

Vote NO on President Trump's Supreme Court Nominee



NEA opposes President Trump's nominee for the United States Supreme Court: Judge Neil Gorsuch from the Tenth Circuit Court of Appeals.

- ▶ In the overwhelming majority of cases, Judge Gorsuch has **ruled against students with disabilities** and expressed personal reservations about their constitutional rights. Specifically, he has:
 - Erected **technical legal barriers** against the claims of students with disabilities — for example, in *A.F. v. Española Public Schools*, he would not allow a student to assert her rights under the Americans with Disabilities Act because she had previously reached a settlement under IDEA.
 - Ruled that students with disabilities are owed only **a bare minimum of education** — for example, in *Thompson R2-J School District v. Luke P.*, he says IDEA requires educational progress that is “merely ... more than de minimis,” a finding now being reviewed by the Supreme Court in *Andrew F. v. Douglas County School District*.
 - Joined opinions that say the constitutional rights of students with disabilities are not violated even when they are subjected to **abusive confinement** — for example, in *Muskkrat v. Deer Creek Public Schools* and *Couture v. Board of Education*.
- ▶ Judge Gorsuch favors curbing the ability of federal agencies to **issue regulations** that protect workers, consumers, the environment, and everyone's health and safety.
- ▶ Judge Gorsuch has **consistently sided with big business** at the expense of working people and embraced extreme views that could endanger workers' rights on issues like employment discrimination, worker safety, and wages.
- ▶ The next Supreme Court justice could cast the **deciding vote** in cases involving students with disabilities and other critical issues: protecting students' rights, public education funding, educators' ability to negotiate collectively for wages and benefits, and much more.
- ▶ An **independent** Supreme Court is a check on abuse of executive power — that's more important now than ever, considering President Trump's willingness to strip away rights with the stroke of a pen.
- ▶ It is essential for the next Supreme Court justice to be **fair and impartial** — not influenced by politics, parties or the president.