

RESPONDING TO BOOK CHALLENGES



A HANDBOOK FOR EDUCATORS



National Council of
Teachers of English

NATIONAL
COALITION
AGAINST
CENSORSHIP

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HERE TO HELP

For specific advice on strengthening your book selection procedures and resisting censorship, submit a Censorship Report to NCAC at ncac.org/report-censorship.

ABOUT THE HANDBOOK

The **Free Expression Educators Handbook** contains practical tools and advice for managing censorship controversies in schools and school libraries.

The Handbook is intended for teachers, librarians and school administrators. It offers guidance for developing inclusive and viewpoint-neutral policies. The guidance offered in this resource is based on real cases resolved with guidance from the Kids' Right to Read Project and its Uncensored Pride Campaign.

The Handbook is part of a collection of resources that includes:

- [Defend LGBTQ Stories](#)
- [The Kids' Right to Read Action Kit](#)
- [Be Heard! A Comic Resource for Student Protesters](#)
- [The Show Must Go On: Toolkit for Fighting Theatre Censorship](#)

We hope this information will empower school communities to defend their students' freedom to read, create and explore. It will also make it easier for teachers to choose the best educational materials for their students and to defend these choices.

ABOUT NCTE AND NCAC

The National Council of Teachers of English (NCTE) supports teachers and their students in classrooms, on college campuses, and in online learning environments. The National Council of Teachers of English is devoted to improving the teaching and learning of English and the language arts at all levels of education.

The National Coalition Against Censorship (NCAC) is an alliance of more than 50 national non-profits, including literary, artistic, religious, educational, professional, labor, and civil liberties groups, engages in direct advocacy and education to support students, teachers, librarians, parents and others opposing censorship in schools and libraries. The NCAC also works with artists, curators and museum directors resisting art censorship.

The Kids' Right to Read Project (KRRP), a joint project of NCAC, NCTE, the Comic Book Legal Defense Fund, and American Booksellers for Free Expression, offers support, education, and direct advocacy to people facing book challenges or bans in schools and libraries and engages local activists in promoting the freedom to read.

CENSORSHIP IN SCHOOLS



Educators are entrusted with the responsibility to prepare students to be informed and engaged members of society. Therefore, the educational process must allow space for a broad variety of views and ideas. Inevitably, some ideas will disturb listeners or otherwise conflict with their views. But we can better understand the opinions of others and form our own when we have the freedom to explore and question controversial ideas. Preventing censorship of school materials is therefore a central part of every educator's mission.

What is Censorship?

Removing or restricting student access to sensitive or challenged content without a formal review of its educational merits.

Censorship includes redaction: Deleting or covering up sensitive content.

Another popular tactic that does not, in itself, constitute censorship, but which encourages complaints and often leads to censorship is **Red Flagging** or **Labeling**: Flagging content as "inappropriate" or objectionable based on personal beliefs.

THE FIRST AMENDMENT: OUR FIXED STAR

"If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein."

West Virginia State Board of Education v. Barnette, 319 U.S. 624 (1943)

The First Amendment offers strong legal protection for expressive and intellectual freedom. It prohibits the government (and its agencies, including public schools and school districts) from restricting our expression or access to information.

In 1969, the U.S. Supreme Court affirmed in the Tinker case that it "has been the unmistakable holding of this Court for almost 50 years" that neither students or teachers "shed their constitutional rights to freedom of speech or expression at the schoolhouse gate."¹ The Tinker case was decided more than fifty years ago, so, as of 2020, the free speech rights of students have been unrecognized for almost 100 years. Yet, without an adequate understanding of the breadth and application of First Amendment protections in schools, educators are often unprepared to respond to censorship.

Private schools

The First Amendment applies only to public officials, including school administrators. It does not protect students facing censorship in private institutions. Still, students in private schools should be accorded the same intellectual freedoms and civil liberties as their peers in public schools. Free speech is not just a legal imperative; it is a core educational principle.

¹ Tinker v. Des Moines Independent Community School District, 393 U.S. 503, 506 (1969)

THE REAL HARM

The school's primary interest in making decisions about books, art and other media content should be to fulfill its educational purpose, not to promote personal morals or viewpoints.

Teachers should be encouraged to engage their students in critical questioning and dialogue about the deeper insights that controversial topics (and our responses to them) reveal. Books can help students better understand complex realities about their own lives and their communities.

Silencing, banning or avoiding uncomfortable conversations is thus educationally toxic. Even when well-intentioned, censorship has insidious consequences.

Some school officials conflate their duty to provide a safe learning environment with an obligation to suppress any material deemed "inappropriate." The problem with using subjective standards such as "appropriateness" to evaluate learning materials is that they may conceal underlying ideological biases. Thus they may lead to the prioritization of personal beliefs over curricular objectives. For example, some oppose LGBTQ material as "inappropriate" for children, but are really advancing their personal or religious beliefs about homosexuality.² Vague standards also encourage educators to self-censor in order to avoid difficult discussions.

The targets of censorship are often the narratives of underrepresented groups. Censoring those narratives leaves ignorance and prejudice unchallenged. This, in turn, can reinforce feelings of isolation, marginalization and shame among the students from those groups, while denying other students the opportunity to learn about the experience of those who are different from them.

² In 2019, in response to increasing numbers of challenges to LGBTQ+ materials, the National Coalition Against Censorship launched Uncensored Pride, a campaign to protect LGBTQ+ expression in schools and libraries. It is led by the NCAC with support from Lambda Legal, GLSEN and our Kids' Right to Read partners.

ADDRESSING CENSORSHIP

Adopt and Follow Book Selection Procedures

School officials, including teachers and librarians, generally have broad discretion to select and review materials. However, this discretion is balanced by a professional responsibility to prioritize educational objectives and a legal and professional responsibility to maintain a viewpoint-neutral stance.

Without clear objective criteria for the selection and review of instructional materials, schools are more likely to suppress educationally rich content in response to complaints. In schools, such pressure can come from parents, students, staff or members of the broader community.

Remember:

1. All decisions concerning instructional materials should be based on sound educational criteria.
2. Decisions that are motivated by hostility to controversial ideas or by the desire to conform to a particular ideological, political or religious viewpoint violate the First Amendment.

By adopting and following clear policies for material selection and review, schools can make the resolution of challenges easier.

Policies should clearly outline the process by which trained teachers and librarians assess the educational merits of the text. While other community stakeholders may be invited to engage in this process, all decisions should prioritize educational considerations.

Books will be challenged. But there are advance steps teachers and librarians can take to reduce both the number of challenges and the impact of those challenges.

1. Check Policy

During the materials selection process, consult with administrators to ensure you are following your district's policies. Failure to follow proper procedure for using new materials often leads to successful challenges based on technicalities.

Plan ahead so you will have time to obtain any necessary permissions and look for third-party information about the educational and curricular value of texts.

2. Communicate and Document Your Intention

Engage and cultivate the interest of parents and guardians early to avoid any misunderstanding over the materials you plan to teach. Record your rationale for selecting a particular material for each assignment. This is especially important if you anticipate any discomfort over any of the materials in your syllabus.

Be open to speaking with parents and guardians about the educational standards you are following. What do you hope students will learn from the text? How does it meet the needs of the curriculum and the district/state standards?

The better you can explain why you chose a text and how it supports curricular goals, the more supportive parents will likely be.

Ultimately, make clear to each parent that their liberty to weigh in pertains solely to their own child. No parent should decide what someone else's child may read.

The National Council of Teacher of English has created a large database of sample rationales for using challenged texts and offers guidance for *Writing Your Own Rationale* (see appendix).

If parents continue to push for the removal of a book, involve administrators and be prepared to stand up for yourself, your text selections and your students' right to learn.

3. Create Early Opportunities for Discussion

Trust your training as an educator and make your classroom a place for open discussion and inquiry.

Allow time for in-depth discussions with students about sensitive or discomfiting ideas. Establish a practice of sharing without judgment. Students should be allowed to express discomfort, and that should be treated as an opportunity for further conversation. Affirming your classroom as a judgment-free space where discomfort

behind it can be explored builds trust and helps better engage students in the learning process.

4. Document Student Learning

After reading a book or story, or viewing a video, encourage students to write their reactions to what they viewed. Seek permission to keep the most meaningful reflections on file to help explain the value of chosen works in the event of any controversy later on.

If your school uses social media, propose sharing their reflections in a forum where parents and community members can view their different perspectives. Be sure to maintain your students' privacy and restrict commentary from outside groups.

WHEN A CHALLENGE OCCURS

1. Listen and Document

Book controversies often can be resolved through dialogue. Invite the challengers to an informal meeting or video call to discuss their concerns. Ask them to identify the troubling passages. Listen respectfully to their concerns and take notes on their complaints.

If the challenger is a parent or student, be sensitive to anxiety the student may feel about the controversy. Note any reluctance on their part to express their opinions and remind them that their views are welcome and important.

2. Contextualize

Place the challenger's concerns about the material (whether textual, visual or conceptual) into proper context. If you prepared one, share and discuss your written rationale for instruction with them.

Challengers often just want to be assured that their personal values will be supported and not supplanted by the author, artist or teacher. Explain to them that your role as an educator is to provide balanced perspectives. Encourage parents and guardians to view the material along with their child to ensure they understand each other's values and interpretations.

3. Offer Options

Option 1: Offer to schedule a follow-up meeting or call to answer any questions about your rationale for teaching the material.

Option 2: Keep a list of alternative materials handy. If a parent still disagrees with your rationale or thinks the material is unsuited to their own child's learning, suggest an alternative assignment for their student (and only their student).

Option 3: If the challenger insists on the removal of the material, consult district procedures and refer them to the appropriate administrator to file a formal challenge.

If possible, send an introductory email to your administrative superiors outlining the challenger's concerns. Include a copy of your notes from previous meetings, as well as your written rationale for teaching the material. Keep your notes on file; you may need to refer to them during the review process.

4. Formal Challenge Procedures

Ideally, school or district policies should clearly outline a formal procedure for resolving book controversies. This does not mean they are always followed, but most districts have them in place. Now's a good time to fully understand them.

Review your district's policy as soon as possible so that you will be ready to clearly communicate when a challenge arises.

Sound review procedures typically include a committee that reviews the material and makes a determination of its educational merits. To make the best pedagogical determination, review committees must prioritize the professional opinions of teachers, librarians and media specialists with relevant expertise.

The instructional material review process may take several days or weeks. During this time, *school officials may not remove or restrict access to the challenged materials.*

WHAT YOU, AS TEACHER OR LIBRARIAN, CAN DO

Teachers and librarians are among the most influential advocates for youth rights. There are many ways to defend the right to read and make your voice as an educator heard.

Report controversy to the Kids' Right to Read Project

It will take only two minutes! Email or call or tweet us with the basic facts: challenged material and reason, grade level, date of review (if set) and any relevant meeting notes. We keep all information confidential.

Start dialogue in your classroom

Invite your students to share their thoughts. Offer interested students the chance to express their thoughts in a letter to the school board. Provide balanced perspectives in classroom discussions to avoid imposing your personal views. Too often in these controversies, students' voices are the least sought and heard.

If you decide to go public:

Rally local allies

Contact fellow teachers and librarians in your district. Many will understand that it is important to fight for intellectual freedom.

Start a community dialogue in your school district

- Consider attending board meetings to share your views. You have the legal right to hold the school district publicly accountable to the First Amendment, as both a resident and an educator.
- Write an op-ed or a letter to the editor of your local newspaper.

When speaking out against school censorship, be careful to emphasize the First Amendment's protections against viewpoint discrimination. Viewpoint discrimination occurs when one opinion is favored or disfavored compared to other opinions on the same issue. Viewpoint discrimination is almost always unconstitutional.

APPENDIX

A1 – Policy Guidelines for Administrators

The proper selection, adoption, and evaluation of instructional materials is a key responsibility of public school administrators, many of whom face time constraints and limited resources.

NCAC encourages school districts to adopt and scrupulously follow clear written policies on instructional materials to ensure that students have access to materials of literary, artistic and educational merit. The following is a step-by-step guide for drafting instructional materials policies, including best practices for how complaints should be filed, considered, and adjudicated.

Selection and Adoption

Instructional materials policies should begin by outlining a process and criteria for the selection and adoption of instructional materials. Criteria can include the material's relevance to the subject matter, recommended grade level, and format. These criteria should form the basis for reviewing challenged materials later. They ensure that decisions about instruction advance fundamental pedagogical goals and not subjective interests.

Handling Challenges to Instructional Materials

Step 1: Invite complainant(s) to an informal meeting

Most concerns about instructional materials can be redressed through informal conversations with teachers.

Listen courteously and refer complainants to the teacher involved who can address any concerns about sensitive material. Teachers can best explain the educational purpose of the contested material and its appropriateness to students' intellectual maturity.

If the complainant is not satisfied, invite them to initiate the formal reconsideration process by submitting a written request (see Appendix A.2).

Step 2: Record all complaints in writing

A written form helps reviewers identify the controversial elements of the work and increases transparency.

Complaint forms should ask petitioners to:

- i. Identify themselves and their relation to the school district (e.g. parent, teacher, local resident).
- ii. Describe their objections and cite the pages where they occur.
- iii. Establish their familiarity with the work as a whole. Complainants should have read the entire book and examined objectionable portions in their proper context.
- iv. Explain why they consider the work inappropriate, taking into consideration the teacher's justification for using it.
- v. Offer a suggestion for an alternative assignment of comparable educational quality. This helps reviewers assess the complainants' judgment and motives.

Step 3: Convene a diverse committee of educators and other stakeholders to review the material and recommend a decision to the administration

Administrators may lack both the time and expertise necessary to review library and classroom materials carefully (e.g. a principal who was formerly a math teacher may have trouble assessing the value and accuracy of a controversial history textbook or lack training in library management). As the public faces of the school or district, administrators may also be more susceptible than teachers to public pressures.

To ensure that educational considerations are valued above subjective opinion or political pressure, committees should include a majority of teachers and library media specialists. A diverse body of qualified educational professionals is less likely to succumb to the external pressure than a single administrator or even a group of administrators.

For these reasons, a sound policy will create a diverse review committee that includes:

- i. **At least one librarian.** Librarians are best suited to assess the educational value of non-curricular materials and to appreciate their role in creating a diverse library catalog.
- ii. **Several teachers,** ideally including at least one teacher in the relevant subject. This ensures that committee members will be informed about the importance of the book to instruction in the specific subject and to curriculum as a whole
- iii. **At least one school or district-level administrator.** Administrators are knowledgeable about a school's history and community and their presence can bolster a committee's credibility.
- iv. **Trained students.** We strongly encourage districts to include high school students on committees. This ensures that student voices are being heard and can help prevent censorship of popular material.

- v. **Community members** who are not employed by the school district. These members are free from job-related pressures and will not be subject to professional retribution in the event that administrators disagree with the committee's decision. They can therefore be less susceptible to internal pressures and biases. Still, it is vital that community voices not outnumber those of trained educators.

Note: We encourage districts to make all committee meetings open to the public and to allow members of the public, including students, to submit statements conveying their opinion of the challenged materials.

Step 4: Establish clear and objective review criteria for the committee to follow

Challenges to instructional materials should rarely (if ever) succeed in cases where the materials were selected to fulfill clear educational goals. Policies can instruct the committee to examine whether materials meet the objectives of the selection process and should seek to remove subjectivity by instructing the committee to consider only educationally relevant criteria, including:

- a. Accuracy and completeness (for textbooks).
- b. Importance to the curriculum.
- c. Reviews, awards and recommendations by educational experts.
- d. Age appropriateness. This refers to whether or not students of the relevant age levels have the maturity and literacy skills to comprehend a book's message. The policy should mention that the presence of a specific content (f.eg. sexuality or violence) does not in itself render a book inappropriate for a given age.
- e. The popularity of the work among students (for library books).
- f. The length of time that the school has been using the book in classrooms or libraries
- g. The presence of salient themes and discussion of timely sociopolitical issues

Policy should also ideally discourage the committee from considering subjective criteria such as:

- a. Whether or not committee members personally consider the book to be offensive.
- b. Whether or not the work's message contradicts "community values."
- c. Personal characteristics of the author.

Step 5: Final decision and appeal process

Specify who makes the final decision regarding keeping or removing educational materials: the school principal, the school board, or the board president.

Explain if and after what interval of time the school would consider an appeal of this final decision.

While the review is under way:

Specify what will be done with a challenged book while it is under review. Our strong recommendation is to keep the book in the classroom or library pending a final decision by a review committee.

Sample Review Policies

1. Dubuque Community Schools, Iowa

This Iowa school district has a spectacular policy for committee compositions and hearings.

Public input: Dubuque District requires that decisions be made “in open session” and allows high school students selected by their peers to serve on the committee.

- Challenge criteria: The policy also prevents frivolous challenges, as the committee is not required to hear complaints to works that have previously been challenged.
- Safeguards: Finally it helps prevent self-censorship by teachers and librarians who fear reprisal for selecting works that are later challenged and removed: “A decision to sustain a challenge shall not be interpreted as a judgment of irresponsibility on the part of the professionals involved in the original selection or use of the material.”

2. Lexington Public Schools, Massachusetts

- Academic Freedom: Lexington County Public Schools’ policy begins with a statement affirming the district’s commitment to academic freedom and procedural fairness “to safeguard the legitimate interests of the schools and to exhibit by appropriate example the basic objectives of a democratic society as set forth in the Constitutions of the United States and the State.”
- Access pending review: The policy prohibits the removal of challenged materials pending a final decision by a review committee.
- Challenge Limitations: This policy also restricts repeat challenges by barring the district from reviewing the same complaint more than once in three years.

A2 – Request for Reconsideration of Educational Materials

* from ReLeah Cossett and Gloria Pipkin, *Keep Them Reading: An Anti-Censorship Handbook for Educators* (Teachers College Press, 2013)

Sample Request for Reconsideration of a Work:

Author _____

Title _____

Publisher (if known) _____

Request initiated by _____

Telephone _____

Address _____

City / State / Zip _____

Complainant Name _____

Organization (if any) _____

Relationship to School
(parent/administrator/etc.) _____

1. Have you been able to discuss this work with the teacher or librarian who ordered it or who used it?

___ Yes ___ No

2. What do you understand to be the general purpose for using this work?

a. Provide support for a unit in the curriculum?

___ Yes ___ No

b. Provide a learning experience for the reader in one kind of literature?

___ Yes ___ No

c. Other _____

3. Did the general purpose for the use of the work, as described by the teacher or librarian, seem a suitable one to you?

___ Yes ___ No

If not, please explain.

4. What do you think is the general purpose of the author in this book?

5. In what ways do you think a work of this nature is not suitable for the use the teacher or librarian wishes to carry out?

6. Have you been able to learn the students' response to this work?

Yes No

7. What response did the students give?

8. Have you been able to learn from your school library what book reviewers or other students of literature have written about this work?

Yes No

9. Would you like the teacher or librarian to give you a written summary of what book reviewers and other students have written about this book or film?

Yes No

10. Do you have negative reviews of the book?

Yes No

11. Where were they published?

12. Would you be willing to provide summaries of the critical reviews you have collected?

Yes No

13. What would you like your library/school to do about this work?

Do not assign/lend it to my child.

Return it to the staff selection committee/department for reevaluation.

Other—Please explain.

14. Are there a particular works you would recommend in place of the challenged material that would convey as valuable a picture and perspective of the subject treated?

Signature _____

Date _____

ASK NCAC

For specific advice on strengthening your book selection procedures and resisting censorship, submit a Censorship Report to NCAC at ncac.org/report-censorship.

Unless you tell us otherwise, we will keep all inquiries confidential. We work to resolve controversies without the need for litigation and are available to help you advocate for books and other educational materials in your community. If you're not sure what help you need, please reach out.

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