



*A Union of Professionals*

## **AFT Concerns with Kavanaugh's Record on Public Education**

Judge Brett Kavanaugh has had a career of undermining public education. He has taken public positions questioning the foundation of public education and advocating against students and educators in public elementary and secondary schools and higher education. Kavanaugh's record shows that he is aligned with President Trump and Education Secretary Betsy DeVos. He is the wrong choice for students and for public education; he could be a rubber stamp for the DeVos-Trump education agenda.

### **Approves of Private School Vouchers with Public School Funding**

- Kavanaugh fought for a statewide private school voucher program in Florida. Private school voucher programs use public school funding for private schools with little oversight and accountability. In Florida, at times, this has led to financial mismanagement and fraud at the expense of student achievement. The Florida Supreme Court found the voucher program defended by Kavanaugh to be unconstitutional.
- Kavanaugh stated that the U.S. Supreme Court would find private school vouchers to be constitutional.
- Kavanaugh's advocacy for private school voucher programs raises concerns about his understanding of the rights of students with disabilities under the Individuals with Disabilities Education Act. Typically, students with disabilities who participate in a voucher program are forced to waive these rights.

### **Supports Prayer and Religion in Public Schools**

- Kavanaugh believes in protecting the rights of using the public sound system at a public high school for student-led prayer at athletic events. The Supreme Court has ruled against this practice.
- Kavanaugh argued that religious organizations should have access to public school facilities during nonschool hours and believes there should be fewer barriers for religious groups using public schools and facilities to advance their religious mission.

### **Disregards Student Protections in Higher Education**

- Kavanaugh wrote that the Consumer Financial Protection Bureau, a key agency protecting student borrowers from fraudulent and predatory for-profit colleges and student loan companies, is unconstitutional.
- Kavanaugh, along with Robert Bork, co-authored an amicus brief for the Center for Equal Opportunity, a group that opposes race-based affirmative action in college admissions. This indicates that Kavanaugh would be suspect of the use of race-based considerations in government or institutional settings.

### **Puts the NRA before Student Safety**

- Kavanaugh could stand as a barrier to commonsense gun safety reforms that would keep our schools and communities safe.

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The **American Federation of Teachers** is a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do.

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- Kavanaugh's record indicates he is not likely to take public safety into consideration when deciding if a gun violence prevention law is constitutional.
- Kavanaugh was against the ban on assault weapons and high-capacity magazines in the District of Columbia. He stated that there is "no constitutional distinction between semi-automatic handguns and semi-automatic rifles."
- Kavanaugh has a goal to broadly expand the scope of the Second Amendment and the definition of who can legally exercise that right in America.