June 22, 2020

Mount Ascutney School District Board
Windsor Southeast Supervisory Union
105 Main Street, Suite 200
Windsor, VT 05089

Dear Board Members:

The National Coalition Against Censorship is an alliance of 57 national non-profits, including literary, artistic, religious, educational, professional, labor, and civil liberties groups. We promote freedom of thought, inquiry and expression for all Americans, including K-12 students, teachers, and staff.

We have learned that the Mt. Ascutney School District Board recently relieved Windsor School Principal Tiffany Riley of her position because she used her personal social media account to express an opinion on a matter of pressing public interest that the Board considers offensive. Specifically, while indicating her support for Black Lives Matter (BLM), Ms. Riley stated her disapproval of some of the tactics employed by some BLM activists. That, the Board’s June 12 statement claims, was “ignoran[t]” and “prejudice[d],” and showed a “lack of judgement” [sic].

Worse still, in the Board’s view, Ms. Riley compounded her thought crime by subsequently failing to adequately “acknowledge . . . culpability” for exercising her First Amendment right to free expression.

At this point, the Board almost certainly does not need to be told that a person’s exercise of free speech is not “culpable” behavior, and that its removal of Ms. Riley violated her constitutional rights. The Board’s June 18 statement indicates that it has received criticism for decision, and that criticism no doubt has included references to the extensive Supreme Court jurisprudence which holds that public employees have the right to speak as citizens about matters of public concern, and that that right can be restricted only to the extent “necessary for their employers to operate efficiently and effectively.” Garcetti v. Ceballos, 547 U.S. 410, 418 (2006). Given that the Board has not claimed, and cannot claim, that Ms. Riley’s speech renders her unable to do her job, it is obvious that the Board has erred.
What is perhaps less obvious is that the Board has done a disservice to its students by removing Ms. Riley. The Vision Statement of the Mt. Ascutney School District states that it seeks to “honor, encourage, and celebrate the excellence, diversity, and aspirations of each learner through creative and motivating challenges.” What lesson does the Board’s action send to its students? Is it to speak up when they see injustice? Is it to be willing to voice an unpopular opinion? Is it to be proud, independent Vermonters?

As educators, the Board surely knows that students sometimes act without sufficient reflection. So do school board members. What matters is what the person does after further reflecting on their actions. The NCAC calls upon the Board to set an example for your students by rescinding its decision to remove Ms. Riley, and by expressly reaffirming the right of students and staff to speak freely on matters of public concern.

Sincerely yours,

Christopher Finan
Executive Director
National Coalition Against Censorship

cc:
Elizabeth Burrows, Chair, Mt. Ascutney School Board
Amy McMullen, Vice Chair
Beth Carter, Board Member
Kris Garnjost, Board Member
Nancy Pedrick, Board Member
Bill Yates, Board Member

NCAC.ORG