



Joint Standing Committee on Education and Cultural Affairs

LD 2001, An Act to Establish the African American Studies Advisory Council and Require Funding for African American Studies – OTP

Testimony of GLBTQ Legal Advocates & Defenders (GLAD)

January 11, 2024

Senator Rafferty, Representative Brennan, and Honorable Members of this Committee,

Good afternoon. I am an attorney at GLAD, an LGBTQ civil rights organization that both litigated and works on policy issues in Maine, New England, and nationally. I live in Portland. GLBTQ Legal Advocates & Defenders **strongly supports LD 2001, An Act to Establish the African American Studies Advisory Council and Require Funding for African American Studies.**

There are many compelling, equally important reasons to support this bill.

For one, this bill would advance Maine’s ability to provide an inclusive and meaningful education that will support student learning and success in life, a process already begun with passage of LD 1664 and the Department of Education’s efforts to effectuate it.

The school learning environment and student safety and wellbeing are deeply connected to curriculum. What is taught can serve as both a “mirror” for students to see themselves and their communities and a “window” into the lives of others, helping students to see themselves and learn about their peers and communities.¹ When students see an curriculum including their Wabanaki and African American peers and their families, the school is building a positive climate that communicates respect and contributes to emotional safety, wellbeing and student engagement for all.

It takes deliberate effort to engage successfully with people, including with people whose experiences are not our own. By continuing with curricular efforts to include African American studies in Maine schools, students can learn more about their world and each other given the extensive Maine and national histories² centering African American people. Akin to LD 1642, the Wabanaki Studies bill, LD 2001 would provide for a dedicated and funded content expert at the

¹ Style, E. (1996, Fall). Curriculum as window & mirror. http://nationalseedproject.org/images/documents/Curriculum_As_Window_and_Mirror.pdf. See also GLAD and MAAP testimony in support of LD 1642 discussing positive school climate research.

² Maine is fortunate to have locally developed historical and cultural accounts of the African American communities in Maine and of the Wabanaki. See, e.g., Harriet H. Price, Gerald E. Talbot, MAINE'S VISIBLE BLACK HISTORY: THE FIRST CHRONICLE OF ITS PEOPLE (Tillbury House Publishers 2016); Donald Soctomah, LET ME LIVE AS MY ANCESTORS HAD 1850-1890, TRIBAL LIFE AND TIMES IN MAINE AND NEW BRUNSWICK (2005).

Department of Education, as well as the formation of an expert advisory council, to support the development of pedagogically excellent material. We understand why it is important to create a professional development arm, as well as a teacher certification requirement, to insure the excellence required and support teacher competence and confidence with this material.

GLAD believes that most students, families, and community members want their children and young people to be competent about the world we live in, which world is of course influenced by what has come before. Building out this program is also consistent with what the Supreme Court values in schools as a “marketplace of ideas” rather than places of “stagnat[ion]” that comes from limiting exposure to information and ideas.³

Students will be better prepared to understand each other and a host of issues - even when they disagree - when they have meaningfully encountered accurate, accessible information about African Americans’ experiences in Maine and nationally. Understanding our history also means understanding that African Americans have always been part of Maine, innovated to survive and thrive, and never relented in the quest for full equality. Among many other examples one could point to about Maine is that in the 19th and 20th centuries, African Americans in Maine created their own schools rather than sending their children to public schools where they were unwelcome (albeit with a few exceptions).⁴

In the Portland Public schools, I noticed that my children spent a great deal of time talking about “the Founding” era of American history, meaning the events leading to the Revolutionary War and approval of the U.S. Constitution. I mention this because while this is an important era, what is also important is that the Framers’ belief in Declaration of Independence that “all men are created equal” was powerful but their understanding was imperfect. The Constitution accommodated slavery, for example, by treating “other persons,” i.e., enslaved persons, as “three-fifths” of a person for the purpose of apportioning representation in the House of Representatives. U.S. Const., art. I, sec. 2, cl. 1.

This contradiction in the American ideal of fairness and equality has played out in society ever since. President Lincoln’s Gettysburg Address eulogized the Founders for bringing forth “a new nation, conceived in Liberty, and dedicated to the proposition that all men are created equal.” It took a great deal, including the Civil War, to effectuate the freedom, citizenship, equality for African Americans as our national commitment in the Reconstruction Amendments to the Constitution. But it wasn’t that easy and in fact things went backwards with Black Codes, violence and loss of political and civil rights. It was not until 86 years later – in 1954 – that the Supreme Court enforced that commitment as to schools in *Brown v. Board of Education*. In the 1960s, Congress passed signal laws like the Civil Rights Act of 1964, the Voting Rights Act of 1965 and others that reasserted the political, civil and economic rights of African Americans, a period now referred to as the Second Reconstruction.

³ *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 512 (1969) (cleaned up); *Sweezy v. New Hampshire*, 354 U.S. 234, 250 (1957) (“Teachers and students must always remain free to inquire, to study, and to evaluate, to gain new maturity and understanding.”).

⁴ See, e.g., MAINE’S VISIBLE BLACK HISTORY, above at n. 2, including at 163-177.

These issues remain consequential ones in our times. LD 2001 (and LD 1642) – effectuated as designed, would reinforce the foundations of our multiracial democracy and support schools as the “nurseries of democracy.”⁵ All of our students deserve access to the information, ideas, and skills – including accurate information and context, analytical thinking, historical understanding, and debate – that are central to their roles in engaging as citizens and on policy issues in our democracy. Students who know and understand each other are better able to work through differences and find common ground.

Stated another way, our society is strongest when “we the people” really means all of us. Schools play a vital role in ensuring that upcoming generations are prepared to engage and to find common purpose so that, as President Lincoln also stated, that “government of the people, by the people, and for the people” shall remain.

GLAD urges an ought to pass vote on LD 2001. Thank you for your consideration.

Respectfully Submitted on behalf of GLAD,
Attorney Mary L. Bonauto
GLBTQ Legal Advocates & Defenders
257 Deering Ave., Portland ME 04103
18 Tremont St., #950, Boston, MA 02108
mbonauto@glad.org

⁵ *Mahanoy Area Sch. Dist. v. B.L.*, 141 S.Ct. 2038, 2046 (2021).