



September 28, 2017

Bossier Parish Schools
Attn: Superintendent Scott Smith
410 Sibley Street
Benton, LA 71006

Superintendent Smith,

I write on behalf of the Lawyers' Committee for Civil Right Under Law (LCCRUL), a nonpartisan, nonprofit organization, formed in 1963 at the request of President John F. Kennedy to enlist the private bar's leadership and resources in combating racial discrimination and the resulting inequality of opportunity. The principal mission of the Lawyers' Committee is to secure equal justice for all through the rule of law, targeting in particular the inequities confronting African Americans and other racial and ethnic minorities.

We were made aware of the letter from the Principal of Parkway High School, Mr. Waylon Bates, addressed to "Student Athletes and Parents" regarding "Extracurricular Events." (See Attached). According to the letter, the administration at Parkway High School intends to require student athletes to "stand...throughout the [n]ational [a]nthem during any sporting event." The letter goes on to threaten student athletes with "removal from extracurricular activities" if s/he does not participate in the display of patriotism. The threats outlined in letter are concerning as they are a direct violation of the constitutional rights of the students of Parkway High School.

The Supreme Court of the United States has consistently protected the First Amendment rights of public school students noting that "[i]t can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 506 (1969). To that end, schools are prohibited from requiring students to participate in shows of patriotism, including reciting the Pledge of Allegiance and saluting the flag. *W. Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624 (1943). Requiring students to participate in these rituals were ruled to "transcend constitutional limitations" and violate the First Amendment to our Constitution. *Id.* At 642.

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*President and
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This fall, high school athletes across the country have chosen to “Take A Knee” to protest police violence against African Americans. To be clear, these silent demonstrations against injustice are *fully* protected by the First Amendment and, by their very nature, the protests have been overwhelmingly peaceful. The First Amendment right to free speech is the cornerstone of our democracy and the students of Parkway High School maintain these protections, even on the field of sport.

In closing, we wish to emphasize the importance of this matter. The immediate withdrawal of the letter dated September 28, 2017 and the prompt assurance that student athletes will not be disciplined for exercising their First Amendment rights are critical to creating an environment where students are encouraged to participate in our country’s democracy. We will continue to monitor this issue closely. Please contact my office by the close of business on Friday, September 29, 2017, to schedule a meeting to discuss. You can reach my office by contacting me at 202-662-8600. Or, you may contact the Director of Special Litigation Dorian L. Spence at 202-662-8324.

Sincerely,

Kristen Clarke
President and Executive Director
Lawyers’ Committee for Civil Rights Under Law

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