



February 23, 2022

Alabama House of Representatives
State Government Committee
11 South Union Street
Montgomery, AL 36130

RE: Alabama House Committee on State Government Consideration of H.B. 312

Dear Members of the State Government Committee:

On behalf of the Alabama State Conference of the NAACP and the NAACP Legal Defense and Educational Fund, Inc. (“LDF”)¹, we submit this testimony to urge the Alabama Committee on State Government to reject House Bill 312 (“H.B. 312”). This proposed bill may undermine the teaching of the full and accurate account of history and the achievement of inclusive educational and work environments in Alabama.

The Alabama State Conference of the NAACP is the statewide affiliation of the National NAACP. The mission of both organizations is to ensure a society in which all individuals have equal rights without discrimination based on race. Among the Alabama NAACP’s objectives is to advocate for equitable education for Black students and all students in Alabama.

Founded in 1940 under the leadership of Thurgood Marshall, LDF’s mission has always been transformative: to achieve racial justice, equality, and an inclusive society. Since the historic U.S. Supreme Court decision in *Brown v. Board of Education*,² which LDF litigated and won, we have continued to represent students of color to ensure they receive quality and equitable educational opportunities. All students deserve access to high-quality education inclusive of accurate curricula and school climates that acknowledge and include the perspectives of all communities. H.B. 312 contains provisions that may restrict access to information for school district leaders, classroom teachers and students, as well as deter school and business efforts to improve diversity and equity.

I. House Bill 312

H.B. 312 utilizes a confusing term, so-called “divisive concepts,” to create restrictions on the content teachers may discuss in classrooms, as well as to create penalties for noncompliance.

¹ NAACP Legal Defense and Educational Fund, Inc. and the NAACP have been entirely separate organizations since 1957.

² *Brown v. Board of Education of Topeka*, 347 U.S. 483 (1954).



H.B. 312 invents a definition for “divisive concepts” that is expansive, vague, and ripe for misinterpretation or misconstruction. The bill defines “divisive concepts” as any of the following concepts:

- a. That one race, sex, or religion is inherently superior to another race, sex, or religion.
- b. That this state or the United States is inherently racist or sexist.
- c. That an individual, solely by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously.
- d. That an individual should be discriminated against or receive adverse treatment solely on the basis of his or her race.
- e. That members of one race should attempt to treat others differently solely on the basis of race.
- f. That an individual's moral character is determined solely on the basis of his or her race, sex, or religion.
- g. That an individual, solely by virtue of his or her race, sex, or religion, bears responsibility for actions committed in the past by other members of the same race, sex, or religion.
- h. That fault, blame, or bias should be assigned to a race, sex, or religion, or to members of a race, sex, or religion, solely on the basis of their race, sex, or religion.
- i. That any individual should be asked to accept, acknowledge, affirm, or assent to a sense of guilt, complicity, or a need to work harder solely on the basis of his or her race or sex.
- j. That meritocracy or traits such as a hard work ethic are racist or sexist.
- k. That with respect to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to the founding principles of the United States, which include liberty and equality.³

H.B. 312 further states that “[n]o state agency nor any public K-12 school may teach, instruct, or train any employee, contractor, staff member, teacher, student, or any other

³ H.B. 312 §2(a)-(k).

individual or group of individuals to adopt or believe a divisive concept.”⁴ This includes a prohibition against any state employee or institution “[p]romot[ing] or inculc[ating] students of a public K-12 school with any divisive concept” or “[c]ompel[ing] students of a public institution of higher education to assent to any divisive concept.”⁵

Thus, this proposed legislation would prohibit Alabama and any of “the political subdivisions of the State of Alabama, including school districts and public K-12 schools and institutions of higher education,”⁶ from “teach[ing], instruct[ing], or train[ing] any employee, contractor, staff member, teacher, student, or any other individual or group of individuals to adopt or believe”⁷ to what are labeled as so-called “divisive concepts.”

H.B. 312 includes stiff penalties for violation or noncompliance. Educators, state employees, and contractors who violate the bill’s confusing language may have their employment terminated.⁸ H.B. 312 also limits public education institutions and agencies’ access to desperately needed federal funds. For example, it prohibits the state from “apply[ing] for or accept[ing] a federal grant or federal funding . . . if the grant or funding is granted for the purpose of training in any divisive concept or practice.”⁹

II. H.B. 312 may have chilling effects on public school educators and may conflict with existing academic standards set by the Alabama Department of Education

The expansive language of H.B. 312 is likely to cause confusion and chill speech in Alabaman classrooms. The concepts defined in H.B. 312 are open to interpretation such that it may be difficult for individuals to know whether or not they are in compliance with the law. Determinations of compliance may depend on individual perceptions of what does or does not create a feeling of “fault, blame, or bias” or “a sense of guilt.”¹⁰

Educators should not be expected to teach under unclear rules that may require them to sacrifice accurate teaching. Educators who fear that important but difficult concepts could result in guilt or anguish may completely abandon certain topics – many of which are vital to a full understanding of American and Alabamian history. Schools play a pivotal role in preparing young people for responsible citizenship. They allow for leadership development and for young people to develop their own social and political consciousness. High quality education requires school

⁴ H.B. 312, § 2(a)

⁵ *Id.* § 2(f)(1)-(2).

⁶ *Id.* § 3

⁷ *Id.* § 4(a)

⁸ *Id.* § 6.

⁹ *Id.* § 2(d)

¹⁰ *Id.* § 1(2)(h)-(i).



curricula that is historically accurate and encourages honest and inclusive discussion of students’ current realities. The truth can be uncomfortable at times, but it is necessary to achieve a quality education.

Alabama has a rich history that must be taught to all students. The Civil Rights Movement was born in Alabama. The tragedies and triumphs that took place in Alabama – from the Montgomery Bus Boycott to the Selma to Montgomery March – awakened the entire nation to the reality of racial injustice.¹¹ However, the vagueness of H.B. 312 may cause teachers to eliminate discussions regarding the realities of Alabamian history, for fear of violating the law. H.B. 312 threatens the rights of all students in Alabama to full, inclusive, quality education, and could prohibit K-12 and college educators from teaching the full and accurate history of racial discrimination and civil rights in Alabama and the United States.

Notably, H.B. 312’s expansive language fails to clearly articulate what discussion of race or sex is permissible, which again can lead to confusion and unintended consequences. Indeed, reports have already surfaced that educators are confused as to the prohibitions of a recently adopted Board of Education resolution,¹² which has prohibitions similar to the ones contained in H.B. 312. In October 2021, the Alabama State Board of Education permanently adopted the a resolution amending the Alabama Administrative Code (“the Resolution”) entitled, “Declaring the Preservation of Intellectual Freedom and Non-Discrimination in § 290-040-040-.02, “Certain Teaching Techniques.”¹³ With language similar to that in H.B. 312, the Resolution prohibits schools from teaching concepts that “impute fault, blame, a tendency to oppress others, or the need to feel guilt or anguish to persons solely because of their race or sex.”¹⁴ It also prohibits school staff and administrators from receiving training on those concepts. Finally, like H.B. 312, the Resolution includes language instructing authorities to “recognize[] that slavery and racism are betrayals of the founding principles of the United States, including freedom, equality, justice, and humanity.”¹⁵ The vagueness of the Resolution led members of the public to believe that the

¹¹ *see e.g.*, National Park Service, “Birmingham Civil Rights,” <https://www.nps.gov/bicr/learn/historyculture.htm> (last visited 22 February 2022); National Park Service, “Bloody Sunday – Selma to Montgomery,” <https://www.nps.gov/semo/learn/historyculture/bloody-sunday.htm> (last visited 22 February 2022).

¹² Timothy Bella, *Black History Month is not critical race theory, Alabama educator says in response to complaint*, Washington Post (Feb. 4, 2022), <https://www.washingtonpost.com/education/2022/02/04/alabama-black-history-month-crt-schools/>

¹³ *See* Alabama State Board of Education Resolution Declaring the Preservation of Intellectual Freedom and Non-Discrimination in Alabama’s Public Schools, Action Item No. G.2.o (proposed Aug. 12, 2021), available at [Alabama-Board-of-Education-Intellectual-Freedom-Resolution-Administrative-Rule-Aug-12-2021.pdf](https://www.alabama-board-of-education-intellectual-freedom-resolution-administrative-rule-aug-12-2021.pdf) (naacpldf.org).

¹⁴ Declaring the Preservation of Intellectual Freedom and Non-Discrimination in § 290-040-040-.02, “Certain Teaching Techniques.

¹⁵ *Id.*



teaching of Black History Month would be prohibited in Alabama schools.¹⁶ However, as State Superintendent Eric Mackey was forced to clarify earlier this month to members of the Alabama House Education Policy Committee and the public, celebrating or having a Black History Month program in schools is not prohibited by the Resolution and is not critical race theory.¹⁷ Like the Resolution, H.B. 312 may cause similar confusion in the classroom, among parents, teachers, and the public, about what can and cannot be discussed with regards to race, sex, and gender in Alabama.

Current state standards developed by the Alabama Department of Education include considerations of race in various courses of study. Fourth grade social studies standards and recommendations, for example, advise that educators may discuss the following historical periods and concepts: slavery, the Thirteenth, Fourteenth and Fifteenth Amendments to the U.S. Constitution, Jim Crow laws, the establishment of historically Black colleges and universities, and the Civil Rights Movement – which specifically names the Civil Rights Act of 1964 and the use of “discrimination, prejudice, segregation, integration, suffrage, and rights” as key vocabulary.¹⁸

High school social studies standards require discussions of the same topics and also include discussions regarding the abolitionist movement,¹⁹ the Ku Klux Klan,²⁰ the Great Migration,²¹ and the Freedom Rides.²² In order to develop lessons in alignment with Alabama state standards, educators must be free to engage students in robust and thoughtful discussion of topics pertaining to racial inequalities in America. H.B. 312 would potentially restrict the ability of educational professionals to provide the training and programs necessary to accomplish the goal of delivering quality education. If those charged with educating students cannot draw from the full well of truth and facts necessary to perform their jobs effectively and equitably, all Alabamians, and Alabama students in particular, risk losing access to critical information.

Additionally, the passage of H.B. 312 may diminish the teaching of advanced coursework for Alabama students. For instance, textbooks for Advanced Placement English Literature include works such as *Heart of Darkness* (Joseph Conrad), *Their Eyes Were Watching God* (Zora Neale Hurston), *Invisible Man* (Ralph Ellison), *Beloved* (Toni Morrison), and *To Kill a Mockingbird*

¹⁶ Trisha Powell Cain, Alabama officials receive complaints about Black History Month as state debates CRT legislation, AL.com (Feb. 3, 2022), <https://www.al.com/news/2022/02/alabama-officials-receive-complaints-about-black-history-month-as-state-debates-crt-legislation.html>

¹⁷ Supra note 9.

¹⁸ AL Dep’t of Educ., 2010 Alabama Course of Study Social Studies, 26-28 <https://www.alabamaachieves.org/wp-content/uploads/2021/03/2010-Alabama-Social-Studies-Course-of-Study.pdf>

¹⁹ *Id.* at 65.

²⁰ *Id.* at 69.

²¹ *Id.*

²² *Id.* at 72.

(Harper Lee).²³ These books are an important part of the canon of American literature and have been taught for decades across the nation, including in Alabama. Such works of classic and world-renowned American literature invite honest conversation regarding themes of race, sex, class, and gender in American history. If H.B. 312 is adopted, school districts across the state may be forced to prohibit or limit the teaching of books that have served to expand the horizons, perspectives, and cultural awareness of Americans for decades.

H.B. 312 also states “no state employee, contractor, staff member, teacher, or trainer shall be compelled by a policy of any subdivision of this state, public school district, or public K-12 school to share his or her personal point of view on widely debated and currently controversial issues of public policy or social affairs.”²⁴ This language is again vague and subjective and does not include a measurable standard for determining what is controversial. To adequately prepare students to participate in a multi-racial democracy, civics education should, at minimum, robustly cultivate civic knowledge, skills, and news literacy – all of which may overlap with what an individual may consider a “controversial” topic. Both news and media literacy are pertinent to students’ civics education today, as it is important that students be equipped to evaluate the accuracy and relevance of the tremendous amount of information they receive through social media and the internet.²⁵ Moreover, the language of H.B. 312 conflicts with Alabama’s own educational standards, which state that “the inclusion of a study of current events is an essential element of the Grades K-12 social studies program.”²⁶

Finally, H.B. 312 also prohibits a state agency, school district, or school administration from making teachers “affirm a belief in” systemic racism, and prohibits instruction of certain concepts, including that racism or slavery were anything other than “betrayals of” the country’s founding principles, among others. H.B. 312 presents a false rendering of our nation’s history by asserting that the Founders believed slavery to be a betrayal of this nation’s principles. At the time of our nation’s founding, the Founders embraced a narrative of white supremacy, benefitted economically from the free labor of enslaved Africans, considered enslaved Africans to be three-fifths of a person in the United States Constitution, denied women and people of color the right to

²³ AP English Literature Summer Reading, Shelby County Schools, available at <https://www.shelbyed.k12.al.us/schools/cahs/2021-Reading/2021-AP-English-Literature.pdf>; Text Selection/ Course Content, Madison City Schools, available at <https://www.mcsummerreading.com/text-selection>; 2021 Summer Reading, Huntsville City Schools available at <https://www.huntsvillecityschools.org/departments/secondary-instruction/2021-summer-reading>.

²⁴ § 2(c)

²⁵ Peter Levine and Kei Ka washima-Ginsberg, *The Republic is (Still) at Risk—and Civics is Part of the Solution* (2017), <https://civxnow.org/sites/default/files/resources/SummitWhitePaper.pdf>; Ashley Jeffrey and Scott Sargrad, *Strengthening Democracy With a Modern Civics Education* (Dec. 14, 2019), <https://www.americanprogress.org/article/strengthening-democracy-modern-civics-education/>.

²⁶ 2010 Alabama Course of Study: Social Studies, (last visited Feb. 21, 2021), at 9 <https://www.alabamaachieves.org/wp-content/uploads/2021/03/2010-Alabama-Social-Studies-Course-of-Study.pdf>



vote and other political rights, and passed laws that uniformly and expressly discriminated on the basis of race and sex.²⁷

The rights and privileges enshrined in the U.S. Constitution, one of the founding documents of this country, were not initially afforded to all but were instead reserved for a select class of white men. The original Constitution endorsed the enslavement of Black Americans and excluded women from most rights of citizenship. It is therefore ahistorical to promote the viewpoint that slavery, as enshrined in the Constitution, should be described as a betrayal of the founding principles of the United States. Also, the Alabama 1901 constitution that is in effect today still has language that schools are to be segregated by race and, though it is not enforced, it is still part of the founding history of Alabama.²⁸

III. The proposed bill may undermine the benefits of inclusive education

All Alabama students need and deserve a quality education that reflects the lived experiences of the diverse communities they come from and the rich history of the state. H.B. 312 could undermine the quality of Alabama’s education and may negatively impact students of color and other students enrolled in public schools. Teaching practices rooted in accuracy and inclusivity do not promote or advocate support of racial hierarchies or discrimination on the basis of race, sex or other protected classes. To the contrary, such educational frameworks instead encourage honest, candid conversations about this nation’s history.

Diverse and inclusive education includes pedagogical approaches that bring cultural and home life examples into learning, use real-life examples to demonstrate key concepts, apply experiential learning, and promote positive interracial interactions and exposure to other cultures.²⁹ In fact, a national study of adolescents found that students self-report higher interest in academics and school when their teachers use culturally -responsive approaches to both academic

²⁷ Robert Parkinson, <https://time.com/6077468/united-states-1776-racism-slavery/> You Can't Tell the Story of 1776 Without Talking About Race and Slavery, Time Magazine (Jul. 4, 2021), <https://time.com/6077468/united-states-1776-racism-slavery/>; Jeffrey Robinson, Five Truths About Black History, American Civil Liberties Union (last visited Feb. 21, 2022), <https://www.aclu.org/issues/racial-justice/five-truths-about-black-history>; Melissa DeWitte, When Thomas Jefferson penned “all men are created equal,” he did not mean individual equality, says Stanford scholar, Stanford News (Jul. 1, 2021), <https://news.stanford.edu/2020/07/01/meaning-declaration-independence-changed-time/>; Clay S. Jenkins, Racism and Rights: America’s Long, Complicated History, Governing (Jun. 16, 2020), <https://www.governing.com/context/racism-and-rights-americas-long-complicated-history.html>.

²⁸ Ala. Const. of 1901, §256 available at

<http://alisondb.legislature.state.al.us/alison/codeofalabama/constitution/1901/CA-245806.htm>

²⁹ Christy Byrd, “Does Culturally Relevant Teaching Work? An Examination from Student Perspectives” *SAGE Open* (July-Sept. 2016), available at <https://journals.sagepub.com/doi/pdf/10.1177/2158244016660744>, pp. 3-4; Tyrone Howard & Clarence L. Terry, Sr., “Culturally responsive pedagogy for African American students: promising programs and practices for enhanced academic performance,” *Teaching Education*, Vol. 22, No. 4 (2011), pp. 345-362.

material and socialization.³⁰ Students enrolled in multiple culturally-responsive ethnic studies courses showed improved test scores in math, reading, and writing.³¹ Studies also indicate that students, particularly Black students, Hispanic students, and male students, are less likely to drop out of high school and are more likely to graduate and attend college when school curriculum is inclusive.³²

Finally, students who receive culturally responsive education, specifically instruction encouraging them to be critical and conscious of racial dynamics and social constructs, are more likely to explore their racial identity and experience positive racial identity.³³ Student awareness of racism can reduce the likelihood that students of color will experience school-based discrimination and related academic and mental health consequences.³⁴ Furthermore, students who see positive representations of themselves in their curriculum have improved educational outcomes.³⁵ Students benefit from racially, ethnically, culturally, and linguistically diverse perspectives.³⁶ Eroding inclusive education is harmful to students, particularly students of color.

As the U.S. Supreme Court emphasized in *Brown v. Board of Education*, education is important “to our democratic society” and “is the very foundation of good citizenship” by being the “principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment.”³⁷ When people look honestly at the history of the United States, they are likely to see many contradictions and tensions, including legacies of injustice existing alongside long struggles for justice, and competing ways of interpreting them. The banning of curricular subjects as somehow harmful to the self-image of the nation is at odds with our country’s democratic values and First Amendment freedoms. And so is a public education that seeks to serve only some of its students.

³⁰ Byrd, “Does Culturally Relevant Teaching Work?” at 4-5.

³¹ Thomas S. Dee & Emily K. Penner, “The Causal Effects of Cultural Relevance: Evidence from an Ethnic Studies Curriculum,” *National Bureau of Economic Research Working Paper Series* (Jan. 2016), available at <https://www.nber.org/papers/w21865>; Kisker, et al, “The Potential of a Culturally Based Supplemental Mathematics Curriculum,” at 75-113; Gutstein, E, “Teaching and learning mathematics for social justice in an urban, Latino school,” *Journal for Research in Mathematics Education*, Vol. 34, pp. 37-73 (2003).

³² Thomas & Penner, “The Casual Effects of Cultural Relevance.”

³³ Byrd at 5.

³⁴ T. Chavous, et al., “Racial identity and academic attainment among African American adolescents,” *Child Development*, Vol. 74, pp. 1076-90 (2003); O. Thomas, et al., “Promoting academic achievement: The role of racial identity in buffering perceptions of teacher discrimination on academic achievement among African American and Caribbean Black adolescents.” *Journal of Educational Psychology*, Vol. 101, pp. 420-431.

³⁵ Supra note 27.

³⁶ Supra note 25.

³⁷ *Brown v. Bd. of Educ. of Topeka*, 347 U.S. 483, 493 (1954); See also *Plyler v. Doe*, 457 U.S. 202, 221 (1982) (nothing that “public schools as a most vital civic institution for the preservation of a democratic system of government, . . . and as the primary vehicle for transmitting ‘the values on which our society rests.’” (Brennan, J. concurring))



IV. The Alabama Legislature must prioritize remedying the stark racial inequities in Alabama’s public school system

In the face of entrenched inequities within Alabama’s public education system, H.B. 312 represents a misuse of time and public resources. Rather than banning efforts to provide a more nuanced, accurate, and inclusive teaching of American history and current events, the legislature should tackle the challenges within its educational system. The crisis of racial inequities in public education is widely known and well-documented. In Alabama public schools and across the country, many children of color do not receive the quality public education that they deserve.

Recent data from the National Assessment of Educational Progress (“NAEP”), which measures academic proficiency levels in fourth and eighth grade math and reading, shows troubling disparities based on race and socioeconomic status.³⁸ For instance, white students in Alabama scored 30 points higher in eighth grade math than Black students in Alabama.³⁹ This achievement gap exists across grade levels and subject areas and, researchers found, directly correlates to issues of race, school segregation, and poverty.⁴⁰ Furthermore, Black students in Alabama are approximately one-third of the total student population but account for 60% of all reported disciplinary incidents and are more likely than white students to receive an out-of-school suspension for the same student behavior.⁴¹ Alabama students and families will be better served if education leaders focus on closing the long-standing achievement gap and addressing racial disparities in school discipline rather than amending state law for political purposes.

³⁸ Nick Patterson, *Despite Progress, American Schools Are the Same as They Ever Were— Separate and Unequal*, BIRMINGHAM WATCH (Oct. 4, 2020), available at <https://birminghamwatch.org/despite-progress-american-schools-ever-separate-unequal/>

³⁹ *Id.*

⁴⁰ Trisha Powell Crain, *Examining the achievement gap between white and black students in Alabama*, AL.com (Mar. 7, 2019), available at https://www.al.com/news/2017/07/alabamas_achievement_gap.html.

⁴¹ DAN DAILEY, *SCHOOL DISCIPLINE AND RACE IN ALABAMA* (2020), available at <http://parcalabama.org/school-discipline-and-race-in-alabama/>; NAACP LEGAL DEFENSE & EDUCATIONAL FUND AND NATIONAL WOMEN’S LAW CENTER, *UNLOCKING OPPORTUNITY FOR AFRICAN AMERICAN GIRLS: A CALL TO ACTION FOR EDUCATIONAL EQUITY* (2014), available at https://www.nwlc.org/sites/default/files/pdfs/unlocking_opportunity_for_african_american_girls_final.pdf; GAY-STRAIGHT ALLIANCE NETWORK, *LGBTQ YOUTH OF COLOR: DISCIPLINE DISPARITIES, SCHOOL PUSH-OUT, AND THE SCHOOL-TO-PRISON PIPELINE* (2018), available at https://gsanetwork.org/wp-content/uploads/2018/08/LGBTQ_brief_FINAL.pdf.

Alabama students are reckoning with a lack of support due to school-based COVID-19 outbreaks,⁴² unprecedented food shortages,⁴³ and billions in unspent federal funding that have yet to reach the classroom.⁴⁴ Students need education leaders to focus on delivering high-quality, equitable education to all students during and beyond the pandemic.

V. Conclusion

Presently, millions of people of color in Alabama endure the legacy of slavery and Jim Crow segregation in their daily lives, including gross inequities in the public education system. Recently, many in our country engaged in a long overdue conversation about deeply entrenched, structural racism after the senseless murders of George Floyd, Wallace Wilder, Emantic Fitzgerald Bradford, Jr., Breonna Taylor, Ahmaud Arbery, and countless other Black individuals. People of all races continue to come together to demonstrate and protest against police violence, white supremacy, and structural racism – issues that tear at the fabric of our nation. These inequities have only been exacerbated by the coronavirus pandemic, the disparate infection rate in Black communities and other communities of color, and the challenges that Black students face in securing an equitable remote education.

As these vast racial and gender inequities persist in society, teachers need an array of curricular content and pedagogical tools to facilitate discussions about current-day inequities, diversity, inclusion, and everyday events occurring in society. Students must be encouraged to seek the truth by exploring even the most difficult subject areas. Teachers must show students how to engage on difficult topics with intellectual integrity and respectful discourse. Efforts to foster discussion regarding the accurate history and contemporary events of this country should be encouraged, supported, and implemented in schools, businesses, nonprofit organizations, and across government agencies.

Rather than working to quell these important discussions, Alabama legislators should focus its energy and efforts on addressing the pressing inequalities and other challenges that pervade the public school system. Students need education leaders to focus on delivering high-quality, equitable education to all students during and beyond the pandemic. Alabama families and students must not be subjected to public education that fails to accurately recount the history of the United

⁴² Savannah Tyrens-Fernandes, *Alabama isn't reporting school COVID outbreaks, contact tracing. Here's why.*, AL EDUC. LAB (Oct. 4, 2021), available at <https://www.al.com/educationlab/2021/10/alabama-isnt-reporting-school-covid-outbreaks-contact-tracing-heres-why.html>.

⁴³ Savannah Tyrens-Fernandes, *From carrots to Crispitos: How Alabama schools are battling COVID-19 food shortages*, AL EDUC. LAB (Sept. 19, 2021), available at <https://www.al.com/education/2021/09/from-carrots-to-crispitos-how-alabama-schools-are-battling-covid-19-food-shortages.html>; *See also*, Andre J. Ellington, *Alabama Schools Facing 'Unprecedented' Food Shortages Brought on by COVID*, NEWSWEEK (Sept. 28, 2021), available at <https://www.newsweek.com/alabama-schools-facing-unprecedented-food-shortages-brought-covid-1633560>

⁴⁴ Caroline Beck, *State still reviewing \$2B COVID relief funds for school*, AL DAILY NEWS (Oct. 5, 2021), available at <https://www.aldailynews.com/state-still-reviewing-2b-covid-relief-funds-for-schools/>.



States and Alabama. We urge you to reject the proposed legislation and focus on meeting the urgent needs of Alabama students and communities.

Please contact Benard Simelton, Alabama NAACP, President at president@alnaacp.org or Zahra Mion, NAACP LDF, Policy Associate at zmion@naacpldf.org with any questions or for further discussion.

Respectfully Submitted,

/s/ Zahra Mion

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