



## News

### On the Greg & Dan Show: Ambrose McCall Discusses Schools Regulating Off-Campus Student Speech

May 10, 2021

Hinshaw's Ambrose McCall appeared on the Greg & Dan Show to discuss whether a public school may regulate off-campus student speech that the school proves materially and substantially disrupted the school's work and discipline. The case—*Mahanoy Area School District v. B.L.*—involved a student on the school's junior varsity cheerleading squad who, after finding out that her attempt to make the varsity squad was unsuccessful, posted a profanity-filled video, outside of school hours, on the social media platform, Snapchat. The cheerleading coach later saw the post, and the student was barred from cheerleading for a year. After unsuccessful attempts to overturn that decision, the student sued the school.

The case addresses the extent of the Supreme Court's 1969 holding in *Tinker v. Des Moines Independent Community School District*, in which the high court held that schools might regulate student speech that materially and substantially interferes with the school's operation and causes a severe disruption. McCall questions whether, even if the school in this case wins, schools will want to shoulder the significant burden of monitoring student speech on social media platforms. Adding to that point, he suggests that, "I would think a lot of coaches will get more creative with discipline rather than just barring a student from participation on a team."

[Listen to the full segment on schools regulating speech off-campus](#), originally recorded on April 30, 2021.

#### Attorneys

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