

Understanding Florida’s Book Challenges in Schools and Their Consequences for Students

Jill Lewis-Spector, Ed.D.

Chair, LWVFL Education Action Team

By autumn 2023, every school district in Florida should have revised its policy on book challenges to align with HB1069 (Florida State Legislature, 2023) and regulations from Florida’s Department of Education that expand upon that legislation. These policies are more restrictive and more punitive than earlier ones. Successful book challenges can deny Florida’s public-school students the opportunity to read books that perhaps just one parent or resident in a school district has challenged regarding their appropriateness for some or even for all students attending that district’s public schools.

Rather than encouraging communities to engage in serious critical analysis of challenged books, the Department of Education makes it possible for districts to skirt appropriate review of objectionable materials for classrooms as well as school libraries, as the legislation provides, “Parents shall have the right to read passages from any material that is subject to an objection. If the school board denies a parent the right to read passages due to content that meets the requirements under sub-sub-subparagraph b.(l), the school district shall discontinue the use of the material” (Florida State Legislature, 2023, p.7). Thus, library books intended to be read, perhaps, in the privacy of a student’s own home become subject to public scrutiny. Further, the process created by the Department of Education provides for every Florida district to learn what books are being banned in the other Florida districts, increasing the likelihood that school administrators will be tempted to remove books that have been banned in other districts to avoid future challenges and penalties from Florida’s Department of Education. Some books will

therefore never have had a formal challenge by a district, may have never been objected to by a parent or resident of the district, and yet will be removed from every one of the district's classroom and school libraries.

Books being censored are primarily written by or about members of the LGBTQIA+ community and people of color. Anyone violating the policy or who is deemed to have shared a book, video, or other form of media with children that is inappropriate can be fined, terminated from their position, and/or lose their professional license. The policy, vague and imprecise, creates an environment of excessive self-censorship, what Snyder (2017) refers to as "anticipatory obedience" (p. 17), especially when the Department of Education advises those receiving their training on book bans to "err on the side of caution with regards to material that is potentially harmful to minors and in violation of s.847.012, Florida Statutes" (Florida Department of Education, 2023, slide 9).

Our Position

The League of Women Voters of Florida "*promotes diversity and nondiscrimination based on race, ethnicity, religion, gender, sexual orientation, gender identity, nationality, citizenship, socio-economic status and ability status in all publicly funded schools*" (2021, p.75).

We are opposed to Florida's book bans because many of the restrictions forbid reading about and thus marginalize the experiences of entire groups of people: LGBTQ+, African American, Latino, AAPI, Holocaust survivors and their families. These constraints appear in Florida Statute 1003.42(3), and the Department of Education's training materials offer a reminder that selected materials must be consistent with these principles (Florida Department of Education, 2023, slide 33). When policymakers or a small number of parents or residents pick

and choose which book and book topics will be accessible to all students, they are expressing their opinion that particular ideas or conversations about certain topics are unacceptable in our society. This view, antithetical to the First Amendment of our Constitution, tells students that it is ok for a minority of parents, educators, and legislators to rule the majority, to dictate what knowledge they can acquire. A danger is that students will carry such beliefs beyond the classroom, exacerbating an already existing cultural divide and limiting opportunities for communities to democratically address differences and problem solve together.

The League of Women Voters of Florida believes that no single person should make the decision about what every other person should read. Those parents who do not want their children to have access to a particular book through their school or classroom library, should be able to 'opt out' of that access. But other parents should have the same freedom to choose the books their children will read in school and to 'opt in' or 'opt out' based on what they believe is appropriate for their children.

Although, at least for now, it is possible for children to access through their public library or local bookstore those books banned at school, school is where critical conversations and questions about texts can occur and where an experienced teacher can guide them. The classroom is where multiple perspectives on a character's challenges and reactions to them can be offered. Teachers can help students understand complex ideas and experiences that differ from their own. These possible responses to text cannot occur when banned books are read in isolation.

This does not mean, of course, that the League believes that any book, regardless of content, should be available to children. Book challenges have their place. Pornographic

material is not appropriate for K-12th grade students nor would we support availability of exceptionally violent texts. The League supports an appropriate process for determining whether a book should remain in a classroom or school library. This process, best done pre-placement on school shelves, should be transparent. In addition to teachers, administrators, and media specialists, the review process should involve a committee of diverse community members of educators and other stakeholders, have clear and objective review criteria that includes discussion of the educational value of any challenged material, and allow for a final decision and an appeal.

Bans on Books Then and Now

Florida is not alone in imposing new censorship policies that limit children's access to certain books in school. Nationwide the number of books that have been removed from the shelves of classroom and school libraries has increased from 1,600 book titles during the 2021-22 school year to nearly 2,050 the first six months of the 2022-2023 school year (Meehan & Friedman, 2023).

Further, book censorship in the US is not new. One of the earliest instances occurred in 1650 in Boston when William Pynchon's *The Meritorious Price of Our Redemption*, was banned by Calvinists because in this small text Pynchon claimed that obedience to God and following Christian teachings would give anyone admission into Heaven, which was contrary to the Calvinist view that only a chosen few would gain entry. In 1873 Congress passed the Comstock Act that forbid possession of 'obscene or 'immoral' texts, specifically anything with content about sexuality or birth control. Material that encouraged Communism or socialism was banned during the McCarthy era of the 1950s (Blakemore, 2023).

But there are important differences between earlier bans and those of today. The social media platforms available now allow for ideas to spread instantaneously. Millions of Floridians can learn in a few seconds which books are being banned in Indiana and then challenge the same books in their own Florida districts without consideration for its appropriateness for its own community; a *Moms for Liberty* chapter in Ohio can employ social media to quickly coordinate a rally against a school district's seemingly liberal book challenge policy, and a chapter of that group in New York can replicate that rally in its own New York town the next day. Additionally,

“Previous banning movements did not overtly concentrate on race, aim to empty libraries, or associate so closely with one political party. The people behind these movements prided themselves on their direct familiarity with the explicit contents of that which they wished to ban (or even burn). They used their literacy in their brazen efforts to control the uses of others' literacy. Today's banners and burners, by contrast, are the new illiterates, achieving a rare historical distinction” (Graff, 2021).

Some of today's challenges also appear to lack the seriousness evident in earlier censorship attempts. One book challenger, for instance, is currently demanding that a book from the popular children's animated *Arthur* series be removed from libraries because it mentions the animated characters playing “Spin the Bottle” at a birthday party. The series is also known for teaching kindness, empathy and inclusion. Another recent Floridian challenger insists on removal of the Bible from library shelves because it portrays rape, incest, violence. Books written by Nobel Laureate and Pulitzer Prize winner Toni Morrison are banned without regard for their literary quality. For some, Shakespeare should be removed because it promotes

white supremacy, misogyny, homophobia, and anti-Semitism; others insist that many Shakespearean plays feature suicide and sexual encounters, making its removal necessary. Others disagree with their removal and cannot imagine Shakespeare removed from the canon for Florida's high school students.

What's the Harm?

Classrooms should be safe spaces for students to engage in complex, debatable conversations. If age-appropriate books are prohibited that would otherwise expose students to controversial topics, students miss the opportunity to increase their ability to understand other perspectives and to think deeply about ideas that have relevance for them. They have less opportunity to think critically about the world and to develop the reasoning and skill necessary for communicating across diverse communities.

Reading books by authors whose experiences differ from their own builds students' self-awareness and can contribute to their empathy for others. Reading the opening chapters of Morrison's *The Bluest Eye*, for example, can expand a young white girl's understanding of the distance between conceptions of beauty propped up by advertisers and a young black girl's self-image, or how different that young black girl's home experience may be from that depicted in the *Dick and Jane* basal readers popular from the 1930 through the 1960s, that featured a Caucasian family of four living in a picket-fenced house, intact with mom, dad, blue-eyed blonde haired daughter and son, a dog (Spot) and a cat (Puff) and surrounded by friendly neighbors. How challenging it must be to relate to texts so far removed from one's own reality of prejudice and segregation. As Bishop explains,

Books are either mirrors, windows or sliding-glass doors, and that's important in the act of resistance. You need that mirror to see yourself, to know what you can be and know what you are. And then you need that window to see into someone else's life so you can understand what's happening around you in the world that you may not notice at first glance. And you need the sliding-glass door so that you can step into someone else's life and walk in with some empathy and use that empathy to make yourself heard (1990, p. ix).

Florida's regulations stipulate that when a book is challenged, it must immediately be removed from the classroom or school library. This gives just one person (the challenger) decision making power for all parents. On its face this is unreasonable, and the situation is exacerbated in Florida where parent groups, such as *Moms for Liberty* or *Florida Citizens' Alliance*, are challenging hundreds of books in their communities. Unfortunately, the 'parents rights' movement ignores teacher expertise. Many teachers have spent years building their classroom libraries and curriculum, taking into consideration the experiences and interests of the students in the communities where they teach. Without culturally relevant books in their classrooms, how will children be motivated to learn to read, and how will they develop an appreciation for how much they can learn from reading books? How will they learn about others? It would not be surprising if results from standardized tests taken perhaps a year after this wave of book bans, were to show that forcing teachers to shut down their classroom libraries and to replace their curriculum with books that deny the reality of students' experiences, has negatively affected student achievement.

Advocating Against Book Bans

Many have questioned the Constitutionality of book bans. In 2023 PEN America and Penguin Random House filed a lawsuit along with a group of authors and parents that claimed the Escambia County School District and its school board “violated the equal protection clause of the Constitution because books they targeted were disproportionately written by nonwhite and L.G.B.T.Q. authors and addressed themes of race, racism, gender and sexuality” (Harris & Alter, 2023, para. 2).

The outcome of this litigation won't be known for some time, but there are avenues individuals who oppose book censorship in schools can pursue now that are outside of the court system. While the government has discretion to control what's taught in school, the First Amendment ensures the right of free speech to those who want to protest what's happening in schools. The League of Women Voters of Florida encourages advocacy to fight book bans and suggests these action steps.

- Find out what your rights are and decide how much risk you are willing to take as an advocate against book censorship.
- Learn about the history of book censorship and why it occurs.
- Become familiar with books being banned today and what the objections to them are.
- Identify features of these books that will benefit students.
- Follow legislation to identify any bills, pro or con, addressing book bans.
- Communicate with sponsors of these bills to share your concerns.
- Join a banned book club and learn about groups organized to advocate against school bans on books.
- Attend school board meetings to learn the process for challenging a book.

- Prepare remarks for board meetings that will counter book challenges and excessive self-censorship, and support boards to maintain strict adherence to their policy.
- Educate others and build support.
- Identify League members and others who share your concerns and begin planning collaborative advocacy initiatives.
- Support organizations such as the League of Women Voters that are fighting censorship.
- Check organization websites to locate advocacy tools.
- Participate in anti-censorship protest rallies.
- Pay attention to litigation related to the issue.
- Repeat these actions when appropriate to expand your knowledge, grow your Team, and influence the outcome.

In 1982 some had thought that book bans at public schools would end. Supreme Court Justice William Brennan Jr.'s rendered his opinion then in *Island Trees Union Free School District v. Pico*: "Local school boards may not remove books from school libraries simply because they dislike the ideas contained in those books" (Mauro, n.d., para. 1). Clearly, this decision has not taken root in our everyday lives. We will need to persist in our fight against book bans if we want children to have access to high quality, truthful literature and texts, and opportunities in their classrooms that will expand their understanding of themselves and others.

The very foundation of our democracy is threatened when books are banned. We must be able to learn from our nation's history, and protect our fundamental rights to freely speak, think, read, and write. Survival of our democracy depends on a well-informed citizenry.

References

Bishop R. S. (1990). Mirrors, windows, and sliding glass doors. *Perspectives: Choosing & using books for the classroom*. Vol.6, no.3, summer 1990, pp. ix-xi 6(3), ix–xi.

Blakemore, E. (2023, April 24). The history of book bans—and their changing targets—in the U.S.. *National Geographic*.

<https://www.nationalgeographic.com/culture/article/history-of-book-bans-in-the-united-states?loggedin=true&rnd=1688329698134>

Florida Department of Education. (2023, January). Library media and instructional materials training transcript.

<https://www.fldoe.org/core/fileparse.php/5574/urlt/LibrMedTrainTrans.pdf>

Florida State Legislature. (2023, July 1). Chapter 2023-105: Committee substitute for committee substitute for House Bill No. 1069.

[https://laws.flrules.org/2023/105?trk_msg=KU2ICD4S6354LBA6AEFG53BC7K&trk_content=MHFBDIDA87RU8C79U551RM8R0G&trk_sid=PESDL9OJHL6PD5FL35S3A1U3NK&trk_link=58S0TQ8QSOC473HJ7CNGM2S030&utm_email=c12ff0fa78da94746de3e2a512d70c37ceb0c59891d410c7f65651c5bddd5a6&utm_source=Gradebook&utm_medium=MG2 Newsletter&utm_term=New+state+law&utm_campaign=times-gradebook](https://laws.flrules.org/2023/105?trk_msg=KU2ICD4S6354LBA6AEFG53BC7K&trk_content=MHFBDIDA87RU8C79U551RM8R0G&trk_sid=PESDL9OJHL6PD5FL35S3A1U3NK&trk_link=58S0TQ8QSOC473HJ7CNGM2S030&utm_email=c12ff0fa78da94746de3e2a512d70c37ceb0c59891d410c7f65651c5bddd5a6&utm_source=Gradebook&utm_medium=MG2%20Newsletter&utm_term=New+state+law&utm_campaign=times-gradebook)

Graff, H.J. (2021, December 31). The history of book banning. *Publishers Weekly*.

<https://www.publishersweekly.com/pw/by-topic/columns-and-blogs/soapbox/article/88195-harvey-j-graff-examines-the-history-of-book-banning.html>

Harris, E. A. & Alter, A. (2023, May 17). Florida school district is sued over book restrictions. *The New York Times*. . <https://www.nytimes.com/2023/05/17/books/ban-florida-school-lawsuit-pen.html#:~:text=A%20lawsuit%20filed%20in%20federal%20court%20on%20Wednesda,y,along%20with%20a%20group%20of%20authors%20and%20parents>

League of Women Voters. (2021) Education in Florida: Statements of positions and history. *Study & Action 2021-2023*.

Mauro, T. (n.d.). How a 40-year-old supreme court ruling may quash the book banning wave. *Freedom Forum*. <https://www.freedomforum.org/how-a-40-year-old-supreme-court-ruling-may-quash-the-book-banning-wave/>

Meehan, K. & Friedman, J.F.(2023, April, 20). Banned in the USA: State laws supercharge book suppression in schools. *PEN America*. <https://pen.org/report/banned-in-the-usa-state-laws-supercharge-book-suppression-in-schools/>

Snyder, T. (2017). *On tyranny: Twenty lessons from the Twentieth Century*. Indianapolis, IN: Penguin Random House.