

The background of the entire page is a close-up, slightly blurred image of the red and white stripes of the United States flag, flowing diagonally from the top left towards the bottom right.

Public Education, Democracy, Free Speech

**The Ideas
That Define
And Unite Us**

These are “the ideas that define
and unite us: our founding
commitment to freedom of
expression, our shared belief
in the value of education for all,
and our enduring faith that
individuals can, and do, make
a difference.”

—*From an essay by a high school
student, New York, 1998*



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The Ideas That Define and Unite Us

Introduction

Universal public education assures American freedom and democracy. The Constitution and the freedoms we take for granted rely on an educated people.

The United States is a model of democracy for the rest of the world because it has succeeded in balancing two principles of freedom: majority rule and the right of each individual. This delicate balancing act requires the support of a system of universal public education. Only an enlightened public can appreciate the responsibilities imposed by democracy, including the need to temper majority rule with respect for fundamental individual rights.

From our country's founding to the present, our leaders have understood the importance of public education to democracy. In 1787, on the eve of the Constitutional Convention, Benjamin Rush told an audience in Philadelphia that "to conform the principles, morals, and manners of our citizens to our republican forms of government, it is absolutely necessary that knowledge of every kind should be disseminated through every part of the United States."

Two centuries later, the U.S. Supreme Court in *Keyishian v. Board of Education* (1967) agreed in even stronger language: "The classroom is

peculiarly the 'market place of ideas.' The Nation's future depends upon leaders trained through wide exposure to that robust exchange of ideas which discovers 'truth out of a multitude of tongues, than through any kind of authoritative selection.'"

As the Supreme Court recognized, education is more than reading, writing, and arithmetic; it is the making of citizens with the skills to succeed and adapt to changing times, able as well to decide important social issues and judge the performance of public officials.

Increasingly, however, schools are faced with controversies over what to teach and how to teach. This is due in part to the rapid social, political, and technological changes that have created anxiety about the future. Many of the controversies, however, are familiar. Issues like sexuality and profanity have raised questions for generations of parents and teachers.

Parents, teachers, and students have varied attitudes toward these and other educational issues. Almost every community contains people with different traditions, religions, and even languages, who bring to the schools different expectations, needs, and opinions. Some parents have strong feelings about how their children should be taught; other parents may disagree. Teachers must meet the educational needs of a broad spectrum of students while respecting the rights of all.

Only by retaining a vision of the school as the "marketplace of ideas" can we respect majority and individual rights, protect academic freedom and free speech, and offer students access to a wide range of information and educational choices.

This booklet stresses the link between public education and the constitutional right to free speech and inquiry; neither can survive or flourish without the other. It explores the issues that public schools face in teaching basic skills and preparing students for citizenship. And it concludes that parents, teachers, students, and other members of the community must work together to address common concerns and increase support for public education, because public education available to all is the fundamental institution that has helped our democracy and its people to thrive.

Understanding the First Amendment

The First Amendment strengthens the entire community by protecting the rights of each of its members.

As the writer Nat Hentoff has observed, “From freedom of speech and thought, all other liberties and rights flow.” Without the basic human right to think and speak freely, all our political and civil rights would be in jeopardy.

The First Amendment protects the freedom of each individual to decide what to read and think, but it also requires each of us to acknowledge and respect the right of others to do the same. No matter how convinced some Americans may be of the rightness of their own views, they are not entitled to impose them on others. Everyone has the right to try to persuade others, but not to blindfold or silence them in the process. The cure for the speech we disagree with, as Supreme Court Justice Louis Brandeis said, is “more speech, not enforced silence.”

The First Amendment guarantees our basic freedoms of speech, religion, and assembly only because it requires tolerance and respect for the freedoms of all. It is this respect for the variety of viewpoints that is safeguarded by the First Amendment in all our public institutions, including, most especially, our public schools, which prepare children for participation in the practice of democracy.

The institution of public schools
“is the necessary consequence of
the genius of our governments;
at the same time, it forms the
firmest security of our liberties.
It is scarcely possible to reduce
an enlightened people to civil
or ecclesiastical tyranny.”

—*Noah Webster, 1785*

Public Education— the Foundation of Democracy

The public schools reflect our democratic society, preparing future citizens for the rough and tumble of debate in a diverse community in which people must confront other viewpoints while they strive for consensus.

Public schools are one of the vital institutions of American democracy. They serve two purposes: to give all children the information and skills they need to make their way through life, and to prepare all children for the rights and responsibilities of citizenship.

A good public education teaches more than facts and figures. It teaches children how to reason, how to evaluate information, and how to choose among competing facts and differing ideas. Such critical thinking skills are essential for many adult activities and are especially necessary for functioning in a free, self-governing society that depends on cooperation, compromise, and consensus.

The genius of our public education system is that it is open to everyone so that the sons and daughters of rich and poor, of immigrant and native born, of big cities and small towns, of east and west (and every point between) all share in the nation's educational opportunities. Without public education as the foundation, America could not have experienced such a long-lasting, prosperous, and continually evolving democracy.

Teaching the Values Essential to a Democratic Society

In the course of fulfilling their responsibility to prepare students for citizenship, public schools teach values that are essential to a democratic society—values such as fairness, equality, justice, freedom, respect for others, and the importance of community.

Adhherence to democratic values and a commitment to the Constitution create a common culture out of the many ethnic, religious, and racial groups that comprise this land of immigrant and native Americans. Ethnic pride and differing individual beliefs flourish in America, because we recognize that they are all part of our common culture. Respect for cultural pluralism is at the core of American democracy.

The democratic values taught in public schools complement the social and religious values taught in the home and in the church, temple, synagogue, or mosque. Students learn to understand and articulate the values they have learned at home by participating in classroom assignments and discussions where they are free to study a variety of information and differing views about an issue and to express their own opinions.

When parents and educators disagree on an issue that touches on social and religious values, a shared commitment to essential democratic values can provide the common ground for resolving differences of opinion. Fairness and justice require that no one parent's view should prevail over all others. Freedom allows parents to express their particular concerns and seek an accommodation to address them. Respect for others dictates that any conflict be resolved with civility.

Teachers and school officials need to be sensitive to parents' concerns and to the many different styles of parenting, and parents likewise must be cognizant of the responsibility of teachers to exercise their professional judgment to choose educationally suitable materials for all students.

Learning About Life, Safely

The majority of time in the classroom is spent providing students with the basic information and skills they will need to make their own way in the world. Sometimes, however, teachers must address difficult and controversial topics.

Young people mature into healthy, responsible adults by acquiring basic skills and information and by learning from trustworthy adults how to address real issues that arise in their homes, communities, and workplaces.

Students, like teachers and parents, face complex, difficult problems every day, and they learn about societal problems from newspapers and television. They bring their questions and experiences to school, which can provide a place for young people to explore difficult issues safely.

Educators respond to the wide range of students' concerns with information suited to their needs and stage of development. This is a critical function of schools, one that complements students' basic education in meaningful ways.

Educators continually wrestle with a dilemma: whether to address the questions and concerns students raise, or to avoid difficult issues for fear of offending a few. Although most try to be sensitive to the beliefs and feelings of students and their parents, teachers would be abdicating their responsibilities, and perhaps short-changing those who need their help, if they decided to solve this continuing dilemma by simply ignoring the difficult issues.

Life can be difficult and contentious, because people disagree strongly about some of the most important issues. That's the reality. Schools are like laboratories where students can learn and practice the skills they will need in life.

“We as parents must try to help our children develop the inner strength to deal with the world. Books are uniquely suited to aid in this task, in that they give us a sort of rehearsal for life.”

—*Katherine Paterson, author,*
Bridge to Terabithia

Why Educators Teach about Controversial Topics

Controversial subjects are taught in school because they prepare students for the real world and because such topics can provide an opportunity to teach critical thinking skills.

In order to provide a well-rounded and relevant education, teachers sometimes use materials that some people find controversial. Materials used in school to address sexuality and religion, or to deal with race or ethnicity, have stimulated controversy and calls for censorship because these are sensitive subjects. Like parents, teachers are increasingly called upon to address such issues in response to events in the news or inquiries from students. Good teachers will seize the “teachable moment” and make use of such controversial topics to help students develop critical thinking skills. Often videos and literary selections can be effective tools in such discussions.

Materials discussing sex and religion are particularly likely to generate tension and debate.

Caring adults are understandably concerned about teenagers’ decisions and behavior regarding sex, and educators respect the right of parents to teach their children their own rules and values governing sexual relationships. Since many teenagers are sexually active, however, and some parents do not provide adequate information to their children, the school must assume an increasingly important role in providing such information. Most health educators feel an obligation to provide their students with factual information about sexuality to help them make informed decisions. Moreover, most parents approve of sex education that includes a professionally developed curriculum containing scientific and health-related information. In most districts, those parents who prefer that their child not have such information are allowed to opt out of sex education.

Religion also sparks controversies, as some parents object to the

teaching of any ideas that differ from their religious beliefs. These can include beliefs about sexuality, the role of women, biology, history, or other topics. Educators must respect the religious beliefs of all students and cannot make curricular decisions catering to any one religion, or even the majority's religious preferences. As a result, conflict sometimes arises over the tension between parents' desires that their own religious beliefs take precedence and the educators' need to be neutral. By teaching tolerance and respect for the rich religious diversity of this country, schools reaffirm each child's own religion or non-belief while strengthening America as a nation of many religions.

In recent years, some parents have denounced classic works of literature that use racial epithets or profanity because they fear the books will increase racial animosity and harm their children. Others think such books can be used to increase understanding of the evils of prejudice, or weaken the appeal of profanity by exposing it to serious discussion in the classroom. These works can teach valuable lessons and help students appreciate social rules and expectations.

The classroom is a good place to learn about controversial and offensive ideas. There, students have the benefit of a teacher to guide their discussion and help them conduct that discussion with respect and civility. In the safe space of the classroom, younger students can learn the excitement of reading using such books as *The Great Gilly Hopkins*, *Scary Stories to Tell in the Dark*, or the works of Raold Dahl. Through teachers, older students can appreciate both historical context and the many layers of meaning in literature such as *The Adventures of Huckleberry Finn*, *The Merchant of Venice*, or *Of Mice and Men*. Students would miss out on more than history if these kinds of materials were omitted from the classroom.

Facing the Challenges of the Internet

The Internet has the potential to provide every school and every student access to a world of information—far beyond the capacity and budget of any school library. The question for schools is how to maximize the educational potential of the Internet while minimizing non-educational uses.

There is widespread agreement that schools should teach computer skills and make the Internet a safe and productive environment for students. More problematic is how to accomplish this goal.

Some schools have developed acceptable use policies regulating student use of school-provided computer network services. Such policies, formulated by teachers, administrators, parents, and students, emphasize the need to teach students to use the Internet in an educationally responsible manner.

This idea is widely embraced, but implementing such policies can be complicated. Acceptable use policies often limit student use of school computer networks to “educational” uses, but that term can be difficult to define. Some believe that acceptable use policies should restrict student access to sites with information about sex or sexual orientation, while others would restrict access to sites that contain references to violence, drug use, or racism and other forms of prejudice. These restrictions might pose significant First Amendment problems if, for example, they limited students’ ability to research the Holocaust, the history and tactics of the Ku Klux Klan, violence against women, discrimination, or hate crimes.

Some schools have installed software that “blocks” or “filters” access to certain sites or information. Parents, of course, are free to use these tools on their home computers, but their application in public institutions, which have an obligation to comply with the First Amendment, has sparked a debate over legal and practical concerns. Some

software blocks entire sites, including material that is unobjectionable. Programs that block material based on key words (like "sex") also block an extensive body of useful information—not only about sexuality, sexual health, and sexual orientation, but topics having nothing to do with sex (like "Mars exploration" or "sextants"). Such software places a reliance on barriers, instead of teaching students good judgment and responsible use of computer network services. Parents and educators continue to seek ways of assuring responsible student use of technology, while providing students with necessary education in the uses of this critical technology.

The invention of the printing press and the telephone created fear and uncertainty for earlier generations of parents concerned about the possible misuse of technology. Time will no doubt allay the fears of today's parents about the potential misuse of the Internet, which, after all, offers today's young people unprecedented access to a world of information and ideas.

“Freedom of expression is an essential process for advancing knowledge and discovering truth. An individual who seeks knowledge and truth must hear all sides of the question, consider all alternatives, test his judgment by exposing it to opposition, and make full use of different minds.”

—*Thomas I. Emerson,*
constitutional scholar

Community Collaboration for Public Education

Building community/school partnerships based on trust and dialogue among teachers, parents, students, and community members decreases the likelihood of public tensions over curriculum and teaching methods.

Our public schools are not without flaws, but they can be improved and made to function admirably as long as we remain committed to working together as a community, united by concern for our children and their future. It should be the common goal of educators, parents, and the community to ensure that students acquire basic skills and knowledge. Working together, parents and educators learn to understand each other's perspectives, to discuss issues calmly and rationally when they disagree, to compromise when necessary, and to make decisions that everyone agrees to honor. In the same way, our children learn to participate in democracy in their civic education classes.

Collaboration and consultation in the selection of educational materials can be crucial to protecting academic freedom, individual rights, community diversity, and common educational goals. Fair, professionally sound, and effective selection policies are central to this mission. A selection policy affirms a school district's belief in the value of information and ideas, its responsibility to provide a wide range of educational resources for teaching and learning, and its respect for the First Amendment rights of students and teachers.

Educational objectives and suitability are the main criteria for the selection of resources. Selection guidelines consider the age, maturity, ability levels, and learning styles of students. Resources are expected to reflect current scholarly and pedagogical thinking within relevant disciplines and, in addition, to represent the diversity of religious, ethnic, political, and cultural values held in a pluralistic society, to

illustrate the contributions of various groups, and, where relevant, to provide a range of viewpoints.

The best selection policies provide for a role for parents, teachers, librarians, administrators, students, and others in the community in the selection and reconsideration of educational materials. This collaboration is a valuable educational experience in itself, creating a bond between community and school and strengthening the commitment to public education.

Our public schools and our democracy owe much of their success to the respect for ideas that is at the core of the First Amendment. The freedom to think and learn, coupled with the right of every child to free public education, offers our children many opportunities and makes our democracy vibrant. This combination—free speech and free education—has served us well in the past and will continue to serve us well in the future.

The National Education Association is the nation's largest professional employee organization, representing more than 2.4 million elementary and secondary teachers, college faculty, school administrators, educational support personnel, retired educators, and students preparing to become teachers. The NEA was founded in 1857 to "elevate the character and advance the interests of the profession of teaching and to promote the cause of education in the United States." A leader in school reform, the association has invested more than \$100 million in public education improvements since 1983, the year of the watershed status report on American education, *A Nation at Risk*. NEA believes every child in America, regardless of family income or place of residence, deserves and needs a quality education. And a quality education begins with a quality teacher in every classroom.

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The National Coalition Against Censorship (NCAC) is an alliance of 48 national non-commercial organizations, including religious, artistic, professional, educational, labor, and civil liberties groups, united in their defense of freedom of thought, inquiry, and expression. NCAC educates the public and policy makers about threats to free expression, mobilizes grassroots support for the First Amendment, facilitates communications between local activists and national organizations, and devises new educational, advocacy, and media strategies to create a more hospitable environment for laws and decisions protective of free speech and democratic values.

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“Liberty without learning is
always in peril, and learning
without liberty is always
in vain.”

—*John Fitzgerald Kennedy*

“Beliefs that go untested and
unchallenged cannot prosper.”

—*Henry Louis Gates*



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NATIONAL EDUCATION ASSOCIATION

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