

**CONNECTICUT BAR FOUNDATION  
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2021-2022 ESSAY CONTEST TOPIC**

**“Throwing Away Our Shot?”**

Arnie suffered from a chronic illness that limited his experience with in-school education. Having been absent so much, as well as being skinny and small, resulted in Arnie having zero friends and being the target of the high school’s bullies.

Although his health had improved, Arnie’s appearance hadn’t at the beginning of the 2019-2020 school year. When schools shut down in March of 2020, it was a respite for Arnie. Without being the target of taunting teens, Arnie excelled. He dove into his school work and special projects. He also researched and started a regimen of nutrition and exercise to improve his strength and endurance. And, of course, he made sure to get the vaccine at the first available opportunity. Months went by and Arnie aced his schoolwork like never before. He also came into his own physically – he was strong, healthy and confident. As horrible as the pandemic was, to Arnie it was a bit of a blessing.

Arnie couldn’t wait until the start of the 2021-2022 school year. He was in classes with his peers for the first time. Based on the strength of the material he submitted over the summer to the faculty sponsor of the school newspaper, he was selected to write a weekly opinion column. Arnie was looking forward to an amazing junior year.

Sam is captain of, I don’t know, EVERY(?) sport she plays. The corridors of the school belong to her. She’s good looking, popular and very talented. All of the students want to be Sam’s friend and her circle of friends is a large one. Sam was recently contacted by the recruiter for the UCONN women’s basketball program. They will be attending the first game of the year to observe Sam’s skills and leadership. Sam’s dream of playing at UCONN is becoming a reality. Everyone is proud of her.

On the first day of school at Central Public High School, the students were milling around in front of the building and in the corridors catching up with friends about the past school year, the summer, new relationships, old relationships and anything else that came to mind. Everyone was discussing the girls’ basketball team and the recruiter.

When Arnie approached his locker, the noise in the hall lowered and a hush came over the area. Everyone turned to stare. Is this Arnie? Little sickly Arnie? Hmm. No one made fun. The girls at the lockers on either side of him commented “looking good, Arnie!” “Yeah, like, what did you do?” Arnie blushed until he was purple and could barely choke out a “thanks” before retreating to the bathroom.

Over the next few days, Arnie was enjoying and becoming accustomed to his newfound popularity—until Friday morning’s announcements. During homeroom, the principal, Ms. Smythe, made several startling announcements. First, she explained that, while the school had expected that a handful of students might refuse to be vaccinated with the FDA-approved vaccine, the number was far larger than the school had anticipated when the administration was planning the school year. She explained that emergency steps were required involving the segregation of the school based on vaccination status. Ms.

Smythe advised that students who could demonstrate proof of vaccination would occupy Wing A of the building, while Wing B was earmarked for those who either had not been vaccinated or refused a request to show their vaccination card.

Ms. Smythe then announced that vaccination was also a requirement for participation in sports and all other extracurricular activities. Everyone immediately realized that, between Sam and her friends, there might not be enough players for a basketball team. Sam saw her future dissolving before her eyes, all because she refuses to be vaccinated.

The announcements created an uproar in homeroom. Some students applauded the decision as being necessary and appropriate to protect student health. Others decried the plan that ostensibly would treat as second-class citizens those students who asserted a freedom to not be vaccinated.

As these announcements were made, Arnie felt something hit the back of his head and heard a murmur of “it’s Arnie’s fault.” Someone had thrown the year’s first issue of the school newspaper at him. It contained Arnie’s very first editorial column in which he had discussed the conflict surrounding the COVID-19 vaccine between an individual’s responsibility for others in their community and freedom of choice. While Arnie’s column attempted to discuss the issues surrounding vaccination in an evenhanded manner, the students were pinning the school’s decision on Arnie. Now Arnie is a pariah. The last announcement was for Arnie to come to the office. The class’ response was applause and whistles.

The principal, guidance counselor and school nurse were waiting for Arnie. As he walked into the office, he saw that his father was there and looked angry. The principal told Arnie that, because of his history of chronic illness and the fact that Covid-19 was still an issue, he could no longer attend school in person. The principal and the nurse explained that the school did not want the liability of Arnie becoming sick – or dying – because of exposure to the virus. Because he had the ability to attend school remotely, this shouldn’t interfere with his education. Since he could write his newspaper columns from home, he wouldn’t really be missing anything.

Arnie was devastated. He had finally come into his own. Granted, this hiccup caused by the vaccination dispute was a problem, but he was sure that would blow over as people came to realize the benefits of being vaccinated.

As Arnie and his father left the office, Arnie saw Sam, sitting with a male adult, presumably her father. Sam mumbled to her father as they walked by. Sam’s father stood angrily, but before he could confront Arnie and his dad, they were summoned into the office where they were told that Sam, being unvaccinated, was ineligible to play basketball.

Arnie and Sam’s complaints/appeals are on the schedule of the next meeting of the Board of Education. You are the attorney who advises the BOE.

Create a memorandum that addresses:

- Should the ineligibility of Sam and the other unvaccinated basketball players be upheld?
- Should Arnie be allowed to return to in-person learning?

**Entrants are encouraged to perform research and use diverse reference materials.**