

**CONNECTICUT BAR FOUNDATION
JAMES W. COOPER FELLOWS
QUINTIN JOHNSTONE
2024-2025 STATEWIDE HIGH SCHOOL ESSAY CONTEST TOPIC**

“From Flags to Factions: Examining Student Expression and School Policy”

Mr. Teta is a social studies teacher at ABC High School. In his class, there are two students who are inseparable. Victoriya, a first generation Ukrainian-American, and Michael, whose family is from Puerto Rico. They are polar opposites: Victoriya is a quiet, shy student, while Michael is not afraid to speak his mind. He is a proud, flamboyant teenager who is proud of his heritage. He is also an openly gay young man. Throughout their years at ABC High School, they have been besties, taking similar coursework and hanging out in their free time.

Mr. Teta started a current events curriculum with his class of Juniors. In the beginning of the segment, they discussed the Ukrainian-Russian conflict. Victoriya, the naturally quiet student, became much more vocal in class, providing her family’s perspective on the conflict and, at times, getting emotional. The class rallied behind Victoriya and supported her whenever news came of skirmishes in Ukraine. Michael, in an effort to support his friend, drew a Ukrainian flag on his social studies book, which many students copied. At the students’ request, Mr. Teta hung a Ukrainian flag in his classroom.

A month later, the next segment of the current events curriculum focused on the movement for Statehood of Puerto Rico. Many students had no information about the PR 51st movement; others believed it was a thing of the past, having failed to achieve the support of Congress. Mr. Teta taught about the history of the movement, and Michael chimed in with his family’s perspective and their hope that Puerto Rico would become a state in the near future. The class found the issue to be a no brainer, and many students began to wear clothing bearing the image of the Puerto Rican flag and other items in support of this movement.

Soon after, Michael brought in a Puerto Rican flag as well as a rainbow flag and asked Mr. Teta to hang them up in his classroom. Other students began to protest. Many students were of various backgrounds and had diverse political views that were not being discussed or acknowledged. Some began to call for their flags to be displayed as well, including those of the Black Lives Matter and women’s rights movements, and other political or national flags.

Mr. Teta informed the school principal of the controversy and sought her advice. The principal instructed Mr. Teta not to hang any additional flags and to take down the flags currently hanging in his classroom. In response to this, Victoriya and Michael became more overt in their support of Ukraine, Puerto Rico, and gay rights. They wore the colors of each other’s flags, had versions of the flags colored on their books, and even wrote some articles about the issues in the school newspaper. As time passed, other students with different perspectives and beliefs also began

wearing clothing and displaying book décor and signs supporting various other political views. The student body was breaking into factions. There were instances of shouting matches in the cafeteria, and some pushing and shoving in the halls between students due to their political differences. While the school had previously experienced its usual share of scuffles, this situation felt different.

To quell the rising unrest, the school administration issued a new policy prohibiting political signs, clothing, and speech of any kind on school grounds.

Victoriya and Michael continued to wear clothing with the colors of their flags, and both were reprimanded for violating the new school policy. They then wore the colors of each other's flag, and they were suspended for this second violation of the school policy. Meanwhile, a few students whose clothing depicted American flags received no reprimands of any kind.

Both students appealed their suspensions. The school defended the policy as a safety measure and pointed to the emerging factions of political viewpoints and the growing unrest at the school. They argued that the student displays were disruptive to the learning environment, undermined discipline, and interfered with the rights of others in their education.

You are an attorney for the Board of Education. Advise the Board regarding the legality of its policy as applied to Victoriya and Michael.