

Superintendent Eric Williams, Ed.D.
Loudoun County Public Schools
21000 Education Court
Ashburn, VA 20148

Jeff Morse, Chairman
Loudoun County School Board
21000 Education Court
Ashburn, VA 20148

October 2, 2019

RE: Book Censorship in Loudoun County Public Schools



AMERICAN CIVIL LIBERTIES UNION
FOUNDATION

Virginia

701 E. Franklin Street
Suite 1412
(804) 644-8022
Richmond VA 23219
acluva.org

Dear Superintendent Williams and Chairman Morse:

The ACLU of Virginia is aware of recent efforts to encourage removal of books from the Loudoun County Public Schools' ("LCPS") Diverse Classroom Libraries as well as books donated to thirty-three schools through the #BigGayBookDrive. We have serious concerns about these efforts and their impact on free speech. Since its founding in 1920, the ACLU has opposed censorship in all its forms. From books and radio to film, television, and the Internet, we have consistently fought to make sure Americans have the right to say, think, read, and write whatever they want, without fear of reprisal.

The First Amendment does not allow the government to get rid of or limit the use of books or ideas because they are controversial, unpopular, or offensive. Purging certain books from school libraries because some parents do not like them is government action favoring the opinion of some parents over others. Passing judgments, applying labels, and red-flagging educational materials that might prompt uncomfortable but insightful discussions are activities that do not belong in our public schools. In fact, bending to the will of any number of vocal parents could lead to a narrower and narrower list of books for students to read on a more and more homogeneous set of topics, adversely affecting the rights of those students and parents who want a more expansive and inclusive reading list from which to choose.

Book banning raises serious First Amendment concerns about content-based discrimination and censorship of controversial literature or texts. According to *Texas v. Johnson* (1989), schools are prohibited from discriminating against "the expression of an idea simply because society finds the idea itself offensive or disagreeable." This includes teachers and school officials singling out certain books based on passages they subjectively deem to be inappropriate because of the overbroad and potentially prejudicial labeling of these books. Many literary classics, including *Romeo and Juliet*, *The Diary of Anne Frank*, *Slaughterhouse Five*, and *Brave New World* could be labeled as such when decontextualized passages are flagged and the wider themes of the works are ignored. Vague terms to label potentially controversial books

provide no guidance on the topic and only encourage some parents to forbid their children from reading the books without knowing much more about them other than an arbitrary label attached to it.

Finally, such censorship is counter to LCPS's commitment to providing access to diverse text collections for all students. The Diverse Classroom Libraries K-12 initiative resulted from "the collaboration of LCPS teachers, librarians, administrators, and classroom book collection specialist teams trained to identify culturally responsive and diverse texts" and considered several criteria in making their selections, "including representation, authorship, relevance to students' lives, authentic voice, and developmental appropriateness." By shielding students from these books, educators miss out on opportunities to engage in a dialogue about the historical period in which a book was written, the author's individual viewpoints, and the use of literary devices, all of which may play a part in how a group or individual is depicted.

The ACLU has always vigilantly defended the First Amendment and the right to free speech. We believe in an educated citizenry and a society where ideas are openly disseminated, discussed, and debated. Throughout our hundred-year history, we have worked to protect the right to access information, and the right to make up your own mind.

We urge the School Board and all school administrators to reject calls to remove books and keep censorship out of Virginia's public schools. Please do not hesitate to contact the ACLU if you have any questions about these issues or if we can be of any assistance to you in evaluating and formulating school policy on any of these matters. We can be reached at (804) 644-8022 or acluva@acluva.org.

Sincerely,



Claire Guthrie Gastañaga
Executive Director

ACLU

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