

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

October 28, 2022

Board of Trustees
Texarkana Independent School District
4241 Summerhill Road,
Texarkana, TX 75503

Dear Members of the Board of Trustees,

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 response to reports that numerous books have been removed from district libraries pending a formal review. We call upon the district to return the books to library shelves until the review process is complete.

A District representative has informed us that it is reviewing 58 books based on allegations that they may be "pervasively vulgar." We recognize that a Supreme Court precedent gives the District the right to remove "pervasively vulgar" books. However, it seems highly unlikely that 58 books chosen by professional educators for inclusion in a school library collection could possibly be so offensive.

The District's usual policy regarding challenged books states that "[a]ccess to a challenged resource shall not be restricted during the reconsideration process." (Policy EF (Local)). The Board had good reasons for adopting this policy. Removing books during the review process may encourage people to file meritless claims that books are "pervasively vulgar" for the sole purpose of limiting students' access to ideas that they dislike. That would be contrary to the principles set forth by the Supreme Court which emphasize that books should not be removed because of hostility to the ideas within them, *Board of Education v. Pico*, 457 U.S. 853, 872 (1982), and 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, the District's action raises serious First Amendment concerns.

In addition, such a policy that encourages frivolous challenges not only harms students' First Amendment rights, but also puts enormous strain on the District by requiring it to spend countless hours adjudicating baseless claims.

For these reasons, we urge you to follow your standard policy and return the books to library shelves pending completion of the review.

Please contact us if we can be helpful.

Sincerely yours,



Christopher Finan
Executive Director
National Coalition Against Censorship

Co-signed by: American Booksellers for Free Expression
The Authors Guild
Children's and Young Adult Books Committee, PEN America
National Council of Teachers of English
PEN America

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