



FOR IMMEDIATE RELEASE

CONTACT: Jas Chana, NCAC Communications Director
jas@ncac.org, 212-807-6222 ext.107

Free Speech Groups Oppose New Effort to Label Books ‘Sexually Explicit’ in Virginia Schools

Virginia, November 17, 2016 – The National Coalition Against Censorship (NCAC) is calling on the Virginia Board of Education to reject a regulation requiring schools to notify parents whenever books and textbooks containing “sexually explicit materials” are taught.

The proposed amendment follows the near identical requirements of the so-called ‘Beloved Bill’, named after controversy surrounding Toni Morrison’s *Beloved*, which [was vetoed](#) by Virginia Governor Terry McAuliffe in April. A similar policy was also considered in Chesterfield, VA, this past summer, but was [rejected after review](#).

NCAC’s opposition to labeling or “red flagging” school books as “sexually explicit” maintains that the term is overbroad, potentially prejudicial in its use and can work to stigmatize books of educational value. Literary Classics, for example, like *Romeo and Juliet*, *The Diary of Anne Frank*, *Slaughterhouse Five*, and *Brave New World* could be labeled as such when decontextualized passages are flagged and the wider themes of the works are ignored.

The letter also notes that implementing and acting on the amendment would raise First Amendment concerns. According to *Texas v. Johnson* (1989), schools are prohibited from discriminating against “the expression of an idea simply because society finds the idea itself offensive or disagreeable.” This includes teachers and school officials singling out certain books based on passages they subjectively deem to be inappropriate. The letter is co-signed by the ACLU Virginia, the Comic Book Legal Defense Fund, American Booksellers for Free Expression, Association of American Publishers, Authors Guild and PEN America.

"We are disappointed to see that the Department of Education quietly attempting to enact this deeply problematic regulation," said NCAC’s Josh Zuckerman. “Not only does it raise First Amendment concerns, it is buried within a lengthy and hardly publicized document, denying citizens the chance to weigh in on this important and controversial issue."

[READ THE FULL LETTER](#)

ncac.org

The National Coalition Against Censorship (NCAC) is an alliance of 50 national non-profit organizations dedicated to defending freedom of thought, inquiry and expression.