

# Teachers Say the Darndest Things - Again

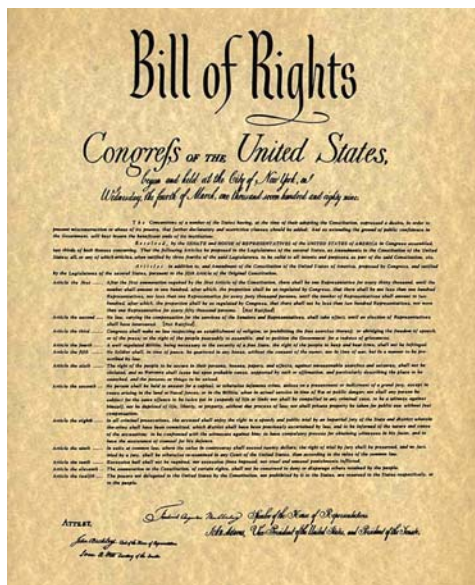
A school district attorney's and school employee attorney's perspectives on the First Amendment line between school employees' speech as public employees and private citizens  
February 24, 2017

**Thompson & Horton LLP**  
ATTORNEYS | COUNSELORS



**Christopher B. Gilbert**

Thompson & Horton LLP  
3200 Southwest Freeway  
Suite 2000  
Houston, Texas 77027



**Thompson & Horton LLP**  
ATTORNEYS | COUNSELORS

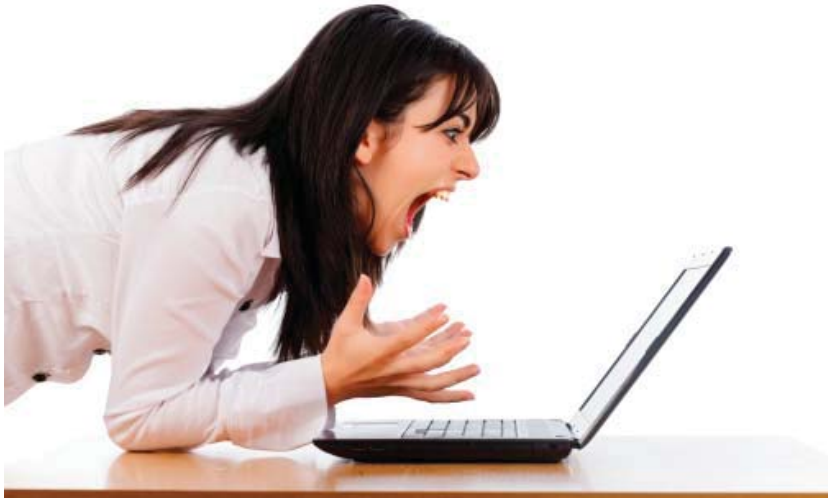
"Well, I shan't go, at any rate," said Alice: "besides, that's not a regular rule: you invented it just now."

"It's the oldest rule in the book," said the King.

"Then it ought to be Number One," said Alice.

Lewis Carroll, *Through the Looking Glass*

## Online Speech by Teachers



## Online Speech by Teachers:

*Munroe v. Central Bucks Sch. Dist.*, 805 F.3d 454 (3d Cir. 2015)

- High school English teacher
- Started a blog entitled *Where are we going, and why are we in this handbasket?*
  - Did not expressly identify either where she worked or lived, the name of the school where she taught, or the names of her students.
  - Claimed her blog was meant to be viewed by friends that she had asked to subscribe - did not intend for it to be read by the public at large.
  - For most of its existence, only had nine (9) subscribers

*Munroe v. Central Bucks Sch. Dist.*, 805 F.3d  
454 (3d Cir. 2015)

At the top of her January 20, 2010 blog post, there was a depiction of a school bus with a “Short Bus” sign and the following heading:

**“I DON’T CARE IF YOU LICK THE WINDOWS, TAKE THE SPECIAL BUS OR OCCASSIONALLY PEE ON YOURSELF ... YOU HANG IN THERE SUNSHINE, YOU’RE FRIGGIN SPECIAL.”**



*Munroe v. Central Bucks Sch. Dist.*, 805 F.3d  
454 (3d Cir. 2015)

- “I’m being a renegade right now, living on the edge and, um, blogging AT work...However, as I’m blogging about work stuff, I give myself a free pass of conscience.”
- “Also, as the kids get worse and worse, I find that the canned comments don’t accurately express my true sentiments about them....if it’s a kid that has no personality, I’ll put ‘ability to work independently.’”

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: Teachers Say The Darndest Things—Again

Also available as part of the eCourse

[School Law Update 2017: Teacher Rights, Hiring, and Firing](#)

First appeared as part of the conference materials for the

32<sup>nd</sup> Annual School Law Conference session

"Teachers Say The Darndest Things—Again"