

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

RUTHIE WALLS, et al.,

Plaintiffs,

v.

Case No.: 4:24-cv-00270-LPR

HON. SARAH HUCKABEE SANDERS, in her  
official capacity as Governor of the State of Arkansas,  
et al.,

Defendants.

**DECLARATION OF RUTHIE WALLS**

I, Ruthie Walls, pursuant to 28 U.S.C. § 1746, declare the following:

1. The facts set forth in this declaration are based on my personal first-hand knowledge, and if called as a witness, I could and would competently testify to the following matters under oath.
2. I am from Little Rock, Arkansas. I earned a Bachelor of Arts degree in Psychology and a Master's degree in Secondary Education with an emphasis on History from the University of Arkansas at Little Rock. I also earned an Education Specialist degree (Ed.S) from Arkansas State University with a Building Level Administration and Curriculum Director certificate. I have been licensed to teach in Arkansas for 23 years. I am also a licensed school administrator.
3. I am a Social Studies teacher in the Little Rock School District. I teach African American History. I have been teaching African American History at Central High School for 7 years. In addition, I have taught AP African American Studies at Central High for the past two years. Overall, I have taught in Arkansas public schools for over 20 years.
4. I was named Central High "Teacher of the Year" for the 2023-24. I am also a recipient of the 2023 Bessie B. Moore award bestowed by Economics Arkansas for my academic work, "From Ninth Street to Now," which chronicles the race-based destruction of Little Rock's thriving Black downtown community during a 1960s "urban renewal" project that forced Black people out of their homes and businesses by eminent domain and coercion. Ultimately, Black residents in Little Rock were segregated to the south via a new highway, I-630, which became the city's new *de facto* racial boundary marker. I was also awarded the 2023 College Board Exceptional Service to Education Award this year.

5. I am also a Consultant for the Advanced Placement Summer Institute. Since last summer, I have contracted with individual colleges and universities to train their teachers on the AP African American Studies curriculum. During the summer of 2023, I also served as a reader for the AP exam for African American Studies, which meant that I reviewed and graded various parts of the AP exam. This year I will lead a group of teacher readers as a table leader.
6. During the 2022-2023 school year, I taught one section of AP African American Studies to 28 students. This year, I am teaching four sections of AP African American Studies to 94 students, and two sections of African American History to 50 students.
7. Students enrolled at Central High predominantly identify as Black or African American, but I teach students of all racial and ethnic backgrounds. I personally identify as a Black woman, and I strive to expose my students to perspectives and ideas from all walks of life as relevant to my teachings.
8. My goal for students is that they leave my classroom with a clear and accurate understanding of history. I want them to think critically and move beyond rote thinking. Especially in this age of artificial intelligence and rampant misinformation, it is vital that students be able to take in information, research it for themselves to see the whole picture, and come to their own conclusions. I want to empower them to be informed, productive members of society.
9. At the start of each year, I am intentional about building a classroom culture that feels safe for all students because we may discuss very sensitive topics, such as race and gender. I make sure my students understand that every voice will be heard. I teach them what civil discourse looks like so that they can respectfully listen to everyone's perspective. With this baseline, we are able to have rich discussions where students are comfortable and open enough to share their experiences.
10. Since teaching African American History and AP African American Studies, I have seen students respond positively to the curriculum. They are very curious about the materials and engage deeply with them. I often hear, "Ms. Walls, why is this the first time I'm hearing about this?" I often witness students making connections between the history they're learning and what's happening in the world today. They feel like this history is directly relevant to their lives.
11. Under the state academic standards for African American History, throughout the course students are expected to develop and apply disciplinary literacy skills: reading, writing, speaking, and listening. As students seek answers to compelling and supporting questions, they will examine a variety of primary and secondary sources and communicate responses in multiple ways, including oral, visual, and written forms. Students must be able to select and evaluate sources of information, draw and build upon ideas, explore issues, examine data, and analyze events from the full range of human experience to develop critical thinking skills essential for productive citizens.

12. This year's AP African American Studies curriculum, provided by College Board, is distinct from last year. Several "hot-button" topics were removed; most notably, in my opinion, the section on intersectionality. Intersectionality refers to the exploration of how and why people encounter the world through multiple identity characteristics. This is unfortunate because I believe learning about and understanding intersectionality empowers all students, but especially those whose voices have been largely left out of history.
13. Because of Arkansas' "anti-indoctrination" law, Section 16 of the LEARNS Act, I have changed the way I teach this curriculum, avoiding discussions of certain aspects of these important issues for fear of violating the law. Despite reading the law several times and seeking guidance on its meaning, I still do not understand what it allows and what it prohibits.
14. In previous years, I would assign *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* by Michelle Alexander in both my AP African American Studies and African American History courses. I taught this book as part of a discussion about the prison industrial complex relating to our viewing of *13<sup>th</sup>*, a documentary by Ana DuVernay about this issue. I have since removed the book from my curriculum because I'm afraid that Section 16 of the LEARNS Act will be enforced against me. I would also like to use the New York Times's "The 1619 Project" materials but I keep my copy of these materials at home for the same fears.
15. I have also self-censored my conversations and discussions with my students because of Section 16 and potential consequences I may face. Many of the discussions that I now avoid in class are topics that students are naturally curious about because they want to understand how these historical events connect to their everyday lives. For example, in previous years, when discussing the consequences of *Brown v. Board of Education*, I would discuss the effect of the decision on Black teachers and how the push to desegregate schools led to many of these teachers losing their jobs. In previous years, I also compared the Jim Crow laws passed in the late 19<sup>th</sup> and early 20<sup>th</sup> century to laws that are passed today. I no longer raise these areas of discussion with my students because I fear that they may be seen as divisive (though they are not) and therefore violate Section 16.
16. Although I know that the law contains exceptions for discussing ideas and history and current public policy issues, it does not help me understand what the law allows and what it prohibits. The language actually seems contradictory. Overall, it is simply confusing. Like other History and Social Studies teachers I have spoken with, I am at an absolute loss figuring out what I can and cannot teach. How do we know if we are breaking the law? Where is the line?
17. The language of the Act is so vague that there is no clear line that allows me to understand what is prohibited. It does not provide a clear definition of indoctrination. Without clarity, I fear that the ADE can arbitrarily decide what constitutes indoctrination and what does not. This fear forces teachers like myself to over-correct and censor ourselves and sometimes, even our curriculum.

18. I also do not understand what the law means by “Critical Race Theory.” It is very subjective. Based on statements by the governor and other officials, it seems that this simply refers to anything divisive and that they disagree with. I believe they consider any discussions, lessons, or even facts that might make someone, especially White people, feel uncomfortable as CRT or indoctrination.
19. In my opinion, if history doesn’t make you feel uncomfortable, then you are probably not teaching an accurate history. Instead, that may be propaganda. But I do not purposefully try to make anyone feel uncomfortable because of their race or that any group is superior over another. I believe that questioning the narratives that have been painted for us and telling the truth about our history is true patriotism and necessary for our next generation of citizens to grow.
20. Critical Race Theory is not something I have ever seen taught in our schools. When the governor first accused schools of teaching CRT, I had to research it just to understand what it was so that I could figure out if I was guilty of it or not.
21. From my understanding, CRT is an academic framework, a theory, that was developed decades ago to explore and seek to understand history from a systemic standpoint rather than a set of isolated incidents.
22. I believe that this law, and its focus on CRT, is politically motivated and has little, if anything, to do with education. When people attack CRT or complain about indoctrination, and I ask them to explain what those things mean, most of them don’t understand it. They can only repeat what they have heard in political talking points. They have not done any of their own research and they have no evidence. This is the opposite of what I try to teach my students about how to understand history and the world around them.
23. Last year my students received graduation credit for their participation in AP African American Studies. The course was considered a Social Studies class. However, since the ADE restricted the course, it is now only an elective credit. Students signed up for the course with the understanding that they would receive graduation credit. This credit was taken from them by the ADE’s decision.
24. Now, students must restructure their course schedule to ensure that they will have enough credits to graduate. For example, an 11<sup>th</sup> grader in my class needs only one more social studies credit to fulfill the social studies graduation requirement. When she signed up for AP African American Studies, she was told that this requirement would be met. Because she chose to continue her studies in AP African American Studies, even though it only earns her elective credit, she will have to add an additional Social Studies course onto her schedule to meet this requirement unless the ADE reverses its decision from last fall 2023.
25. The ADE’s decision significantly impacted students’ mental health. My students felt a lot of anxiety when they first learned that their course may be taken away or changed significantly. Several of them had sought school counseling to deal with these anxieties.

Students saw their grades disappear, saw the class mislabeled as local credit only, and felt panicked and confused. Essentially, the ADE pulled the rug out from under them.

26. Importantly, due to the ADE's decision, the course has lost much of its validity. The highly publicized concerns about and attacks on AP African American Studies have placed a stigma on the course, its content, and the students enrolled in it. Students in AP African American Studies are working just as hard as students in other AP courses, but the discourse and decisions regarding the course have sent them the message that AP African American Studies is second-rate, somehow less worthy than other AP classes. This is the only AP course to be labeled indoctrination and receive this scrutiny and treatment. It speaks volumes.
27. This message of inferiority has a particular effect on Black students because they have connected the class to their identity. The ADE's treatment of AP African American Studies tells them that their history does not matter and is not worth studying at this level, which could not be further from the truth.
28. Even though AP African American Studies is currently listed in the 2024-2025 Course Catalog, the course is still being treated differently than its original iteration. The course is listed as a "career focused elective." AP European History is listed as a graduation elective. It is unclear to me what the difference between a career focused elective and graduation elective is, but it appears that AP African American still will not be eligible for a Social Studies graduation credit next year either. Perhaps students will be able to take the course as for an elective credit, but this is unclear.
29. Moreover, the ADE has not provided any clarification about how AP African American Studies will be structured or counted. Unlike other AP courses, the course description for the AP African American Studies also does not define the course as a "College Board" course.
30. It also appears the ADE quietly added the course to the course catalog. Unlike the ADE's decision to initially remove the course, the ADE did not make any phone calls or announcements explaining their decision to list the course for next year. They did not state whether they had reviewed the course, if they had decided that it did not violate Section 16, or if there would be any continued restrictions on the course next year. Instead, they released a commissioner's memo email to principals at approximately 6:50 p.m. the same day this lawsuit was filed. But as in the fall of last year, there is no guarantee that Secretary Oliva will not cancel the course again at the last minute. And they still have not restored this year's class with full AP course benefits.
31. I have also experienced significant anxiety due to the ADE's treatment of AP African American Studies. The ADE's last-minute decision to delete and then change the course code created significant amounts of additional, unnecessary work. By that time, I already had 14 assignments, including essays, entered for almost 100 students. I had one week to amend everything for the course. I stayed late almost every evening editing assignments and adjusting lesson plans because I feared that the State could come in at any time and make accusations or change things once again.

32. As a result of this panic, anxiety, and fatigue, I developed chest pains. I was referred to a cardiologist and had to undergo a diagnostic procedure, which revealed that the issue was stress-related, caused by elevated blood pressure rather than a physical complication. Because of this ordeal, I missed a week of work and was placed on medication, incurring unnecessary financial costs in addition to the toll on my mental health.
33. As both an instructor and training consultant for AP African American Studies, I have also felt the effects of the stigma placed on the course in Arkansas. I recently attended a College Board Consultant training in Philadelphia, PA. As soon as I entered people started to whisper. I heard one say “she is from Arkansas.” One by one the other consultants asked me, “How are you, Ruthie?” I commented fine. They would then ask me again, “No, how are you really? I know you have been targeted in Arkansas. It seems really bad. Are they going to allow you to teach the class?” One person asked whether “This is 1957 and Faubus is the governor or 2024? I can’t believe this is happening, in all places, at Little Rock Central High.” I replied that although it looks like it, Arkansas is really not like what you have read in the papers. I feel ashamed of the divisive politics but I’m proud of what we have been able to accomplish at Central. The young people want to learn. They want to know the truth and they can handle it in spite of what some people say.
34. While I was teaching the course last year, Jacob Oliva visited my classroom with little notice after the passage of the LEARNS Act. His visit came right after students from Central High had protested against the LEARNS Act. At the end of class, I gave him a copy of our curriculum. He was very complimentary of the class. I had no reason to believe that there were any concerns about the AP course. We did not hear anything else from Oliva or the ADE until we were informed that the course code for AP African American Studies had been deleted for the 2023-2024 school year.
35. In my 23 years of teaching, and in my own knowledge of Arkansas education policy and training in becoming a teacher, I have never come across a law such as Section 16. In my education and experience, there have always been academic standards for courses approved by the state. Those standards have been routinely developed by teachers who are considered experts in their field of study. For example, I have assisted in developing the standards for African American History.
36. Section 16 of the LEARNS Act makes it unclear whether students can be exposed to ideas about the continuing effects of past discrimination. For example, if I teach a lesson about the seminal case *Plessy v. Ferguson*, am I only allowed to discuss the case as it happened in 1896? Will I violate the law if I discuss with my students the long-lasting effects of the “Separate but equal” doctrine being the law of the land for 58 years? If I teach a lesson about the Jim Crow laws of the South, does it constitute indoctrination for me to ask students to research and discuss how these laws are similar to some of the laws being passed today?
37. My students are currently preparing their project-based reports and presentations where they will defend their thesis before a faculty panel beginning April 25. Many of these topics get at the heart of controversy and racial inequalities, including Sadie Belle’s and



Gisele's, my co-plaintiffs. When I provide my students guidance and support, will I be seen as, and reported for, assisting them in order to "indoctrinate" others? Will they be considered as "lecturers" under the law? The anxiety continues to build but the state still has not pulled down its law or its restrictions on AP African American Studies.

38. In addition, because I am self-censoring the deeper, more critical conversations about the topics in our curriculum, due to my fear of violating Section 16, I worry that that my students will be unable to perform fully and adequately on the AP Exam on May 14, 2024. Unlike students in states that do not have similar censorship laws impacting AP African American Studies courses, my students have not been able to delve as deeply into topics that they may be tested on in the exam. Based on my experience as an exam reader for the 2023 AP African American Studies exam, I have intimate knowledge of how students are graded, especially on the essay portion. To be successful on the AP exam, it is not enough for students to simply identify issues; they must be able to apply what they have learned. Although I teach my students the materials in the curriculum, I do not always model the skill of application involving certain topics, which is critical for the exam, because I am worried that I might be sanctioned.
39. If Section 16 is enjoined, then I will be able to better prepare my students for their AP exam by engaging in the critical application of these materials, which I have been censoring. Because the exam is only a month away, this is urgent.
40. I believe that if I violate Section 16 of the LEARNS Act, I could lose my license. Based on my experience as an administrator, if someone makes a complaint that I was indoctrinating students, I could be investigated by the Board of Education and brought before a hearing panel where I could face a number of sanctions, including a letter of reprimand, a suspension of my license or even getting my license revoked.
41. I am consistently worried that I will face professional discipline for unknowingly violating Section 16. For example, when I received an email from the ADE a few months ago referencing my professional license, I was certain that my job was in jeopardy. Although it turned out that the email was unrelated to my role as the AP African American Studies, I continue to feel at risk as long as this vague law stands.
42. Never have I ever seen the state impose such onerous restrictions, not just on what is taught, but *how* it should be taught. Such judgment has always been left to teachers, schools, and districts. The language of Section 16 has had a demonstrable chilling effect in my classes and I have been forced to deprive my student's of information and ideas that they otherwise would acquire.

I certify under penalty of perjury that the foregoing is true and correct based upon my personal knowledge. Executed in Arkansas this 12th day of April 2024.

ms. Ruthie Walls, Ed. S.

Ruthie Walls