



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Alabama

July 7, 2021

Alabama State Department of Education
50 North Ripley Street
P.O. Box 302101
Montgomery, Alabama 36104

To the members of the Alabama State Board of Education:

We write you today out of concern for the letter and resolution presented by the Alabama Policy Institute (API) regarding the appropriate teachings of race, gender, racial injustice, and the teaching of what some believe constitutes “Critical Race Theory” in Alabama’s classrooms. As the nation’s premier defender of civil rights and civil liberties, the American Civil Liberties Union has staunchly advocated for the preservation of the First Amendment for over a century. While the principles of the First and Fourteenth amendments – as well as the Civil Rights Act of 1964 – are espoused by Mr. Williams, this attempt to manufacture a narrative that Critical Race Theory is permeating K-12 classrooms to sow hatred and division is false. The First Amendment protects the right to share ideas, including the right of listeners to receive information and knowledge with which they are uncomfortable. Sanitizing the teaching of our history and the legacy of slavery, oppression, racial injustice, and social inequality is an affront to the First Amendment and the monumental advances for civil rights and equal protection for all people in our nation’s history.

While the claims in the aforementioned letter distort the teachings of Critical Race Theory — an academic framework which emerged from legal scholars and is still taught today in law schools, not K-12 classrooms — it is concerning that this resolution attempts to bar educators from introducing concepts used to educate individuals about systemic barriers and discrimination that people of color and other historically marginalized groups continue to experience in this country and across its institutions. Imagine being a middle school history teacher and not being allowed to use concepts or terms like “systemic racism” to teach about or explain raced based chattel slavery, or an English teacher who cannot introduce the works of a slavery abolitionist such as Frederick Douglass.

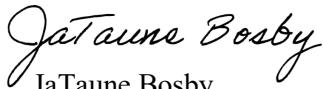
This resolution sends the wrong message to educators and school leaders throughout our state by promoting a particular view that teaching about accurate history and the ongoing scourge of systemic racism promotes division and hate. In fact, these teachings are core to our understanding of the events that propelled the leaders and foot soldiers from our own state to activate a movement for civil rights, securing passage of the Civil Rights Act of 1964, an ultimately becoming a blueprint for global social movements. In classrooms throughout our state, faculty and students alike learn and engage collectively in the ideals of activists and leaders who valiantly dedicated themselves to the pursuit of equal justice under the law and preservation of the ideals embodied in our Constitution. We cannot risk forgoing these teachings to promote a vision of history that glorifies a fictitious racist-free past while simultaneously silencing the viewpoints and experiences of those who suffered through the individual and structural inequality that

required revolutionary change across the country, but specifically here in Alabama. Researchers and educators also recognize that a school-wide approach involving education and training is necessary to combat harassment and bullying based on race and gender. Finally, for students of color, learning about the experiences and viewpoints of people of color and the impact of racism is critical to feeling seen, connected, and equally valued.

Instead of encouraging learning, this resolution aims to gag educators and students from talking about issues of the most profound national importance, such as the challenges of race, gender, and inequality in our country's evolution, and the impact of systemic racism in our society. This resolution is a blatant attempt to suppress and censor speech. It also harms the entire student body and risks propagating the very divisions claimed to be avoided. As the Supreme Court recognized in *Brown v. Board of Education*, "[e]ducation is the very foundation of good citizenship. ... [I]t is a principal instrument in awakening the child to cultural values."

A prohibition against speaking accurately about issues of race, gender, social inequality, and systems of race-based discrimination is a disservice to all students and to society. We encourage you all to think critically about how your decision regarding this resolution will impact generations of young Alabamians, the teachers that work to enrich their lives, and parents who are invested in their development.

Regards,

A handwritten signature in cursive script that reads "JaTaune Bosby".

JaTaune Bosby
Executive Director
ACLU of Alabama