

## Can teachers say whatever they want in class? Here's what we can learn from a Utah educator's viral moment

Teacher trainees: Comport yourself in the classroom as if everything's on video, educators say

By [Marjorie Cortez@DN Marjorie](#) Aug 18, 2021, 9:00pm MDT

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A widely shared cellphone [video](#) of a Lehi High School science teacher expressing her political opinions to students in her classroom may well become a teaching moment for people training to become educators.

At a time when many, if not most, students carry cellphones, teachers should presume they are subject to being recorded at any time and should act accordingly, said Kristin Hadley, dean of Weber State University's College of Education.

Education majors are taught that possibility exists and "that you need to comport yourself as though everything were on a video, because it could be and it might be, so they have to be utmost professionals in all of those situations.

"We don't try to teach it as a 'Gotcha!' or like, 'You've got to be careful because you're gonna get caught,' but that's the way a professional behaves in the classroom," Hadley said.

The Alpine School District announced Wednesday that the teacher captured on the video no longer works for the school district, although the statement did not specify if the educator had resigned or was fired.

The statement said the school district had concluded its investigation of the incident, which occurred on Tuesday, the first day of school.

"This behavior is inappropriate, not reflective of the professional conduct and decorum we expect of our teachers, and will not be tolerated," an earlier statement by the school district said.

As of Thursday, the Utah Board of Education hotline had received 16 calls or emails about the teacher and with the Utah Professional Practices Advisory Commission had received at least one complaint, said Ben Rasmussen, the commission's executive secretary and the Utah State Board of Education's director of law and professional practices.

Rasmussen said the commission will review the complaints at its meeting in September to determine whether it should proceed with an investigation into allegations that could impact the teacher's license. The educator has been licensed to teach in Utah for 17 years.

The incident also demonstrates that while K-12 teachers have free speech rights, there are limitations in the school setting.

"Speech in the classroom does not have the same First Amendment protection as speech by a private individual outside of a school setting. School districts have the authority to control the content, curriculum, and methodology adopted by school staff," according to an ACLU guide titled [Free Speech Rights of Public and Charter School Teachers and Staff in Utah](#).

Alpine School District's code of conduct says employees and volunteers are expected to act professionally.

"This includes communicating in a civil manner and not promoting personal opinions, issues or political positions as part of the instructional process in a manner inconsistent with the law," according to the code.

The video, apparently filmed surreptitiously by a student, was shared online by conservative activist Eric Moutsos. At times, profanity is used.

The teacher expresses her exhaustion with the pandemic and she says she'd be proud if a student chose to get vaccinated.

She also says that she hates former President Donald Trump, saying that he “sucks.” She urges students not to watch Fox News.

The teacher tells the students they don’t need to believe what their parents believe because “most of ya’ll parents are dumber than you.”

She also tells students if they don’t believe in climate change, they should “get the hell out.”

State laws, rules and policies don’t preclude classroom discussions on contemporary issues but they offer guardrails on how teachers can address students’ spontaneous questions or guide classroom discussions on issues related to the subject matter they teach.

While the Lehi incident is high profile and has captured widespread attention on social and traditional media channels, Rasmussen said the number of Utah teachers whose alleged misconduct rises to the level of state involvement are few.

“We have about 45,000 licensees, and we probably would probably get 75 to 100 cases a year dealing with varying degrees of problems. It’s definitely few and far between that end up needing state involvement,” he said.

School districts and charter schools can level their own actions, which can include admonishments, interventions, suspensions or termination.

Hadley said education faculty continually impress upon students that educators are role models of civic and societal responsibility.

That means they need to maintain professional standards on how they teach their content, conduct themselves in the classroom and create safe learning environments for students.

“If you’re giving your opinion on something that might cause someone in your classroom to feel less safe in that learning environment, and less able to learn effectively, then that’s going against these professional standards and that’s something we teach them that you can’t do,” Hadley said.

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