

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

January 19, 2023

School Board
Rockingham County Public Schools
100 Mount Clinton pk.
Harrisonburg, VA 22802

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 to object to the Board's recent decision to temporarily remove 57 books from school libraries. We are concerned both by the circumvention of district policy and the consequences of these actions. We are asking you to return the books to the shelves pending a formal review.

As we understand it,¹ the Board did not follow its book challenge policy regarding these books because, in your view, those procedures did not apply. The school board received a complaint directly from board member Hollie Cave, who submitted a list of books that she found "disturbing enough to be reviewed"² due to alleged sexual content, violence, and profanity.

We are writing to urge you to ensure that all challenges are addressed pursuant to District regulations. Book challenges are often highly contentious and emotional, and the District's regulations are well crafted to ensure that all parties feel that they have been heard and respected, and also to ensure that decisions are made based on objective criteria which focus on the needs of students. The District's review policy (IIAC) is sound and the board should follow its procedures. This policy wisely creates a review committee composed of school staff, administrators, and parents to review challenged materials. Review committees play an important role in adjudicating book challenges. Because they strive to be impartial, they ensure that all parties feel that their views have been considered and that decisions about educational material are made in an objective, nonpolitical manner.

Additionally, based on our experience, it is in the best interests of the District and its students to ensure that books are not removed from library shelves during the reconsideration process. In fact, many districts' policies include an explicit requirement

¹Campbell, A. (2024, January 9). Rockingham County School Board votes to "temporarily remove" list of 57 books. Daily News-Record. www.dnronline.com/news/rockingham-county-school-board-votes-to-temporarily-remove-list-of-57-books/article_2c60d75f-7022-5ec9-8ecd-201afec3939b.html

²Campbell, A. (2024, January 11). Temporary removal of books in county contributes to national trend. Daily News-Record. www.dnronline.com/news/temporary-removal-of-books-in-county-contributes-to-national-trend/article_a439f33a-5356-5ce0-8519-87e5d4b376f1.html

that access to books remain unrestricted during the reconsideration process. A reconsideration process that immediately removes books upon the filing of a challenge invites meritless, political, and large-scale challenges, which waste district resources and undermine students' access to knowledge.

Finally, we are concerned that the district may have targeted these books for the views they express. Many of the books on the list include LGBTQ and race-related themes. As you know, targeting viewpoints is improper under *Board of Education v. Pico*, 457 U.S. 853, (1982). Last year in *Mahanoy Area Sch. Dist. v. B. L.*, 594 U.S. ___, 141 S. Ct. 2038 (2021), the court reaffirmed this principle, stating that American public schools are "nurseries of democracy," and therefore, responsible for cultivating and preparing students for their responsibilities to society, including engaging with unpopular ideas. Any decision that reflects viewpoint discrimination would raise serious First Amendment concerns. Using a reconsideration committee, pursuant to district policy, would ensure that decisions about the educational value of books are made with input from all stakeholders. A diverse committee is more likely to accurately assess the value of books for students.

Therefore, we urge the District to return these books to the shelves until it amends its policies to ensure that all challenges are resolved pursuant to its adjudication procedures. We have attached a resource, *Material Review and Policy Guidelines and Examples*, which elaborates on best practices and includes sample policies from districts across the country.

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,



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
Society of Children's Book Writers and Illustrators

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