



Prepared Remarks

From: Andrea Young, Executive Director

To: Georgia State Senate Education and Youth Committee

Date: February 28, 2022

Re: Senate Bill 377

I am Andrea Young, Executive Director of the ACLU of Georgia. I speak in opposition to this legislation. I speak, also, as an author, a product of Georgia's public schools and a former college instructor.

We should teach about race and racism the same way we teach about math or chemistry: as accurately as we can. Whether you are white, black, or brown, as a parent you want your kids to get an accurate view of history including the ways we have not lived up to our ideals on race and inequality, including now. As a kid, I learned about the fight for freedom and democracy in the Revolutionary War and about how Thomas Jefferson penned those immortal words, that all men are created equal. But I also learned how even Jefferson, like many of our Founders, couldn't extend that vision to all people of all colors, which led to the Civil War and, 50 years later, to women's right to vote, then to the Civil Rights Movement.

Would I love it if my granddaughter could learn that the people I most admire were perfect? Yes, but that would not be history. Franklin Roosevelt led us out of the Great Depression and to victory in World War II. But he also had Japanese Americans taken from their homes and put in camps during the war. That teaches volumes about the prejudices of his time but also how much progress we've made since, that we couldn't imagine doing that today. I want our children to learn things I never learned in school, like about the massacre in Tulsa of black people who'd done everything right and prospered for it, or the lynching of Italian Americans because they weren't considered "white enough." I want them to learn about the bombing of the Temple and the Atlanta Student Movement's non-violent marches to end segregation in stores and lunch counters.

I want my granddaughter to be free to discuss in school the stories of her ancestors who endured generations of slavery and emerged founding schools and churches. I want her to be free to share the pain and triumph of her great-grandmother's journey from her birth in a segregated Alabama and the Chair of the International Year of the Child appointed by President Carter.

In, then Governor, Jimmy Carter's Inaugural Address in 1971, he said, "I say to you quite frankly that the time for racial discrimination is over. Our people have already made this major and difficult decision, but we cannot underestimate the challenge of hundreds of minor decisions yet to be made. Our inherent human charity and our religious beliefs will be taxed to the limit. No poor, rural, weak, or black person should ever have to bear the additional burden of being deprived of the opportunity of an education, a job, or simple justice." Under this legislation, a teacher would risk sanction if he or she assigned this speech to discuss in class.

Shouldn't we teach our kids about the history of race and racism; about the ways prejudices of the past got built into the system that we still need to fix; or about how our biases can affect our decisions? Of course, because most of us want to do right by people.

In my lifetime Georgia has progressed from a state that divided white and black citizens through strict racial segregation to a state that could host the Centennial Olympic Games and welcome people of all races, creeds, and colors. This legislation would deny Georgia's students the fullness of that story.

I want my granddaughter and all Georgia's schoolchildren to love their country and to love the truth. You can't love one without the other.

I. SB 377 is Potentially Unconstitutionally Vague

First, HB 1084 potentially violates the Due Process Clause of the Fourteenth Amendment because it is too vague for any educator to understand whether or not they will be punished for teaching or saying something about race or racism that fails to be "objective."

II. SB 377 Potentially Violates University Professors' First Amendment Right of Academic Freedom

Second, HB 1084 potentially violates university professors' First Amendment right to academic freedom, limiting what they are or are not allowed to research and then teach in the university classroom.

III. SB 377 Potentially Violates K-12 Students' First Amendment Right to Receive Information

Third, HB 1084 potentially violates K-12 students' First Amendment right to receive information. Specifically, HB 1084 prohibits K-12 students from receiving certain information about race and racism for no legitimate pedagogical reason.

IV. The origin of "Divisive Concepts" in public policy was in the anti-immigrant Trump Administration.

Fourth, "Divisive Concepts" is new terminology that surfaced in former President Trump's Executive Order _____ designed to eliminate diversity and inclusion programs in the Federal Government and its contractors.

For the above reasons, we urge members of this committee to oppose SB 377.