

NATIONAL
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CENSORSHIP

KIDS'
RIGHT
TO READ

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American Booksellers for Free
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Comic Book Legal Defense
Fund

February 19, 2019

Jeffrey Bender, Superintendent
North Hunterdon-Voorhees School District
1445 Route 31
Annandale, NJ 08801

Sent via Electronic Mail to: jbender@nhvweb.net

Dear Superintendent Bender,

Our coalition of advocates for freedom of expression in education is concerned by reports that administrators have restricted student access to the graphic novel *Fun Home: A Family Tragicomic*, by Alison Bechdel in both high school libraries in your district, North Hunterdon and Voorhees.

In the interest of preserving intellectual freedom and equal protection in your district, **we urge you to respect your students' constitutional rights and return *Fun Home* to library shelves** where all who choose to read it may do so. We also encourage you to familiarize your administration with the relevant district policies in order to ensure that **future decisions about instructional materials are based on pedagogical motives, rather than ideological ones.**

We understand that administrators from both schools requested to inspect *Fun Home*. After that inspection, administrators objected to images on a single page and circumvented district policies by restricting the book's circulation to only those students with parental permission.

Our legal system recognizes images, like words, as First Amendment-protected symbolic expression. Graphic novels like *Fun Home* combine visual art with literary and cinematic techniques for educationally rich storytelling. **Disregarding the book's educational value and restricting students' access to *Fun Home* before review by a board-sanctioned reconsideration committee to determine its educational suitability does not comport with First Amendment imperatives and is constitutionally suspect.¹**

The Supreme Court has long established that the First Amendment limits public school officials' discretion regarding the suppression of *library* books because "students must always remain free to inquire, to study, and to evaluate, to gain new maturity and understanding"

¹ See *Monteiro v. Tempe Union High School District* (9th Cir. 1998) (recognizing the First Amendment right of students to read books selected for their "legitimate educational value," even if offensive to some parents and students).

and “the school library is the principal locus of such freedom.”² According to the Court, public schools should base curricular decisions on pedagogical reasoning, not to satisfy an “officially prescribed orthodoxy.”³

North Hunterdon-Voorhees School District Policy No. 2530 and Regulation 9130 (E) act as due process safeguards from arbitrary denial of students’ First Amendment rights by ensuring that decisions about student access to information is based on an official review of objective criteria, not on the subjective viewpoint of individual administrators. Protecting freedom of expression in your district requires that all school officials understand and carefully adhere to these policies.

Fun Home is an essential text that has been recognized with significant literary awards. The book has been heralded within the literary and arts community as “a pioneering work” in the comics and memoir genres. (*New York Times Sunday Book Review*). Bechdel’s memoir is resonant with many youth experiences and offers teen readers a safe place to examine questions related to personal identity, family relationships, and the need to face the truth in their own lives.

Booklist has recommended *Fun Home* for young adult readers, noting that the “the very few incidental sex scenes” are “non-prurient” and that “the family story rings utterly and movingly true.” While the book does contain a few images that some may find sexually explicit, these images are an integral part of the larger narrative and do not negate the book’s educational value taken as a whole. The Comic Book Legal Defense Fund has produced a [discussion guide](#) to aid educators in moderating discussions on the novel’s philosophical questions and Bechdel’s use of illustration. We hope your committee will find the guide useful in its review.

Not only does restricting LGBTQ books like *Fun Home* likely violate the First Amendment, it further stigmatizes and marginalizes LGBTQ youth and fosters an atmosphere of intolerance. *Fun Home* is so highly regarded for LGBTQ teens that *Seventeen* magazine included the book on its list of “13 Beautiful Books Every LGBTQ Teen Should Read.”

In addition, as you may be aware, on Jan. 31, 2019, New Jersey Governor Phil Murphy signed legislation requiring boards of education to include instruction, and adopt instructional materials, that accurately portray political, economic, and social contributions of LGBTQ people. As a MacArthur “genius” grant-winning author of an acclaimed work that redefined the memoir genre and became the basis for a Tony-award winning Best Musical, author/illustrator Alison Bechdel is a pioneering LGBT contributor worthy of study and inclusion in your libraries.

For the above stated reasons, we ask you to follow board policies to establish a reconsideration committee and we urge the committee to prioritize educational qualities over ideological objections and keep *Fun Home* on library shelves. Regulation 9130 requires that the review committee include teachers and librarians. Policy 2530 also specifies criteria that the committee should consider in assessing the book including its “artistic, historic, and literary qualities,” reflection of real-world problems and representation of diverse viewpoints. Should some parents find their children are not yet mature enough to appreciate the literary and artistic value of the novel, they can guide their own children to make reading choices

² *Board of Education v. Pico*, 457 U.S. 853, 868-69 (1982)(plurality opinion)

³ *Id.*

suited to their preferences rather than infringing the rights of all other students. *Fun Home* should remain accessible to all those who seek inspiration from its pages.

Please do not hesitate to contact us for further guidance. Thank you.

With warm regards,



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