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## **ACLU OF RI POSITION: OPPOSE**

### **TESTIMONY ON 25-H 5604, RELATING TO EDUCATION -- RIGHTS AND DUTIES OF TEACHERS GENERALLY April 1, 2025**

As an organization that exists to help safeguard the U.S. Constitution's Bill of Rights, the ACLU of RI has a natural affinity for supporting statutory protection of those rights as well. Promoting academic freedom in the classroom and encouraging freedom of speech by teachers are important goals, and to the extent they are emphasized by statutory provisions such as some of those included in this legislation, that is a good thing.

At the same time, a teacher bill of rights must also ensure that it does not infringe on the constitutional rights of others. In a number of respects, however, we believe this legislation does so. For example, while we understand that teachers do not want to be subject to "abusive language or upbraiding" by parents or others, parents have First Amendment rights of their own that may sometimes involve upbraiding teachers for actions they have or have not taken. Similarly, to give another example, "discriminatory attitudes" by others are unfortunate, but they cannot be banned.

In addition, while the ACLU strongly supports academic freedom, we are concerned that the broad language in this bill guaranteeing it by allowing teachers to present, without limitation, "ideas concerning . . . the physical and biological world" could invite, for example, the teaching of creationism into science classes – in violation of the First Amendment.

We recognize that the listing of rights in the legislation may be more aspirational than anything else. However, even laudatory prescriptive goals should not be written so broadly that they can be interpreted as denying rights to others at the same time they seek to guarantee rights to teachers. For these reasons, we oppose this legislation as written.