

13 March 2018

Dear Director of Schools,

Over the last month, the courage and leadership of students in Parkland, Florida who survived the horrific mass shooting at their school have inspired a nationwide student movement. Tomorrow high school students in urban and rural areas across Tennessee will join with many thousands of young people nationwide to protest gun violence in the hopes of creating policy change.

ACLU-TN knows that this is a challenging time for educators as you balance the education and safety of students with their right to free speech, including the right to protest. We urge you to uphold students' First Amendment rights, to support student efforts to engage in the critical issues of the day, and to foster a spirit of civic participation.

We appreciate the reports we have received about school districts who have already taken steps to ensure that students can exercise their First Amendment rights in a safe way.

As you know, students taking a stand to call for the change they seek is not new. Student activism has a rich history in Tennessee, from lunch-counter sit-ins during the civil rights movement to student protest strikes against the Vietnam War.

School officials are uniquely positioned to build on this history, nurturing a sense of civic engagement in students. We hope that you embrace this moment as a teaching opportunity.

As students prepare for tomorrow's walkouts, please know:

- During the school day, students' political speech is protected under both our federal and state constitutions.
- The Constitution forbids disciplining students more harshly for politically-motivated conduct than for similar, non-political behavior.
- Students cannot be considered disruptive for wearing t-shirts, armbands, or other clothes or accessories that bear political viewpoints – nor face discipline as a result – just because someone may disagree with their particular viewpoint.



Tennessee

PO Box 120160  
Nashville TN 37212  
(615) 320-7142  
aclu-tn.org

- Students cannot be punished for expressing their beliefs unless it disrupts school functioning or the substance is lewd or vulgar.
- The ACLU of Tennessee may intervene if a student who leaves school as an act of political protest faces more severe punishment because of their political beliefs.

Instead of resorting to discipline, we hope that your district embraces moments like these affirmatively as an opportunity for students to learn firsthand about civic engagement, no matter the cause at the center. Public schools are essential in educating young people about democracy, and that includes their role in enacting it.

Students' actions during this political moment – and the lessons they learn – will stay with them throughout their lives. As adults, we ask ourselves: What lessons should students take from this moment? What is our responsibility to them? Those answers are ever-evolving, but ultimately, we strive to encourage young people to stand up against injustice and to participate in their democracy. We hope you share these goals too.

With appreciation,



Hedy Weinberg  
Executive Director

