



A project of the **National Coalition Against Censorship**

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**March 3, 2016**

Superintendent Charan Cline  
Yamhill Carlton School District  
120 N. Larch Place  
Yamhill, OR 97148

By electronic mail: [clinec@ycschools.org](mailto:clinec@ycschools.org)

Dear Superintendent Cline,

On behalf of the Kids' Right to Read Project, an initiative of the National Coalition Against Censorship that seeks to defend student access to literature, we write to raise our concerns about the Yamhill-Carlton School Board's decision to remove Rainbow Rowell's novel *Eleanor and Park* from the eighth-grade classroom, apparently in response to a few complaints and while the book is still under review. The hasty removal of the book is likely to violate District policy and does a disservice to the District's students. We would also like to offer some educational and legal considerations to the Reconsideration Committee as it decides whether the novel should be permitted in classrooms. We hope that the Board and the Reconsideration Committee will keep our concerns and considerations in mind in this and future challenges to curricular materials.

It is our understanding that *Eleanor and Park* was first selected in September for eighth-grade classroom use by a teacher. Teachers are ordinarily entitled to select their own books for English classes, subject to the ultimate approval of the principal. After you and Principal Michael Fisher performed "a quick review" ([February Final Packet](#) page 56), the book was removed from the classroom on September 12. In an unprecedented measure, Principal Fisher asked the District Curriculum Committee to review the book. The Committee, which does not normally review specific texts, approved the book for use on November 17.

In December, the teacher informed parents that the book would be taught, and it was distributed to students on January 6. However, on January 9, the Board voted to remove the book from the curriculum following parental complaints about language and sexual content. On February 13, the Board voted to allow the Reconsideration Committee to examine the novel and issue a recommendation. The Board will select the members of the Committee at its March 13 meeting. In the interim, *Eleanor and Park* is not being taught and has been removed from District's high school libraries. The book was never available in middle school libraries.

### **1. Apparent Violation of School Procedures**

The process by which the Board authorized the removal of a book approved by the District Curriculum Committee appears to violate [Policy IIA-AR: Instructional Materials Selection](#). Under this policy,

challenged books must be referred to a review committee, which will issue a recommendation concerning the educational use of the challenged book. **The Policy states that “generally, access to challenged material shall not be restricted during the reconsideration process.”** In apparent violation of this policy, the Board voted to remove *Eleanor and Park* from classrooms before a Reconsideration Committee had even been formed, despite the existing recommendation by the District Curriculum Committee. Vice-Chairman Tim Pfeiffer recently [apologized](#) for “not following the process we have in place” but did nothing to remedy this.

Policy IIA-AR does provide that “in unusual circumstances the material may be removed temporarily.” However, the phrase “unusual circumstances” is never defined, and it is difficult to imagine that either parental complaints or the use of a book approved by the District Curriculum Committee constitutes “unusual circumstances.” Moreover, even in “unusual circumstances,” **challenged books may only be temporarily removed by the Reconsideration Committee, not by the Board itself**, according to Section 3.f.(3). The removal of *Eleanor and Park* from the District’s high school libraries in response to a complaint about its use in the middle school curriculum is thus especially egregious.

Government institutions such as the Board should adhere to their own written and duly promulgated policies. Failure to follow such policies creates a dangerous precedent that could enable the Board to ignore, alter, or otherwise violate other rules in future controversies. This could potentially expose the District to legal liability in issues such as student discipline and appropriation of funds.

## **2. Educational and Legal Implications of Removing *Eleanor and Park***

We urge the Board and Review Committee to keep *Eleanor and Park* in the curriculum. Decisions about instructional materials should serve all students in the District. This can best be accomplished if these decisions are made on sound educational grounds. *Eleanor and Park* is a **critically acclaimed and widely taught novel** that deftly explores themes such as love, race, bullying, body image, and abuse. It has won prestigious awards such as Goodreads Choice Award for Best Young Adult Book of the Year, Amazon’s Teen Book of the Year, and the American Library Association’s Michael L. Printz Award, given annually to the best book for teens. It is recommended by its publisher for teenagers.

Indeed, students of this age value *Eleanor and Park* highly. In letters to Ms. Rowell, one teenager noted how Eleanor “is a strong role model for girls who are going through body-image issues, like I did,” and another praised the book for making her “reevaluate my life and ways I could get help.” Yet another student described it as “the first book that got me into reading.” (NCAC archives)

**Sexual content and “foul language” provide no justification for removing an educationally valuable work from the curriculum.** Countless great works of literature such as *Slaughterhouse Five*, *To Kill a Mockingbird*, and *1984* describe sexual activities or use “foul language” in a manner that some parents may find objectionable. Any school district that fails to teach valuable novels solely on the grounds that they contain references to sexuality and “foul language” will greatly disadvantage its students who choose to attend college and enroll in literature classes. Indeed, the removal of *Eleanor and Park* from classrooms deprives teenagers of the chance to discuss and understand highly salient issues that may affect them on a personal level.

On a more practical level, removing *Eleanor and Park* could burden the District by **encouraging further complaints** about other novels, which, if granted, would result in a curriculum devoid of thought-provoking or stimulating novels.

Removal would also **ignore the diversity of opinion on moral issues within the community and** prioritize the ethical, moral, and religious views of a vociferous group of complainants over those of the

parents and students who want *Eleanor and Park* to be taught. Such action raises **First Amendment concerns**. The Supreme Court has cautioned that school officials may not remove books from library shelves such as those at Yamhill Carlton High School “simply because they dislike the ideas contained in those books” *Board of Education v. Pico* 457 U.S. 853, 872 (1982) (plurality opinion). Many courts, like the Eighth Circuit, recognize the unconstitutional “chilling effect” on First Amendment rights when material is removed because of objections to the ideas contained therein. See, e.g., *Pratt v. Independent School District No. 831* 670 F.2d 771, 779 (8<sup>th</sup> Cir., 1982). The Ninth Circuit specifically recognized that students have a constitutional right to read books selected for their “legitimate educational value.” See *Monteiro v. Tempe Union High School District* 158 F.3d 1022, 1029 (9<sup>th</sup> Cir., 1998).

### 3. Conclusion

For the aforementioned reasons, we call on the Reconsideration Committee to recommend the continued use of *Eleanor and Park* in District classrooms. We also hope that the Board will guarantee that Policy IIA-AR is scrupulously followed in future cases of book challenges. Aside from its failure to define “unusual circumstances,” the Policy is commendable. It closely reflects a [sample policy](#) (page 51) from the Oregon School Boards Association and, by mandating that books almost always remain in use pending review by a committee of educational experts, greatly restricts the ability of a few complainants to restrict kids’ right to read.

Please let us know whether we can be of any additional assistance in this regard.

Sincerely,



Svetlana Mintcheva, Director of Programs  
National Coalition Against Censorship



Charles Brownstein, Executive Director  
Comic Book Legal Defense Fund



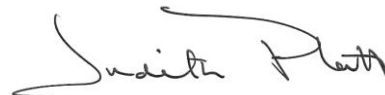
Millie Davis, Director  
Intellectual Freedom Center  
National Council of Teachers of English



Chris Finan, Director  
American Booksellers for Free Expression



Lin Oliver, Executive Director  
Society of Children’s Books Writers and Illustrators



Judith Platt, Director  
Free Expression Advocacy  
Association of American Publishers



Mary Rasenberger, Executive Director  
Authors Guild



Fatima Shaik, Co-Chair  
Children’s and Young Adult Book Committee  
PEN America