

Race, Sex, and Academic Freedom in Elementary Education

*A Statement from the Academic Freedom Coalition of Nebraska
September 2021*

In the spring of 2021, two issues arose in Nebraska that threatened, and continue to threaten, academic freedom in elementary education: (1) the banning of *Something Happened in Our Town: A Child's Story About Racial Injustice* from the Papillion La Vista Community Schools (PLCS); and (2) the controversy over proposed state health education standards, especially with regard to teaching about topics related to sex and gender in elementary schools. In response, AFCON is planning its November 2021 annual meeting around these issues. In anticipation of that meeting, we have prepared this statement in which we present AFCON's ten principles of academic freedom and elaborate on each with respect to issues of elementary education in 2021 Nebraska.

1. *Nature and Purpose of Academic Freedom.* Academic freedom refers to intellectual freedom in educational and research contexts, including freedoms of belief, expression, discussion, and inquiry. A commitment to intellectual freedom respects the rights of students and teachers and creates an educational context that promotes learning, development, and original research.

Elementary schools, no less than universities, are places of teaching, learning, and inquiry, all of which require academic freedom. The work of a second grader is different from that of a college professor, but both need the academic freedom to do their academic work.

2. *Freedom of Belief.* All individuals, including students and teachers, have a right to believe whatever they believe and to maintain or change their beliefs as they deem appropriate. Educational institutions may present alternative views but may not require belief in those views. Students may be evaluated and graded with regard to their understanding of curricular material but not on the basis of their agreement with particular viewpoints.

Failure to respect students' freedom of belief transforms education into indoctrination, which is inconsistent with academic freedom. Elementary schools may (and should) teach about racism and sexism and may (and should) oppose racism and sexism, but they must not require or compel particular beliefs about race, sex, gender, or anything else.

3. *Freedom of Expression.* All individuals have a right to express their views privately and publicly and to discuss them with others. In academic contexts, students and teachers have a right to express their views on any matter relevant to the curriculum even if those views are deemed to be false, absurd, offensive, or otherwise objectionable. Some restrictions on expression are justifiable in cases where individuals are speaking in an official capacity on behalf of the institution.

Teachers must present the approved curriculum but have a right to add academically relevant topics, ideas, and examples. Teachers may ask students to explain and justify their views and may disagree with them when they are clearly wrong, but they may not penalize students simply because the ideas they express are deemed racist, sexist, homophobic, transphobic, or otherwise objectionable. Administrators and others who speak on behalf of a school must not substitute personal opinions for accurate statements of school policies.

4. *Freedom of Inquiry.* Educational institutions should encourage individuals to pursue their own interests and ideas and should promote access to relevant sources of information. Inquiry should not be suppressed by restricting access to controversial topics or viewpoints or by hindering the formulation of conclusions that may be deemed objectionable.

Failure to respect students' freedom of inquiry transforms education into indoctrination, which is inconsistent with academic freedom. School libraries should have collections that enable students to go beyond the curriculum.

5. *Formulation of Curriculum.* Curriculum should be determined by teachers and other professionals on the basis of academic considerations. It is a responsibility of administrators and school boards to support justifiable curricular decisions and to educate their constituencies about the educational importance of an inclusive curriculum and the critical role of respect for academic freedom.

Are elementary students too young to be learning about sensitive matters such as race, sex, and gender? The reality is that elementary students are already learning about such matters from many sources. It is important for parents to talk with their children about these matters, and it is important for schools to address serious issues such as these with accurate information and opportunities for academic discussion and reflection.

6. *Challenges to the Curriculum.* Suggested modifications of the curriculum should not be accepted merely to resolve a complaint, but neither should such suggestions be automatically rejected as illegitimate. In general, changes that expand the curriculum are more likely to be appropriate than changes that contract or restrict it. On the other hand, additions may be illegitimate if what is added cannot be justified academically, and deletions may be appropriate if what is deleted was not academically justifiable.

Elementary schools should have and follow clear policies and processes in responding to challenges to the curriculum. Elementary school librarians play a crucial role in maintaining the academic integrity of both curricular and supplemental resources.

7. *Parental Rights.* Parents have a right to discuss their views with their own children and to communicate with the school if they have suggestions or concerns about what they perceive the school to be teaching. Schools should accept the responsibility of explaining and justifying their curricula. In general, parents have the authority to direct their own minor children's education, subject to the responsibility of the school to provide an adequate education and to respect the rights of the student.

Elementary education is meant to complement parenting, not substitute for it. Parents may request that their child be excused from portions of the curriculum. Such requests should generally be granted, with alternative assignments as appropriate, in cases where there is an objection to a particular book or unit of the curriculum. Opting out of entire topics, however, may not be feasible. Race and sex, for example, are important considerations in history, literature, social studies, and related fields at all levels of education.

8. *Equal Opportunity.* Students and teachers have a right to academic freedom regardless of individual, biological, cultural, religious, theoretical, ideological, political, or other characteristics, backgrounds, or viewpoints.

Academic freedom is for everyone engaged in academic work.

9. *Privacy.* In seeking information about potential or current employees and students, academic institutions should avoid making official inquiries that target personal expressive activities or that are so broadly or vaguely defined as to chill intellectual freedom. With regard to academic assignments, students may be encouraged to speak or write about their lives, and may choose to do so, but may not be required to reveal personal information that they wish to keep private.

Schools may and should educate students of all ages about sensitive issues including race, sex, and gender. Teachers may, and often should, encourage students to make connections between curriculum and life experience, but must respect the right of students, with guidance from their parents, to decide what to say about matters under discussion and how personal to get.

10. *Due Process.* Academic institutions should ensure that their judicial and quasi-judicial procedures provide sufficient due process to protect intellectual freedom.

We are not aware of any recent case where a Nebraska teacher or librarian has suffered job consequences for the exercise of academic freedom, but we know there are many elementary educators who have reason to worry about this, which undermines the quality of education they can provide.

Conclusion

Elementary schools face complex issues and difficult decisions in determining what to teach about controversial matters including race and sex. Commitment to education and children requires that we make these decisions in a manner that respects the academic freedom of students and teachers and the academic integrity of their schools and libraries.

Resources

AFCON's Principles of Academic Freedom can be found here:

<https://www.academicfreedomnebraska.org/principles-of-academic-freedom.html>.

For a theoretical defense of AFCON's conception of academic freedom as intellectual freedom in teaching, learning, and inquiry at all levels of education, see Moshman, D. (2017). Academic freedom as the freedom to do academic work. *AAUP Journal of Academic Freedom*, 8.

<https://www.aaup.org/sites/default/files/Moshman.pdf>.

This statement was approved by the AFCON Board of Directors on September 11, 2021. For further information, contact AFCON policy coordinator David Moshman at dmoshman1@unl.edu or president Todd Schlechte at todd.schlechte@gmail.com.