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American Booksellers for Free Expression
Comic Book Legal Defense Fund
Association of American Publishers

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Tim Foley
Assistant Superintendent
Cody District Public Schools
919 Cody Avenue
Cody, WY 82414

Dear Mr. Foley,

We are a coalition of literary, artistic and educational organizations dedicated to promoting free expression and fighting the suppression of free speech. We offer support and guidance to educators in protecting the right of students to read freely. As discussed later in this letter, we oppose the challenge that a parent has filed in an effort to remove *A Bad Boy Can Be Good for a Girl* from the Cody High School library. We also write to suggest improvements to your policies for reviewing books like *A Bad Boy Can Be Good for a Girl*.

We believe there are two ways in which the process to review this book can better implement the philosophy outlined in your Board of Education Policy IJ (*Learning Resources and Materials*), and Policy IJL (*Library Materials Selection and Adoption*).

First, we recommend that you revise your learning resources complaints policy to ensure that Complaint Committee decisions are based primarily on pedagogical principles and the professional expertise of education and media specialists.

In its present form, Policy KEC (*Public Feedback or Complaints About Learning Resources*) places the expert judgment of educators at a disadvantage by giving a greater number of Committee seats to “parents/patrons.” Currently, Policy KEC allows three educators and five parents/patrons to serve on the Committee, and establishes that five committee members constitute a quorum. With this composition, the parent/patron members could vote to revise an entire course curriculum over the objections of all three educators. The losers here would be the students whose education would potentially be gravely impaired.

In addition to improving the balance between educators and parents/patrons that constitute the Complaints Committee, it is also essential that librarians serve on the Committee. Policy IJL on *Library Materials Selection and Adoption* specifically tasks the school library media center with “enrich[ing] and support[ing] the educational programs of the school” and “provid[ing] a wide range of materials on all levels of difficulty, with diversity of appeal, and the presentation of different points of view.” Librarians – who exercise their professional judgment in selecting books for the high school library – should be consulted in re-evaluating those books when a challenge occurs. Librarian representation in the Committee would also assist in achieving “a

comprehensive collection appropriate for the users of the library” and ensure that “principle [is placed] above personal opinion and reason above prejudice,” both goals of Policy IJL.

Second, we urge you to include the literary and educational merits of a challenged title as a factor to be carefully considered in the Complaint Committee’s decision-making process.

Not only could the current guidelines for the composition of the Complaint Committee undermine the achievement of educational objectives established in your own policies, they could also impair students’ well-established right to access ideas pursuant to the First Amendment.

The Supreme Court has established that public school officials’ discretion regarding the removal of *library* books is particularly limited to ensure the protection of students’ First Amendment right to access information because “students must always remain free to inquire, to study, and to evaluate, to gain new maturity and understanding ” and “the school library is the principal locus of such freedom.” *Board of Education v. Pico*, 457 U.S. 853, 868-69 (1982)(plurality opinion). In the same case, the Court also cautioned, “[l]ocal school boards may not remove books from library shelves simply because they dislike the ideas contained in those books and seek by their removal to ‘prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion.’” *Board of Education v. Pico*, 457 U.S. 853, 872 (1982)(plurality opinion). Thus, **the removal of books from public school libraries to suppress ideas is a violation of the First Amendment.**

Tanya Lee Stone’s *A Bad Boy Can Be Good for a Girl* is a critically acclaimed book that takes on difficult challenges many young readers face in high school. Because of its resonance with teen readers, the book is on a number of distinguished literary lists, including the American Library Association 2007 Quick Picks for Reluctant Young Adult Readers, School Library Journal Book of the Month, New York Public Library Book for the Teen Age, Texas Tayshas State Reading List, Maryland Great Books for Teens 2006, Kentucky Bluegrass Award Master List, among others. *School Library Journal* praised Stone’s “realistic and frank...descriptions of the teens and their sexuality.” *Booklist*, the renowned ALA-supported literary review for librarians, agrees that “Stone’s novel in verse, more poetic prose than poetry, packs a steamy, emotional wallop...” stressing that “the lessons learned here, however, are important.”

In deciding whether to keep *A Bad Boy Can Be Good for a Girl* in the Cody High School Library, the Complaint Committee should also consider the value this title would bring to those who choose to read it. Literature holds a unique place in helping young people cope with the challenges of growing up and books like *A Bad Boy Can Be Good for a Girl* can provide a safe space to explore those challenges and develop empathy for others facing similar problems.

Many young readers have written to Tanya Lee Stone to express the valuable lessons her book imparted and the impact it made on their lives. One such young reader wrote:

"I think that any girl could, and probably will get some kind of warning out of this book...**the book is amazing and is a great teacher for those girls just coming into the stage of life where they want to be in a relationship...it shows us that girlfriends are a power that you should never surrender.**"

Two other readers wrote:

"I had a bad boyfriend...I felt humiliated and broke (*sic*), like I was a piece of trash someone could pick up and throw away...I wish I could do what Josie did."

"Your book raises an important issue among teenage girls. Quite frankly, our judgment is terrible, and I think you give us an excellent reminder, that thinking things through can serve us much better than simply following impulses."

While not every book is right for every reader, the role of school libraries is to allow students and parents to make choices according to their own interests, experiences, and family values. However, no parent, student or community member may impose their views, values and interests on others by restricting an entire community's access to particular books.

We strongly urge you to keep *A Bad Boy Can Be Good For a Girl* in the Cody High School library so that all students who wish to read it may do so.

We are ready to offer any help we can provide in making policy changes that will strengthen the protections for the First Amendment rights of students in Cody.

Please do not hesitate to contact us.

Sincerely,



Chris Finan, Executive Director
National Coalition Against Censorship



Charles Brownstein, Executive Director
Comic Book Legal Defense Fund



Millie Davis, Senior Developer
National Council of Teachers of English



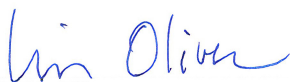
Dan Cullen, Strategic Development Officer
American Booksellers Foundation for Free Expression



Sofia Castillo, Staff Attorney
Association of American Publishers



Mary Rasenberger, Executive Director
Authors Guild



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



James LaRue, Director
The Freedom to Read Foundation

Cc: Ray Schulte, Superintendent
Dossie Overfield, Review Committee Chair
Cody District Public Schools Governing Board
(c/o Kelly Simone, Governing Board Chair)