Student Speech: off-campus

CLM v. Sherwood School District 88J


Hit list contained in a journal allegedly kept at home



8

Student Speech: takeaways

- Fact specific
- Give all of the reasons for discipline
- Disruption to students v. disruption to adults
- *Tinker's* second prong is narrow



9

Transgender Students

Leontiev v. Corbett School District

Facts

- A 15-year-old high school student declined to return home after performing in a play held on the district's campus.
- The student expressed that his mother and step-father refused to accept him.
- The student thereafter stayed with friends for several nights, allegedly without his mother's permission. Some of the student's friends' parents were school employees and volunteers.
- The mother involved the police and complained to the district.



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Transgender Students

Leontiev v. Corbett School District

Constitutional Claims

Fourteenth Amendment
First Amendment Free Exercise



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Transgender Students

Golly v. Dallas School District

Student Safety Plan allowed a transgender student to use facilities consistent with that student's gender identity




12

Transgender Students

Golly v. Dallas School District

Several similar cases brought by parent groups



13

Transgender Students

Golly v. Dallas School District


Constitutional Claims
Bodily privacy
Interference with parental rights
Free exercise

Statutory Claims
Title IX hostile environment
Discrimination in education
Public accommodation discrimination



14

Questions?



15



16
