

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

October 24, 2022

School Board  
Conway Public Schools  
2220 Prince Street  
Conway, AR 72034

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 regards to the School Board's decision to remove *Beyond Magenta* and *Felix Ever After* from the district's libraries. We believe this is a violation of the First Amendment rights of your students. We urge the Board to return the book to library shelves.

As you know, despite the reconsideration committee's recommendation to retain these books, the Board ordered them removed after speakers at the October 10th meeting criticized the books' pro-transgender views. Therefore, we are concerned that the Board removed these books due to disagreement with the views expressed therein.

That action was improper 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, any decision that suggests viewpoint discrimination raises serious First Amendment concerns.

Moreover, the Board's decision is also contrary to its own principles. For example, the District's Core Values state it will "strive to create an environment where everyone matters" and "will teach our students to embrace our differences as opportunities for growth." The district can uphold these principles while better addressing community concerns by providing parents with more information about why books have been chosen for school classrooms and libraries.

Finally, school libraries have a public mission to serve all students. A school library is meant to include a broad selection of books that provide value to a wide range of students. Removing these books is contrary to the library's mission.

We strongly urge you to return *Beyond Magenta* and *Felix Ever After* to district libraries and to ensure that future decisions are consistent with the First Amendment rights of your students.

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

Sincerely,



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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