

March 12, 2018

Dear Ohio School Superintendents, Administrators, Principals, and Teachers:

Students across the nation have built – and continue to build -- a powerful movement in response to the horrific Feb. 14 school shooting at the Marjory Stoneman Douglas High School in Parkland, FL, and to the epidemic of gun violence we experience daily across our country – in our schools, on our streets, in our homes, and in our communities.

Ohio students, who have known the carnage of gun violence, are raising their voices too. From Toledo to Athens, Cleveland to Cincinnati, students in Ohio want their anger, fears, opinions, and hopes to be expressed and heard.

Scores of young people across Ohio and the nation will use their voices to speak out on an important social issue this week and that should be celebrated. No matter where a person stands on gun control, these actions represent exactly what educators want their students to be – civically engaged and passionate.

The ACLU of Ohio asks you to support student efforts to engage in this and other important issues of the day, to support their First Amendment rights to participate in public debate, and to encourage a spirit of civic participation. This is an opportunity to teach the importance of civic engagement, no matter what positions a student may hold.

Throughout our nation's history, students have been a driving force for social justice, perhaps most visibly in advancing the Civil Rights Movement and in ending the Vietnam War, among other examples. The ACLU of Ohio applauds the courage it takes for students to stand up for their beliefs, because doing so often involves risk.

Many of our nation's greatest advances have been the result of people insisting on being heard, even defying rules, laws and policies they felt to be unjust or standing in the way of much-needed social advancement. There can be power in choosing civil disobedience, knowing there are risks involved, because doing so can convey a visible willingness to face and accept consequences for adherence to principle. Often, it produces the loudest cries and brightest sparks for social change.

Yet, school officials can choose their most appropriate response to student activism. This is why we are asking that, instead of focusing on discipline and punishment, school officials should seize this as a teachable moment by nurturing students' commitment to social action by removing barriers to their participation.

ACLU

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As students plan walkouts to press for changes in social policy, please bear firmly in mind:

- The Constitution forbids disciplining students more harshly for politically motivated conduct.
- The ACLU of Ohio may intervene if a student who leaves school as an act of political protest faces more severe punishment because of their political beliefs.
- Students cannot be punished for expressing their beliefs unless it disrupts the learning environment.
- Students cannot be considered disruptive for wearing t-shirts, armbands, or other clothes or accessories that bear political viewpoints – or face discipline as a result – just because someone may disagree with that view.
- Outside of school, students enjoy the same rights to protest as others. During school hours, students still enjoy Constitutional protection for political speech, including online and on social media.

Students' actions during such political moments, and the lessons they learn, will stay with them throughout their lives. As adults, we ask: what is our responsibility to them? We strive to encourage young people to stand up against injustice and to participate in their democracy. We hope you will share these goals too. Public schools are essential in educating young people about democracy, and that includes their role in enacting it.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bennett Guess". The signature is fluid and cursive, with a long horizontal stroke at the end.

J. Bennett Guess
Executive Director
ACLU of Ohio