**Landmark Supreme Court Cases**

**Bethel School District #43 v. Fraser (1987)
Holding:** Students do not have a First Amendment right to make obscene speeches in school.

Matthew N. Fraser, a student at Bethel High School, was suspended for three days for delivering an obscene and provocative speech to the student body. In this speech, he nominated his fellow classmate for an elected school office. The Supreme Court held that his free speech rights were not violated.

*\*This case relates to students.*

**Board of Education of Independent School District #92 of Pottawatomie County v. Earls (2002)
Holding:** Random drug tests of students involved in extracurricular activities do not violate the Fourth Amendment.

In Veronia School District v. Acton (1995), the Supreme Court held that random drug tests of student athletes do not violate the Fourth Amendment's prohibition of unreasonable searches and seizures. Some schools then began to require drug tests of all students in extracurricular activities. The Supreme Court in Earls upheld this practice.

*\*This case relates to students.*

**Brown v. Board of Education (1954)
Holding:**Separate schools are not equal.

In *Plessy v. Ferguson* (1896), the Supreme Court sanctioned segregation by upholding the doctrine of "separate but equal." The National Association for the Advancement of Colored People disagreed with this ruling, challenging the constitutionality of segregation in the Topeka, Kansas, school system. In 1954, the Court reversed its Plessy decision, declaring that "separate schools are inherently unequal."

[Learn more about this case.](https://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks/brown-v-board-education-podcast)

Honor the important figures involved in the related cases [*Brown v. Board of Education*](https://www.uscourts.gov/educational-resources/educational-activities/brown-v-board-education-re-enactment) and [*Mendez v. Westminster*](https://www.uscourts.gov/educational-resources/educational-activities/mendez-v-westminster-re-enactment) using a readers theater presentation.

**Cooper v. Aaron (1958)
Holding:** States cannot nullify decisions of the federal courts.

Several government officials in southern states, including the governor and legislature of Alabama, refused to follow the Supreme Court's Brown v. Board of Education decision. They argued that the states could nullify federal court decisions if they felt that the federal courts were violating the Constitution. The Court unanimously rejected this argument and held that only the federal courts can decide when the Constitution is violated.

**Engel v. Vitale (1962)**
**Holding**: School initiated-prayer in the public school system violates the First Amendment.

In the New York school system, each day began with a nondenominational prayer acknowledging dependence upon God. This action was challenged in Court as an unconstitutional state establishment of religion in violation of the First Amendment. The Supreme Court agreed, stating that the government could not sponsor such religious activities.

*\*This case relates to students.*

**Gideon v. Wainwright (1963)
Holding:** Indigent defendants must be provided representation without charge.

Gideon was accused of committing a felony. Being indigent, he petitioned the judge to provide him with an attorney free of charge. The judge denied his request. The Supreme Court ruled for Gideon, saying that the Sixth Amendment requires indigent criminal defendants to be provided an attorney free of charge.

[Learn more about this case.](https://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks/gideon-v-wainwright-podcast)

**Goss v. Lopez (1975)
Holding:** Students are entitled to certain due process rights.

Nine students at an Ohio public school received 10-day suspensions for disruptive behavior without due process protections. The Supreme Court ruled for the students, saying that once the state provides an education for all of its citizens, it cannot deprive them of it without ensuring due process protections.

*\*This case relates to students.*

**Grutter v. Bollinger (2003)
Holding:**Colleges and universities have a legitimate interest in promoting diversity.

Barbara Grutter alleged that her Equal Protection rights were violated when the University of Michigan Law School's attempt to gain a diverse student body resulted in the denial of her admission's application. The Supreme Court disagreed and held that institutions of higher education have a legitimate interest in promoting diversity.

*\*This case relates to students.*

**Mapp v. Ohio (1961)
Holding:** Illegally obtained material cannot be used in a criminal trial.

While searching Dollree Mapp's house, police officers discovered obscene materials and arrested her. Because the police officers never produced a search warrant, she argued that the materials should be suppressed as the fruits of an illegal search and seizure. The Supreme Court agreed and applied to the states the exclusionary rule from Weeks v. United States(1914).

[Learn more about this case.](https://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks/mapp-v-ohio-podcast)

**Marbury v. Madison (1803)
Holding:** Established the doctrine of judicial review.

In the Judiciary Act of 1789, Congress gave the Supreme Court the authority to issue certain judicial writs. The Constitution did not give the Court this power. Because the Constitution is the Supreme Law of the Land, the Court held that any contradictory congressional Act is without force. The ability of federal courts to declare legislative and executive actions unconstitutional is known as judicial review.

**McCulloch v. Maryland (1819)
Holding:** The Constitution gives the federal government certain implied powers.

Maryland imposed a tax on the Bank of the United States and questioned the federal government's ability to grant charters without explicit constitutional sanction. The Supreme Court held that the tax unconstitutionally interfered with federal supremacy and ruled that the Constitution gives the federal government certain implied powers.

**Miranda v. Arizona (1966)
Holding:** Police must inform suspects of their rights before questioning.

After hours of police interrogations, Ernesto Miranda confessed to rape and kidnapping. At trial, he sought to suppress his confession, stating that he was not advised of his rights to counsel and to remain silent. The Supreme Court agreed, holding that police must inform suspects of their rights before questioning.

[Learn more about this case.](https://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks/miranda-v-arizona-podcast)

**New Jersey v. T.L.O. (1985)**
**Holding**: Students have a reduced expectation of privacy in school.

A teacher accused T.L.O. of smoking in the bathroom. When she denied the allegation, the principal searched her purse and found cigarettes and marijuana paraphernalia. A family court declared T.L.O. a delinquent. The Supreme Court ruled that her rights were not violated since students have reduced expectations of privacy in school.

*\*This case relates to students.*

[Learn more about this case.](https://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks/new-jersey-v-tlo-podcast)

**New York Times v. Sullivan (1964)**
**Holding**: In order to prove libel, a public official must show that what was said against them was made with actual malice.

The New York Times was sued by the Montgomery, Alabama police commissioner, L.B. Sullivan, for printing an advertisement containing some false statements. The Supreme Court unanimously ruled in favor of the newspaper saying the right to publish all statements is protected under the First Amendment.

[Learn more about this case.](https://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks/new-york-times-v-sullivan-podcast)

**Roper v. Simmons (2005)
Holding**: It is cruel and unusual punishment to execute persons for crimes they committed before age 18.

Matthew Simmons was sentenced to death for the murder of a woman when he was 17 years of age. In the 1988 caseThompson v. Oklahoma, the Supreme Court ruled that executing persons for crimes committed at age 15 or younger constitutes cruel and unusual punishment in violation of the Eighth Amendment. Roper argued that "evolving standards of decency" prevented the execution of an individual for crimes committed before the age of 18. A majority of the Supreme Court agreed with Roper, and held that to execute him for his crime would violate the Eighth Amendment.

*\*This case relates to students.*

**Santa Fe Independent School District v. Doe (2000)
Holding:** Students may not use a school's loudspeaker system to offer student-led, student-initiated prayer.

Before football games, members of the student body of a Texas high school elected one of their classmates to address the players and spectators. These addresses were conducted over the school's loudspeakers and usually involved a prayer. Attendance at these events was voluntary. Three students sued the school arguing that the prayers violated the Establishment Clause of the First Amendment. A majority of the Court rejected the school's argument that since the prayer was student initiated and student led, as opposed to officially sponsored by the school, it did not violate the First Amendment. The Court held that this action did constitute school-sponsored prayer because the loudspeakers that the students used for their invocations were owned by the school.

*\*This case relates to students.*

**Terry v. Ohio (1968)
Holding:**Stop and frisks do not violate the Constitution under certain circumstances.

Observing Terry and others acting suspiciously in front of a store, a police officer concluded that they might rob it. The officer stopped and frisked the men. A weapon was found on Terry and he was convicted of carrying a concealed weapon. The Supreme Court ruled that this search was reasonable.

**Texas v. Johnson (1989)
Holding:** Even offensive speech such as flag burning is protected by the First Amendment.

To protest the policies of the Reagan administration, Gregory Lee Johnson burned an American flag outside of the Dallas City Hall. He was arrested for this act, but argued that it was symbolic speech. The Supreme Court agreed, ruling that symbolic speech is constitutionally protected even when it is offensive.

[Learn more about this case.](https://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks/texas-v-johnson-podcast)

**Tinker v. Des Moines (1969)**
**Holding**: Students do not leave their rights at the schoolhouse door.

To protest the Vietnam War, Mary Beth Tinker and her brother wore black armbands to school. Fearing a disruption, the administration prohibited wearing such armbands. The Tinkers were removed from school when they failed to comply, but the Supreme Court ruled that their actions were protected by the First Amendment.

*\*This case relates to students.*

[Learn more about this case.](https://www.uscourts.gov/about-federal-courts/educational-resources/supreme-court-landmarks/tinker-v-des-moines-podcast) Teach students the [significance of Tinker v. Des Moines](https://www.uscourts.gov/educational-resources/educational-activities/tinker-v-des-moines) which examines student's First Amendment rights.

**U.S. v. Nixon (1974)
Holding:**The President is not above the law.

The special prosecutor in the Watergate affair subpoenaed audio tapes of Oval Office conversations. President Nixon refused to turn over the tapes, asserting executive privilege. The Supreme Court ruled that the defendants' right to potentially exculpating evidence outweighed the President's right to executive privilege if national security was not compromised.

**Zelma v. Simmons-Harris (2002)
Holding:** Certain school voucher programs are constitutional.

The Ohio Pilot Scholarship Program allowed certain Ohio families to receive tuition aid from the state. This would help offset the cost of tuition at private, including parochial (religiously affiliated), schools. The Supreme Court rejected First Amendment challenges to the program and stated that such aid does not violate the Establishment Clause.

*\*This case relates to students.*