

NATIONAL COALITION AGAINST CENSORSHIP

YOUTH FREE EXPRESSION

November 17, 2025

School Board
Benton School District
207 W. Conway
Benton, AR 72015

Dear Members of the School Board,

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 a community report that the district has removed Kathleen Gros' *Jo: An Adaptation of Little Women (Sort Of)* and E. L. Konigsburg's *From the Mixed-Up Files of Mrs. Basil E. Frankweiler* from school library shelves. Both books were removed without following proper district policy or state law. We urge the district to rectify its misapplications of the law, commit to following district policy, and return the books to the school libraries from which they were removed.

Jo: An Adaptation of Little Women (Sort Of)

According to email correspondence that we received, *Jo: An Adaptation of Little Women (Sort Of)* was removed from Mountain View Middle School following the complaint of a parent on social media. Although there was an "administrative review," the book was removed prior to the review—in violation of district policy. See District Policy 5.7. The review concluded that the book contained "non-age-appropriate sexual content" as defined by Arkansas law.

Public records demonstrate that the district has applied Arkansas law more broadly than necessary in two ways: (1) by failing to follow book challenge procedures as specified by statute and (2) by applying laws directed at elementary school students to those in middle school, thus depriving older students of valuable reading material. Additionally, the district failed to follow its own policies regarding book challenges.

Arkansas law broadly defines "non-age-appropriate sexual content" as "any materials that include explicit instruction, promotion, or advocacy of sexual ideology, behaviors, or orientations that are not developmentally appropriate for kindergarten through grade five (K-5) students." Ark. Code Ann. § 6-25-107(f). The law also specifies that restrictions on "non-age-appropriate" materials apply only to a "a library media center located in a public school building that is configured as an elementary school and in which kindergarten through grade five (K-5) students are enrolled." *Id.* § 6-25-107(a). Therefore, the law and its restrictions do not apply to *middle school* libraries, even if they include grades 5-7.

Districts may exclude books from school library shelves that meet the Supreme Court's definition of obscenity as laid out in *Miller v. California* and modified to accommodate the

perspective of minors.¹ For this reason, removing *Jo: An Adaptation of Little Women (Sort Of)* from the school's library based on a standard that deviates from the Supreme Court's law on obscenity—and pursuant to a process that does not follow district policy—leaves the district vulnerable to claims of viewpoint-based discrimination in violation of the First Amendment.

We are also concerned about the district's failure to follow proper procedures for book removals pursuant to § 6-25-107. Arkansas law requires that library media centers located within elementary schools “store non-age-appropriate sexual content... in a locked compartment within a designated area.” *Id.*; see also District Policy 5.7. With written parental permission, students may view or check out the book from the library media center. *Id.* § 6-25-107(b); see also District Policy 5.7. It is our understanding that the book in question was removed from circulation entirely, such that no one may access it, regardless of parental approval—a result that is not authorized by this provision of Arkansas law or district policy.

District Policy 5.7 also requires that “[t]he challenged material shall remain available throughout the challenge process” and “[a]ll committee meetings shall be open to the public.” To our knowledge, the district did not comply with either of these requirements before removing *Jo: An Adaptation of Little Women (Sort Of)*. It is important that districts make decisions about library collections in a transparent manner which ensures that all parties—including educational professionals, students, parents, and other members of the school community—feel represented in any decision.

From the Mixed-Up Files of Mrs. Basil E. Frankweiler

Information obtained from email correspondences and a FOIA request suggests that this book was pulled from all shelves at Angie Grant Elementary school in accordance with District Policy 5.6, which addresses challenges to instructional and supplemental materials.² However, this policy refers to materials “associated with classroom instruction” and should not be understood to authorize the removal of the book from school *library* shelves.

Even if District Policy 5.6 authorized the actions taken by the district in removing this book from libraries, the district failed to follow the policy's extensive procedures prior to removal. Rather than comply with the multiple tiers of review required before instructional or supplemental materials may be removed, the district acted of its own accord in removing the book from all shelves.

Conclusion

A school library is meant to include a broad selection of books that provide value to the student body. But if every library book were required to appeal to every student, the shelves would be bare. 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

¹ *Miller v. California*, 413 U.S. 15, 23-24; *Free Speech Coal., Inc. v. Paxton*, 145 S. Ct. 2291, 2304 (2025) (embracing a modified version of the obscenity test from *Miller v. California* that asks whether the materials “(a) taken as a whole, and under contemporary community standards, appeal to the prurient interest of minors; (b) depict or describe specifically defined sexual conduct in a way that is patently offensive for minors; and (c) taken as a whole, lack serious literary, artistic, political, or scientific value for minors”).

² The record does not suggest that the district has made any claim that *From the Mixed-Up Files of Mrs. Basil E. Frankweiler* contains any “non-age-appropriate sexual content”—nor could one credibly argue as such—meaning that Ark. Code. § 6-25-107 is inapplicable in this instance as justification for removal.

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.”³ A plurality of the Supreme Court has agreed that while districts “possess significant discretion to determine the content of their school libraries,” that discretion nonetheless “may not be exercised in a narrowly partisan or political manner.”⁴ Removing books from the shelves of the school library based on the intent to deny students access to ideas with which the district does not agree exposes the district to constitutional liability.⁵

The district has ignored its own policies in handling the removal of both books by ordering their immediate removal from all school shelves before any review of a formal challenge. Disregarding the district’s *own policy* simultaneously erodes public faith in local leadership and deprives students of access to literature to which they are otherwise entitled.

We urge the District to return *Jo: An Adaptation of Little Women (Sort Of)* and *From the Mixed-Up Files of Mrs. Basil E. Frankweiler* to school libraries. District Policy 5.7 states that “[p]romoting the dialogue characteristic of a healthy democracy necessitates the maintenance of a broad range of materials and information representing varied points of view on current and historical issues.” The removal of these books undermines that mission. We ask that the district affirm that it will follow its own review policies in the future, including keeping books on shelves pending review and adjudicating challenges via outlined procedures. Furthermore, the district should not use Arkansas laws directed at elementary school materials to limit access to literature in middle schools.

We have created a resource to help school officials address the problem of book challenges, *Material Review and Policy Guidelines and Examples*, which includes sample book challenge procedures from school districts across the country. It is attached.

Please let us know if you have any questions or need any further support. Thank you for your attention and consideration to this matter.

Sincerely,
The National Coalition Against Censorship

Co-signed by: American Booksellers for Free Expression
American Library Association
Arkansas Authors Against Book Bans
Arkansas Library Association
Arkansas Right to Read Project
The Authors Guild
Children's and Young Adult Books Committee, PEN America
EveryLibrary
Freedom to Read Project
Indivisible Little Rock & Central Arkansas
National Council of Teachers of English
PFLAG National
Society of Children's Book Writers and Illustrators

³ *Board of Education v. Pico*, 457 U.S. 853, 868–69 (1982).

⁴ *Id.* at 870.

⁵ *See id.* at 871.