



# Daleville Community Schools

March 6, 2018



To all DCS Students, Parents, Faculty and Staff, and Community:

The core mission of Daleville Community Schools is education. Fundamental to that mission is providing our students with a safe and welcoming environment conducive to the educational process.

We are writing this letter to all stakeholders to clearly state our plans and rationale as we navigate the national student protest movement that is in response to the Parkland, Florida high school killings. To date, March 14 and April 20 are days designated by a national protest group calling for students to walk out of school. We do not know if other national protests or counter-protests will also call for student action in the upcoming weeks. In any event, we have a duty to be protest neutral thereby ensuring that all students will have a safe environment in which to learn.

The law regarding students' free speech while in school was established by the U.S. Supreme Court in *Tinker v. Des Moines* which says, in part, that students do not "...shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." However, just as it is illegal to shout "Fire" in a crowded movie theater when no fire threat exists, schools may prohibit certain expressions if they are deemed to cause a disruption to the school day. Acts of civil disobedience, such as walk-out protests, are designed to cause disruption and therefore are not protected free speech.

All states, including Indiana, have laws requiring student attendance in school. Our student handbooks clearly delineate the expectations for student conduct during the school day as well as the associated consequences for inappropriate behaviors. While we will be protest neutral regarding non-disruptive student expressions, we would be unwise to abdicate our charge to operate orderly schools and provide a safe learning environment for our students. We will rely on our student handbooks to assess the extent to which students' actions may have disrupted our schools.

We encourage parents and guardians to engage with their students in thoughtful conversations regarding controversies which are brought into the school, whether political or otherwise. Student voices can and should be heard and there are many ways for them to have a much more effective voice outside of the school day. Some of those include writing their representatives, writing op-eds for news organizations, and visiting the Statehouse.

Some in our community will no doubt say that we should demand that our students refrain from any form of protest while others will advocate for the school to facilitate the protest. For the reasons stated above, we will do neither. We are an educational organization. Learning opportunities and growth in critical thinking would be extinguished by mandating one belief over another. And so, school employees are reminded of their obligation to be protest neutral while preparing for student voices to manifest in ways that may or may not be disruptive to the school day.

We have studied the law and received legal counsel before planning our course of action in the paragraphs above and the additional clarifications on the reverse. We will continue to maintain order, plan for student safety, and keep teaching and learning as our focus. Teaching that works well empowers learners to grow and handles controversies with grace and integrity. Daleville Community Schools will continue to be a place where the focus is to maximize the skill and potential of all students for a successful future.

Respectfully shared,

Paul Garrison, Superintendent  
Eric Douglas, DHS Principal  
Kim Beard, DES Principal

David Stashevsky, Assistant Superintendent  
Jeremy Gondol, DHS Assistant Principal  
Kevin Joseph, DES Assistant Principal



**A Special Note to DCS Students:** Flyers promoting the student protest may not be posted in any DCS facility or on its grounds. Posting signs requires administrative approval thereby creating a school sanctioned event. Our schools and employees must remain student protest neutral.

**A Special Note to DCS Employees:** ISTA legal counsel Eric Hylton responded to a member’s question about the student protest movement: *“If they [teachers] walk out, or coordinate a student walk out, they can be fired. There is no legal protection from this...”* DCS reminds ALL EMPLOYEES that we are duty bound by our employment to remain student protest neutral and to always focus on our roles and school safety.

<p><b>Q:</b> Will students who walk out of school be excused?</p> <p><b>A:</b> For attendance purposes, students are expected to be in their assigned areas at all times. The student handbook is the guide.</p>	<p><b>Q:</b> I want to protest with my child at school. May I?</p> <p><b>A:</b> No. Visiting adults (parents) do not have the same protected speech rights in school as do students. Having adults enter the school property in order to protest diverts our attention away from the students and places an undue burden on administrators and teachers who are charged with maintaining a safe environment for students.</p>
<p><b>Q:</b> Will teachers continue to teach lessons if students walk out?</p> <p><b>A:</b> Teachers will continue teaching unless otherwise assigned because of significant school disruption. This is true every day in our schools.</p>	<p><b>Q:</b> Will students be penalized if they exercise their First Amendment rights to freedom of speech?</p> <p><b>A:</b> We cannot pre-determine the level of disruption posed by students exercising their free speech. Some students will make their voice known without causing disruption while others may not. In any case, our student handbook will be our guide.</p>
<p><b>Q:</b> Why can't DCS help students with their protest about school safety in wake of all the recent school shootings?</p> <p><b>A:</b> Schools must not facilitate any protests on any topics or we will be forced to facilitate them all. We will remain protest neutral and safety vigilant. We do not know how many groups will call for similar protests or counter-protests.</p>	<p><b>Q:</b> Will DCS faculty and staff be allowed to protest for school safety with the DCS students who participate in this national movement?</p> <p><b>A:</b> No, the school is protest neutral. Faculty and staff are on duty during the school day, and they must remain on duty to assist with teaching, supervision, and other important roles such as student safety.</p>
<p><b>Q:</b> Will students be safe if they walk out of the school?</p> <p><b>A:</b> It is never safe or wise for any student to walk out of school unsupervised. This is especially so when the date and time of the walk-out has been so well publicized.</p>	<p><b>Q:</b> I teach at DCS. What if students bring up the protest in class?</p> <p><b>A:</b> Acknowledge the student’s voice and state that the school and employees must remain protest neutral. Encourage students to learn about the First and Second Amendments and continue on with your lesson plans.</p>

