

February 1, 2022

School Board of Polk County
Polk County Public Schools
1915 South Floral Ave.
Bartow, FL 33830

Re: Recent book challenges

Dear Board Members:

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 reports that several books have been removed from district libraries pending adjudication of challenges that contend the books are “harmful to minors” under Florida Statute §847.012. We are asking you to return these books to the shelves pending the outcome of the review and to consider amending your policy for dealing with challenged books to ensure that any books that are challenged in the future will also remain available to students until the entire review process is complete.

The current case clearly demonstrates the importance of a thorough review before any action is taken. The allegations that the books in question are “harmful to minors” is baseless. A book cannot be “harmful to minors” unless the book “[t]aken as a whole, is without serious literary, artistic, political, or scientific value for minors.” See Florida Statute §847.001(6). It seems extremely unlikely that your district’s professional educators have placed sixteen books that lack serious educational value on the shelves of the district’s libraries. We doubt that they have spent the district’s money on even one such book. The claim that any of the challenged books is without merit is clearly baseless.

The district could have addressed frivolous claims without harming students if it had a policy that clearly required a full review prior to removal. However, the district’s regulations are vague in that regard. Board Policy 9130 states, “No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board.” This appears to require the books remain on the shelves pending review. But district personnel have interpreted it to mean that the books can be temporarily removed.

In contrast, many districts, including many in Florida, have policies which explicitly state that challenged materials must remain in use while challenges are adjudicated. See, e.g., Brevard County Board Policy po2520(J)(3) [“Challenged materials shall remain in use and shall not be

removed until the following informal and formal due process procedures have been completed.”]; Orange County Board Policy KEC(3) [“Challenged materials shall not be removed immediately; such materials shall be available for student use pending a final decision.”].

The absence of a similar provision in the district’s regulation encourages baseless challenges and harms the district’s students. Potential challengers know that they can have books that they personally dislike removed, at least temporarily, simply by filing a challenge, however meritless. The existing policy also opens the door to a challenge to large numbers of books that can take months to adjudicate. It harms students because, as noted above, every book that has been selected for inclusion in district libraries has been deemed by the district’s professional educators to be valuable to students. Students suffer when they lose access to books, even temporarily.

Therefore, we urge the Board to return the challenged books to library shelves and to amend its challenge procedures to explicitly require that books remain in circulation pending the final outcome of challenges.

Thank you for your attention to this important issue.

Sincerely yours,



Christopher Finan
Executive Director
National Coalition Against Censorship

Co-signed by: The Authors Guild
The PEN Children’s and Young Adult Books Committee

A project of the National
Coalition Against Censorship

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