

## **Essay Question No. 1**

### **Answer this question in booklet #1**

The School Board in Florence, Alaska supervises three high schools: North High School, Central High School, and South High School. The Board wanted to consolidate the students into just two schools and had the choice of closing either South High or North High and bussing the students to Central High. Central was large enough to accommodate the extra students. After proper notice and a hearing, the Board ultimately decided to close North High because it needed to build a new administration center and bus barn and could most easily use North High as the site. The Board could have bought land elsewhere in the city for use as an administration center and a bus barn but believed that it would be more convenient to use the North High site.

North, Central, and South High each served a distinct, compact geographic area. The commute to each of the schools was short enough that the students could participate in all of the after-school programs and activities at their neighborhood school. However, once the District closes North High, the students from North High will have a much longer commute. The overwhelming majority of the students from North High will have to ride school buses to get to Central High because they have no other way to make the commute. Because of the long commute and the bus schedule proposed by the District, the North High students will not be able to participate in all of Central High's after-school programs and activities. The students from the North High neighborhood will not be able to participate in extra-curricular activities such as sports, drama, debate, and clubs once they begin attending Central High.

The students at North High met the decision to close the high school with a mix of reactions. Although some of the students wanted to go to Central High, most did not. After the School Board announced its decision, there were numerous noisy and lively discussions in the hallways among students. A group of students opposed to closing North High started wearing T-shirts with the Central High mascot in a red circle with a slash through it. Another group started wearing buttons that said, "Close The School". There was at least one pushing match between two boys that stemmed from an argument over closing the school. Two of the teachers at North High complained to the principal that it was difficult to maintain order in the hallways because of the lively discussions regarding the closure of the school. The principal, therefore, announced that no one was allowed to promote either position. Anyone caught violating the rule would be suspended for 5 days.

Peter was a sophomore at North High. He was a mid-fielder on the North High soccer team. He did not want to go to Central High because he would not be able to play on Central's team because of the long bus ride to and from Central. Normally, he wore his hair in a neat and trim crewcut. However, after

the principal's announcement, he modified his hair cut. He had a friend shave a design onto the back of his head. The design showed the Central High's mascot in a circle with a slash through it. Peter's haircut provoked a lot of comments both for and against moving to Central High. The principal summoned Peter to his office at the end of the day and told him that he was suspending him for 5 days because Peter's haircut violated the prohibition against promoting a position regarding the closure of North High. The principal then told Peter to leave the campus immediately. The principal gave Peter no chance to defend or explain his conduct.

Peter comes into your office the next day and asks for help in getting his suspension set aside and blocking the closing of North High. Peter says that his English teacher will say that the chaos in the hallways between classes is no greater now than it ever was.

1. Discuss whether Peter has an equal protection claim under the Alaska Constitution against the School Board for its decision to close North High.
2. Discuss any arguments that can be raised under the Alaska Constitution to challenge the principal's decision to suspend Peter for his hair cut.