My partner and I stand in strong negation of the resolution: Resolved: US public K-12 schools should be allowed to regulate students’ off-campus electronic speech.

As we support the con case, the pro side bears the burden of proof and must prove to us that the problems of electronic speech will be solved by regulating electronic speech.

Contention 1: Schools that regulate online speech violate the first amendment of the constitution which states: “Congress shall make no law abridging the freedom of speech.”[1] although our opponents may bring up the supreme court ruling regarding the Tinker v. Des Moines case I quote said case when it was said that “students don't shed their constitutional rights at the schoolhouse gates,” Sourced from us courts.gov [2]. Regarding this statement we argue that the constitutional rights of students that include electronic speech should not be shed at the schoolhouse gate, nor should schools have any ruling over them unless they endanger the teachers or students, or they provide an environment in which teaching becomes incredibly difficult. As regulation of Students speech means that the school may punish any speech that they do not like. All the school may do is ‘claim’ that the speech is endangering the environment. One example of this is the case of Reid Sagehorn, [3] [4] [5] a student that sarcastically replied to a comment online regarding his teacher and was suspended for seven weeks. By doing this the school is able to infringe the rights of the students, and by doing this they are violating the first amendment.

An impact of disregarding this point and acting on this once again, would be students giving up social media due to the fear of being watched by administrators. Legally defined, the chilling effect is when “speech or conduct is suppressed by fear of penalization” (uslegal.com). As a result, students who face the chilling effect in response to regulation would not reap the benefits of social media and the internet. They would not have the responsibility of social media, they would not have the responsibility of having a platform where many people will listen to them. They would not exercise their responsibility and utilization of their first amendment rights which teaches them how to be responsible adults. These benefits of social media and electronic speech help students grow to become the leaders of the next America.

Contention 2: As my worthy opponents may state, one of the largest problems with electronic speech is the fact that one can go anonymous, and bully a peer. In theory if the school *monitors* the electronic speech they will be able to stop bullying. However the pro case may not speak about *monitoring* electronic speech, they must speak about *regulating* electronic speech. Regulation, defined by the Merriam-Webster English dictionary is “to bring (something) under the control of authority.” In other words, schools would merely be permitted to punish guilty students - bullies that are outright exposed. On the internet, bullies can act privately, and in many cases the victim is unable or too afraid to report the bully. Ultimately, allowing schools to regulate online speech would not solve nearly as much as the pro case may claim.

Contention 2: Subpoint 2: In an article written in 2013 from governing.com, written by Maggie Clark, who has a master’s degree in journalism, “reported rates of bullying have remained stable since the first anti-bullying laws took effect in 2005.” 49 of our 50 states have laws against bullying and 18 of those states have anti-cyberbullying laws. Yet, according to our source, from 2007-2013, the rate of cyberbullying has actually increased by almost 3 times as much - from 3.7% of students reporting cyberbullying to 9%. We have evidence that anti-bullying laws are ineffective - what makes you think that making more laws will be any different? A study from the University of Texas provided the statement “students attending schools with bullying prevention programs were more likely to have experienced peer victimization, compared to those attending schools without bullying prevention programs.” This attacks the resolution itself - that regulation should be implemented. We have proven that regulation does not prevent cyberbullying, therefore schools should not regulate students’ off-campus electronic speech.

In conclusion, the resolution: Resolved: US public K-12 schools should be allowed to regulate students’ off-campus electronic speech. Will A: infringe the rights of students, and will cause students not to be able to reap the benefits of social media and electronic speech. Finally students will not be free from dangers including cyber-bullying as the school will only be able to regulate, and not monitor students electronic speech. For these reasons we can only find a Con ballot. Thank you.