

**NATIONAL
COALITION
AGAINST
CENSORSHIP** **KIDS'
RIGHT
TO READ**

October 19, 2022

Principal Sarah Clark
Batesburg-Leesville Middle School
425 Shealy Road
Batesburg-Leesville, South Carolina 29006

Dear Principal Sarah Clark,

The National Coalition Against Censorship is an alliance of national nonprofit groups dedicated to protecting freedom of expression, including the rights of K-12 students, teachers, and staff. We are writing in regards to the decision to remove *Stamped: Racism, Anti-Racism, and You* from the school library. We believe this is a violation of the First Amendment rights of your students. We urge you to immediately return the book to the library.

We understand the book may have been removed because you believe that action was required by South Carolina State Proviso 1.93, which prohibits the school from certain spending related to ideas which are often associated with Critical Race Theory. However, it was improper to apply this policy to library books for two reasons.

First, the proviso does not appear to limit spending related to school library books.

Secondly, if the proviso was interpreted to apply to library books, it would be invalid because, as you know, the Supreme Court has warned that "school boards may not remove books from library shelves simply because they dislike the ideas contained in those books" *Board of Education v. Pico*, 457 U.S. 853, 872 (1982) (plurality opinion). Just last year, the Court reaffirmed the principle underlying *Pico*, stating that public schools have a responsibility to protect unpopular ideas. *Mahanoy Area Sch. Dist. v. B. L.*, 594 U.S. ___, 141 S. Ct. 2038, 2046 (2021). Therefore, your actions raise serious First Amendment concerns.

We strongly urge you to return *Stamped* to the school library and ensure that future decisions are consistent with the First Amendment rights of your students.

Thank you for your attention to this matter.

Sincerely,



Christopher Finan
Executive Director
National Coalition Against Censorship

Cc: The Board of Trustees

Co-signed by: PEN America

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