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Dear Student,

Thank you for your desire to wear a pro-life T-shirt at your school. As American Life League's staff attorney, I want to assure you that wearing our pro-life T-shirts is well within your constitutional rights in public schools. If you are interested in the legal reasoning, it is as follows.

The U.S. Supreme Court divides public school speech into three main categories:

1. vulgar, lewd, obscene, or plainly offensive speech
2. school-sponsored speech
3. all other student speech

American Life League designs its T-shirts to ensure that they do not fall into the vulgar, lewd, obscene, or plainly offensive category. School-sponsored speech refers to official publications, theatrical productions and similar activities. Simply wearing a pro-life T-shirt to school easily falls within the general student speech category.

The wearing of your pro-life T-shirt will be governed by the constitutional standard set forth in the *Tinker v. Des Moines Independent School District* Supreme Court case. By this standard, you have freedom of expression in public schools as long as your speech does not "materially and substantially interfere with the requirements of appropriate discipline in the operation of the school" or invade the rights of others.

If your school wants to stop you from wearing a pro-life T-shirt, the administrators must meet the *Tinker* standard. The school "must be able to show that its action was caused by something more than a mere desire to avoid the discomfort and unpleasantness that always accompany an unpopular viewpoint." In other words, school officials must present facts showing that pro-life T-shirts materially interfere with the school day. Without factual support, it is unconstitutional to prevent you from wearing a pro-life T-shirt in public school.

If your public school says that you cannot wear a pro-life T-shirt, please contact American Life League and ask for Erik Whittington, the director of our youth program. The law is most likely on your side and we will do our best to help you stand for life.

Yours in Life,

Andrew Flusche
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