

I. Overview

For much of this nation's history, public schools have been charged with the vital mission of transmitting the principles and ideals of the First Amendment to each succeeding generation of Americans. But given the ignorance and contention now surrounding the First Amendment in American public life, how well do today's schools teach and apply our first freedoms as they educate for citizenship in the 21st century?

In order to provide a starting point for answering this question, the First Amendment Center and the Association for Supervision and Curriculum Development conducted a comprehensive survey designed to discover what public school teachers and administrators think about the role of the First Amendment in schools. The study was commissioned to coincide with the launch of a multi-year partnership between ASCD and the First Amendment Center that is designed to transform how all schools model and teach the rights and responsibilities that flow from the First Amendment.

The survey is based on telephone interviews with 1,802 public school teachers and administrators, conducted January 16 -31, 2001, by the Center for Survey Research and Analysis at the University of Connecticut. A total of 902 interviews were conducted with teachers--300 at the elementary level, 301 at the middle/junior high school level, and 301 at the high school level. Nine hundred interviews were conducted with administrators--300 at each of the three school levels.

The survey findings suggest that educators support the First Amendment in principle, but are wary of applying it in schools. Given the important interest educators have in discipline and safety, it isn't surprising that many teachers and administrators are reluctant to risk a robust application of First Amendment freedoms by students during the school day. Most educators think that students already have enough freedom, and that restrictions on freedom in the school are necessary. Many support filtering the Internet, censoring T-shirts, disallowing student distribution of political or religious material, and conducting prior review of school newspapers.

In spite of this willingness to restrict student rights, most educators think that their schools currently do a good job of teaching students about the First Amendment and promoting First Amendment principles through school activities and practices. This self-evaluation is in sharp contrast to the general public's view (obtained from an earlier First Amendment Center survey) that schools aren't doing enough to educate students about the First Amendment.

Overall, the findings of the survey suggest that educators aren't convinced that students can exercise their rights with responsibility. They want students to learn about freedom, but not necessarily to practice freedom--at least not in the school setting. This may be due, in part at least, to unfamiliarity among educators about the five freedoms, and an uncertainty about how to teach freedom with responsibility in today's permissive society.

These findings pose two key challenges to schools and communities: First, there is an urgent need to reform how school officials are educated about the First Amendment, in addition to how students are educated about the First Amendment. Second, models must be created to demonstrate that democratic schools framed by First Amendment principles are not risky ventures; they are places of civic responsibility and enhanced learning.

The guiding principles of the First Amendment stand at the heart of our democracy and at the foundation of citizenship in a diverse society. If we are to sustain this extraordinary experiment in liberty, we must resist our fear of freedom--especially among the young--and work to ensure that our schools become laboratories for democracy.

II. Summary of Key Findings

The following are questions posed to survey participants along with a brief analysis of the responses given.

1. KNOWLEDGE OF THE FIRST AMENDMENT

As you know, the First Amendment is part of the U.S. Constitution. To the best of your recollection, can you name any of the specific rights that are guaranteed by the First Amendment?

Teachers and administrators were better able than the general public to recall First Amendment freedoms (see table below), although about one educator in five was unable to name any of them. Teachers and administrators did not differ appreciably in their abilities to recall First Amendment freedoms. A familiarity with First Amendment freedoms was highest at the high school level, especially with respect to lesser-known freedoms--for example, 24% of high school teachers mentioned the right of assembly, compared to 11% of elementary teachers.

	Teachers	Administrators	Public
Speech	73%	77%	60%
Religion	25	22	16
Press	22	19	12
Assembly	18	17	9
Petition	6	4	2
Don't	19	18	37

2. PERCEIVED QUALITY OF FIRST AMENDMENT EDUCATION

Overall, how would you rate the job that the American

educational system does in teaching students about First Amendment freedoms--excellent, good, fair, or poor?

Majorities of both teachers and administrators gave high ratings ("excellent" or "good") to the quality of First Amendment education in American schools (58 percent and 68 percent respectively). This differs enormously from the general public, just 28 percent of who rated First Amendment education in American schools as either "excellent" or "good." Teachers and administrators at higher grade levels gave better ratings than did their counterparts in lower grades--for example, 65 percent of high school teachers said "excellent" or "good," as opposed to just 48 percent of elementary teachers.

	Teachers	Administrators	Public
Excellent	13%	15%	3%
Good	45	53	25
Fair	29	25	35
Poor	7	5	30
Don't Know	5	2	2

3. EFFORTS TO PROMOTE FIRST AMENDMENT PRINCIPLES

How much, if at all, does the following statement apply to your school: "My school has made specific efforts to promote First Amendment principles through school activities or policies."?

About a third of teachers (30 percent) and administrators (36 percent) said that the statement applied "a lot" to their school. The rest said it applied "some," "only a little," or "not at all." At the elementary and middle/junior high levels, administrators were only somewhat more likely than teachers to say their school has made "a lot" of specific efforts to promote First Amendment principles through school activities or policies (31 percent versus 27 percent). But at the high school level, administrators were much more likely than teachers to say this applied to their school "a lot" (46 percent versus 35 percent).

	Teachers	Administrators
A lot	30%	36%
Some	47	47
Only a little	15	12

Not at all	6	4
Don't know/Refused	2	1

4. EXTENT OF STUDENT FREEDOM OF EXPRESSION

Overall, do you think that students at your school have too much freedom to express themselves, too little freedom to express themselves, or about the right amount of freedom to express themselves while at school?

There was overwhelming consensus that the amount of student freedom of expression is "about right," both among teachers (82 percent) and among administrators (91 percent). However, about one teacher in ten (11 percent) felt that students have too much freedom, compared to about one administrator in twenty (5 percent). No real differences were apparent across grade levels. Just 6 percent of teachers and 3 percent of administrators felt that students at their school had "too little" freedom to express themselves.

	Teachers	Administrators
Too much	11%	5%
Too little	6	3
Right amount	82	91
Don't know/Refused	1	1

5. EXTENT OF STUDENT FREEDOM OF RELIGION

Overall, do you think the students at your school have too much religious freedom, too little religious freedom, or about the right amount of religious freedom while at school?

Again, there was overwhelming consensus that the amount of student religious freedom is "about right" among both groups (77 percent among teachers, 82 percent among administrators). But one teacher in five at the elementary (20 percent) and middle school (21 percent) levels said that students have "too little" religious freedom, compared to about one administrator in seven (13 percent and 14 percent respectively). There was no difference between high school administrators and teachers on this question, and no difference among administrators at different grade levels.

	Teachers	Administrators
Too much	1%	1%

Too little	19	14
Right amount	77	82
Don't know/Refused	3	3

6. LEVEL OF ACADEMIC FREEDOM FOR TEACHERS

Overall, do you think the teachers at your school have too much academic freedom, too little academic freedom, or about the right amount of academic freedom?

Again, there was strong consensus that teachers have “about the right amount” of academic freedom (70 percent among teachers, 80 percent among administrators). But teachers, in general, were more likely than administrators to say they have too little academic freedom (25 percent versus 14 percent). This was especially true at the elementary school level, where teachers were twice as likely as administrators to say they have too little academic freedom (29 percent versus 13 percent). Among teachers, the proportion who said they have too little academic freedom went down as grade level went up (29 percent among elementary teachers versus 20 percent among high school teachers). Among administrators, there were no differences across grade levels.

	Teachers	Administrators
Too much	4%	6%
Too little	25	14
Right amount	70	80
Don't know/Refused	2	*

For the next set of questions, survey participants were read some statements. For each, they were asked if they agreed or disagreed with the statement.

ADULT-LED PRAYER IN SCHOOL

7. "Teachers or other public school officials should be allowed to lead prayers in school."

Fairly strong majorities of both teachers and administrators felt that teachers or other public school officials should NOT be allowed to lead prayers in schools (59 percent and 69 percent respectively). Administrators were particularly vehement in their disapproval of prayer in schools, with a substantial plurality (45 percent) saying they "strongly disagree." This stands in sharp contrast with the sentiments of the general public, who strongly favored teacher- or administrator-led prayer in the schools (see chart below).

There was little difference in opinion on this issue among administrators at different grade levels, or among teachers at different grade levels.

	Teachers	Administrators	Public
Strongly agree	20%	14%	48%
Mildly agree	18	15	17
Mildly disagree	20	24	13
Strongly disagree	39	45	19
Don't know/Refused	3	2	3

8. STUDENT-LED PRAYER IN SCHOOL

"Students should be allowed to lead prayers over the public address system at public school-sponsored events such as football games."

Among both teachers and administrators, there was greater support for student-led prayer than for teacher- or administrator-led prayer, although a majority of both groups (53 percent and 58 percent respectively) disagreed that "students should be allowed to lead prayers over the public address system." Among administrators, there was very little difference of opinion on this item across grade levels. But among teachers, it was those at the elementary school level who felt strongest about letting students lead prayers at public school-sponsored events. In fact, a slight majority of elementary school teachers (52 percent) agreed with the statement, with one-third strongly agreeing. Again, among the general public there was strong support for letting students lead prayers at public school-sponsored events.

	Teachers	Administrators	Public
Strongly agree	28%	22%	44%
Mildly agree	17	18	20
Mildly disagree	18	19	15
Strongly disagree	35	39	20
Don't know/Refused	2	2	1

9. STUDENT REPORTING ON CONTROVERSIAL ISSUES

"Students at public high schools should be allowed to report on controversial issues in their student newspapers without approval of school authorities."

Strong majorities of both teachers and administrators disagreed that students should be granted this freedom (66 percent and 75 percent respectively). However, teachers were significantly more likely to say students should be allowed to do this than were administrators (32 percent versus 21 percent). Among teachers, support for this practice was highest at the high school level (37 percent) and lowest at the elementary school level (26 percent). There was little difference in the opinions of administrators at all levels. There was stronger support for this practice among the general public (43 percent) than among either teachers or administrators, although a majority of the public (55 percent) believes that school authorities should be able to review controversial articles before they are published.

	Teachers	Administrators	Public
Strongly agree	12%	7%	26%
Mildly agree	20	14	17
Mildly disagree	29	27	22
Strongly disagree	37	48	33
Don't know/Refused	2	3	2

10. STUDENT EXPRESSION OF RELIGIOUS VIEWS IN CLASS

"Students in public schools should be allowed to express their own religious views in a class discussion as long as their views are relevant to the topic."

Neither administrators nor teachers had a problem with this principle. There was near unanimous agreement with this statement among both groups (98 percent among teachers, 96 percent among administrators); four-fifths of each group agreed strongly with it.

	Teachers	Administrators
Strongly agree	83%	78%
Mildly agree	15	18
Mildly disagree	1	2

Strongly disagree	*	1
Don't know/Refused	1	1

11. STUDENT FREEDOM TO WEAR OFFENSIVE T-SHIRTS
"Public school students should be allowed to wear a T-shirt with a message or picture that others may find offensive."

There was virtually no support for allowing students to wear T-shirts with a message that others might find offensive. Three-quarters of teachers and four-fifths of administrators disagreed strongly with this. The general public also disagreed with this, but not nearly as strongly (just 48 percent strongly disagreed). In fact, about one in four members of the general public (26 percent) thought students ought to be allowed to wear such T-shirts, compared to just one in twenty teachers (6 percent) and administrators (4 percent).

	Teachers	Administrators	Public (SOFA,1997)
Strongly agree	1%	1%	9%
Mildly agree	5	3	17
Mildly disagree	18	13	22
Strongly disagree	74	80	48
Don't know/Refused	2	3	4

12. STUDENT FREEDOM TO DISTRIBUTE RELIGIOUS MATERIALS
"Public school students should be allowed to distribute religious materials at school."

Both teachers and administrators were generally disinclined to allow students to distribute religious materials at school (58 percent of teachers and 61 percent of administrators disagree with this). However, teachers at the high school level were somewhat more open to the idea than were high school administrators (49 percent of teachers in favor versus 39 percent of administrators). While there was relatively little difference in opinion on this among administrators at different levels, support for this was significantly higher among teachers in the higher grade levels. While just three teachers in ten (29 percent) at the elementary school level agreed with this, roughly half (49 percent) of high school teachers favored allowing students to distribute religious materials at school.

	Teachers	Administrators
Strongly agree	14%	11%
Mildly agree	25	24
Mildly disagree	23	22
Strongly disagree	35	39
Don't know/Refused	3	4

13. STUDENT FREEDOM TO DISTRIBUTE POLITICAL MATERIALS
"Public school students should be allowed to distribute political materials at school."

Compared to the level of support shown for the distribution of religious materials, there was greater support among both teachers and administrators for allowing students to distribute political materials at school, with about half of both groups agreeing that this should be permitted (49 percent and 46 percent respectively). Again, support for this was greatest among high school teachers (60 percent). But high school administrators (55 percent) were also more supportive of this than were either middle or elementary school administrators. Elementary school teachers and administrators generally thought this was not a good idea, by a margin of about 3 to 2.

	Teachers	Administrators
Strongly agree	16%	12%
Mildly agree	33	34
Mildly disagree	19	21
Strongly disagree	28	29
Don't know/Refused	5	4

14. STUDENT FREEDOM ON PERSONAL WEB SITES AT SCHOOL
"Public school students who have personal Web sites on school computers should be allowed to post material on their Web sites that others may find offensive."

There was virtually no support among either teachers or administrators for allowing students to post potentially offensive materials on personal Web sites that are housed on school computers--90 percent of teachers and 92 percent of administrators disagreed with this.

	Teachers	Administrators
Strongly agree	2%	2%
Mildly agree	5	3
Mildly disagree	12	9
Strongly disagree	78	83
Don't know/Refused	3	3

15. STUDENT INVOLVEMENT IN DECISION MAKING
"Public school students should be allowed to participate in making decisions about school rules."

There was near-unanimous support for including students in the decision-making process (92 percent of teachers and 96 percent of administrators). Two-thirds of both groups strongly agreed with this.

	Teachers	Administrators
Strongly agree	65%	69%
Mildly agree	27	27
Mildly disagree	4	2
Strongly disagree	3	2
Don't know/Refused	1	1

16-18. STUDENT-LED CLUBS
"Many public high schools allow students to form extra-curricular clubs. In your opinion, if a high school allows a variety of clubs, should it also allow political clubs, religious clubs, and gay and lesbian clubs?"

Both teachers and administrators (at the high school level) agreed that high school students should be allowed to form political clubs, religious clubs, and clubs organized around the concerns of gay and lesbian students, although support was highest for the first (89 percent among teachers, 83 percent among administrators) and lowest for the last (70 percent and 69 percent). About one in four teachers and administrators thought that high school students should NOT be allowed to form clubs organized around the concerns of gays and lesbians.

Political Clubs

	Teachers	Administrators
Yes	89%	83%
No	7	11
It depends	4	4
Don't know/Refused	*	1

Religious Clubs

	Teachers	Administrators
Yes	82%	81%
No	14	15
It depends	4	3
Don't know/Refused	*	1

Clubs organized around the concerns of gay and lesbian students

	Teachers	Administrators
Yes	70%	69%
No	23	24
It depends	5	4
Don't know/Refused	2	3

19. ROLE OF RELIGION IN CURRICULUM

Please tell me whether you agree or disagree with the following statement: "The public school curriculum should include more study about religion as an academic subject matter."

A small majority of administrators agreed with this statement (53 percent agreed, 44 percent disagreed), while teachers favored it by about a 3 to 2 margin (57 percent agreed, 40 percent disagreed). Support among teachers was greatest at the high school levels, with 63 percent of high school teachers favoring more religion in the curriculum. There was no clear-cut trend among administrators on this issue.

	Teachers	Administrators
Strongly agree	28%	24%
Mildly agree	29	29
Mildly disagree	21	24
Strongly disagree	19	20
Don't know/Refused	3	3

20. USE OF FILTERING SOFTWARE IN SCHOOL

Please tell me which of the following two statements comes closest to your own opinion:

1. "Public school students should be allowed unfiltered access to ALL Web sites on school computers, even if this means that they may occasionally encounter inappropriate or offensive material."

OR

2. "Public schools should install software on school computers that blocks student access to potentially inappropriate or offensive Web sites, even if this means that some useful Web sites may be blocked from view."

Virtually all teachers and administrators (90 percent) favored the installation of blocking software on school computers in order to prevent student access to potentially inappropriate or offensive Web sites, although there was a very mild trend among both teachers and administrators toward allowing unfiltered access at the higher grade levels. Among elementary teachers, just 4 percent felt students should have unfiltered access to the Internet, compared to 8 percent among middle/junior high school teachers and 13 percent among high school teachers. The corresponding percentages for administrators at each of these levels were 5 percent, 7 percent, and 11 percent.

	Teachers	Administrators
Statement 1	8%	8%
Statement 2	90	90
Don't know/Refused	2	2

21. FAMILIARITY WITH THE U.S. DEPARTMENT OF EDUCATION'S GUIDELINES ON RELIGIOUS EXPRESSION IN SCHOOLS

Last year, the U.S. Department of Education distributed a set of materials that included guidelines on student religious expression in public schools. How familiar, if at all, are you with those materials?

About four in ten administrators (42 percent) said they were at least "somewhat familiar" with the guidelines on religious expression that were distributed to schools by the U.S. Department of Education last year. But the guidelines apparently reached very few teachers. Just 15 percent said they were at least "somewhat familiar" with the guidelines, while seven in ten (69 percent) said they were "not at all familiar" with them. Among administrators, four in ten (39 percent) said they were "not at all familiar" with the guidelines.

	Teachers	Administrators
Very familiar	2%	8%
Somewhat familiar	13	34
Not too familiar	77	19
Not at all familiar	69	39

General observations:

Where teachers and administrators differed from the public:

- Teachers and administrators are somewhat more knowledgeable than the public about First Amendment freedoms.
- The public gives much lower marks for the current state of education about the First Amendment than educators do.
- The public is much more likely to favor school prayer than educators.
- The public is somewhat more likely to support students reporting on controversial issues in school newspapers.
- The public is also somewhat more likely to support the right of a student to wear a T-shirt with a potentially offensive message in school.

Where teachers and administrators agreed with the public:

- Both sides were almost unanimous in their support of installing filtering software on public school computers.

Where teachers differed from administrators:

- Administrators were more likely than teachers to give higher marks for the current state of First Amendment education.
- Teachers were somewhat more likely to say students have "too much" freedom in schools.
- Administrators are less likely to favor the idea of having either teacher or administrator-led prayer in school.
- Teachers are more likely to support the right of students to report on controversial issues in the school paper.
- Administrators are much more likely to be familiar with the Department of Education's guidelines on student religious expression in school.

Where teachers in higher grades differed from teachers in lower grades:

- High school teachers are more knowledgeable about the specific First Amendment freedoms.
- High school teachers give higher marks to the state of First Amendment education in school.
- High school teachers are more likely to say that their school does "a lot" to promote the First Amendment freedoms.
- High school teachers are less likely to say students have "too little" religious freedom in school.
- High school teachers are less likely to support the notion of having teacher or administrator-led prayer.
- High school teachers are also less likely to support student-led prayer.
- High school teachers are more likely to support any student who wants to report on a controversial issue in the school newspaper.
- High school teachers are more likely to support the idea that there needs to be more study about religion in the curriculum.
- High school teachers are slightly less likely to support the use of filtering software on school computers.

Where administrators in higher grades differed from administrators in lower grades:

- High school administrators were more knowledgeable about the First Amendment freedoms.

- High school administrators give slightly higher marks to the state of First Amendment education in schools.
- High school administrators are more likely to say that their school is doing "a lot" to promote First Amendment principles.
- High school administrators are more likely to support the distribution of both religious and political materials.
- High school administrators are slightly less likely to support the use of filtering software on school computers.

III. Methodology

The First Amendment Center commissioned the Center for Survey Research and Analysis (CSRA) at the University of Connecticut to conduct a survey of public school teachers and administrators regarding the First Amendment in the schools. Two separate studies, one with public school teachers and one with public school administrators, were conducted by telephone between January 16th and January 31st, 2001.

The sample for this project was purchased from Survey Sampling, Inc. (SSI) of Fairfield, Connecticut. The SSI database collects teacher names from a variety of sources including association membership, subscriptions to education publications, and catalog purchases. The total database contains approximately 1 million teachers and administrators with home addresses and telephone numbers.

Because the sample was drawn from a database that did not include the names and contact information for all public school teachers and administrators in the United States, the sample drawn from this database represents a convenience sample. As such, the results obtained may not be representative of the opinions of all public school teachers and administrators in the country. An important assumption of this study was that, with respect to the topic of this survey, the opinions of teachers and administrators included in this database would not differ in a systematic way from the opinions of those who were not included in the database.

The sample was divided into six strata according to whether the selected individual was an administrator or a teacher, and then according to the grade of school taught or administered. All respondents were then asked screening questions to verify whether they were a public school administrator or teacher, and whether their school was an elementary school, a middle or junior high school, or a high school. Respondent answers to the screening questions, as opposed to the sample stratum, determined the analytic category into which the respondent was placed for purposes of this study. Interviews were conducted at CSRA's interviewing facility in Storrs, Connecticut, using a Computer Assisted Telephone Interviewing system. All CSRA surveys are conducted by professional

survey interviewers who are trained in standard protocols for administering survey instruments. Interviewers are extensively monitored by center staff to insure CSRA standards for quality are continually met.

A total of 1802 interviews were conducted, 900 with public school administrators and 902 with public school teachers. For the survey of administrators, 300 interviews were conducted with administrators at each of the school levels (elementary, middle/junior high and high school). For the survey of teachers, 300 interviews were conducted with teachers at the elementary level, 301 with teachers at the middle/junior high school level and 301 with teachers at the high school level.

Since this study was conducted using a convenience sample, it is not technically possible to calculate a margin of sampling error for the results. Had this been a true random sample of all public school teachers and administrators, the sampling error for a sample of approximately 900 people would have been ± 3 percentage points at the 95 percent level of confidence. In other words, the chances are less than one in twenty that the results from a survey of this many people would differ by more than 3 percentage points in either direction from the results that would have been obtained if all public school teachers and administrators had been interviewed. For sub-groups, the sampling error would be larger. For example, the sampling error for a sample of approximately 300 people (the sample size for each school level) would be ± 6 percentage points at the 95 percent level of confidence. CSRA also attempted to minimize other possible sources of error.

1 The public findings are taken from the First Amendment Center's "State of the First Amendment" Survey, SOFA 2000.

2 Less than 1%.

3 These questions were asked only of high school teachers and administrators.

4 These results were very similar to those obtained from the general public concerning the use of blocking software on computers accessible by children in public libraries. Just 11 percent of the public felt that all public library users, including children, should have unfiltered access to all Internet sites (SOFA, 2000).