

**CONNECTICUT BAR FOUNDATION
JAMES W. COOPER FELLOWS
QUINTIN JOHNSTONE
2016-2017 ESSAY CONTEST TOPIC**

“Taking a Knee or Taking a Stand”

It is the perfect fall evening. 64 degrees, cool and crisp. There is a buzz in the air for the first game under the lights on Friday night. The game is set... a rematch between two cross-town rivals: Kennedy High vs. Lincoln High. Kennedy's dynamic duo of quarterback, Anthony and receiver, Marcus, have been playing together for 3 years. Nothing can stop them, except maybe the cornerback on Lincoln's defense. No one gets by him and he holds the record for interceptions in a single season. Both schools have some sure NFL futures on their roster and city can't wait to see their favorite sons in action.

The lights flicker and the announcer requests the crowd to rise to honor our country and our flag. The crowd rises and grows quiet while the band begins to play the national anthem. A murmur begins to softly go through the crowd. Coaches on both teams notice. Anthony is kneeling, having chosen not to stand. Many in the crowd do not like it and the murmurs turn to boos. The song ends, the bright lights come up and the whistle blows. It's kick off and the boos are replaced by cheers and cow bells celebrating their teams.

After the game, the Kennedy coach pulls Anthony aside. They've known Anthony for 3 years now, and understand that he has developed a heartfelt belief that African Americans like himself have faced and continue to face prejudice and an unequal application of the law, exemplified by high profile cases in which young African American males have been shot and otherwise mistreated by police. Anthony has a sincere belief that, as captain, he should do something to bring attention to this problem and to make his views known. He intends to continue his silent protest to highlight the unfair treatment of African Americans in this country. Although there is a provision in the school's student handbook which bans disruptive behavior at school events, neither the coaches nor the school have taken any action against Anthony.

At an assembly the week after the football game, Anthony was chosen to speak about the team and the upcoming season. As he is speaking, Beth, who is also a student at Kennedy High, quietly but conspicuously, turns her back to him. Beth and Anthony have attended the same schools for years, but have had little contact with each other and have no history of interaction or animosity.

Beth is called to the principal's office and told that her conduct violated the school's handbook, which states in part that students must treat each other with respect. Beth responds that, as a member of a Gold Star family, she cannot respect someone who himself shows no respect for the country for which her brother gave his life in military service in the Middle East. Moreover, since Anthony made a public display of his beliefs, Beth explains that she felt compelled to do the same. Beth is ordered to write an apology to Anthony for her show of disrespect toward Anthony, but refuses.

Beth was referred by the principal to the Student Disciplinary Board which recommended a two-day suspension from school for disrespecting Anthony and refusing to comply with the principal. By school district policy, the recommendation was immediately sent to the School Board for a hearing at the next meeting. Beth claims that she was exercising her First Amendment rights and if her actions are deemed in violation of the school handbook, Anthony should be similarly disciplined. As the lawyer for the School Board, prepare a memorandum with a recommendation on what is or is not an acceptable form of protest by **these two students**.