



WISCONSIN STATE REPRESENTATIVE

# Andrew Hysell

48TH ASSEMBLY DISTRICT

## Media Release

***For Immediate Release***

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## **Rep. Hysell Applauds Federal Judge's Decision to Protect Teachers and Public School Funding**

MADISON – Earlier today, a federal judge in New Hampshire limited the Trump Administration's ability to unilaterally withhold federal funds from public schools under notice issued by the United States Department of Education. Judge Landya B. McCafferty of the United States District Court of the District of New Hampshire issued an injunction to protect any school that employs National Education Association (NEA) members from retaliation.

In a "Dear Colleague Letter" sent in February to all State Education Agencies, including the Wisconsin Department of Public Instruction, the US Department of Education threatened to revoke federal funding and seek penalties from schools that were found to be promoting diversity even using non-racial means. The Judge noted that the vagueness of the letter could lead to "subjective determinations of enforcement authorities" of what teachers could say and therefore unconstitutionally suppress speech. The Court cited past precedent saying, "The government cannot simply tell people to 'be good' and leave it up to the enforcers to decide what 'good' is."

"Today we should be thankful that the rule of law as it relates to our education system is being upheld by our federal judicial system," said Representative Andrew Hysell. "By issuing this order, the Court recognizes that public schools should not be muzzled by the federal government under the guise of a culture war crusade."

Because the NEA brought this on behalf of the interests of their teacher members, any school employing such teachers is protected from this federal action. NEA is America's largest education union, representing approximately three million members who work at every level of education.

"If you are an educator or support your public schools, this ruling is an excellent example of how teacher unions protect our public education system. In bringing forth this lawsuit, NEA not only advocated for the welfare of their members, but for public schools at large."

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