

STEP-BY-STEP

Time: One Class Period

Lookin' for Evidence



- ANTICIPATE** by reviewing what “disruptive” means using the quick true/false activity at the bottom of this page. Have the class answer as a chorus.
- DISTRIBUTE** one “Lookin’ for Evidence” chart to each student. For the paper-only option, also give each student one “Lookin’ for Evidence” Reading Page. (You may wish to distribute the reading page even if you are using the Power Point option so that students can see the dialogues as well as hear them.)
- TELL** students they will be looking for evidence about whether band t-shirts were disruptive at Ben’s school. They will look at three written documents, and they will listen to students and teachers give testimony. (If not using Power Point, you will read the dialogues.) Tell students they will be using this information to make arguments about whether the band t-shirts were disruptive.

OPTION A: POWER POINT PRESENTATION

- WORK THROUGH** the Power Point presentation. For each piece of evidence, 1) discuss with the class whether the evidence or testimony shows the band t-shirts were or were not disruptive, and 2) have students make notes in the appropriate box on their evidence charts. (You may need to help them figure out what to write at first.) Point out that sometimes the same piece of evidence can support either side, depending on how students frame the argument. Use your Teacher Key as a guide.

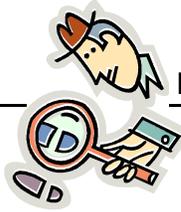
OPTION B: PAPER ONLY

- READ** the evidence and dialogues on the Reading Page with the class. For each piece of evidence, 1) discuss with the class whether the evidence or testimony shows the band t-shirts were or were not disruptive, and 2) have students make notes in the appropriate box on their evidence charts. (You may need to help them figure out what to write at first.) Point out that sometimes the same piece of evidence can support either side, depending on how students frame the argument. Use your Teacher Key as a guide.
- CLOSE** by taking a quick poll. How many students think the evidence shows the shirts were disruptive? Not disruptive?

TRUE/FALSE ANTICIPATION ACTIVITY

- 1) Schools can limit freedom of speech without any evidence. (F)
- 2) Schools can limit freedom of speech if there is evidence of disruption. (T)
- 3) Arguments that keep a teacher from being able to teach would be evidence of disruption. (T)
- 4) A nasty remark is good evidence of disruption. (F)
- 5) A threat of violence is probably evidence of disruption. (T)
- 6) Schools can limit freedom of speech if they are afraid there might be disruption. (F)

Lookin' for Evidence



Detective:



Exhibit A: The Memo

TO: Hamilton Middle School Students and Parents
FROM: Bob Carter, Principal
RE: Hamilton Middle School's New T-shirt Policy

Last year, many teachers saw students arguing about different kinds of music. Most of these arguments were caused by t-shirts that displayed a musical group. A few of the arguments were heated, and one even delayed the start of class until a teacher stepped in to stop the discussion. As a result, students may no longer wear clothing that refers to a musical group. This includes band t-shirts.

The purpose of the new rule is to make sure the learning environment in our schools is safe and effective. We hope the new dress code policy will prevent more serious

Exhibit B: Email to Principal Carter

Bob,
I made a quick run to the supply room between classes last hour. Almost didn't make it back to start class in time because I had to break up an argument between a bunch of kids in the hall. It was about bands again. A few of them were wearing t-shirts from that concert all the kids were talking about Monday morning. I almost sent them to the office because I thought a fight was about to break out, but then they started laughing so I sent them to class instead. Thought you'd want to know.

Ms. Miller.

Exhibit C: Intercepted Note

*Sarah,
Your Punk Frogs t-shirt is
stupid! Everyone hates Punk
Frogs. U better watch out
after gym class..*

Alyssa

Witness: Kyle – student

*In response to a
question from one of
the lawyers:*

I remember when Ben was suspended. We usually hang out at lunch and talk about music, so I was really bored while he was gone that week.

Witness: Lisa – student

In response to a question from one of the lawyers:

A: Last year I was in 8th grade at Hamilton Middle School.

Q: And Do you remember anything happening at lunchtime involving Bobby Duran and his liking of some music?

A: Um... Last March I was sitting across from Bobby Duran, and he started singing a tune from the Latin rock band Suave. I figured it was his favorite band, because he was wearing a Suave t-shirt. I like Suave's music too, but Bobby's singing is like nails on a chalkboard, so I told him to knock it off. And so did my friend sitting next to me. We were all laughing at his horrible singing.

Q: And did Bobby react in any way?

A: Yeah! Bobby got all mad and said we don't know good music when we hear it, and some of his friends took his side, you know, telling him to keep singing. My friends and I just got up and moved to another table. And my English teacher Mr. Teller was standing near us and heard the whole thing, but he just ignored us.

Cross Examination by Lawyer for Ben Brewer:

Q: Hi, Lisa. Why don't you tell the jury what it was that bothered you in the lunchroom that day. Was it the t-shirt Bobby was wearing?

A: No, we were just bothered by his singing.

Witness: Tim Hyde – student

In response to a question from one of the lawyers:

A: Last April, we were taking a test in Miss Aguilara's Spanish class and I finished early and I got bored, so I started making faces at Joe, the guy sitting next to me.

Q: And do you remember Joe's t-shirt?

A: Yeah. It had some sort of heavy metal band on it. Joe was ignoring me, so I started making fun of his t-shirt. He told me to be quiet and the teacher was giving me this really mean glare, so I shut up.

Witness: Ms. Jones - math teacher

Questions from Lawyer for Principal Carter:

- Q: Ms. Jones, what is your occupation?
A: I teach 8th grade math at Hamilton Middle School.
Q: Last school year, did you notice any arguments about t-shirts showing musical groups?
A: Yes, one last February.
Q: Please describe it to the jury.
A: It was a Friday, so my students are pretty wild anyway. Darin Bell and Sara Cooper came into class talking really loudly about Darin's t-shirt.
Q: What was pictured on Darin's t-shirt?
A: The shirt had this large photo of a popular rapper named 'Meter Man,' and above the photo were the words *Keep the Meter Runnin'*. Darin was arguing that Meter Man's music and lyrics were 'brilliant,' but Sara disagreed and thought Meter Man's music was 'repetitive' and just didn't compare to her alternative rock bands.
Q: What affect did this argument have on your math class?
A: Darin and Sarah were so loud that of course the other students, and they started taking sides and arguing about which band was better. But as soon as that bell rang, I told them they had to stop fighting and take their seats so I could begin the algebra lesson.
Q: Thank you. No further questions.

Cross Examination by Lawyer for Ben Brewer:

- Q: Ms. Jones, when you asked the students to stop their discussion, did they respond quickly?
A: Well, yes.
Q: So you were able to make it through your algebra lesson that day?
A: Yes, I got through the lesson.
Q: Great. No further questions, your honor.



Witness: Mia – student

In response to a question from Ben's lawyer:

- A: Yeah, I remember Darin and Sarah arguing about "Meter Man's" album before Algebra. Students like to wear band t-shirts to show off their favorite musicians. I like Meter Man, so I didn't agree with Sara at all.
Q: So how did the argument end?
A: As soon as the bell rang Ms. Jones told us to start class, so I switched my attention back to the teacher.



Witness: Principal Carter

Questions from Lawyer for Principal Carter:

- Q: Tell the jury about the incidents the previous year, involving t-shirts.
A: Last year, I heard a reports from teachers that students were beginning to argue about their taste in music. Most of the arguments seemed to start because a student was wearing a t-shirt that displayed a popular band and showed what kind of music he or she likes.
Q: How did you respond to these reports?
A: Well, to prevent disruption of school activities this year, I added a section to the school's dress code. It prohibits wearing t-shirts that name or picture musical groups.
Q: Did Ben Brewer violate that new rule?
A: Yes, he did, by wearing a t-shirt naming the band "Hall of Rejects." I offered to let him turn the shirt inside-out, but he insisted on showing his favorite band to the whole world. I had no choice but to suspend him.

Cross-examination by lawyer for Ben Brewer:

- Q: Last year, when you heard reports that students were having debates about their favorite bands, did any of those discussions cause any problems for the learning environment at your school?
A: Well no, but I could see that these arguments were adding up, and I needed to act to prevent problems in the new school year.
Q: And have t-shirts caused any problems during the new school year?
A: Not yet. I guess my new policy is working.

Witness: Darin – student

In response to a question from one of the lawyers:

- A: Yes, I remember my argument with Sara about Meter Man. It was last February. And I have to admit she had some pretty good points, and she was very convincing. But Meter Man is still my favorite band.
Q: So how did the argument end?
A: Ms. Jones told us to start class, so we sat down and stopped talking.

Lookin' for Evidence

Name: _____

Evidence Chart



	EVIDENCE THAT BAND T-SHIRTS DO CAUSE DISRUPTION	EVIDENCE THAT BAND T-SHIRTS DO NOT CAUSE DISRUPTION
EXHIBIT A: THE MEMO		
EXHIBIT B: THE EMAIL		
EXHIBIT C: THE NOTE		
WITNESS: TIM HYDE		
WITNESS: KYLE		

EVIDENCE THAT BAND T-SHIRTS DO CAUSE DISRUPTION	EVIDENCE THAT BAND T-SHIRTS DO NOT CAUSE DISRUPTION
WITNESS: MS. JONES	
WITNESS: DARIN	
WITNESS: MIA	
WITNESS: LISA	
WITNESS: PRINCIPAL	

Lookin' for Evidence

Name: **** Teacher Key ****

Evidence Worksheet



	EVIDENCE THAT BAND T-SHIRTS DO CAUSE DISRUPTION	EVIDENCE THAT BAND T-SHIRTS DO NOT CAUSE DISRUPTION
EXHIBIT A: THE MEMO	<ul style="list-style-type: none"> Teachers last year saw students arguing about what kind of music is best Most arguments were caused by t-shirts with bands on them A few were heated One delayed the start of class 	
EXHIBIT B: THE EMAIL	<ul style="list-style-type: none"> Principal mentions problems last year 	<ul style="list-style-type: none"> Ben went half a day without the t-shirt causing any trouble
EXHIBIT C: THE NOTE	<ul style="list-style-type: none"> Contains a threat because of a band t-shirt Possible violence between classes 	
WITNESS: TIM HYDE	<ul style="list-style-type: none"> He was making fun of someone's t-shirt during class 	<ul style="list-style-type: none"> Stopped making fun as soon as he saw teacher glaring at him
WITNESS: KYLE		<ul style="list-style-type: none"> They enjoyed talking about music

	EVIDENCE THAT BAND T-SHIRTS DO CAUSE DISRUPTION	EVIDENCE THAT BAND T-SHIRTS DO NOT CAUSE DISRUPTION
WITNESS: MS. JONES	<ul style="list-style-type: none"> • <i>Students arguing last year</i> • <i>Argument caused by one student's t-shirt</i> • <i>Had to tell students to stop so she could start class</i> 	<ul style="list-style-type: none"> • <i>Only one argument</i> • <i>Students quieted down quickly</i> • <i>Got through algebra lesson</i>
WITNESS: DARIN		<ul style="list-style-type: none"> • <i>Sat down and stopped talking as soon as teacher told them to stop</i> • <i>Darin and Sara were listening to each other and having fun debating, not arguing angrily. Darin thought Sara had good points.</i>
WITNESS: MIA		<ul style="list-style-type: none"> • <i>Did not get involved in the argument even though she did not agree with Sarah</i> • <i>As soon as the bell rang and teacher told them to stop, they sat down and focused on class</i>
WITNESS: LISA	<ul style="list-style-type: none"> • <i>Bobby got really angry when he thought someone didn't like his taste in music.</i> 	<ul style="list-style-type: none"> • <i>Argument was caused by singing, not the t-shirt, even though he was wearing a t-shirt</i> • <i>T-shirt did not cause the argument</i>
WITNESS: PRINCIPAL	<ul style="list-style-type: none"> • <i>Arguments were adding up</i> 	<ul style="list-style-type: none"> • <i>Discussions did not stop school activities from taking place</i>