

NATIONAL COALITION AGAINST CENSORSHIP

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 "ignorant" 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.

NCAC PARTICIPATING ORGANIZATIONS

Actors' Equity Association
AICA-USA
American Association of School Administrators
American Association of University Professors
American Association of University Women
American Booksellers for Free Expression
American Civil Liberties Union
American Ethical Union
American Federation of Teachers
American Jewish Committee
American Library Association
American Literary Translators Association
American Society of Journalists & Authors
Americans United for Separation of Church & State
Association of American Publishers
Authors Guild
Catholics for Choice
Children's Literature Association
College Art Association
Comic Book Legal Defense Fund
The Creative Coalition
Directors Guild of America
The Dramatists Guild of America
Dramatists Legal Defense Fund
Educational Book & Media Association
First Amendment Lawyers Association
Free Speech Coalition
Freedom to Read Foundation
Global Alliance for Behavioral Health and Social Justice
International Literacy Association
Lambda Legal
Modern Language Association
National Center for Science Education
National Communication Association
National Council for the Social Studies
National Council of the Churches
National Council of Jewish Women
National Council of Teachers of English
National Education Association
National Youth Rights Association
The NewsGuild-CWA
PEN America
People For the American Way
Planned Parenthood Federation of America
Project Censored
SAG-AFTRA
Sexuality Information & Education Council of the U.S.
Society of Children's Book Writers & Illustrators
Student Press Law Center
Union for Reform Judaism
Union of Democratic Intellectuals
Unitarian Universalist Association
United Church of Christ
Office of Communication
United Methodist Church,
United Methodist Communications
Women's American ORT
Woodhull Sexual Freedom Alliance
Writers Guild of America, East
Writers Guild of America, West

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,

A handwritten signature in black ink that reads "Chris Finan". The signature is written in a cursive, flowing style.

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

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