

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

January 24, 2023

School Board
Hernando School District
919 North Broad Street
Brooksville, FL 34601

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 regard to the District's removal of several books by the author Ellen Hopkins from school libraries, purportedly for violating state law.

When local citizens inquired why the 13 books were removed, the district responded by sending a copy of Florida Statute 847, which makes it illegal to provide minors access to materials that are obscene or "harmful to minors." Therefore, we believe that the books were removed because someone from the administration considered these books either obscene or harmful to minors under Florida law.

This is problematic because under Florida law, a book cannot be "obscene" unless "taken as a whole, [it] lacks serious literary, artistic, political, or scientific value." Similarly, a book cannot be "harmful to minors" unless it lacks those criteria as to minors. (*FS 847.001*). Obviously, books that have passed the rigorous selection process for inclusion in school libraries have value for students. It is very unlikely that the District's professional educators have purchased books which meet these criteria.

The question of whether books have value cannot be determined by a single individual; instead, decisions should be made by a group of the district's professional educators who are experts on what materials are valuable for students. Moreover, the Supreme Court has limited the ability of districts to remove library books. When a decision is made by one person, it leaves the district open to suspicion that that person has acted for illegal reasons.

Therefore, we urge you to return the books to the shelves and keep them there until a committee of professionals determines that they violate Florida law.

NCAC has created a resource to help school officials address the problem of book challenges, *Material Review and Policy Guidelines and Examples*. It is attached.

Please let us know if you have any questions or need any further support in this matter.

Thank you for your time and attention.

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

A project of the National
Coalition Against Censorship

CO-SPONSORED BY

American Booksellers
for Free Expression
Comic Book Legal
Defense Fund
National Council of
Teachers of English