

# Lessons in Liberty

*First Amendment Schools in Year One* — Charles C. Haynes and Sam Chaltain

## BonnieJean Avilez had something she needed to say.

A foreign language teacher at Nursery Road Elementary School in Columbia, South Carolina, BonnieJean was meeting with other community members to reflect on the school's first year as a First Amendment School. "It's always been important for our work to be meaningful," she said. "But the work we're doing in this project is dripping with meaning; it's so crucial if we want to foster change in our children, and I don't see enough other schools doing that."

Jane Nesbitt, a second grade teacher, spoke next. "This project has woken me up—it has made me so much more aware of the rights and responsibilities we have, and what's best is that it's the *children* who have done that for me."

And so it went for the next thirty minutes, as administrators, teachers and parents spoke of the changes they have seen in themselves and their children. After just one year as a First Amendment School, Nursery Road had discovered that educating for democratic citizenship is much more than an academic endeavor; it's about making their school culture more open, democratic and free.

They're not alone.

On March 16, 2001, the 250<sup>th</sup> anniversary of James Madison's birth, the Association for Supervision and Curriculum Development (ASCD) and the First Amendment Center launched *First Amendment Schools: Educating for Freedom and Responsibility*, a national school reform initiative designed to help all schools—K-12, public and private—model and apply First Amendment principles throughout their communities. A year later, eleven schools were selected as First Amendment Project Schools—schools committed to becoming models of democratic freedom.

The initiative was launched with high hopes—and great expectations. At

the time, First Amendment advocate Nat Hentoff echoed the excitement of many when he wrote:

Given the chance, students and educators both can learn to value and exercise the First Amendment in the classroom. ... I spent six years at Boston Latin School, which was founded in 1635, and where teachers had to be called 'masters,' and most acted that way. Any proposals from a student would have been regarded by the principal and faculty as requiring an insertion in college recommendations that the student was a troublemaker. But then such revolutionary ideas would never have occurred to any of us. The First Amendment Schools project may create a revolution.<sup>1</sup>

The good news is that most parents, students and educators who hear about First Amendment Schools (FAS) are inspired by the vision. At the same time, many adults are pessimistic about the implementation. Is it possible to create and sustain models of democratic freedom in a system of education that is largely undemocratic and unfree?

If the first year reports from the inaugural eleven project schools are any measure, the answer is a resounding "yes." Of course, each project school still has a long way to go—and much work to do. But early results suggest that "educating for freedom and responsibility" may well be a trend for the future.

## Guiding Principles of First Amendment Schools

What are "First Amendment Schools?" They are places that model and apply the democratic principles they are charged with teaching. They are schools that carry out this mission in different ways,

depending on the age of the students, the size of the school, the needs of the local community, and whether the school is public or private.

What unites First Amendment Schools is not one view of democratic education or the First Amendment, but rather a shared commitment to the following four principles:

1. **CREATE LABORATORIES OF DEMOCRATIC FREEDOM:** All members of the school community have substantial opportunities to practice democracy and have a meaningful voice in shaping the life of the school. This means that staff, students, parents and community members are included when decisions are made about organization, governance and curricula. In a First Amendment School everyone has opportunities to exercise leadership, negotiate differences, propose solutions to shared problems, and practice other skills essential to thoughtful and effective participation in civic life.

2. **COMMIT TO INALIENABLE RIGHTS AND CIVIC RESPONSIBILITY:** First Amendment Schools uphold constitutional rights by protecting religious liberty, encouraging freedom of expression, promoting academic freedom, ensuring a free student press and supporting broad-based involvement in school governance. In a school culture that takes democratic freedom seriously, students learn how to exercise their First Amendment rights with civic responsibility. Student newspapers, for example, flourish best without prior review. But such freedom only works when accompanied by education in the ethics of journalism and a clear understanding that a free press should also be a fair press.

3. **INCLUDE ALL STAKEHOLDERS:** Within the First Amendment framework of rights and responsibilities, parents, students, educators, and community members work together for the common



Fairview Elementary School (Modesto, Calif.) student government Vice President Louie Alvarez addresses the Fairview community as student filmmaker William Dobbs captures the scene.

good. First Amendment Schools model the democratic process and uphold individual rights in the development of policies and curricula. Decisions are made only after appropriate involvement of those affected by the decision and with due consideration for the rights of those holding dissenting views.

4. TRANSLATE CIVIC EDUCATION INTO CIVIC ENGAGEMENT: First Amendment Schools promote active citizenship by giving students opportunities to address problems and issues in their communities, our nation and the world through service-learning and involvement in public policy.

In a First Amendment School, “democracy” is more than an abstract idea found in textbooks. It is lived and practiced.<sup>2</sup>

#### **What Does a First Amendment School Look Like?**

All of the inaugural eleven First Amendment project schools are working

hard to carry out their commitment to these four principles. But each school approaches the task of “educating for freedom and responsibility” in a different way. A few already have in place organizational structures that promote democratic learning communities, while others are only now starting to develop policies and curricula designed to support the vision of the project.

How does this work affect the daily life of a school? Visit Harmony School, a K-12 private school in Bloomington, Indiana, and watch students help make decisions about their school at weekly Family Meetings. Students address a wide range of issues, from the inter-personal to the curricular, and make decisions on many questions involving school activities, the schedule, and their environment.

Community involvement is a core commitment at Harmony that is reflected throughout the curriculum. The class on Poverty, for example, is an academically rigorous course structured around a range

of service projects. As part of their preparation, students spend class time speaking with people from the community who provide outreach to the city’s neediest and the students read studies of poverty in America. One class recently read Barbara Ehrenreich’s *Nickel and Dimed: On (Not) Getting By in America*. After finishing the book, the class went to hear the author speak at Indiana University, and asked her follow-up questions based on their class discussions.

Experiences like these have helped the students understand the link between service and public policy. Sophomore Matthew Basore summed up his work in the course this way: “I know that what we’re doing is called service-learning,” he said, “but I think it should be called learning service. That’s what we’re *really* doing.”

At Center City School (CCS), a secondary public charter school in Salt Lake City, Utah, students are also given a real voice in shaping the life of the school. At CCS, faculty and students meet daily in

small groups and weekly in Town Meetings to address concerns and make decisions.

Often the discussion will move beyond school issues and focus on questions of public policy. Last year, for example, when CCS Principal Sonia Woodbury learned of a new state mandate in Utah that required schools to recite the Pledge of Allegiance once a week, she saw an opportunity to promote a lively, but civil, school-wide discussion about the Pledge and the meaning of patriotism. Students debated and wrote about the issue in a series of meetings—and created a bulletin board illustrating the many different perspectives in the school. “I feel like I already love my country,” said one student. “Saying the pledge isn’t going to do anything about it.” “Why do we need to do it every week anyway?” asked another. “After all, it’s a *pledge*. Are they afraid it’ll wear off?”

The students also considered how to implement the state mandate. “How should students opt out?” asked one girl. “Should they all go to a separate room, or should they just sit at their desks?” “I think they should just do it silently and respectfully in the room,” said another. Eventually, students and faculty decided to sponsor an “opt-in room,” where students can recite the Pledge on their way to Town Meeting. So far this fall, said Woodbury, “we have about half of the students participating. But what’s been most impressive to me is how our overall level of sensitivity as a community has increased. Before this issue came up, most of these students didn’t understand how important this issue is on both sides of the debate. Now, they do.”

Across town, two Salt Lake City public middle schools—Butler and Northwest—are experimenting with new ways to strengthen student voice and leadership. According to Northwest teacher Mary Morris, “First Amendment principles have become the umbrella under which both operating practices and reform efforts are organized, as well as an over-arching curricular theme.” And Butler’s emphasis on freedom and responsibility has resulted in the creation of a Student Senate, whose members are elected from advisory classes. An early victory was to obtain the right of students

to access their backpacks for 7th period (in the past, they had to be stored until the end of the day), and the permission to purchase student benches for the school.

Last spring, Butler Principal Beverly Ashby asked a class what they thought of the Senate work thus far: “This has been a really big jump for us,” said a 9th grader named Arianna. “It’s helped us get more involved.”

When asked to share the obstacles thus far, the students were equally candid. “This year Senate meetings were too rushed,” said Xavier, an 8th grade senator. “We need more time next year.” Another boy said, “Not every class talks about the issues enough, and the whole class doesn’t always participate.”

Despite the growing pains, Butler’s early experiment is off to a good start. But Beverly Ashby isn’t satisfied. “I still worry about the kids who feel like they don’t have any voice at the school,” she says. “They’re just as much a part of this community as anyone else. If we don’t reach them, we’ll never fully embody the school we can be.”

### Is Freedom Safe?

Critics assert that democratic freedom in a school setting is too risky (“Schools aren’t meant to be democracies,” thundered one educator.). It’s just a matter of time, they say, before the inmates take over the asylum.

But surely the greater risk is to deny freedom. We’ll never have “safe schools” until we engage students in the task of creating free and responsible communities of learning. The problem isn’t that kids have too much freedom; it’s that they have too few opportunities to exercise their freedom with responsibility.

Seeing is believing. Visit Federal Hocking, a public high school in Stewart, Ohio, where students sit on all of the school committees, including the site-based governance team, and where fully one-third of the senior portfolio needed for graduation focuses on service and active citizenship. Federal Hocking stresses its emphasis on student involvement at the beginning of each school year. This fall, George Wood, the school’s principal and one of the nation’s leading spokesmen for

democratic education, began with a special assembly about the First Amendment Schools project. Following the assembly, students returned to advisory classes to fill out ballot forms and sign up for a variety of First Amendment School sub-committees. Students selected from a menu that included the central steering committee, the school hiring committee—where any potential teacher or administrator must first be interviewed by a team of students—and the school newspaper’s new editorial staff.

Of course, such pleas always bring mixed results. In one advisory class, several students chose to fold up First Amendment School brochures rather than fill out their ballots. One teacher, when asked to comment on the lack of interest, voiced a concern shared by so many schools across the country: “There’s a lot of apathy among young people,” he said, “so it’s hard to get them involved in community-improvement work like this.”

Later in the fall, however, Dr. Wood reported that the committee was “simply overwhelmed with student requests to be involved in various activities, and this time from some new students.” It appears the message had found its mark among many of the students after all.

At Hudson High School in Hudson, Massachusetts, the school community is engaged in a bold experiment in school governance. Beginning this year, students and faculty meet in “clusters” organized around academic interests and designed to involve students in decision-making about school life. At Lanier High School in Jackson, Mississippi, the school recently held a “constitutional convention” to draft a plan to give students a meaningful voice in decision-making.

Good reports come from Edith Bowen Laboratory School in Logan, Utah, where elementary-aged kids have begun to deliver ten-minute editorial broadcasts on the school’s television program. Edith Bowen Television, or EBTv, airs each Friday morning. The new editorial feature is called F.I.R.S.T. (Freedom for Individuals to Respectfully State their Thoughts). The commentaries, according to teacher Dorothy Dobson,

“are completely driven by student choice,” and allow the students a chance to help shape their environment. The first installment was from a third grader talking about the food left on trays in the lunchroom. This fall, more kids have been lining up to speak out.

### Why Freedom Works

Lecturing students about the meaning of democratic freedom is no solution to young people’s lack of interest in the political process. The key is to involve students—and *all* members of the school community—in the actual *practice* of democracy and freedom. No one learns very much about the rights and responsibilities of citizenship from a textbook; democratic freedom must be lived and experienced.

This is the lesson learned at Fairview Elementary School in Modesto, California, where last year the entire community took part in an open debate about the public school’s dress code. Many students and parents had been telling Fairview’s principal, Rob Williams, that the school’s uniform policy was too restrictive and far-reaching. Others said they appreciated the policy, which forbade clothes and colors that were associated with local gangs, but still gave students some freedom in determining what they wore to school each day. Williams decided that as a First Amendment School, Fairview should put the issue to a vote.

At the school-wide debate, held on a beautiful spring day in the school’s central courtyard, both sides stated their case. Vice Principal Cecilia Cobb argued in favor of the uniform policy: “There is a time and place for fun clothes and fashion. I believe school is not that place. When students put on a uniform, just like a pilot or a police officer, they indicate that they are ready to do their job. Children should be ready to do their job as students.” Kathi Gomes, a Fairview parent, offered an opposing view: “I am against uniforms because I want my children to know and feel that they are individuals, and that they can make responsible decisions for themselves,” she said. “I don’t want that one choice taken away from them.” A student named Angel agreed: “This is what the kids are

going to be wearing; they should be a part of the decision.”

After the debate, the students filled out their ballots in their homerooms. Not surprisingly, most voted to get rid of the uniforms. One class, however, learned from their teacher that the final decision of whether or not to keep the uniform policy would be decided by a parent vote later that month. “We were told that student votes mattered,” said the teacher, “but in the end, it turns out that their votes won’t really count.” To protest the rules of the election, the class unanimously decided to withhold their votes.

A different principal might have seen such dissension as a problem. Williams saw it as an opportunity to re-think the process. “I had misjudged the usefulness of the exercise,” he confessed. “I realized I was sending the wrong message if I didn’t include the students’ voices.” To remedy the situation, Williams revised the rules to ensure that student votes were counted, while still giving parents the greater say. Both parents and students voted to abolish the policy (students by a large margin). Williams abided by their decision.

Meanwhile, across the nation, the Cesar Chavez High School for Public Policy, a public charter school in Washington, D. C., was implementing a new school governance model that gives everyone a voice in decision making. Under a new constitution, students and faculty serve on joint bodies that advise on school policy and make judicial decisions about student behavior.

As a “public policy school,” active citizenship is at the core of the Chavez curriculum. Each year, students accomplish specified objectives in the field of public policy. As freshmen, they study major policy issues. Chavez sophomores address a community problem by working with local organizations to develop and implement a semester-long strategic plan of action. Juniors complete a three-week fellowship with a public policy organization. Every graduating senior at Chavez is required to write a 10- to 20-page thesis on a public policy topic of his or her choice. At the end of the year, the seniors present their findings to members of the D.C.

### How to Participate

The First Amendment Schools (FAS) project is currently accepting applications for its First Amendment Affiliate Schools Program. FAS Affiliate Schools are part of a national network of K-12 public and private schools committed to educating for freedom and responsibility.

First Amendment Affiliate Schools receive the following benefits:

- Copies of resources and materials on First Amendment issues in schools, including *The First Amendment in Schools* and *Finding Common Ground: A Guide to Religious Liberty in Public Schools*;
- Subscriptions to the weekly electronic newsletter, *First Amendment School News*, featuring network school updates and ideas, First Amendment resources, and relevant news stories and legal updates;
- Use of the FAS Network Web Board, where questions, comments, and ideas may be shared among schools;
- Opportunities to attend conferences on democratic education and the First Amendment;
- Eligibility to apply for the three-year FAS Project School Grant Program, designed to foster comprehensive efforts at whole-school reform;
- Eligibility to apply for Affiliate School mini-grants, designed to provide support for “best practices” that implement the principles of the First Amendment Schools project.

Visit [www.firstamendmentschools.org](http://www.firstamendmentschools.org) to learn more about how your school can join the national FAS Network of K-12 public and private schools committed to creating laboratories of democratic freedom.

policy-making community. Each student makes a brief presentation, and answers questions from the reviewing panelists.

Last year, the senior projects represented a wide range, from an examination of the impact of different child abuse programs to a study of failing schools and an exploration of ways to rectify the problem, as well as an analysis of the famine in Ethiopia, along with suggested political and economic solutions.

### Starting Small, Dreaming Big

Step by step, these eleven communities are becoming models of First Amendment Schools—places where all stakeholders learn to practice the principles and ideals necessary to sustain the American experiment in liberty and justice.

But these schools are only the beginning. With the expansion this fall of the First Amendment Schools Network, all interested schools are invited to apply to affiliate with the project. Affiliate schools are eligible for the project school grant program (four new project schools will be selected each year) and to apply for mini-grants, designed to support “best practices” that implement the FAS principles.

Each school that undertakes this work will have different approaches, grow in different ways, and face different challenges. But every school that seeks to “educate for freedom and responsibility” will need to create democratic structures, policies and practices that can endure for future generations—and serve as a lasting model for education in a free and democratic society.

### What’s At Stake In This Work?

From the abolitionists to the suffragettes to the freedom riders, the story of American history is the story of the ongoing struggle to overcome our failures and expand the promise of liberty. None of these battles could have been won in the past, and none will be won in the future, without citizens who understand the true meaning of First Amendment rights and responsibilities.

What’s at stake? Just ask the kids.

This past year five third-graders at Nursery Road wrote and illustrated a book entitled “The Loss of the First

Amendment.” One day, according to the story, the president of the United States discovered that the First Amendment was missing. No one could find it. No one could even remember what it said.

Then Congress started passing illegal laws, including a law against the freedom of speech. “This is one of the things the First Amendment states that Congress can’t do,” wrote the kids. “Even the president had to ask if he could speak freely.” The citizens got mad at Congress.

Fortunately, a child from South Carolina saw what was happening and begged her mother to take her to Washington, D.C. Although they had to wait a day to see the president (he was busy), “the following morning, the child from South Carolina proudly recited the First Amendment to the president.”

The story ends with this: “The president was so happy that he decided to gather the citizens and tell them the good news. Everyone was delighted that the First Amendment was back. Life in the United States returned to normal with freedoms for everyone.”

Let’s keep it that way. Let’s make every school a First Amendment School. 📖

### Notes

1. *Legal Times*, November 21, 2001.
2. Of course, an important starting point for becoming a “First Amendment School” is to know how the principles of the First Amendment should be applied in a public school under current law. In November 2003, the Association for Supervision and Curriculum Development will publish *The First Amendment in Schools*, a legal guide with answers to many of the most frequently asked questions about the First Amendment in public schools. To reserve a copy, visit [www.firstamendmentschools.org](http://www.firstamendmentschools.org).

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