

Directions:

Today, you will be taking the Grade 10 English Language Arts/Literacy Performance-Based Assessment Practice Test.

Read each passage and all questions carefully. Some questions will ask you to choose one correct answer, while others will ask you to choose more than one correct answer. You may look back at the passage or passages as often as necessary.

Mark your answers by filling in the circles in your test booklet. Do not make any stray marks in the test booklet. If you need to change an answer, be sure to erase your first answer completely.

To answer a question that asks you to pick one answer, fill in the circle as follows:

(A) ● (C) (D) (E) (F) (G)

To answer a question that asks you to pick more than one answer, fill in the circles as follows:

(A) ● (C) ● ● (F) (G)

Some questions will ask you to provide a written response to the passages you have read. You may plan your response using scratch paper. Be sure to write your response in the box provided in your test booklet. Crossed-out work, writing that falls outside of the box, or work on scratch paper will not be scored.

If you do not know the answer to a question, you may skip it and go on. If you finish the test early, you may review your answers and any questions you may have skipped.

Today you will read and analyze passages from two short stories. As you read these texts, you will gather information and answer questions about each text individually and about the relationship between the texts so you can write an analytical essay.

Read the passage from “Red Cranes,” a short story written by United States writer Jacey Choy. Then answer questions 1 through 3.

from “Red Cranes”

by Jacey Choy

- 1 Jiro removed his hat and the cloth band tied around his forehead. Bending over, he untied his shoes, then set them in the shoe rack next to the door. He opened the door and shuffled over to the sink to wash his hands. Shaded by the aged cherry trees, the small house remained cool. Jiro wiped his hands on a towel and sat at the low table.
- 2 “Father,” said Mie as she sat beside him, “how is the work going today? Do you think the plants will be ready to harvest in time? Do you have enough men to help you?”
- 3 Jiro turned to Mie and smiled. “Yes, yes, Mie, I think we will have a good crop this time. Kinshi and the others have been working hard . . . we can always use more help, but we’re doing fine. I was going to tell you that I thought I heard some cranes early this morning, before the sun came up. I tried to find them, but I wasn’t sure where their calls were coming from. They’re so loud and resonant, so it’s sometimes hard to tell. I was going to wake you, but I decided it wouldn’t be worth it, especially if it wasn’t a red crane.”
- 4 “The red cranes! Father! Please wake me next time, even if you’re not sure! I don’t mind getting up that early, anyway.” Red cranes were rare around this part of Japan, but Mie longed to see one. She imagined herself on the back of a red crane, flying high in the air.
- 5 “Oh, Mie,” said Yuki, “all your talk of red cranes. Dreams, just dreams.” Yuki picked up her chopsticks and shook her head.
- 6 “I know I sound foolish, but I’m so excited to see a red crane. I’ve been reading about them in one of your books, Mother, and I just wish I could actually see and hear one. Did you know that their nests usually contain only two eggs and can be found on the ground in marshy areas? And, most cranes

are usually brown, gray, or white, so the red crane is unusual with its red feathers." Mie's eyes flashed with excitement as she talked.

- 7 "Well, Mie, if I hear any cranes, no matter what, I will come and get you." Jiro gazed at his daughter and then stood up from the table.
- 8 Mie and Yuki finished clearing the dishes of rice, *namasu* or pickled vegetables, and miso soup. Jiro had returned to the fields, leaving Mie and Yuki to spend some time in the house. Mie wanted to read her poetry anthology, the *Man'yoshu*, and practice her calligraphy. Because she lived in the country, she was unable to go to school like the girls who lived in Edo. They were closer to the priests and temples, where they could be taught how to read and write. But Yuki had learned how to read and write as a girl, and she worked hard with Mie every day to teach her what she knew. It was Mie's favorite part of her day, not only to learn how to read and write, but to interact so intimately with Yuki. She admired Yuki, a strong woman and a gentle mother.
- 9 Yuki walked over to Mie, drying her hands on a soft cloth. "Mother, what were your dreams when you were a girl? I know life was difficult, but did you ever think how things might be different for you? Did you dream you would be a wife and mother? Or did you have other dreams as well?"
- 10 Yuki turned to Mie. Dreams are for youth, she thought to herself. She had so many dreams when she was growing up, most that she dared not share with anyone. Life, for her, held so few choices. What should she say? She worried that if she told her the truth it might influence Mie in the wrong way. Women had a hard life if they chose not to marry and be a devoted wife and mother—and she wanted Mie to have a comfortable life.
- 11 "Well, when I was your age I had many dreams, as children do. One of my dreams was to fall in love and get married. I was lucky that one of my dreams came true . . . and that I met your father, who is a wonderful husband and father." Yuki worried that she didn't sound strong enough, sure enough about the path that her life took.
- 12 "Of course, Mother. But I mean, did you ever dream that you would be a famous puppeteer, or a rich merchant that traveled the oceans, or maybe a poet whose poems were written in the *Man'yoshu*? How about an artist that painted beautiful landscapes?"
- 13 Yuki laughed. "You have some wild ideas for a young girl. I suggest that you concentrate on your own reading and writing for now. You can work on your dreams later." Yuki shook her head and walked toward the kitchen. She felt like her own mother, discouraging Mie from carrying around her dreams. She

wanted her daughter to have her dreams yet she didn't want her to grow up with unrealistic ideas and goals.

- 14 Mie continued reading, but when she heard her mother leave the room, Mie glanced up and stared out the window. She watched her father working in the fields, and the mountain, Fujisan, far in the background. Fujisan, a volcano said to have been created during an earthquake hundreds of years ago, was a sacred place filled with magic—or so many who had been there said. Mie dreamed of visiting Fujisan one day and climbing to its summit. She imagined herself at the peak and, like a red crane, flying into the sky. With these thoughts a peacefulness, a serenity, traveled through her. She closed her eyes and imagined the plum blossoms in the spring, their delicate fragrance. She imagined the Japanese maple trees in the autumn, deep purple and brown penetrating the landscape. She saw the snow in winter, covering the ground, the trees, and the bridge in the crisp air. Mie felt her heart soar and her mind drift.

Jacey Choy, "Red Cranes," from *Fiction on a Stick* (Minneapolis: Milkweed Editions, 2008). Reprinted with permission.

1. Part A

What is the meaning of **resonant** as it is used in paragraph 3?

- Ⓐ intense
- Ⓑ distant
- Ⓒ familiar
- Ⓓ annoying

Part B

Which quotation from paragraph 3 helps clarify the meaning of **resonant**?

- Ⓐ "I tried to find them. . . ."
- Ⓑ ". . . I wasn't sure where their calls were coming from."
- Ⓒ "They're so loud. . . ."
- Ⓓ ". . . it's sometimes hard to tell."

2. Part A

How are the details about Mie’s interest in the red cranes important to the development of a central theme in the passage?

- Ⓐ They suggest that Mie will not listen to her parents’ advice because she has a strong personality.
- Ⓑ They reinforce the idea that Mie remains idealistic despite her mother’s cautious realism.
- Ⓒ They highlight the dangers of Mie’s unrealistic expectations about her future.
- Ⓓ They emphasize the importance of Mie’s decision to follow a cultural tradition.

Part B

Which paragraph focused on the red cranes provides the **best** support for the answer to Part A?

- Ⓐ paragraph 3
- Ⓑ paragraph 4
- Ⓒ paragraph 6
- Ⓓ paragraph 14

3. Part A

Which phrase describes the attitude of Mie’s father, Jiro, toward Mie?

- Ⓐ distrust of her motives
- Ⓑ amusement about her desires
- Ⓒ respect for her wishes
- Ⓓ anxiety about her future

Part B

Which sentence **best** supports the answer to Part A?

- Ⓐ ““Yes, yes, Mie, I think we will have a good crop this time.”” (paragraph 3)
- Ⓑ ““I tried to find them, but I wasn’t sure where their calls were coming from.”” (paragraph 3)
- Ⓒ “. . . all your talk of red cranes. Dreams, just dreams.”” (paragraph 5)
- Ⓓ ““Well, Mie, if I hear any cranes, no matter what, I will come and get you.”” (paragraph 7)

Read the passage from “The Firefly Hunt,” a short story by Japanese writer Jun’ichirō Tanizaki (1886-1965). Then answer questions 4 through 6.

from “The Firefly Hunt”

by Jun’ichirō Tanizaki

- 1 It was a strange house, of course, but it was probably less the house than sheer exhaustion that kept Sachiko awake. She had risen early, she had been rocked and jolted by train and automobile through the heat of the day, and in the evening she had chased over the fields with the children, two or three miles it must have been. . . . She knew, though, that the firefly hunt would be pleasant to remember. . . . She had seen firefly hunts only on the puppet stage, Miyuki and Komazawa murmuring of love as they sailed down the River Uji; and indeed one should properly put on a long-sleeved kimono, a smart summer print, and run across the evening fields with the wind at one’s sleeves, lightly taking up a firefly here and there from under one’s fan. Sachiko was entranced with the picture. But a firefly hunt was, in fact, a good deal different. If you are going to play in the fields you had better change your clothes, they were told, and four muslin kimonos—prepared especially for them?—were laid out, each with a different pattern, as became their several ages. Not quite the way it looked in the pictures, laughed one of the sisters. It was almost dark, however, and it hardly mattered what they had on. They could still see each other’s faces when they left the house, but by the time they reached the river it was only short of pitch dark. . . . A river it was called; actually it was no more than a ditch through the paddies, a little wider perhaps than most ditches, with plumes of grass bending over it from either bank and almost closing off the surface. A bridge was still dimly visible a hundred yards or so ahead. . . .
- 2 They turned off their flashlights and approached in silence; fireflies dislike noise and light. But even at the edge of the river there were no fireflies. Perhaps they aren’t out tonight, someone whispered. No, there are plenty of them—come over here. Down into the grasses on the bank, and there, in that delicate moment before the last light goes, were fireflies, gliding out over the water in low arcs like the sweep of the grasses . . . And on down the river, and on and on, were fireflies, lines of them wavering out from this bank and the other and back again . . . sketching their uncertain lines of light down close to the surface of the water, hidden from outside by the grasses. . . . In that last moment of light, with the darkness creeping up from the water and the moving

plumes of grass still faintly outlined, there, far, far, far as the river stretched, an infinite number of little lines in two long lines on either side, quiet, unearthly. Sachiko could see it all even now, here inside with her eyes closed. . . . Surely it was the impressive moment of the evening, the moment that made the firefly hunt worth while. . . . A firefly hunt has indeed none of the radiance of a cherry blossom party. Dark, dreamy, rather . . . might one say? Perhaps something of the child's world, the world of the fairy story in it. . . . Something not to be painted but to be set to music, the mood of it taken up on a piano or a koto. . . . And while she lay with her eyes closed, the fireflies, out there along the river, all through the night, were flashing on and off, silent, numberless. Sachiko felt a wild, romantic surge, as though she were joining them there, soaring and dipping along the surface of the water, cutting her own uncertain line of light. . . .

"The Firefly Hunt" by Tanizaki from *Modern Japanese Literature*, edited by Donald Keene, copyright © 1956 by Grove Press Inc. Used by permission of Grove/Atlantic, Inc. Any third party use of this material, outside of this publication, is prohibited.

4. **Part A**

In paragraph 1, what is the meaning of the word **entranced** as it is used in the sentence "Sachiko was **entranced** with the picture"?

- Ⓐ startled with fear
- Ⓑ filled with wonder and delight
- Ⓒ overjoyed with fortune
- Ⓓ held back with confusion and uncertainty

Part B

Which **two** quotations from later in the passage further emphasize the meaning of **entranced**?

- Ⓐ "Perhaps they aren't out tonight, someone whispered."
- Ⓑ "And on down the river, and on and on, were fireflies, lines of them wavering out from this bank and the other and back again"
- Ⓒ ". . . there, in that delicate moment before the last light goes, were fireflies, gliding out over the water in low arcs"
- Ⓓ "In that last moment of light, with the darkness creeping up from the water and the moving plumes of grass still faintly outlined"
- Ⓔ "Sachiko could see it all even now, here inside with her eyes closed. . . . Surely it was the impressive moment of the evening"
- Ⓕ ". . . as though she were joining them there, soaring and dipping along the surface of the water"

5. Part A

Which option **best** captures a central theme of the passage?

- Ⓐ the stimulation of the imagination
- Ⓑ the overcoming of childhood fears
- Ⓒ the disruption of nature by humans
- Ⓓ the deceptive nature of dreams

Part B

Which quotation is **most** relevant to a central theme of the passage?

- Ⓐ "They could still see each other's faces when they left the house, but by the time they reached the river it was only short of pitch dark."
(paragraph 1)
- Ⓑ "A river it was called; actually it was no more than a ditch through the paddies, a little wider perhaps than most ditches, with plumes of grass bending over it from either bank and almost closing off the surface. A bridge was still dimly visible. . . ." (paragraph 1)
- Ⓒ "They turned off their flashlights and approached in silence; fireflies dislike noise and light." (paragraph 2)
- Ⓓ "Dark, dreamy, rather . . . might one say? Perhaps something of the child's world, the world of the fairy story in it. . . . Something not to be painted but to be set to music, the mood of it taken up on a piano or a koto." (paragraph 2)

6. Part A

Throughout the passage, the author builds suspense. Which structural choice contributes **most** directly to suspense?

- Ⓐ The author begins the passage by mentioning a strange house Sachiko stayed in.
- Ⓑ The author describes the things Sachiko did throughout the day before describing what she did during the evening.
- Ⓒ The author dwells on Sachiko and her friends searching for the fireflies in the dark prior to describing the finding of the fireflies.
- Ⓓ The author describes Sachiko reflecting on her experience with the fireflies.

Part B

Which quotation from the passage **best** supports the answer to Part A?

- Ⓐ "It was a strange house, of course, but it was probably less the house than sheer exhaustion that kept Sachiko awake." (paragraph 1)
- Ⓑ "If you are going to play in the fields you had better change your clothes, they were told, and four muslin kimonos—prepared especially for them?—were laid out, each with a different pattern" (paragraph 1)
- Ⓒ "A river . . . with plumes of grass bending over it from either bank and almost closing off the surface. A bridge was still dimly visible a hundred yards or so ahead" (paragraph 1)
- Ⓓ ". . . the moment that made the firefly hunt worth while. . . . A firefly hunt has indeed none of the radiance of a cherry blossom party." (paragraph 2)

In 1968 three students in Des Moines, Iowa, arrived at their separate schools wearing black armbands to protest United States involvement in the Vietnam War. The principals of the schools quickly instituted a policy banning the wearing of armbands, leading to the suspension of the students. A lawsuit filed on behalf of the students was eventually argued in the Supreme Court on November 12, 1968. Today you will read two passages and read a transcript of a radio interview that discusses the context and impact of the case. At the end of the task, you will be asked to write an analytical essay.

Read the passage from the United States Supreme Court majority opinion written by Justice Abe Fortas. Then answer questions 8 through 10.

from *Tinker v. Des Moines Independent
Community School District*

by Justice Abe Fortas

Supreme Court of the United States 393 U.S. 503 *Tinker v. Des Moines Independent Community School District No. 21*. Argued November 12, 1968—Decided February 24, 1969

II

- 1 The problem posed by the present case does not relate to regulation of the length of skirts or the type of clothing, to hair style, or deportment. *Cf. Ferrell v. Dallas Independent School District*, 392 F.2d 697 (1968); *Pugsley v. Sellmeyer*, 158 Ark. 247, 250 S.W. 538 (1923). It does not concern aggressive, disruptive action or even group demonstrations. Our problem involves direct, primary First Amendment rights akin to “pure speech.”
- 2 The school officials banned and sought to punish petitioners for a silent, passive expression of opinion, unaccompanied by any disorder or disturbance on the part of petitioners. There is here no evidence whatever of petitioners’ interference, actual or nascent, with the schools’ work or of collision with the rights of other students to be secure and to be let alone. Accordingly, this case does not concern speech or action that intrudes upon the work of the schools or the rights of other students.

- 3 Only a few of the 18,000 students in the school system wore the black armbands. Only five students were suspended for wearing them. There is no indication that the work of the schools or any class was disrupted. Outside the classrooms, a few students made hostile remarks to the children wearing armbands, but there were no threats or acts of violence on school premises.
- 4 The District Court concluded that the action of the school authorities was reasonable because it was based upon their fear of a disturbance from the wearing of the armbands. But, in our system, undifferentiated fear or apprehension of disturbance is not enough to overcome the right to freedom of expression. Any departure from absolute regimentation may cause trouble. Any variation from the majority's opinion may inspire fear. Any word spoken, in class, in the lunchroom, or on the campus, that deviates from the views of another person may start an argument or cause a disturbance. But our Constitution says we must take this risk, *Terminiello v. Chicago*, 337 U.S. 1 (1949); and our history says that it is this sort of hazardous freedom—this kind of openness—that is the basis of our national strength and of the independence and vigor of Americans who grow up and live in this relatively permissive, often disputatious, society.
- 5 In order for the State in the person of school officials to justify prohibition of a particular expression of opinion, it 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. Certainly where there is no finding and no showing that engaging in the forbidden conduct would “materially and substantially interfere with the requirements of appropriate discipline in the operation of the school,” the prohibition cannot be sustained. *Burnside v. Byars, supra*, at 749.
- 6 In the present case, the District Court made no such finding, and our independent examination of the record fails to yield evidence that the school authorities had reason to anticipate that the wearing of the armbands would substantially interfere with the work of the school or impinge upon the rights of other students. Even an official memorandum prepared after the suspension that listed the reasons for the ban on wearing the armbands made no reference to the anticipation of such disruption.
- 7 On the contrary, the action of the school authorities appears to have been based upon an urgent wish to avoid the controversy which might result from the expression, even by the silent symbol of armbands, of opposition to this Nation's part in the conflagration in Vietnam. It is revealing, in this respect, that the meeting at which the school principals decided to issue the contested regulation was called in response to a student's statement to the journalism

teacher in one of the schools that he wanted to write an article on Vietnam and have it published in the school paper. (The student was dissuaded.)

- 8 It is also relevant that the school authorities did not purport to prohibit the wearing of all symbols of political or controversial significance. The record shows that students in some of the schools wore buttons relating to national political campaigns, and some even wore the Iron Cross, traditionally a symbol of Nazism. The order prohibiting the wearing of armbands did not extend to these. Instead, a particular symbol—black armbands worn to exhibit opposition to this Nation’s involvement in Vietnam—was singled out for prohibition. Clearly, the prohibition of expression of one particular opinion, at least without evidence that it is necessary to avoid material and substantial interference with schoolwork or discipline, is not constitutionally permissible.
- 9 In our system, state-operated schools may not be enclaves of totalitarianism. School officials do not possess absolute authority over their students. Students in school, as well as out of school, are “persons” under our Constitution. They are possessed of fundamental rights which the State must respect, just as they themselves must respect their obligations to the State. In our system, students may not be regarded as closed-circuit recipients of only that which the State chooses to communicate. They may not be confined to the expression of those sentiments that are officially approved. In the absence of a specific showing of constitutionally valid reasons to regulate their speech, students are entitled to freedom of expression of their views. As Judge Gewin, speaking for the Fifth Circuit, said, school officials cannot suppress “expressions of feelings with which they do not wish to contend.” *Burnside v. Byars, supra*, at 749.
- 10 In *Meyer v. Nebraska, supra*, at 402, Mr. Justice McReynolds expressed this Nation’s repudiation of the principle that a State might so conduct its schools as to “foster a homogeneous people.” He said:
- 11 “In order to submerge the individual and develop ideal citizens, Sparta assembled the males at seven into barracks and intrusted their subsequent education and training to official guardians. Although such measures have been deliberately approved by men of great genius, their ideas touching the relation between individual and State were wholly different from those upon which our institutions rest; and it hardly will be affirmed that any legislature could impose such restrictions upon the people of a State without doing violence to both letter and spirit of the Constitution.”
- 12 This principle has been repeated by this Court on numerous occasions during the intervening years. In *Keyishian v. Board of Regents*, 385 U.S. 589, 603, MR. JUSTICE BRENNAN, speaking for the Court, said:

- 13 “The vigilant protection of constitutional freedoms is nowhere more vital than in the community of American schools.” *Shelton v. Tucker*, [364 U.S. 479,] at 487. The classroom is peculiarly the “marketplace of ideas.” The Nation’s future depends upon leaders trained through wide exposure to that robust exchange of ideas which discovers truth “out of a multitude of tongues, [rather] than through any kind of authoritative selection.”
- 14 The principle of these cases is not confined to the supervised and ordained discussion which takes place in the classroom. The principal use to which the schools are dedicated is to accommodate students during prescribed hours for the purpose of certain types of activities. Among those activities is personal intercommunication among the students. This is not only an inevitable part of the process of attending school; it is also an important part of the educational process. A student’s rights, therefore, do not embrace merely the classroom hours. When he is in the cafeteria, or on the playing field, or on the campus during the authorized hours, he may express his opinions, even on controversial subjects like the conflict in Vietnam, if he does so without “materially and substantially interfer[ing] with the requirements of appropriate discipline in the operation of the school” and without colliding with the rights of others. *Burnside v. Byars, supra*, at 749. But conduct by the student, in class or out of it, which for any reason—whether it stems from time, place, or type of behavior—materially disrupts classwork or involves substantial disorder or invasion of the rights of others is, of course, not immunized by the constitutional guarantee of freedom of speech. Cf. *Blackwell v. Issaquena County Board of Education*, 363 F.2d 740 (C.A. 5th Cir.1966).

Tinker v. Des Moines Independent Community School District by Justice Abe Fortas. Public Domain.

8. Part A

What is the meaning of the word **permissive** as used in paragraph 4?

- Ⓐ energetic
- Ⓑ tolerant
- Ⓒ self-reliant
- Ⓓ conflict-ridden

Part B

Which idea referred to in paragraph 4 provides the **best** context for determining the meaning of **permissive**?

- Ⓐ The idea that the action of the school authorities might have been reasonable given the circumstances.
- Ⓑ The idea that some fears and apprehensions are not tied to specific disturbances but to a more general sense of insecurity.
- Ⓒ The idea that some people may be hesitant to express views that deviate from the views of the majority.
- Ⓓ The idea that we live in a society in which an individual has a right to express ideas that some other people may find offensive.

9. Part A

Which sentence **best** states the central argument of the majority opinion?

- Ⓐ Despite the fact that the black armbands caused a general disorder in the school, the student protest is nonetheless protected by the constitutional right of freedom of expression.
- Ⓑ Because the students are not yet adults, their rights to the constitutional guarantee of freedom of expression are necessarily limited.
- Ⓒ Because the wearing of the black armbands was not genuinely disruptive, the student protest is protected by the constitutional right of freedom of expression.
- Ⓓ Although the school authorities feared how the student protest might affect their school, the right of students to protest is always guaranteed by the Constitution.

Part B

Which **two** quotations from the passage directly support the central argument of the majority opinion?

- Ⓐ "The problem posed by the present case does not relate to regulation of the length of skirts or the type of clothing, to hair style, or deportment."
- Ⓑ "There is here no evidence whatever of petitioners' interference, actual or nascent, with the schools' work or of collision with the rights of other students to be secure and to be let alone."
- Ⓒ ". . . undifferentiated fear or apprehension of disturbance is not enough to overcome the right to freedom of expression."
- Ⓓ ". . . the action of the school authorities appears to have been based upon an urgent wish to avoid the controversy which might result from the expression. . . ."
- Ⓔ "It is revealing, in this respect, that the meeting at which the school principals decided to issue the contested regulation was called in response to a student's statement to the journalism teacher in one of the schools that he wanted to write an article on Vietnam and have it published in the school paper."
- Ⓕ "It is also relevant that the school authorities did not purport to prohibit the wearing of all symbols of political or controversial significance."

10. Part A

How does the reference to Sparta in paragraph 11 help to advance the argument of the majority opinion as a whole?

- Ⓐ It suggests the value of an alternative form of education.
- Ⓑ It highlights the importance of familiarity with ancient history.
- Ⓒ It illustrates the fact that children have always rebelled against authority.
- Ⓓ It emphasizes the dangers in suppressing free thinking.

Part B

Which group of people mentioned in the majority opinion is comparable to the rulers of Sparta discussed in paragraph 11?

- Ⓐ the students who obeyed the school's request to refrain from wearing black armbands
- Ⓑ the students who made hostile remarks to those wearing the black armbands
- Ⓒ the school officials who enforced the ban on black armbands
- Ⓓ the Supreme Court justices who rejected the ban on black armbands

Read the passage from the dissenting opinion by Justice Hugo Black (1969). Then answer questions 11 and 12.

from *Tinker v. Des Moines Independent
Community School District*

by Justice Hugo Black

- 1 The Court's holding in this case ushers in what I deem to be an entirely new era in which the power to control pupils by the elected "officials of state supported public schools . . ." in the United States is in ultimate effect transferred to the Supreme Court. The Court brought this particular case here on a petition for certiorari urging that the First and Fourteenth Amendments protect the right of school pupils to express their political views all the way "from kindergarten through high school." Here, the constitutional right to "political expression" asserted was a right to wear black armbands during school hours and at classes in order to demonstrate to the other students that the petitioners were mourning because of the death of United States soldiers in Vietnam and to protest that war which they were against. Ordered to refrain from wearing the armbands in school by the elected school officials and the teachers vested with state authority to do so, apparently only seven out of the school system's 18,000 pupils deliberately refused to obey the order. One defying pupil was Paul Tinker, 8 years old, who was in the second grade; another, Hope Tinker, was 11 years old and in the fifth grade; a third member of the Tinker family was 13, in the eighth grade; and a fourth member of the same family was John Tinker, 15 years old, an 11th grade high school pupil. Their father, a Methodist minister without a church, is paid a salary by the American Friends Service Committee. Another student who defied the school order and insisted on wearing an armband in school was Christopher Eckhardt, an 11th grade pupil and a petitioner in this case. His mother is an official in the Women's International League for Peace and Freedom.
- 2 As I read the Court's opinion, it relies upon the following grounds for holding unconstitutional the judgment of the Des Moines school officials and the two courts below. First, the Court concludes that the wearing of armbands is "symbolic speech," which is "akin to 'pure speech,'" and therefore protected by the First and Fourteenth Amendments. Secondly, the Court decides that the public schools are an appropriate place to exercise "symbolic speech" as long as normal school functions are not "unreasonably" disrupted. Finally, the Court

arrogates to itself, rather than to the State’s elected officials charged with running the schools, the decision as to which school disciplinary regulations are “reasonable.”

- 3 Assuming that the Court is correct in holding that the conduct of wearing armbands for the purpose of conveying political ideas is protected by the First Amendment, cf., e.g., *Giboney v. Empire Storage & Ice Co.*, 336 U.S. 490 (1949), the crucial remaining questions are whether students and teachers may use the schools at their whim as a platform for the exercise of free speech—“symbolic” or “pure”—and whether the courts will allocate to themselves the function of deciding how the pupils’ school day will be spent. While I have always believed that, under the First and Fourteenth Amendments, neither the State nor the Federal Government has any authority to regulate or censor the content of speech, I have never believed that any person has a right to give speeches or engage in demonstrations where he pleases and when he pleases. This Court has already rejected such a notion. In *Cox v. Louisiana*, 379 U.S. 536, 554 (1965), for example, the Court clearly stated that the rights of free speech and assembly “do not mean that everyone with opinions or beliefs to express may address a group at any public place and at any time.”
- 4 While the record does not show that any of these armband students shouted, used profane language, or were violent in any manner, detailed testimony by some of them shows their armbands caused comments, warnings by other students, the poking of fun at them, and a warning by an older football player that other nonprotesting students had better let them alone. There is also evidence that a teacher of mathematics had his lesson period practically “wrecked,” chiefly by disputes with Mary Beth Tinker, who wore her armband for her “demonstration.”

Tinker v. Des Moines Independent Community School District by Justice Hugo Black. Public Domain.

11. Part A

Read the sentence from paragraph 2.

Finally, the Court arrogates to itself, rather than to the State’s elected officials charged with running the schools, the decision as to which school disciplinary regulations are “reasonable.”

What is the meaning of the word **arrogates** as it is used in the sentence?

- Ⓐ makes a final decision
- Ⓑ behaves unreasonably
- Ⓒ suggests as an alternative
- Ⓓ claims presumptuously

Part B

Which language feature provides context for determining the meaning of **arrogates**?

- Ⓐ the way in which “rather” signals a contrast with “State’s elected officials”
- Ⓑ the way in which “finally” emphasizes the importance of the conclusion
- Ⓒ the way in which “charged” describes the responsibilities of the officials
- Ⓓ the way in which “the decision” relates back to “finally”

12. Part A

What is the **main** purpose of the dissenting opinion?

- Ⓐ to support the rights of students based on the Constitution and to question legal decisions that limit those rights
- Ⓑ to suggest that the majority opinion overlooked the wishes of school officials and granted students too much power
- Ⓒ to argue that the majority opinion is an overreach of court authority and that local officials should have the authority to make the decisions they made
- Ⓓ to applaud the students who agreed to remove the black armbands and to suggest that the armbands did indeed cause some disruptions

Part B

Which quotation from paragraph 1 of the dissenting opinion supports the answer to Part A?

- Ⓐ "The Court's holding in this case ushers in what I deem to be an entirely new era in which the power to control pupils by the elected 'officials of state supported public schools . . .' in the United States is in ultimate effect transferred to the Supreme Court."
- Ⓑ "Here, the constitutional right to 'political expression' asserted was a right to wear black armbands during school hours and at classes in order to demonstrate to the other students that the petitioners were mourning because of the death of United States soldiers in Vietnam and to protest that war which they were against."
- Ⓒ "Ordered to refrain from wearing the armbands in school by the elected school officials and the teachers vested with state authority to do so, apparently only seven out of the school system's 18,000 pupils deliberately refused to obey the order."
- Ⓓ "Another student who defied the school order and insisted on wearing an armband in school was Christopher Eckhardt, an 11th grade pupil and a petitioner in this case. His mother is an official in the Women's International League for Peace and Freedom."

Refer to the passage from *Tinker v. Des Moines Independent Community School District* by Justice Abe Fortas and the passage from *Tinker v. Des Moines Independent Community School District* by Justice Hugo Black. Then answer question 13.

13. Part A

How does the author of the dissenting opinion use paragraph 2 to advance his overall argument?

- Ⓐ He criticizes his opponents for their failure to engage with him directly.
- Ⓑ He produces a list of authorities who agree with his overall contention.
- Ⓒ He offers historical support for the principles that support his claims.
- Ⓓ He summarizes the general argument that he intends to refute.

Part B

In which sentence does the author of the majority opinion use a similar technique?

- Ⓐ "Our problem involves direct, primary First Amendment rights akin to 'pure speech.'" (paragraph 1)
- Ⓑ "Accordingly, this case does not concern speech or action that intrudes upon the work of the schools or the rights of other students." (paragraph 2)
- Ⓒ "The District Court concluded that the action of the school authorities was reasonable because it was based upon their fear of a disturbance from the wearing of the armbands." (paragraph 4)
- Ⓓ "In the present case, the District Court made no such finding, and our independent examination of the record fails to yield evidence that the school authorities had reason to anticipate that the wearing of the armbands would substantially interfere with the work of the school or impinge upon the rights of other students." (paragraph 6)

This is a transcript of a radio interview with law professor Catherine Ross who discusses the context and impact of the *Tinker v. Des Moines* decision. Read the transcript. Then answer question 14.

Supreme Court Landmark Series: Tinker v. Des Moines

uscourts.gov

- 1 ANNOUNCER: The following program was produced by the United States Courts.
- 2 HOST: You're listening to the *Supreme Court Landmark Series*, where we take a quick look into some of the High Court's most influential decisions. In each episode, we talk with a law professor about how these decisions shaped history and continue to impact us today.
- 3 This episode discusses students' First Amendment rights in the 1969 case, *Tinker v. Des Moines*. Catherine Ross, a law professor at George Washington University Law School, explains the background.
- 4 ROSS: *Tinker* came up during the Vietnam War which was a period of a lot of disorder in universities, and a bit in lower schools in the United States. And it involved a very peaceful, quiet protest by five young people who chose to wear black armbands to school in support of a moratorium on fighting in Vietnam during the Christmas holiday. And they were responding to a national suggestion that had been made by Senator Robert Kennedy.
- 5 HOST: Two of the students involved in the protest, at a public school in Des Moines, Iowa, were John and Mary Beth Tinker.
- 6 ROSS: When the school heard that this was planned, they made a special rule designed to censor this form of silent speech, also known as symbolic speech, in which the symbol clearly communicates an idea to those who see it, and they said that anybody who wore a black armband to school would be suspended. And so, when the children showed up in various grade levels, they were sent home from school. They were told they could only return without their armbands, but that the rule would only last until the end of Christmas vacations.
- 7 HOST: The suspended students returned to school after their Christmas vacation. Meanwhile, the children's parents sued the school for violating their children's right to symbolic speech. A US District Court in Des Moines, Iowa, sided with the school, ruling that wearing armbands could disrupt learning. The

students lost an appeal, and then turned to the United States Supreme Court. In 1969, the High Court ruled, in a 7-2 decision, in favor of the students, reversing the lower court's ruling.

8 Professor Ross explains why the decision is important today.

9 ROSS: The Supreme Court used this occasion to make a very broad statement and enunciate a rule for protecting the speech rights of students during the school day. They began by saying that students don't shed their constitutional rights at the schoolhouse gate. It's a landmark case because it made very clear that we need to take the civil liberties of students seriously while they're in the schoolhouse. Teaching young people how to exercise their rights of citizenship and allowing them to do it is at the heart of our democracy. So, if you cut off speech while people are learning both their own personalities and identities, and also how to behave in the world, you minimize the likelihood that they'll be active participants in democracies. So, when you ask how it impacts our lives today, Tinker has been used to protect students' speech that schools have improperly cut off, and that's why it's so important for average citizens, children and their families, to know the law and to use the law and to be prepared to stand up for it.

10 HOST: Join us for more landmark Supreme Court case episodes at uscourts.gov.

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14. Part A

In paragraph 9, Ross claims, “The Supreme Court used this occasion to make a very broad statement and **enunciate** a rule for protecting the speech rights of students during the school day.” What is the meaning of the word **enunciate** in this context?

- Ⓐ withdraw prematurely
- Ⓑ declare definitively
- Ⓒ safeguard from harm
- Ⓓ obstruct from view

Part B

Which word from the quotation provides the **best** context for determining the meaning of **enunciate**?

- Ⓐ occasion
- Ⓑ broad
- Ⓒ statement
- Ⓓ protecting

Refer to the passage from *Tinker v. Des Moines Independent Community School District* by Justice Hugo Black and the transcript from *Supreme Court Landmark Series: Tinker v. Des Moines*. Then answer question 15.

15. Part A

In paragraph 4, law professor Catherine Ross begins her discussion of the *Tinker v. Des Moines* decision by stating that “*Tinker* came up during the Vietnam War.” What is the purpose of introducing the Vietnam War at this part of the discussion?

- Ⓐ to show how unusual the *Tinker* case actually was
- Ⓑ to provide important social and historical context of the students’ protest
- Ⓒ to provide background that explains the reactions of the school authorities
- Ⓓ to demonstrate that Ross is an unbiased authority in her field

Part B

Which quotation from the dissenting opinion written by Justice Hugo Black **most** directly relates to this section of Ross’s discussion?

- Ⓐ “. . . to demonstrate to the other students that the petitioners were mourning” (paragraph 1)
- Ⓑ “. . . the public schools are an appropriate place to exercise ‘symbolic speech’” (paragraph 2)
- Ⓒ “. . . whether students and teachers may use the schools at their whim as a platform” (paragraph 3)
- Ⓓ “. . . a teacher of mathematics had his lesson period practically ‘wrecked’” (paragraph 4)

Refer to the passage from *Tinker v. Des Moines Independent Community School District* by Justice Abe Fortas and the transcript from *Supreme Court Landmark Series: Tinker v. Des Moines*. Then answer question 16.

16. Part A

Which option **best** states a central idea of the transcript?

- Ⓐ Allowing young people to exercise their rights will make them better future citizens.
- Ⓑ Symbolic protests are generally more effective than active political demonstrations.
- Ⓒ The Supreme Court has always been instrumental in maintaining order in democracy.
- Ⓓ Young people do not always understand the full background of political decisions.

Part B

Which paragraph from the majority opinion written by Justice Abe Fortas makes a point similar to the answer to Part A?

- Ⓐ paragraph 3
- Ⓑ paragraph 6
- Ⓒ paragraph 8
- Ⓓ paragraph 13

Today you will read a passage from a novel. As you read, pay attention to the interactions between the characters so that you can write a narrative story.

Read the passage from *Three Men on the Bummel*, by English author Jerome K. Jerome (1859-1927). Then answer questions 18 through 23.

from *Three Men on the Bummel*

by Jerome K. Jerome

- 1 Harris, in his early married days, made much trouble for himself on one occasion, owing to this impossibility of knowing what the person behind is doing. He was riding with his wife through Holland. The roads were stony, and the machine¹ jumped a good deal.
- 2 "Sit tight," said Harris, without turning his head.
- 3 What Mrs. Harris thought he said was, "Jump off." Why she should have thought he said "Jump off," when he said "Sit tight," neither of them can explain.
- 4 Mrs. Harris puts it in this way, "If you had said, 'Sit tight,' why should I have jumped off?"
- 5 Harris puts it, "If I had wanted you to jump off, why should I have said 'Sit tight!'"
- 6 The bitterness is past, but they argue about the matter to this day.
- 7 Be the explanation what it may, however, nothing alters the fact that Mrs. Harris did jump off, while Harris pedalled away hard, under the impression she was still behind him. It appears that at first she thought he was riding up the hill merely to show off. They were both young in those days, and he used to do that sort of thing. She expected him to spring to earth on reaching the summit, and lean in a careless and graceful attitude against the machine, waiting for her. When, on the contrary, she saw him pass the summit and proceed rapidly down a long and steep incline, she was seized, first with surprise, secondly with indignation, and lastly with alarm. She ran to the top of the hill and shouted, but he never turned his head. She watched him disappear into a wood a mile and a half distant, and then sat down and cried. They had had a slight

¹machine—bicycle

difference that morning, and she wondered if he had taken it seriously and intended desertion. She had no money; she knew no Dutch. People passed, and seemed sorry for her; she tried to make them understand what had happened. They gathered that she had lost something, but could not grasp what. They took her to the nearest village, and found a policeman for her. He concluded from her pantomime that some man had stolen her bicycle. They put the telegraph into operation, and discovered in a village four miles off an unfortunate boy riding a lady's machine of an obsolete pattern. They brought him to her in a cart, but as she did not appear to want either him or his bicycle they let him go again, and resigned themselves to bewilderment.

- 8 Meanwhile, Harris continued his ride with much enjoyment. It seemed to him that he had suddenly become a stronger, and in every way a more capable cyclist. Said he to what he thought was Mrs. Harris:
- 9 "I haven't felt this machine so light for months. It's this air, I think; it's doing me good."
- 10 Then he told her not to be afraid, and he would show her how fast he *could* go. He bent down over the handles, and put his heart into his work. The bicycle bounded over the road like a thing of life; farmhouses and churches, dogs and chickens came to him and passed. Old folks stood and gazed at him, the children cheered him.
- 11 In this way he sped merrily onward for about five miles. Then, as he explains it, the feeling began to grow upon him that something was wrong. He was not surprised at the silence; the wind was blowing strongly, and the machine was rattling a good deal. It was a sense of void that came upon him. He stretched out his hand behind him, and felt; there was nothing there but space. He jumped, or rather fell off, and looked back up the road; it stretched white and straight through the dark wood, and not a living soul could be seen upon it. He remounted, and rode back up the hill. In ten minutes he came to where the road broke into four; there he dismounted and tried to remember which fork he had come down.
- 12 While he was deliberating a man passed, sitting sideways on a horse. Harris stopped him, and explained to him that he had lost his wife. The man appeared to be neither surprised nor sorry for him. While they were talking another farmer came along, to whom the first man explained the matter, not as an accident, but as a good story. What appeared to surprise the second man most was that Harris should be making a fuss about the thing.

Three Men on the Bummel by Jerome K. Jerome. Public Domain.

18. Part A

Which statement **best** describes the author’s purpose for including the dialogue between Mr. and Mrs. Harris in paragraphs 2–5?

- Ⓐ It conveys the sense of guilt that both Mr. and Mrs. Harris have about the event.
- Ⓑ It serves as a cautionary warning against cycling on country roads.
- Ⓒ It establishes miscommunication as a central theme for the passage.
- Ⓓ It underscores the personality differences between Mr. and Mrs. Harris.

Part B

Which subsequent paragraph **most** explicitly develops the answer to Part A?

- Ⓐ paragraph 7
- Ⓑ paragraph 8
- Ⓒ paragraph 9
- Ⓓ paragraph 11

19. Part A

In paragraph 7, Mrs. Harris thinks that Mr. Harris will “spring to earth on reaching the summit, and lean in a careless and graceful attitude against the machine, waiting for her.” What does this reveal about her point of view?

- Ⓐ that she has mistaken notions about Mr. Harris
- Ⓑ that she is less adventurous than Mr. Harris
- Ⓒ that she is proud of Mr. Harris’s talents
- Ⓓ that she has concerns about cycling with Mr. Harris

Part B

Which quotation from paragraph 7 supports the answer to Part A?

- Ⓐ “They were both young in those days. . . .”
- Ⓑ “. . . she saw him pass the summit and proceed rapidly down a long and steep incline. . . .”
- Ⓒ “They had had a slight difference that morning. . . .”
- Ⓓ “She had no money; she knew no Dutch.”

20. Part A

How do the interactions Mrs. Harris has with the Dutch characters in paragraph 7 help to advance the plot of the passage?

- Ⓐ They deepen the excitement of the bicycle ride Mr. and Mrs. Harris have undertaken.
- Ⓑ They provide comfort to Mrs. Harris while she is separated from Mr. Harris.
- Ⓒ They delay the potential reunion of Mrs. Harris with Mr. Harris because of a misunderstanding.
- Ⓓ They provide sly insights into the daily lives of ordinary Dutch people.

Part B

Which quotation from paragraph 7 **best** exemplifies the answer to Part A?

- Ⓐ "They were both young in those days, and he used to do that sort of thing."
- Ⓑ "She had no money; she knew no Dutch."
- Ⓒ "They took her to the nearest village, and found a policeman for her."
- Ⓓ "He concluded from her pantomime that some man had stolen her bicycle."

21. Part A

What is the meaning of **bewilderment** as it is used in paragraph 7?

- Ⓐ speculation
- Ⓑ confusion
- Ⓒ anger
- Ⓓ distress

Part B

Which option **most** clearly shows an example of **bewilderment** in a subsequent paragraph?

- Ⓐ "It's this air, I think; it's doing me good." (paragraph 9)
- Ⓑ "He bent down over the handles, and put his heart into his work." (paragraph 10)
- Ⓒ "It was a sense of void that came upon him." (paragraph 11)
- Ⓓ ". . . there he dismounted and tried to remember which fork he had come down." (paragraph 11)

22. Part A

Which phrase **best** describes the reaction of the Dutch farmers to Mr. Harris's situation in paragraph 12?

- Ⓐ unsympathetic and somewhat amused
- Ⓑ alarmed and openly defensive
- Ⓒ intrigued and potentially judgmental
- Ⓓ ingratiating and overly helpful

Part B

Which **two** quotations from paragraph 12 support the answer to Part A?

- Ⓐ “. . . sitting sideways on a horse.”
- Ⓑ “. . . explained to him that he had lost his wife.”
- Ⓒ “. . . neither surprised nor sorry. . .”
- Ⓓ “. . . another farmer came along. . . .”
- Ⓔ “. . . the first man explained the matter. . . .”
- Ⓕ “. . . not as an accident, but as a good story.”



You have come to the end of the test.

- **Review your answers.**
- **Then, close your test booklet and raise your hand to turn in your test materials.**



10 - ELA

