

**N**ational  
**C**oalition  
**A**gainst  
**C**ensorship

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Joan E. Bertin  
*Executive Director*

December 3, 2008

Superintendent Richard B. Carter  
Principal Darcy Weisner  
Walla Walla Public Schools  
364 South Park Street  
Walla Walla, WA 99362

Dear Principal Darcy Weisner and Superintendent Richard B. Carter:

We are deeply concerned about the recent suspension of Meagan White from Walla Walla High School because of a bumper sticker on her vehicle.

Walla Walla School Board's official "Freedom of Expression" policy states that "students are strictly prohibited from the use of vulgar and/offensive terms *in the classroom or assembly settings.*" (Emphasis added.) It goes on to say that the superintendent may develop further policy that assures "freedom of opinion while maintaining orderly conduct of the school."

While you may find the content of the bumper sticker inappropriate or even "vulgar and/or offensive," Meagan's car was simply parked in the school parking lot: it was not displayed in a classroom or assembly setting, and it did not disrupt the "orderly conduct" of the school. In fact, not only does the school policy appear *not* to prohibit a bumper sticker on a car, it actually implies that this kind of expression is permitted.

We understand that you rely on *Bethel v. Fraser*. Bethel dealt with an "elaborate, graphic, and explicit sexual metaphor" in a student speech given at a school assembly attended by the entire student body. The student speaker had been advised by teachers not to deliver the speech because of its objectionable content. The Court found that its "pervasive sexual innuendo ... was plainly offensive to both teachers and students." The speech was interrupted by shouts and gestures from the audience, and some teachers later interrupted regular lessons to discuss it.

Under these circumstances, the Supreme Court recognized the school's right to prohibit "lewd and indecent speech" which "substantially interferes with the educational process."

**NCAC PARTICIPATING ORGANIZATIONS**

Actors' Equity Association  
American Association of School Administrators  
American Association of University Professors  
American Association of University Women  
American Booksellers Foundation for Free Expression  
American Civil Liberties Union  
American Ethical Union  
American Federation of Teachers  
American Federation of Television & Radio Artists  
American Jewish Committee  
American Jewish Congress  
American Library Association  
American Literary Translators Association  
American Orthopsychiatric Association  
American Society of Journalists & Authors  
American United for Separation of Church & State  
Association of American Publishers  
Authors League of America  
Catholics For a Free Choice  
College Art Association  
Directors Guild of America  
First Amendment Lawyers' Association  
Institute for First Amendment Studies  
International Reading Association  
Lambda Legal Defense & Education Fund  
Modern Language Association  
National Communication Association  
National Council for the Social Studies  
National Council of the Churches of Christ  
National Council of Jewish Women  
National Council of Teachers of English  
National Education Association  
Office of Communication, United Church of Christ  
PEN American Center  
People for the American Way  
Planned Parenthood Federation of America  
ProChoice Resource Center  
Screen Actors Guild  
Sexuality Information & Education Council of the U.S.  
Society of Children's Book Writers & Illustrators  
Speech Communication Association  
Student Press Law Center  
The Creative Coalition  
The Newspaper Guild/CWA  
Union of American Hebrew Congregations  
Union of Democratic Intellectuals  
Unitarian Universalist Association  
United Methodist Communications, United Methodist Church  
Women's American ORT  
Writers Guild of America, East  
Writers Guild of America, West

The facts in Bethel are not analogous. This situation involves a *bumper sticker* containing a line from a popular song that is undoubtedly recognizable to most students for exactly what it is – a satirical lyric. The car, parked in the school lot, apparently attracted little or no attention from other students and caused no disruption.

While the school has considerable authority to control what can and cannot be said in classrooms and school assemblies, and to prevent disruption to the educational program, its authority over student expression is not without limits. By attempting to extend its authority to this situation, we believe that you have crossed the line drawn by the First Amendment. Moreover, whatever possible rationale you might assert for restricting student expression in the parking lot can hardly justify the threat to extend your speech-restrictive policies to include the general public attending school sponsored events, such as athletic competitions.

Finally, we have received reports that school officials are photographing Meagan's bumper as a means of monitoring her activity. Such a surveillance measure serves little purpose beyond that of intimidation, and raises additional constitutional concerns.

Taken as a whole, these actions reveal a gross disregard for the constitutional values that underlie public education, which exists to foster an informed and engaged citizenry composed of individuals who are capable of thinking independently and engaging in discussion, dialogue and debate. These goals are not advanced by seeking to silence any form of expression you dislike.

In our view, the disciplinary action taken against Meagan White was, at a minimum, unwarranted. We strongly urge you to reconsider and repeal it, and to remove all references to it from her records.

Sincerely,



Joan Bertin  
Executive Director  
National Coalition Against Censorship

cc: Meagan White  
Walla Walla Union Bulletin  
Walla Walla School Board