

NATIONAL COALITION AGAINST CENSORSHIP

YOUTH FREE EXPRESSION

July 8, 2022

Dr. Michael S Barnes
Superintendent
Foster-Glocester Regional School District
91 Anan Wade Road
Glocester, RI 02857

Dear Superintendent Barnes,

The National Coalition Against Censorship is an alliance of national nonprofit groups dedicated to protecting freedom of expression. We are writing today regarding media reports that students at Ponaganset High School may have been disciplined for protesting a school-sponsored Pride event. Students have a First Amendment right to express their views as long as they do not substantially disrupt school activities. If the rights of the students in this case were violated, the school must rescind any punishments and apologize.

We understand that one or more students carried flags to school the day after a Pride celebration expressing "anti-tolerance" sentiments. When school officials noticed, they reportedly admonished the protesters for expressing ideas "which [were] against core values of our district." If true, this statement raises serious First Amendment concerns. The Supreme Court declared in its landmark decision in *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969), that school officials may not forbid students from expressing ideas that they dislike unless they substantially disrupt school activities.

Last year, the Supreme Court reaffirmed the free speech rights of students. In *Mahanoy Area Sch. Dist. v. B. L.*, 594 U.S. ___, 141 S. Ct. 2038 (2021), the court declared that "the school itself has an interest in protecting a student's unpopular expression," particularly because "popular ideas have less need for protection." When school officials censor unpopular expressions, they diminish the complexity of the views that students are exposed to and inhibit their ability to readily engage with their larger communities outside of school. The court states that American public schools are "nurseries of democracy," and therefore, responsible for cultivating and preparing students for their responsibilities to society, including engaging with unpopular ideas. The Court continues, "This free exchange facilitates an informed public opinion, which, when transmitted to lawmakers, helps produce laws that reflect the People's will."

It is unclear if the protesting students were officially reprimanded or otherwise punished. But even if the students were not punished, absent a situation in which they were creating a substantial disruption, their protest should have been allowed to

continue. Moreover, school officials should never have declared that expression of ideas that clash with school policy are prohibited.

The district should acknowledge any errors it has made. Any punishment should be rescinded. An apology should be issued to the protesters. In addition, we urge you to inform students of their First Amendment right to hold and express unpopular opinions on school grounds; to instruct school employees not to obstruct lawful protests; and to take further steps to ensure that the free speech rights of students will be respected in the future.

Please let us know if you have any questions or need any further support in this matter. Thank you for your time and attention.

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: Dawn Cabral, Administrative Assistant to the Superintendent
Cindy Joyce, Co-Chair Regional School Committee
Melissa Worthy, Regional School Committee
Aaron Dupuis, Regional School Committee
Walter Steere, Jr., Regional School Committee
Beth Keeling, Regional School Committee
Jon Burlingame, Regional School Committee
Shelley Pezza, Co-Chair Regional School Committee
Kathleen Swanson, Regional School Committee
Brendan Mara, Regional School Committee