

March 1, 2018

Dear New Jersey School Administrators, Educators, and Officials:

A student movement has arisen in response to the tragic school shooting in Parkland last month, and young New Jerseyans are raising their voices here. The ACLU of New Jersey asks you to support student efforts to engage in the issues of the day and encourage a spirit of civic participation in the various forms it may take.

Students taking a stand to call for the change they seek is not new. High school students have been a driving force behind social justice movements for decades, to historic ends in [the Civil Rights Movement](#) and in [ending the Vietnam War](#) to name just two. It takes courage for students to stand up for their beliefs, because so often it involves taking risks. Administrators are uniquely positioned to nurture a sense of social action in students by removing some of the barriers.

Outside of school, as you know, students enjoy the same rights to protest as others. During school hours, students have protection for political speech under our state and federal constitutions. Practically, this means:

- **Students cannot be punished for expressing their beliefs** unless it disrupts school functioning or the substance is lewd or vulgar.
- **Students can't be considered disruptive for wearing t-shirts, armbands, or other clothes or accessories that bear political viewpoints** – or face discipline as a result – just because someone may disagree with that view.

As students plan walkouts to press for changes in policy, please bear firmly in mind:

- **The Constitution forbids disciplining students more harshly for politically motivated conduct** than for similar, non-political behavior.
- **The ACLU of New Jersey may intervene if a student who leaves school as an act of political protest faces more severe punishment** than a classmate would for, say, ditching class to meet friends at a diner.

Instead of resorting to discipline, we hope your district embraces moments like these affirmatively as an opportunity for students to learn firsthand about civic engagement, no matter the cause at the center. Public schools are essential in educating young people about democracy, and that includes their role in enacting it.

Students' actions during this political moment – and the lessons they learn – will stay with them throughout their lives. In recent days we've asked ourselves: What lessons should students take from this moment, and as adults, what is our responsibility to them? Those answers are ever-evolving, but ultimately, we hold these principles: we want to foster civic participation in the next generation, and we strive to encourage young people to stand up against injustice. We hope you'll share these goals, too.

Sincerely,



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