

October 14, 2021

Fairfax County School Board  
Fairfax County Public Schools  
Gatehouse Administration Center  
8115 Gatehouse Road  
Falls Church, VA 22042

Re: Book Challenge Procedures

Dear Board members:

The National Coalition Against Censorship is a coalition of literary, artistic and educational organizations dedicated to promoting free expression. We are writing in regard to news reports indicating that two books, Jonathan Evison's *Lawn Boy*, and *Gender Queer* by Maia Kobabe, have been removed from school libraries pending the adjudication of a challenge filed against those books by a parent.

*Lawn Boy* won the American Library Association's 2019 Alex Award as one of the top ten books written for adults that have special appeal to young adults, ages 12 through 18. *Gender Queer* won an Alex Award and the Stonewall Book Award in 2020.

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).

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). Thus, the removal of books from public school libraries to suppress ideas is a violation of the First Amendment.

We are particularly concerned that, under current regulations, a challenge can take 120 working days to be adjudicated if the person who files the challenge takes advantage of all appeals permitted by the District's regulations. Thus, under current district regulations, a parent who objects to the political views of a book can prevent its use for most of the school

year, thereby effectively accomplishing the very outcome which the Supreme Court has condemned.

We would be happy to recommend changes in your policy to provide for a more expeditious review of challenged books. For your information, we have attached a copy of our guidelines for the development of materials challenge procedures.

Thank you for your attention to this important issue.

Sincerely yours,



Christopher Finan  
Executive Director  
National Coalition Against Censorship

Co-signed by: The Authors Guild  
Comic Book Legal Defense Fund  
National Council of Teachers of English  
PEN America Children's and Young Adult Books Committee  
Society of Children's Book Writers and Illustrators

CC: Dr. Scott Brabrand, Superintendent

A project of the National  
Coalition Against Censorship

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