

NATIONAL COALITION AGAINST CENSORSHIP

KIDS' RIGHT TO READ

July 19, 2024

School Board
School District of Indian River County
6500 57th Street
Vero Beach, FL 32967

Dear Members,

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 regard to the School Board's decision to remove Alan Gratz's *Ban This Book* despite the district book review committee's recommendation to retain the book in school libraries. We are deeply concerned that the Board may have acted improperly in banning *Ban This Book*.

It is our understanding that the challenge to *Ban This Book* was initially referred to a district review committee. The committee in this case reviewed the book and voted 6-2 that it should remain in the school library. On May 20th, ignoring the committee's decision, the School Board voted 3-2 to permanently remove this book from school libraries.

The Board should only in the rarest case overrule the recommendations of a review committee. Recognizing that book challenges are often highly contentious and emotional, the district's regulations require a formal review to ensure that all parties feel that they have been heard and respected.¹ Review committees play an important role in adjudicating book challenges. Because they represent all stakeholders, they ensure that every party feels that their views have been considered and that decisions about educational material are made in an objective, nonpolitical manner that benefits the school community as a whole. Overturning the review committee's recommendation also opens the Board to claims that the books were removed based on the viewpoints they express, in violation of the First Amendment. Therefore, school boards should give serious consideration to their recommendations and only overturn them in unusual cases.

While not every book is right for every reader, the role of school libraries is to allow students and their parents to make choices according to their own interests, experiences, and family values. No parent, student or community member should be permitted to impose their views, values and interests on others by restricting an entire community's access to particular books.

¹ *School District of Indian River County*, Policy 2522, Objections To Adoption Or Use Of Instructional, Library, Or Reading List Materials. go.boarddocs.com/fl/ircs/Board.nsf/goto?open&id=D4UR626C3BF4

However, during the Board's discussion of the book challenge, board members advocated for removing the book because it contained ideas about dissent that do not give students "the right kind of information." We understand that the School Board rejected the recommendation of the review committee in the motion below:

I move that we direct the superintendent to not purchase this book and remove [it ...] from the shelves as it is not appropriate for elementary schools and that it promotes books which are deemed to be inappropriate for this age and age group and it teaches rebellion of school board authority by a nine-year-old and by the librarian and it is offensive to a large segment of our parents.²

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). In 2021, 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). Thus, the removal of books from public school libraries to suppress ideas is a violation of the First Amendment.

The minutes of the meeting explicitly reference members of the public who find the content of *Ban This Book* "offensive" as a justification for its removal. Therefore, we are concerned that the Board might have removed this book due to disagreement with the views expressed within it, in direct contravention of *Pico*.

We urge you to return *Ban This Book* to the shelves of your school libraries.

Thank you for your attention and consideration to this matter.

Sincerely,



Christine Emeran
Youth Free Expression Program 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
Society of Children's Book Writers and Illustrators

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² School District Of Indian River County, *School Board Business Meeting and Presentations 5:30 p.m. 5/20/24*. www.youtube.com/live/_IJZXFbmYwQ?feature=shared&t=19988