



## LIBRARIES

### Northbrook, Illinois

The Northbrook Public Library board has reversed a two-year-old policy banning political and religious organizations from using library meeting rooms. Representatives of some of the five liberal groups refused use of the rooms attended a January 19 library board meeting ready to argue, but that wasn't necessary.

"Don't worry, you're preaching to the choir," board President Carlos Frum said.

Longtime board member Marc Lonoff added, "We're going to fix this." And the library board quickly voted 7-0 to reverse the edict, passed in the spring of 2015.

Executive director Kate Hall said that she had relayed the groups' concerns to board members in previous days.

"It's not very often we appear before a board that treats us so well," longtime progressive activist Lee Goodman said.

The library had voted to ban partisan groups as a ground floor rehab job spruced up and expanded the three meeting rooms that surround the auditorium, which was also rebuilt. Hall said she was unsure at the time what the purpose of the ban was, but it seemed, she said, that it was to cut down on difficulties that might stem from the use by groups attracting extremist individuals.

The 2015 policy change was in conflict with the American Library Association's *Library Bill of Rights*, which states that libraries which make exhibit spaces and meeting rooms available to the public should make such facilities available on an equitable basis to all groups, regardless of the beliefs or affiliations of individuals.

One of the groups that was refused was MoveOn.org, a Democratic

party-leaning organization. The group's Susan Cohen said she found that ironic, since she had to move the meeting to her synagogue, Shir Hadash Congregation, in Wheeling. She said that twenty-two years ago, the new congregation held meetings in the library.

"If it were not for the library, Shir Hadash would not exist today," the Northbrook resident said.

Another Northbrook resident, Sharon Sanders, said that she had twice been questioned by Hall about the nature of her January 10 meeting featuring speeches about gun control, "anti-fascism," and progressivism, before Sanders promised the group was nonpartisan, and Hall relented.

Northbrook resident Nancy Goodman said that it was important that the library get back its open meetings attitude, adding that a group she and her husband, Lee, helped found, the Northbrook Peace Committee, had been born in the library.

"People in other towns thought Northbrook was a pretty special place," she said. She said that partisan speech can lead to social change and progress, and libraries should want to help foster it.

"What if Ben Franklin had wanted to use a room?" she asked. "You would have wanted to say yes."

The library's Pollak Room was booked 131 times since September 2015, and the smaller Civic Room 173 times, Hall said. The library's interactive classroom was booked ten times in roughly the same period. The Northbrook library doesn't charge for meeting room use. Reported in: *Northbrook Star*, January 24.

### Chapel Hill, North Carolina

The Chapel Hill town council passed on a proposed change January 23 that would have let the Chapel Hill Public Library use internet-filtering software.

The library is one of three in the state that now provide free, open internet access, officials said. The current policy lets staff intervene if patrons are viewing pornographic material and suspend privileges or access for those who don't comply. Patrons who break the law can be prosecuted.

They don't track policy violations, Library Director Susan Brown said, but staff probably deals with a couple each month. They don't condone censorship, she said, but decided to look at online content filters after realizing the policy blocked access to federal grants for technology.

The Children's Internet Protection Act requires agencies receiving grants to use internet filters to block obscene images, child pornography and images considered harmful for minors. Filtering software uses a series of preset rules to block internet content deemed undesirable.

Chapel Hill's library has received \$235,000 in federal Library Services and Technology Act money over the past three years, Brown said, but could not spend it on internet-related technology. She estimated adding an image filtering software could cost the library up to \$10,000 a year.

The library received feedback from residents concerned about censorship and about limiting children's exposure to pornographic images, she said. Resident Kim Stahl cited an ALA report that says image-blocking internet filters mischaracterize information up to half the time. Keyword and other types of filters block the wrong things up to 20 percent of the time, she said.

She and former Mayor Mark Kleinschmidt said the proposed change would infringe on First Amendment rights. That runs counter to the view of Chapel Hill's library as a place where open access to information is celebrated, Kleinschmidt said.



“Before the CIPA was passed, Congress tried to ban this activity twice, and it was found unconstitutional,” he said. “It is only constitutional today because government extorts compliance from cities and libraries and schools by preventing them from applying for these various funds.”

While she has concerns about what her young children might be exposed to at the library, council member Jessica Anderson said she’s also mindful of what’s happening nationally, including “the assault on information and ‘alternative facts.’”

“I perhaps am a little more vigilant at this point because of some of the changes that have taken place, but I do think it’s a complicated issue and I appreciate the (library board of trustees) looking at it and bringing it to us, because I know it is not cut and dried. It is not just a matter of free speech versus censorship,” she said.

The citizens who spoke made “excellent points,” council member George Cianciolo said. “Potentially selling rights for \$100,000 is not justified in this situation,” he said. “If we need technology, and I’m sure we do, then I think we need to find other ways to fund it, and I wouldn’t want to fund it at the expense of curtailing free speech and access to information for the other citizens.”

Council member Donna Bell urged Brown to ask for help if the library needs more money to provide universal internet access and information. Reported in: *Raleigh News and Observer*, January 24.

## SCHOOLS Dubuque, Iowa

A committee has decided to keep a book some say is too racy for use in a Dubuque high school class.

Parents, students, teachers and others packed the board of education

meeting room in Dubuque December 1 to voice opinions on *The Perks of Being a Wallflower* as assigned reading in a high school class.

*The Perks of Being a Wallflower* is required reading for an Advanced Placement literature class at Hempstead High School. But some parents have complained about the book’s sex scenes and depictions of drugs and alcohol use.

After nearly three hours of public comment, mostly in support of keeping the book, the committee of parents, teachers, and students unanimously voted to take no action. That means the book will remain an assigned reading for that class.

The district has clarified the book is not required for all students, only those taking the AP modern literature class. The teacher provides an alternative book if students or their parents request it. Reported in: *kcrg.com*, December 1.

## Williamsburg, Iowa

Following a request by a school district parent to have reading material reconsidered as part of a junior high whole class literature discussion, the Williamsburg Board of Education accepted the consensus of the committee created to reconsider the issue and took no removal or limitation action.

On September 13, Michelle Jennings submitted her concerns regarding S.E. Hinton’s *The Outsiders*, in accordance with board policy 605.3, which allows a member of the school district community to challenge instructional materials used in the district’s education program. Megan Schulte, junior high English teacher, then presented how the book is used at the school and what discussions are created and take place during the reading.

The book focuses on the life of a fourteen-year-old boy who struggles

with concepts of wrong and right in a society in which he feels he is an outsider. Jennings felt the book contains subjects that are socially, emotionally, and developmentally difficult for seventh-grade students to deal with, including conflict, crime, death of a character, and gang fighting.

A reconsideration committee was formed to provide an open forum for discussion of the challenged materials and to make an informed recommendation on the challenge. This eight-member committee included students, community members, and school employees. The focus of the committee was to address the question, “Is the material appropriate for its designated audience?” Their consensus was that no action should be taken to remove the book or limit its use.

The following reasons were cited for retaining the book in the seventh grade curriculum:

“Book reviews show it is the first ever book written for pre-teens and because it is written as a lower lexile level, it allows the focus to be placed on the understanding and recognition of the themes that are developed in the book. This is exactly the purpose of the use of this book in our school system.”

“It is also a favorite of boys, which tend to be more averse to reading in general.”

“The student members both felt the book was something they enjoyed reading and that the material in concern were things that come up in everyday (movies, television, video games) and a classroom discussion about those things is helpful.” Reported in: *Iowa City Press-Citizen*, November 14.

## Taunton, Massachusetts

*First French Kiss*, by Adam Bagdasarlian, is composed of stories about a



boy's comedic journey from childhood to manhood. Each chapter is a different story. But the first chapter, which carries the book's title and describes the character's humorous narrative of his first "make-out" in sixth grade, sparked a parent complaint at Taunton High School after the book appeared on a summer reading list.

Assistant Superintendent Christopher Scully said he had gathered a team to review the book, which included the high school librarian, the principal, and a citizen. Ultimately the group decided to keep the book. They noted that the book was optional and students could have chosen from the other thirteen options on the list; as well, they found it not objectionable—they didn't read any other "explicit sexual reference" in the book—and felt it was a good quality book.

The district council then voted unanimously to keep the book on the summer reading list. Reported in: *Taunton Daily Gazette*, October 27.

### Austin, Texas

The Texas Board of Education voted 14–0 November 15 to deny the adoption of a Mexican American studies textbook decried by opponents as racist and inaccurate. The textbook, *Mexican American Heritage*, was the only submission the board received when it made a 2015 call for textbooks for high school social studies classes, including Mexican American studies.

Critics say the book is riddled with factual, "interpretive," and "omission" errors and doesn't meet basic standards for use in classrooms.

The vote followed an hours-long public hearing when thirty-five Hispanic activists and scholars spoke out against the textbook's adoption.

Cynthia Dunbar, CEO of Momentum Instruction, the publisher of the

controversial textbook, said she had sent a letter telling the board their rejection of the book would be "unconstitutional." Dunbar said that she had addressed opponents' corrections of the book in a newer draft. Hispanic scholars said the new draft is still inaccurate.

Before the vote, board member Thomas Ratliff addressed Dunbar's comments, saying that the state board of education is "not censoring" the textbook. "I want us to be very clear about the vote we are taking today," he said. Nothing prohibits Dunbar from publishing the book as it is or selling it to public school districts, he said. But it will not be on a board-approved list of instructional materials.

"The unanimous vote by the board today is an amazing victory for everyone who showed how inaccurate the book was," said University of Texas at Austin professor Emilio Zamora, who was on a committee that submitted a list of more than 140 corrections of the textbook. Zamora is working with a co-author to negotiate a contract with a publisher on a Texas Mexican American studies textbook. Reported in: *Texas Tribune*, November 16.

### Chesterfield County, Virginia

Three school books that have been criticized as inappropriate should no longer be banned from use in Chesterfield County schools, the district's superintendent has concluded. Superintendent James F. Lane followed the recommendation of a panel that had been tasked to review the content of the books and determine their appropriateness for inclusion in Chesterfield middle schools and in middle school media centers.

The disputed books are *Tyrell*, by Coe Booth, the story of a teenager growing up homeless; *Dope Sick*,

by Walter Dean Myers, a novel about a young drug dealer who vows to change his life; and Rainbow Rowell's *Eleanor and Park*, a love story between two young misfits that is set in the 1980s.

The three books, all novels, had been temporarily pulled from a summer reading list after some parents complained that they were laden with sexually explicit language and violence.

Throughout the summer, the panel looked at "the applicable policy and regulation, read the books, received external reviews of the books, heard . . . the concerns expressed by parents (and) received information from school division instructional specialists and held a vigorous discussion about the books," Lane wrote in his recommendation.

Lane presented the final report to the school board at a meeting September 13, but there was no discussion and neither Lane nor the board members commented on the issue.

In a written statement, schools spokesman Shawn Smith said school officials recognize that "everyone may not agree with the committee's decision, but will move forward" with the recommendations.

"We hope that the increased parent engagement in this topic will bring us each closer to our families and our students. We have revised our summer reading list and feel like we addressed the parent concerns related to the lists," Smith said. "As it relates to the books in the libraries, we encourage parents to work directly with their school librarians to help choose the best books for their child."

Although the books remain on school library shelves, the school division in the future will not recommend individual books for reading, but will share lists of "nationally recognized/award-winning books." Individual



schools may continue to require summer reading assignments involving specific books but must have an alternative assignment available for students who express a concern.

The dispute had drawn the attention of a state senator and criticism from national free-speech advocacy groups after the district issued a revised reading list in June in response to about twenty parents expressing concern over the content and language in some of the books.

The parents and state senator Amanda F. Chase, R-Chesterfield, said some of the books removed from the nonmandatory list contain pornographic scenes and inappropriate language. They called for a review into how the district selects books for its summer reading list.

The review committee included three parents representing the Chesterfield County Council of PTAs, a middle school principal, two middle school teachers, a middle school librarian, and a member of the school division's curriculum and instruction team.

Chase's efforts were criticized by groups advocating free speech, charging that rating books is, in and of itself, censorship. In a letter written in July on behalf of more than half a dozen organizations, the National Coalition Against Censorship quoted from a position statement from the National Council of Teachers of English stating that giving letter ratings or "red-flagging" is "a blatant form of censorship" that "reduces complex literary works to a few isolated elements."

The review committee also recommended that the district develop a review of the process by which books are selected for inclusion in the media center at certain school levels to ensure appropriateness for grade level and to create consistency across the school division.

The panel also urged "enhanced outreach and communication between librarians, teachers, students and parents about appropriate book selections to meet the interests and needs of individual students." Reported in: *Richmond Times-Dispatch*, September 13.

### Richmond, Virginia

The Virginia Board of Education has gutted a controversial measure allowing Virginia parents to be notified and opt their children out of classroom material deemed "sexually explicit."

The death of the proposal came January 26 after more than two hours of debate between board members who eventually agreed that parents have a right to know what their child is learning and reading, but also that defining "sexually explicit" isn't a matter for a state board.

"We are addressing this by saying we are not going to address the sexually explicit issue in the classroom and we are going to rely on local policy to deal with those issues," board member Daniel Gecker said.

Essentially the regulatory twin of a bill vetoed by Governor Terry McAuliffe, the measure pitted free-speech groups and many teachers against some parents who say the notification is simply common sense. Opponents said the bill would lead to a slippery slope of suppression.

"Sadly, unfiltered sexually explicit messages bombard our kids every day. We've all got one of these," Charles Miller, a Virginia educator for forty years, said as he held up his cellphone. "And ironically, these regulations seek to reduce some of the greatest works of literature to nothing more than one of those messages."

Objections to some scenes in *Beloved*, Toni Morrison's post-Civil War and Pulitzer Prize-winning novel, gave the vetoed bill its moniker. In his veto message last year, McAuliffe

mentioned that the Virginia Department of Education was already looking at similar regulation.

The most recent language expanded the reach of previous proposals, requiring teachers to both notify parents of "sexually explicit" material at the beginning of the year and throughout the school year if any more such material is added. It also directed school boards to have clear procedures for providing alternative assignments for students whose parents request it.

It would have been up to local school boards to define "sexually explicit," a main difference between the vetoed bill and the regulation change.

Five members voted to keep the current language intact, while two voted against that. The majority of members even backed away from language requiring the advance notice. Some said that it should be up to local school boards to decide how and what kind of notice should be given. An existing policy, though, does dictate that all schools provide parents with syllabi.

"We are so lucky to live in the twenty-first century . . . where it is very easy to find out information, and I think we should act like it," board member Elizabeth Lodal said of parents' ability to investigate what their child is reading. "You can't zoom in as a parent and solve all of your children's problems."

Lodal also pointed out that state regulations already allow parents to request a review of any instructional materials. Existing rules also require local school boards to lay out the basis on which someone can request reconsideration of materials considered "sensitive or controversial," which Lodal and some other board members felt was sufficient.

According to a 2013 survey of school divisions conducted by Virginia Department of Education staff,



74 percent of 108 districts and five professional organizations had policies allowing students to be excused from instruction related to sensitive or controversial materials. Forty-eight percent of those respondents required that parents receive advance notice before potentially sensitive or controversial materials are used in the classroom.

Since October, the majority of the 171 comments received by the board expressed opposition to the proposal. The American Civil Liberties Union of Virginia and a host of free-speech groups have said the term “sexually explicit” is vague and potentially prejudicial. In a letter to the board, the groups wrote that it could be used to describe classic works of literature such as *Romeo and Juliet*, *The Diary of Anne Frank*, *Slaughterhouse Five*, and *Brave New World*, and that such “red-flagging” of books could lead to a “regime of labeling that will leave few books unaffected.”

Of the 171 comments received by the board, teachers were among the main opponents to the proposal while parents favored it in greater numbers.

“You build trust with parents by listening,” board president Billy K. Canaday Jr. said. “I was really troubled by the fact that they couldn’t solve it at the local level.” Reported in: *Richmond Times-Dispatch*, January 26.

### PRISON West Liberty, Kentucky

The Kentucky Commissioner of Corrections has said that a minimum and medium security prison in West Liberty can no longer enforce a mail policy that prohibited prisoners from receiving books and magazines that “promote homosexuality.” In just a four-month period in 2015, the Eastern Kentucky Correctional Complex (EKCC) used the policy thirteen different times to confiscate mail including magazines like *Out* and *The Advocate*.

On June 2, the Kentucky Department of Corrections issued a state-wide memo implementing substantial changes to the department’s regulations governing prisoner mail. The changes are effective immediately and were the direct result of an ACLU investigation into mail regulations at Kentucky’s prisons. The ACLU previously sent a letter demanding that EKCC end its policy of censoring mail that “promotes homosexuality” because it violated the free speech rights of prisoners and publishers.

“The outdated mail policies that prompted our investigation barred prisoners from receiving mail that ‘promotes homosexuality,’ but such policies single out pro-LGBT messages for unfavorable treatment,” ACLU of Kentucky legal director William Sharp said. “And that type of viewpoint discrimination by the government is precisely what the First Amendment is designed to prevent.” Reported in: [aclu.org](http://aclu.org), June 6.