

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

September 4, 2024

School Board
Brevard Public Schools
2700 Judge Fran Jamieson Way
Viera, FL 32940

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 concerning the School Board's decision to remove Shō Harusono's *Sasaki and Miyano Vol. 1* despite the Book Review Committee's recommendation to retain it in school libraries.

We are concerned that the board may have acted due to hostility towards the views expressed in the book. We understand that the district received a formal complaint about the book from a community member stating that they "do not believe there is any value in making homosexual books available at school."¹ After a district review committee voted to retain the book, board members voted 3-2 to reject the committee's recommendation and removed the book. One board member described the book as "inappropriate" because "it focuses on nothing other than a relationship."²

The Board should only in the rarest case overrule the recommendations of a review committee. 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.

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.____,

¹ Jenkins, Jennifer [@JenkinsBrevard]. *Twitter*, 27 August, 2024
<https://x.com/JenkinsBrevard/status/1828619018346836363>

² "School Board Meeting 8-27-24." *YouTube*, Brevard Public Schools, 27 August 2024,
<https://www.youtube.com/live/-GgfaAtb93M?feature=shared&t=2840>

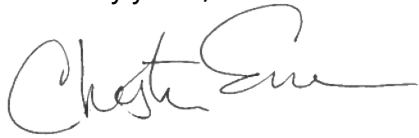
141 S. Ct. 2038, 2046 (2021). Therefore, any decision that suggests viewpoint discrimination raises serious First Amendment concerns.

We urge you to return *Sasaki and Miyano Vol. 1* to the shelves of your school libraries.

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,



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
PEN America

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