

NC Teachers are Scared to Speak Out: How to get past your fear and be an effective advocate



If you've read Nashonda Cooke's ["Back to School / Back to the Fight"](#) article, you might be fired up and ready to fight to defend North Carolina's public schools – I know I was! I was also inspired by Governor Hunt's recent comment at a Public Schools First NC Event, "Teachers need to understand if this [situation] is going to change, teachers are going to have speak up, stand up, take some risks!"

But, if you are a North Carolina teacher, you might also be scared to speak up. I've spoken to a lot of teachers around the state who are intimidated by the thought of public advocacy. Let's review the facts, get past the spin, and bury that bogeyman so we can better advocate for our profession and our students.

Many young teachers (and teachers who have switched districts in recent years) do NOT have due process / tenure rights and they won't get them back in the foreseeable future unless their local school boards [decide](#) to change that. Loss of that security blanket is new, and that can be scary. Teachers without tenure can be fired without cause at the end of any school year. They are basically seasonal employees and that makes them vulnerable to being fired unjustly. This reality should be duly noted and not dismissed.

But most veteran teachers DO have their due process rights, thanks to NCAE's [successful](#) fight to defend those rights in court. The recent ruling that tenure rights, once granted, are a property right and cannot be revoked was one bright spot in the state courts' ruling record of late.

The NC Senate is attempting to smother our voice and advocacy by introducing [Senate Bill 480](#), which seeks to limit teachers' political activity during school time and using school resources. At the time of this article, Senate Bill 480 has passed the Senate and is under consideration in the House.

The proposed bill largely reiterates the [existing statutes](#) that already guide the behavior of educators. The new law basically says teachers cannot use their classrooms to further their own personal political agendas, and they can't use school time, facilities, resources, or computers to do such work.

And that leaves a tremendous amount of space and time for public educators to take full advantage of their First Amendment freedoms.

More significant is some of the less well-publicized wording in the bill, "As an individual, each employee of a local board of education retains all the rights and obligations of citizenship provided in the Constitution and laws of the State of North Carolina and the Constitution and laws of the United States of America." ***In other words, you can speak, write, and advocate on your own time and resources like any other citizen can.***

Here's another section: "No member of a local board of education or employee of the local board of education exercising supervisory authority shall make, issue, or enforce any rule or policy the effect of which is to interfere with the right of any employee of the local board of education as an individual to engage in political activity while not on duty or at times during which the employee is not performing services for which the employee receives compensation from the local board." ***In other words, you can speak, write, and advocate on your own time and resources like any other citizen can.***

Some well-meaning opponents of the bill have led many teachers to think that hyperbolic doomsday scenarios - like teachers being banned from wearing red - are already a matter of agreed upon policy. They are not. In the 1972 [James v. Board of Education](#) case, the courts defended teachers' rights to wear black arm bands in class to protest the Vietnam War. The courts determined that the symbolic speech did not disrupt instruction and was related to teachers' positions as private citizens, and so wearing the armbands was allowed.

While the earlier case speaks to purely symbolic speech through the use of color, a 2006 Supreme Court case, [Garcetti v. Ceballos](#), paired with an earlier decision in [Pickering v. Board of Ed](#), clarified how verbal or written speech by public employees might be weighed. The *Garcetti* ruling clearly states that so long as a teacher isn't acting in his or her official capacity as a public employee, that employee retains his or her First Amendment protections. As long as the teacher is speaking on a matter of public concern (our schools don't have enough textbooks, our schools are too crowded, etc.), then *Pickering* protects that speech, so long as the educator is (a) off campus and not using public school equipment and (b) speaking to matters of public concern. In other words, they should avoid making statements that draw upon insider information privy only to employees.

We recognize some administrators, sensitive to public opinion, have directed their staff to not engage in symbolic speech. We believe such prohibitions constitute prior restraint and such speech is indeed permissible. We're not lawyers, though. Consult yours, NCAE's or PENC's...but let's not be collectively bullied into the shadows.

With this knowledge, teachers have been taking action in advocacy. We just need a lot more of them. My friend, Social Studies Teacher John deVille from Franklin (in the mountains), another teacher friend in the East (who shall remain nameless - more on that later) and I generated a list of advocacy actions we have taken. We have, collectively:

1. Reminded ourselves and others that being silent is the same as saying, "We are okay with being treated this way."
2. Accepted communication of a political nature on our private email and computers on our own time.
3. Amplified the message of that communication by liking, sharing, and forwarding it.
4. Reviewed and commented on media content online related to education policy.
5. Created a closed group on Facebook for our schools where employees and, in some cases, parents, can provide information, answer questions, and speak freely.
6. Helped launch social media campaigns to encourage participation in a shared vision.
7. Took surveys that assessed our attitudes and positions on education-related matters.
8. Helped design and distribute t-shirts that conveyed a key message.
9. Wore red clothing that met the dress code standards of our schools every Wednesday.
10. Provided legislative updates at each staff meeting.

11. Created a private email group for our staff that allows us to share information of a political nature.
12. Created a variety of email and phone call templates and shared them using our personal email group.
13. Written letters and emails to our legislators and elected officials.
14. Met with our elected officials. This is an especially good way to break down barriers.
15. Attended protests and carried signs to communicate our ideas.
16. Signed petitions and circulated petitions for colleagues to sign.
17. Participated in podcast tapings that will be posted online.
18. Spoken at public meetings where elected officials were present.
19. Participated in press conferences.
20. Written articles and op-eds that were published and widely circulated.
21. Allowed our pictures and words to appear on campaign materials.
22. Canvassed door-to-door for candidates we support.
23. Used our own computer and private emails, on our own time, to produce and distribute voter guides for those seeking advice about which candidates have a record and/or platform supporting public education.
24. Networked with top realty firms...many top realtors serve on school boards, town boards, or county commissions OR they have tremendous influence on those races and the eventual holders of those offices. Realtors NEED to have excellent public schools as a selling point for their clients and thus are often a natural ally.
25. Organized candidate forums for school board and county commissioners. This is an excellent way to frame the debate to our advantage and to get future office holders on the record on the issues important to us.
26. Organized or participated in "town halls" with a focus on educating the general public on current issues facing public education as well as using such a meeting as an organizing opportunity.
27. Positioned ourselves as the go-to expert for local reporters, office holders, thought leaders by forwarding links to information germane to their beat, office, and position WITH a brief digest of the link to facilitate their reading.
28. Nurtured relationships with reporters covering the education beat in our districts and regions.
29. Nurtured one-on-one relationships with school board members and county commissioners.
30. Reached out to former students who may be parents or otherwise a willing ally in advocacy.
31. Reached out to public service civic groups such as Rotary and spoken at their meetings on current public education issues.
32. Reached out to other natural allies such as the NAACP and the League of Women Voters.

You can see that there is a wide range of actions teachers can be taking to advocate for the public schools.

John and I also recognize our privilege. I live in a large metropolitan area with a school board and county commissioners (for now – the state redrew their districts for 2016) which are squarely in the corner for public education and are supportive of teachers being advocates for public education on their own time and with their own resources. John teaches in the district he grew up in, and while he's had tough moments, ultimately the community had his back. I am a veteran teacher who has taught at my school for 22 years, while John is starting his 20th year. We have a solid reputation at our schools and in

our respective communities; our evaluations have always been good and we aren't on an "action plan". We have tenure (John was a plaintiff in the successful NCAE tenure lawsuit). We are both NCAE members and we know they will fight on our behalf because they have in the past. Neither of us are sole income earner in our families.

If you find yourself in a situation similar to ours, ***look at that list above and consider what more you might be doing to fight this fight. To those who much is given, much is expected.***

If you do not find yourself in a position as privileged (like my friend in the East, who does not feel comfortable "going public" in every way, but is an effective activist in every sense of the word), ***look at the list above and consider what you CAN do.*** Remember the facts, not the hype. Do a careful accounting of your situation; assess your vulnerabilities politically and personally, and take that into account.

But above all, ACT, to the fullest degree possible.

If we all do what we can, when we can, as long as we can . . . we can be a powerful force in helping to save public education in North Carolina. Replace fear with calculation AND action.

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