

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

MEMORANDUM

May 16, 2022

To: Members of the Subcommittee on Civil Rights and Civil Liberties

Fr: Committee Staff

Re: Hearing on “Free Speech Under Attack (Part II): Curriculum Sabotage and Classroom Censorship”

On **Thursday, May 19, 2022, at 10:00 a.m. ET in room 2154 of the Rayburn House Office Building and remotely on the Zoom video platform**, the Subcommittee on Civil Rights and Civil Liberties will host a hybrid hearing on “Free Speech Under Attack (Part II): Curriculum Sabotage and Classroom Censorship.”

I. PURPOSE OF THE HEARING

In *Tinker v. Des Moines*, a 1969 case that confirmed the right to free speech in schools, the Supreme Court noted:

The classroom is peculiarly the “marketplace of ideas.” The Nation’s future depends upon leaders trained through wide exposure to that robust exchange of ideas which discovers truth “out of a multitude of tongues, (rather) than through any kind of authoritative selection.”¹

Some states are pursuing measures that seek to prohibit teaching or discussion of particular viewpoints relating to American history, current events, race, and LGBTQ+ issues.² Many of these state laws and local ordinances may violate First Amendment principles.³ These state actions have created an environment of fear among teachers who may be professionally disciplined, and in some cases held financially liable, should someone accuse them of violating a

¹ *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503 (1969) (quoting *Keyishian v. Board of Regents*, 385 U.S. 603 (1967)).

² *Efforts to Ban Critical Race Theory Could Restrict Teaching for a Third of America’s Kids*, Education Week (Jan. 27, 2022) (online at www.edweek.org/leadership/efforts-to-ban-critical-race-theory-now-restrict-teaching-for-a-third-of-americas-kids/2022/01).

³ *Civil Rights Groups Sue Oklahoma Over Law Banning Critical Race Theory*, Axios (Oct. 19, 2021) (online at www.axios.com/2021/10/19/oklahoma-critical-race-theory-lawsuit-civil-rights).

new law that restricts what they can say in the classroom. This hearing will address the impact of these laws on students, families, teachers, and communities.

II. WITNESSES

Panel I

Elle Caldon

High School Student
Dallas County, Texas

Claire Mengel

High School Student
Hamilton County, Ohio

Krishna Ramani

High School Student
Oakland County, Michigan

Panel II

Willie Carver

Teacher
Montgomery County High School, Kentucky

Jennifer Cousins

Parent
Orlando, Florida

Suzanne Nossel

Chief Executive Officer
PEN America

Timothy Snyder, PhD

Richard C. Levin Professor of History
Yale University

James Whitfield

Former Principal
Colleyville Heritage High School

Virginia “Ginny” Gentles

Director, Education Freedom Center
Independent Women’s Forum

Staff Contacts: Devon Ombres, Courtney Koebel, and Maureen Edobor at (202) 225-5051.