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Dear Senate Education Committee,

Senate Bill 138 is clearly an attempt to censor discussion about race and gender in the classroom. The ACLU has a long history of defending the first amendment, specifically in the context of schools. This stretches as far back as the notorious Scopes trial, which protected teachers' rights to include evolution in science education, to *Mahanoy Area School District v. B.L.*, a United States Supreme Court Case decided last summer that centered around the free speech rights of a cheerleader.

Courts have affirmed time and time again: neither students nor teachers lose their first amendment rights at the school house gate. SB138 is an attack on free speech designed to protect the feelings of some students (or more likely their parents) when confronted with some painful or uncomfortable lessons.

SB 138 would bar educators from teaching K-12 public school students about important concepts around systemic racism, privilege, patriarchy, and racial equity. SB 138 references the history of slavery and racial segregation in our country, but denies how this history has defined our current understanding of race and its continued impact on society. Without the ability to view our culture through a historical lens, how will educators be able to accurately teach critical thinking skills or other important analytical concepts to our youth?

How can teachers and students discuss the relationship between Jim Crow laws of separate but equal and the state-endorsed practice of denying home loans (or redlining) to Black Americans, including GIs returning from WWII, to the current and substantial wealth gap between Black and white families.

Historical causation is observable throughout history; it is the way in which one historical event leads to another. This is important to remember as we think about the relationship between politics and history.

As of 2019, nearly 2.6 million people currently living in the South were adults when The Voting Rights Act was passed in 1965. This is not some relic of the past, but our current living history. To deprive educators of the ability to have fair discussions in their classrooms is government censorship and flagrant abuse of democracy. It denies the truth of lived, human experience that continues to impact many of our youth.



Although I, like many, would like to move past the ugly mistakes our country has made, I understand that doing so requires us to remember it, to discuss it, and to understand how it impacts us today. We cannot do that by censoring education, denying teachers and students their right to free speech, or attempting to bar relevant discussions on race, gender, religion, or social class.

Please Vote No on SB 138, thank you.

Kate Miller
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