

Navigating Free Speech In The Classroom Is Getting Harder For Teachers When Schools Are At The Center Of Political Debates

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There are many limitations to teachers' First Amendment rights in the classroom as it can be "considered speech on behalf of the school district," according to ACLU of Utah.

A teacher in the Alpine School District is no longer working there after a [recording of her](#) surfaced talking about the need for people to get the COVID-19 vaccine, her disdain of former President Donald Trump and telling students they can get out if they don't believe in climate change.

The video was shared widely on social media, with many comments calling for the teacher's removal. District spokesperson David Stephenson said he couldn't comment whether the teacher had been fired or resigned, but referred to Alpine's Code of Conduct, which states employees and volunteers are "expected to [act professionally](#) ... communicating in a civil manner and not promoting personal opinions, issues or political positions as part of the instructional process."

"We expect professional conduct and decorum from all of our teachers," Stephenson said in an email. "Behavior otherwise that is in violation of the code of conduct will not be tolerated."

Brad Asay, president of the Utah chapter of the American Federation of Teachers, said the incident was unfortunate, but unusual in his experience.

He said teachers have always had to navigate politically-sensitive territory, but it can be especially tricky in the current climate. As the New York Times [wrote](#), "nearly all of the major issues dividing the country have dropped like an anvil on U.S. schools," from debates around [mask mandates](#) and other public health measures to conversations around [race and educational equity](#).

"That's my worry, is that folks out there, especially those that believe that students are being indoctrinated, that they have this belief that's happening all the time throughout our school system," Asay said. "What we saw [in the video] was not the norm. This just does not happen often at all."

The American Civil Liberties Union of Utah notes there are [many limitations](#) to teachers' First Amendment rights in the classroom as it can be "considered speech on behalf of the school district." Specific policies can vary widely by district.

The issue gets blurry, however, when it comes to things like public health measures around COVID-19, which may not be political issues at their core but have become so over the last year.

"We are in a lot of gray area right now of what can you discuss in a classroom, especially when it comes to COVID," Asay said. "A lot of districts are saying don't even mention it."

When sensitive topics inevitably come up, he said the usual approach is that teachers try to keep the discussion open, encourage students to voice their opinions but bring the focus back to the curriculum or subject at hand.

He said he often advises teachers to assume they will be recorded and watched closely, though it's less of a warning than a reminder that students are looking to them as examples.

Tags