Ciara Warren, a graduate of Whitney M. Young Magnet High School, has acted as the Secretary of Concerts and Comedy Committee of Campus Activities Board, a member of the Black Student Union, and a member of the Liberated Minds Organization. She is currently involved in the Miss Black and Gold Pageant and is majoring in computer science. After college, Ciara plans to work as a computer programmer for Microsoft. This essay gave Ciara the opportunity to take a stance on an issue she believes in, and she enjoyed presenting her argument in a formal way.
Freedom of Expression vs. Disruption to Learning Environment

Ciara Warren

America’s population consists of a variety of cultures and, in turn, a variety of different styles of dress. Freedom of expression, granted in the First Amendment, is held as a prized possession by many Americans and portrayed daily through clothing and hairstyles. But just when does freedom of expression cross the line? For many years, people have been told to be original and express their own unique sense of style. Yet, dress codes, whether at work or school, prohibit what is acceptable for one to wear. Therefore, I find it contradictory for one to be given the right to freely express their self through creativity and originality, yet still be told to conform to dress codes and follow the norm.

In October of 2009, a sixteen year-old boy by the name of Jonathon Escobar made a conscious decision to withdraw from high school. At North Cobb High School in Kennesaw, Georgia, Escobar was asked to stop wearing wigs, women’s footwear, and women’s clothing, which he wore to express his pride in his personal sense of style. They stated that he “either stopped wearing [the clothing], or considered home-schooling” (“School Says”). Escobar believed that his choice of attire was justifiable due to his First Amendment right of free expression. On the other hand, school officials felt that his style of dress was “contributing to a disruption of school function” (“School Says”). School officials believed that Escobar’s clothing sparked not one, but two fights at school, as well as divided the school’s student body between people who supported him and those who didn’t.

Although school officials did not agree with Escobar, they still attempted to make accommodations for him to provide safety and security (“Pink Wig”). For example, Escobar asked to use the ladies’ room. Because of issues and concerns that may arise from outsiders looking in, they denied him access to the ladies’ room but concerned
that his use of male restrooms would also create conflict, they allowed him to use the administrative restroom. He was the only student at North Cobb High School given this privilege, yet he still chose to use the ladies’ restroom on a few occasions. Aside from trying to keep the proper order within their school zone, officials said Jonathan wasn’t aware of it but [they] were trying to protect him by avoiding any further uncomfortable situations for him when they asked him to dress more “manly” or stop attending school (Stevens). Apparently, school officials and security noticed some rage in a lot of the students who didn’t support him, and felt that they were avoiding any negative confrontation that may have occurred in the future as best they could.

According to Charles Haynes, et al., authors of *The First Amendment in Schools*, “Student clothing may be a form of expression that leads to a balancing of student free expression rights with the interests of the school…” (74). This country always has and always will be known to other people and cultures as a “free nation,” and many are proud and feel victorious of their citizenship here in America. But ironically, citizens would strongly disagree. There are many cases in which freedom of expression is confined and limited or guided by certain pros and cons of this right, such as in schools.

School uniform discipline issues are not just evident in the city of Kennesaw, Georgia but all over the world. Take a look at the issue of students who argue for their religious beliefs when it conflicts with student dress code. For example, two high school students in Texas sued their school after school officials prohibited them from wearing rosaries because they considered them to be gang-related apparel. The students held the claim that the application of this rule violated their freedom of speech and free exercise rights (Haynes, et al. 76). The court sided with the students, stating that as long as the message being delivered by a certain form of dress is able to be clearly understood to involve no negative connotations, it is all right for the students to wear the attire. (Haynes, et al.76) If this is the case, there should be no conflict in Escobar’s attire. Neither his pink wig, nor his skinny jeans or vintage tops elicited a negative message to his peers. Although it is understandable that a guy wearing the former may be distracting, the problem at hand lies within the fact that school administration found the actual dress to be inappropriate, not the gender of the person wearing it.
Let’s look at another example: guys who wear baggy, sagging pants to school. One student, who happened to be African-American, argued that the wearing of his baggy pants conveyed African-American heritage in the hip-hop fashion and lifestyle (Haynes, et al. 77). Good argument, right? Yet when brought before the New Mexico federal court, his First Amendment claim was rejected because “sagging” is not necessarily associated with a single racial/cultural group. Back to the original article of topic, one young boy simply dressed in a way that made him feel comfortable in his own flesh is now given the option to either change his style of dress or be denied the opportunity to continue his education at the school of his choice. Due to his open displays of pride in his sense of style, North Cobb High School administration felt they had the grounds to supersede his rights as an American and force him to dress in a way that they felt was suitable of his gender/sex.

Although the First Amendment designates free expression to all citizens, no certain stipulations can over-turn the right itself. In other words, according to Dennis R. Dunklee, “Students have a constitutional right to wear clothing of their own choice, as long as their clothing is neat, clean, and does not cause a material disruption of the education process” (134). Jonathan Escobar’s attire appeared neat, very clean, and it did not cause a definite disruption in his educational environment. School officials said they were able to blame fights in the school on Escobar’s feminine attire, as well as the fact that he caused a division in the student body as his peers made individual decisions of whether or not to support him. His supporters even went as far as creating a group on Facebook called “Support Jonathan” and members created pink shirts with those exact words displayed across the front. How is it possible to blame physical violence on an innocent bystander that is neither verbally nor physically involved in the conflict himself? And no matter what the situation is at hand, whether it’s global warming or religious practices, the population will always take sides. There will be groups for the subject and other groups against it. No one agrees about everything, and this is simply because of our own individual biases. Therefore, it should be taken into consideration that those against Jonathan simply are against him because of their personal issues and biases against homosexuality, although Escobar has never stated that his sexual orientation is not heterosexual. Maybe North Cobb’s administration should work on promoting open-mindedness amongst its students versus placing the blame of such common practices, i.e.
fighting, entirely on a brand new student who dresses as a normal woman.

Another issue that lies within the blame being placed on Escobar is that the typical woman wears skinny jeans, which are a new urban fad amongst teens and adults, males and females alike. Take a look at pop star Kanye West in all of his latest videos. He wears extremely tight jeans and also tight-fitting vintage shirts. “Vintage” is a term that means originating in a previous era. Therefore, what does the specific description “vintage tops” have to do with the dispute over Escobar’s overly feminine attire? And where is the big issue in that aspect of Escobar’s clothing? Women are also becoming much more expressive of their homosexuality. Females wear low haircuts similar to guys’, baggy and sagging jeans, fitted caps, and even tops that display terms suggestive of their sexual orientation, yet school officials seem to overlook this explicit expression. If it is all right for a girl to dress in men’s clothing, then to make a big deal of a guy dressed in women’s clothing just isn’t fair. If Jonathan’s attire is not boldly stating that he is a man in women’s clothing across his shirt, there should be no issues.

On the other hand, I can relate to the administrations issues with the pink wig that actually caught the attention of many displeased officials. I understand that the wig could have been a great distraction for the students, causing them to stare or maybe talk of his strange choice of hairstyle. This distraction would prevent students from paying attention to instructors and focusing on work, which would therefore interrupt the education process. Students began to focus more on the issue surrounding Jonathan Escobar than their education. But, there are still surrounding biases. Women dye their hair red, blonde, pink, blue, and any other color under the sun, yet no issue is made involving their personal choice of hair color. Due to this fact, I feel as though there were better alternatives that should have been granted to Jonathan Escobar. For example, school officials could have politely pulled Jonathan to the side and asked him to remove the wig versus demanding him to change his style or to consider home schooling. They could have also scheduled a conference with Jonathan and his family to discuss what is considered unacceptable in a school environment.

North Cobb High School felt that taking the initiative to eliminate Jonathan or his attire from the school environment would prevent future problems for the student. No guy wearing a pink wig,
skinny jeans, vintage tops and women’s flats/heels will be eradicated from taunts and teases of other students, which I understand is true. Jonathan’s attire would actually make him more of a target for such negative behaviors. The media shows us numerous cases daily in which a young man’s flamboyant expression of his individualism leads him to overtly offend others sexual oriental boundaries or push the wrong person’s buttons. Yet, it still should be that individual’s decision to choose whether or not they want to discontinue expressing themselves in such bold ways. In the case that the individual does not decide to change, “school officials cannot regulate student expression unless they can reasonably forecast that the expression will cause material interference or substantial disruption of the school environment” (Haynes, et al. 77). Therefore, seeing that no forecast of substance could be predicted based on Jonathan’s attire during his first three days of schooling, the entire issue at hand seems to be irrelevant.

In the end, I find a major contradiction in America’s stance on originality. Is it not confusing to encourage one to be original, yet enforce them to conform to uniform discipline codes until graduating high school? Must one follow the norm and be categorized as a “unit” until they reach a legalized age? And when given a “no dress code” policy, is it all right for one to still have restraints on just what is acceptable and what is not? These are all questions we must address before attacking the individualism and creativity of Jonathan Escobar. As Charles Haynes, et al, say, “Uniform policies too broadly sweep students’ First Amendment rights and, therefore, cannot withstand constitutional scrutiny. … The United States is not a nation bent on turning out robots…” (75). Based on this point, Jonathan Escobar has every right to attend North Cobb High School and continue to express his individuality through his feminine clothing.

Works Cited
Instructor Stephanie Kummerer's comments: What I love about Ciara’s argument is that she takes her time working through the various related issues to the case she presents. She is balanced in her presentation of the sides, so her end result is a very successful argument and an interesting analysis of our culture and freedoms.