

# **Library Books and Media Objection Policies: Analysis of the State of Affairs in Florida**

## **League of Women Voters of Florida, September 2024**

### **Executive Summary**

Responding to the wave of restrictions on library materials and recent related legal challenges faced by Florida's public-school districts, the League of Women Voters of Florida (LWVFL) investigated a key factor central to sound decision making in this regard: library materials objection policies. We wanted to determine the current state of these policies in Florida's school districts with respect to quality, accessibility, and use, with the goal of assisting districts as they develop policies to satisfy the legislation and concomitant requirements for library materials objection policies as outlined by the Florida Department of Education (FLDOE).

We located and examined library materials objection policies posted by all of Florida's 67 county school districts and the policy templates of two organizations frequently used by the districts: NEOLA and NEFEC. We also examined policy quality against model policy criteria from national and state organizations. Using media reports and public records, we constructed a composite case study to illustrate how districts are navigating the library materials objection policy environment.

During our investigation we encountered several issues with the districts' library objection policies. Not every district had a policy posted on its website. We also found that legislative and regulatory guidance sometimes failed to distinguish between permitted challenges to adopted instructional materials, instructional activity, and library materials, causing confusion. We found that lists of criteria for removing materials sometimes omitted important exceptions. Most district policies lacked the specificity of the model policies, and many did not satisfy all FLDOE requirements for library materials objections. In some instances, illustrated in our case study, actions by residents and/or organizations compromised the objection process and taxed the resources of the districts.

After reviewing library materials objection policies for all of Florida's 67 county school districts, we recommend that districts:

- carefully distinguish between adopted instructional materials, instruction, and classroom and school library materials
- clarify their policies on library materials objections and increase the specificity of the policies
- increase the ease of accessibility of website policy postings
- follow their policies strictly in processing library materials objections
- require the use of the standard form at the time of the first contact so that even challenges handled informally can be tracked (in Florida, the FLDOE Specific Material Objection Form is mandated)
- require the use of the standard form to register an objection prior to any public reading of book excerpts at school board meetings

- handle library materials objections promptly according to stated timelines that the public can track
- ensure the transparency of the library materials objection process, conducted in the Sunshine
- post decisions on library materials objections on websites
- make internal decisions on book removals with a procedure for public input, allowing these potential removals the benefit of the same kind of community opinion that occurs through the externally-originating challenges
- ensure that policies provide a process for addressing requests for reinstatement of a given library material

While reforms to legislation and FLDOE training and directives can make a great difference in preventing the excessive removal of library materials in Florida, associated improvements in policy development, communication, and policy-based practice are also crucial. We call on districts to examine their policies in light of the models of good practice that are available, with the goal of dealing with library materials objections in an orderly and fair manner that preserves the integrity and high quality of their library collections.

# **Library Books and Media Objection Policies: Analysis of the State of Affairs in Florida**

## **League of Women Voters of Florida**

### **September 2024**

The Education Action Team of the League of Women Voters of Florida (LWVFL) monitors legislation and practices in public education in Florida and advocates for quality education. Our members, including authors of this paper, are drawn from local League of Women Voters chapters throughout the state. We are all aligned with the League of Women Voters of the United States as a nonpartisan organization that studies and takes action on issues relating to government in our democracy.

The Education Action Team has been following with great interest the current situation in Florida's district schools with respect to recent library materials challenges, also known as book challenges, library materials reconsiderations, or non-adopted materials objections (to distinguish them from objections to materials adopted for classroom instruction through a specific statewide process.) These terms all refer to actions by individuals to remove library materials from circulation in school or classroom libraries or from reading lists. In this paper, we will generally use the term "library materials objections."

The system behind library materials objections is regulated by several statutes and Florida Department of Education (FLDOE) regulations. To understand the process behind library materials objections and how districts are operating to address them systematically, the members of the Education Action Team examined library materials objection policies in Florida districts by describing what currently exists on district websites.

This report provides background on library materials objection policy in Florida, discusses how we explored those policies that are publicly available, describes our findings, compares existing policies with model policy criteria, and makes recommendations for improvement. To portray more concretely the context in which the development and implementation of library materials objection policies occur, we also gathered information from public media, reports from our members, organizations monitoring book challenges, and court cases. This review allowed us to create a composite of several Florida school districts to document how they have been navigating the various stages of the book challenge process. Our goal is to report on the current state of policy accessibility and use as well as to assist districts with improving how library materials objection policies are implemented.

### **The Extent of Library Materials Objections in Florida's District Schools**

The contents of school and classroom libraries throughout Florida are being challenged by representatives of such organizations as Moms for Liberty and the Florida Citizens Alliance, as well as by individual parents and other community members. As of February 1, 2024, according to the [Florida Freedom to Read Project](#), "Over 2000 titles have been temporarily or permanently removed or restricted in a Florida school at some point since the start of the 21/22 school year. Over 3000 titles have had censorship attempts made either by citizens, parents, conservative groups, or through internal reviews. Over 6,000 unique attempts have been tracked via public records since we started filing PRRs

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League members who contributed to this paper include Nancy Van Note Chism, Collier; Gina Derange, Space Coast; Tina Getz, Tri-Villages; Jill Lewis-Spector, Sarasota; Debbie Parker, Volusia; Sarah Peacock, St. Petersburg; and Margie Rohrbach, Broward. We acknowledge with gratitude the advice of Stephana Ferrell and Raegan Miller. [public records requests] in October 2021.” [PEN America](#) reports an even higher number of bans in Florida between July 2021 and December 2023, stating that Florida leads the nation in book bans that affect school and even classroom libraries. Many library materials objections are tied to single individuals and organized groups: for example, more than 600 challenges in Florida have been made by [two people](#) in two counties, Bruce Friedman in Clay and Vicki Baggett in Escambia. The subject matter of removed library materials is overwhelmingly in the areas of sexuality and gender identity. During the 2021-22 and 2022-23 school years, [36% of the titles removed](#) included LGBTQ+ topics and almost all of the others contained depictions of sexual conduct.

In addition to formal objections by individuals, the number of internal book removals initiated by media specialists or other district personnel are increasing. These actions may reflect intention to avoid external objections or to follow the guidance of the FLDOE to “err on the side of caution” by removing, without further stakeholder review, any materials that might fall into objectionable categories. These fears may also influence choices on new media center purchases. The result may be an actual reduction in objections from parents and residents but an increase in the number of titles removed. Figures for the 2023-24 and following school years will reveal any new patterns.

### **Legislative Background to Library Materials Objections**

Recently, a series of bills dealing with the content of instructional and library materials has passed the Florida legislature. These actions have occurred within the larger context of public opinion that, according to a recent [American Association of Librarians poll](#), shows that 92% of parents have a high level of trust in school librarians and according to a [Harris poll](#), finds that only 12% of respondents felt that books on divisive topics should not be taught in schools. The legislation, associated statutes, and FLDOE regulations on library materials have had major consequences for district media specialists, teachers, administrators, and students.

#### **Legislation and Statutes**

The Florida bills on education cover many topics, but the particular ones of special relevance to instructional and library materials include: [HB 1557](#), Parental Rights in Education, passed in 2022; [HB 1467](#), General Bill on K-12 Appropriations, passed in 2022; [HB 7](#), Individual Freedom, passed in 2023; [HB 1069](#), General Bill on Education and Employment, passed in 2023; and [HB 1285](#), General Bill on Education, passed in 2024. Taken together, the laws define criteria for judging the appropriateness of materials for students in classroom or school libraries and reading lists and call for the establishment of district policies regulating library materials objections.

The directives of these recent bills have been incorporated into statutes. Particular statutes of interest on library objections are Florida Statutes 1006.28 and 1006.40 on instructional and media materials and 847.012 for its discussion of pornographic and harmful content. These are summarized here.

#### ***Stated Components of Policy Requirements on Objections to Non-Adopted Materials (in school or classroom libraries) in Florida Statutes***

- District must provide a catalog of library materials on its website and make materials accessible to those wishing to examine them.
- Parent or resident of district may register objection.
- Residents without children in the district schools are not allowed to challenge more than one book per month.
- Parents have the right to read materials being considered for objection.
- District policy on objections must be published on its website in clear language and be easily accessible.
- District must provide a form for registering objections on its website or in office.
- The objection form must include district point of contact.
- Four main criteria serve as the basis for objections:
  - o pornographic content (as defined in Florida Statute 847.012)
  - o depiction of sexual conduct (unless required by a course) that can cause harm (defined in 847.001 (7)) as:
    - appeals to a prurient, shameful, or morbid interest
    - is offensive to prevailing community standards on suitability for minors
    - is without serious literary, artistic, political, or scientific value for minors
  - o lack of suitability to students' needs
  - o inappropriateness for grade level or age for which material is used
- Those found in violation of 847.012 on exposing minors to pornography or harmful sexual conduct commit a felony.
- Challenged material must remain available during the reconsideration process, unless found to be pornographic or contain depictions of sexual conduct found to be harmful, in which case removal within five days is mandated. Other materials should remain available.
- Use of material found inappropriate for needs or age level should be discontinued for those groups.
- Districts must provide a process for parents to limit their children's access to library materials.

### **Florida Department of Education Rules and Guidance**

The above statutes constitute the basis for regulations, directives, and training workshops for media specialists from the FLDOE. Most relevant regulations are 6A-10.081, Principles of Professional Conduct for the Education Profession in Florida; 6A-7.0714, Library and Instructional Materials Objection Report and specific Material Objection Template; and 6A-7.0715, Certifications and Plans for Instructional Materials and Library Media; and Memos from Chancellor Paul Burns to district superintendents on October 13, 2023 and November 17, 2023. The FLDOE training materials and directives include policies on instructional materials more broadly, and they are listed here. See Appendix B for additional detail.

### ***Stated Components of Policy Requirements on Objections to Non-Adopted Materials (in school or classroom libraries) in FLDOE Regulations, Training, and Directives***

- District objection forms must be based on the FLDOE template.
- The objection form must be posted on the website (instead of in-office alternative previously stated in the Statutes).
- Districts must annually submit to the FLDOE a list of materials removed through the objection process during each year.

- Policies must include notice of the availability of a special magistrate at the state level to hear the cases of objectors who do not believe their request was handled properly at the district level.
- District meetings on library objections must be publicly noticed and open to the public.
- District committees on library objections must include parents.
- District website catalogs must include titles in classroom libraries as well as school libraries.
- Districts must publish their process for parents to have students opt out of certain materials.
- Reports on objections and retentions/removals must go to the Commissioner of Education each year.
- School principals must communicate procedures on adoptions and objections to parents.

Leading literacy groups such as PEN America, the Florida Freedom to Read Project, and other organizations have questioned the regulations and training offered by the FLDOE in response to the legislation and statutes. Potential for bias is evident since half the members of the [advisory board](#) for the training content have been members of Moms for Liberty, a group whose members are responsible for a large percentage of the existing book challenges. The concern is with over-interpretation of the statutes. For example, [media specialist training](#) has led participants to determine that any instance of sexual conduct in books should result in their removal. This, along with advice to “err on the side of caution,” resulted in the removals of many books in school and classroom libraries in Florida districts. At the May 29, 2024 [meeting](#) of the Florida Board of Education, the Department agreed to remove a proposed slide in the training that failed to direct media specialists to review instances of sexual conduct in books according to stated criteria rather than calling for wholesale removal of such materials. This decision, if followed, will greatly reduce the number of book removals, although the advice to “err on the side of caution” remains in the training.

## **District Policies on Library Materials: Development and Implementation**

### **Developing Policy**

After statutes are written, school districts need to develop policies that conform to the statutes and outline details for implementation. They often can tap into resources such as policy templates to assist with developing these, and depending on the district, the expense of this process may strain its resources. Further, because it may take a while to determine the practicality, effectiveness, and legality of the new legislation, statutes, and regulations, districts may find themselves developing and implementing policies that will quickly need updating as policymakers work on midcourse corrections or respond to litigation. Such is the case in Florida.

### ***The Influence of NEOLA and NEFEC***

Policy templates for many school districts in Florida are provided by North East Ohio Learning Associates (NEOLA), whose website lists 35 Florida districts served, although this list changes regularly. School districts that contract with NEOLA may develop their own policy language on some issues and use NEOLA’s on others; they may also modify templates developed by NEOLA when adopting them for their use. NEOLA is the recommended organization for policy development by the state of Florida. It contracts with attorneys to monitor legislation and develop policy language for implementing new changes to the statutes. Every six months, NEOLA updates templates to reflect changes that have occurred. In the case of library materials objection policy, the latest current update contains a 2023 date. NEOLA provides separate templates for challenges to adopted instructional materials and library materials as well as a

template that contains both types of challenges. Both templates also contain text about the original selection process for adding materials to library collections.

Formed to assist rural districts in Florida with policy development and other services, the North East Florida Educational Consortium (NEFEC) lists 13 districts on its website; however, several more use language generated by this organization. NEFEC provides model policies for their member districts to use or modify. The organization does not require approval of the modifications that districts make to their templates. The NEFEC model policy in use carries a date of June 2, 2022. It is specific to Educational Media Materials Selection and does not include adopted instructional materials as well.

### ***Confusion on Regulations***

The number of laws, statutes, and regulations regarding library materials challenges has led to confusion for school district policy formation. In particular, two issues discussed above—the ways in which the criteria have been interpreted very broadly and the failure to distinguish clearly between instruction, adopted instructional materials, and library materials—have complicated decision making on policy development.

While media specialists and school district officials are designated as the parties responsible for choosing the content of school and classroom library materials, the current FLDOE advice to districts on the content of those materials and the penalties for possible violations continue to prompt many school districts to remove materials using broader criteria than those called for in the legislation. Statistics on library materials objections in Florida do not normally include these internally initiated removals, which in some districts are substantially higher than the number of titles removed due to objection by a parent or resident. Sources on internal objections are in Appendix C.

As indicated above, many of these removals have occurred when internal reviews have resulted in the wholesale removal of titles containing sexual conduct even though they do not meet the statutory criteria of “harmful” (appeals to a prurient, shameful, or morbid interest; is offensive to prevailing community standards on suitability for minors; is without serious literary, artistic, political, or scientific value for minors). Until the 2024-25 training materials for media specialists were revised to include these criteria, many media specialists, fearing felony charges, interpreted their responsibility as having to eliminate any materials containing depictions of sexual conduct, which included large numbers of literary classics. Such broad applications have led to confusion and overreaction. It is not clear whether materials removed under the broader application will be added back into collections.

Lack of clarity about application of regulations to instructional materials, library materials, or both also confounds the issue of policy. Legislation sometimes refers directly to library materials and sometimes includes library materials within the instructional materials category, even though Statute 1006.28 defines specific differences. See Appendix A for definitions in [1006.28 (1) a. 2 and 3]. Policy developers run the risk of applying statutes meant for instruction or adopted instructional materials to library materials as well, which increases the possibility of restricting more materials than called for. For example, FLDOE training suggests that, in reviewing materials for adherence to regulations, media specialists use a rubric that is headed “for instructional materials bid for state adoption,” a category that has different regulations than library materials.

### ***Legal Challenges***

Districts make policy within an environment of increasing legal challenges. A major lawsuit against the state of Florida, filed in August 2024 by six major publishers and a group of leading authors and the Authors Guild, charged the state with removing books without any regard to their educational or literary value, which it termed a case of “unconstitutional book banning.” Other lawsuits in response to book removals have been filed by PEN America, Penguin Random House, book authors, and parents in Escambia County; by authors and students in Lake County, Escambia, and Nassau County; by parents, the American Civil Liberties Union, Southern Poverty Law Center, and Democracy Forward Foundation in St. John’s and Orange County; and by the National Women’s Law Center (NWLC) in Collier County. The NWLC is in the process of developing cases against additional counties. Decisions in these cases may alter policy on library objections as well. The Governor of Florida has himself indicated that the number of book challenges is excessive; however, he faults teachers and principals for [“weaponizing”](#) the law through exaggerated actions. References to legal cases are in Appendix C.

The March 2024 court settlement on HB 1557, which found that restrictions on materials containing content on sexual orientation and gender identity applied only to direct instruction and not library materials, indicates that materials on these topics are not automatically restricted from library collections. It follows from this ruling that the challenge process for library materials and challenges for instructional materials (primarily the adoption process) should be treated separately. Some [districts](#) have already modified their policies accordingly, but the FLDOE media specialist training continues to use the terms interchangeably. Several [organizations](#), including PEN America and the [National Coalition against Censorship](#), have called for more clarity on instructions to districts. An example that draws this distinction is the current NEOLA policy template, which lists separate policies for objections to instructional materials as part of the district adoption process and “non-adopted” materials in classroom or school libraries or on reading lists.

### **Model Policies for Library Materials Challenges**

Among the model policies available to Florida districts are the templates “Challenges to Adoption or Use of Instructional, Library, or Reading List Material” produced by NEOLA and the document “Educational Media Materials Selection” from NEFEC. The document “Suggested Library Policy Updates to Comply with HB 1069,” from the Florida Freedom to Read Program (FFTRP), is based on their work on national standards from the American Association of School Librarians and the Orange County school district. A few additional categories to this document were proposed by the National Coalition Against Censorship (NCAC) in their guidelines for administrators entitled “Responding to Challenges of Instructional and Library Materials.” The documents available from NEFEC and FFTRP focus on library materials only; the NCAC document includes instructional materials in the same process as library materials, and the NEOLA template, as mentioned previously, includes both but treats each separately.

A comparison of these policies shows no conflicts, but they have differing levels of specificity. The model policy from the FFTRP with a few additions from NCAC is the most complete: it includes details on both school- and district-level review processing of challenges. It specifies the composition of review committees, timelines, and committee procedures. The NEOLA template is highly similar with more specific language and deadline times for some items. The NEFEC policy contains fewer details on the composition of the review committees and the review process.

Regulations from the FLDOE (which specify open meetings, use of the FLDOE objection form, easy accessibility to the form and process on the website, and the criteria upon which reviews are

judged) advise the districts to add other policy language. One additional criteria that is not stated in the FFTRP/NCAC model policy is that the name of the district contact for book challenges must be provided on the district website. Within these parameters, the FLDOE provides districts with some latitude on how they conduct their book challenges.

### **Close Examination of Districts' Policies and Practices for Library Materials Challenges**

After reviewing the legislation and FLDOE regulations, we sought to establish what policies were published on district websites. This was not always an easy task, since some policies were nested deep within district sites, and a few were entirely missing. Further, it is important to note that since policies are continually being updated, this snapshot reflects the status of these websites in May, 2024.

We created a grid listing web addresses for each of five separate categories for each district: Contact person for district, Instructional Materials Policy, Library Materials Policy, Combined Policy, and Objection Form. A second grid compared the contents of 16 school districts' policy statements with language from our model policy. The 16 were chosen for their representativeness across population categories to reflect a balance of large, medium, and small districts. To provide insights on the patterns across districts, we also compared the NEOLA and NEFEC templates that underlie the policies of about three-quarters of the districts in Florida.

### **Patterns in Policies and Practices for Library Materials Objections**

During our review of district policies for library materials objections, we identified several patterns in how districts developed and implemented these policies. We emphasize that policy revisions and changes in the legislation, statutes, regulations, and FLDOE directives are constantly changing, cautioning that these patterns are a snapshot in time.

#### ***Policy Sources***

As we developed a grid of web locations for district policies, we found that 25 districts use NEOLA templates, 21 use those based on the NEFEC template (some with extensive variations), and 18 use other language in their policies. There are some differences among districts that use NEOLA templates: some use 2022 versions and others use 2023 versions; NEOLA has 3 templates available, and not every district has chosen to use the same template. Further, some receive approval from NEOLA to modify the basic template. Similar findings apply to the use of NEFEC templates. Many districts do not label these policies as NEFEC documents, but use NEFEC's exact language, at least in parts. Some who label their policies as NEFEC have modified the language to expand the specificity of the policy, but unlike NEOLA, NEFEC does not require approval of these changes. We could not find a specific policy on library objections for three districts.

#### ***Accessibility of Policies on District Websites***

Our explorations showed great variance in the ease of access to the policies and challenge forms. In a few cases, the link to the policies is directly on the home page of the district's website. In other cases, pieces are scattered among the pages on departments, such as curriculum and instruction or media centers. Some districts provide a helpful flowchart of the challenge process.

Most often, the policies are on the school board page. Many districts use web software provided by BoardDocs and in these cases, users must first find the board page, then find the board's policy page, then determine which category among the list of policies contains a section on information on library materials objections, then look within the category for the relevant information. Sometimes, the information is explicitly labeled as "Challenges" or "Reconsideration," but at other times, the information is nested within sections on instructional or media materials selection and use.

Districts using the NEOLA templates have a standard numbering system. The numbering of the policies based on the NEFEC models is different and varies from district to district. Unfortunately, in some cases the BoardDocs software has not been used to provide direct links to specific policy pages, only to the main policy page, so district sites do not link directly to relevant policy sections to make the search easier for the user. Some school boards use other software for their websites; in these cases, accessing the board page can involve a policy manual of almost 1,000 pages that does not have quick links to the various sections, requiring the user to scroll through in search for the relevant policies.

### ***Objections to Adopted Instructional Materials vs. Library Materials***

The confusion between objections to adopted instructional materials and to library materials is evidenced in the policy documents we found. As mentioned, the most commonly used NEOLA template does separate out these two different challenges but includes both in one policy document, so one must read it carefully to determine that the appropriate policy for library material challenges is at the second part of the document. The NEFEC template clearly states that the policy is for library materials. Among the districts that do not use either template, some are less clear about the separation, and in the case of the three districts without a library objection policy, only a process for adopted instructional materials objections exists.

Even with new modifications for 2024-25, the FLDOE training for media specialists continues to confound the differences by including language meant for instructional materials or instruction itself in the considerations that media specialists must use to select and remove materials from libraries.

### ***Objection Forms***

Compounding all these difficulties is that the required objection forms based on the FLDOE, "Specific Material Objection Template," is usually in a location on the web that is not linked to the policy. In 22 cases, however, the link to the form is on the district's home page. The path to the challenge form varies from district to district, sometimes placed under curriculum, sometimes under parents, sometimes under research, and sometimes library/media. The path to the form can sometimes take up to seven clicks and occasionally involves going through the board policy pages. As of this writing, we found that 61 of the districts use some kind of challenge form. Only 41 use the required FLDOE template: some expand or alter the format in some ways but ask for the main information. Several, as instructed by the FLDOE, list their library materials objection policy at the beginning of the form, which makes it convenient for challengers to know the process.

Some districts use an alternative form. These alternatives range in specificity. In one case, the form requires only the name, address, and phone number of the objector, the title and publication information of the challenged material, the school where the material is being used, the page number of the objectionable content, and an open box for writing the reason for objection. We could not find any form at all in the case of four districts.

In short, the directives in the Florida Statutes and in the FLDOE's instructions to provide easy access to policy and use of the standard Department form are not being uniformly followed.

### **Comparisons of Selected Policies with the Model Policies**

As we compared the policies of the districts with model policy language on library objections, we found both areas of similarity and areas of difference. We also compared the policies with FLDOE requirements. The patterns were mostly standard for those districts that used policy templates from NEOLA or NEFEC, but since districts were allowed to modify these templates, some variations exist. Our review is organized into several key policy areas.

#### **Identification of Who Can Challenge**

We found that district policies are very consistent in stating that challengers must be district parents and residents. In a few cases, however, policies indicate that employees of the district or school board members are also able to file objections. This addition raises the question as to whether these parties can challenge materials if they are not parents and live outside the district boundaries. A [documented case](#) that raises questions on procedure is that of a challenger residing outside a specific district who used power of attorney to challenge books through a resident. Restriction of these practices that circumvent the statutes is not mentioned in any of the policies. Multiple challenges by the same person must be prioritized and, according to 2024 legislation, only one challenge per month is allowed by a resident without children in the school. Several of the policies we reviewed were in the process of adding this restriction, but others did not yet contain it.

#### **Stages of Objection**

There was some consistency among districts in the early stages of addressing a challenge to library materials, but we found that questions remain and there is less consistency as districts move through the several states of objection.

##### ***Initial Stage***

Most districts outline an informal inquiry process as the first step in a library objection. The challenger is asked to contact an administrator, usually the principal of the school where the material is available, but occasionally, a media specialist or other administrator. In most cases, this contact does not involve use of the objection form, but consists of a conversation.

The challenged materials remain available at this informal stage, but the conversation can result in the removal of the library material if the administrator determines that it is pornographic or deemed to be harmful to students. Prior to the recent clarification from the FLDOE on the removal of materials containing sexual conduct deemed to be harmful to students, many districts assumed that any sexual conduct content was grounds for removal at the initial stage before further review, but this misunderstanding is being corrected. Most policies include the requirement that that any pornographic or harmful materials must be removed within five days. According to FLDOE regulation 6A-10.081, the principal must act carefully since withholding materials without cause can incur penalties.

The policies do not usually require documentation of these initial stages since they do not specify that a challenge form be used, which is a way of circumventing the FLDOE regulations. The

absence of a formal challenge means that some materials are removed by administrative decision rather than a formal process. A special case of this type of objection is the right of the objector to read excerpts from a title to which they object at a school board meeting. By doing so without filing a form, the objector puts the title in consideration for removal without entering the formal process. Additionally, in the case of residents who are only entitled to make one objection per month, these readings would not count in their objection tally. It is also unclear in almost all policies whether the removal of a title at a given school triggers removal of the title across other district classrooms or school libraries. We found very few policies that address these specific ways in which objections can result in removals outside the formal process.

### ***Second Stage of Objection***

Challengers who are not satisfied with the resolution of their request at the initial phase are required by most district policies to file a written appeal within a certain number of days, usually ten. The use of the FLDOE's "Specific Material Objection Template" is required for forms at this stage. The second stage involves a school-level committee, but for many districts, objections not resolved informally go directly to a district-level review committee. Most, but not all, districts requiring school-level review do not provide detailed information about the composition of the review committee or its processes. Some list a timeline of 15 to 30 days for this stage of the objection, but most do not list a timeline. The school-level review, for those policies requiring one, ends in a written decision and provision for further appeal if the challenger is not satisfied with the decision.

### ***Third Stage of Objection***

All policies prescribe a district-level review committee. A few require separate review committees for challenges originating at elementary versus secondary schools. Only about half include language on the FLDOE requirement that meetings be held openly. The policies spell out the composition of the membership of the review committee. Most include the parent representation called for by the FLDOE.

Almost all district policies spell out procedures for the committees to follow, such as requiring that the committee members read the material in question, that they know the criteria that materials must meet in order to be retained or removed, and that they accept outside input.

Formal rules for committee management, such as requiring that minutes be kept, that a quorum be present for decision making, that the proceedings be taped, and specifying the timelines for deliberations, are rarely present in the policies, though they are recommended in the model policies.

All policies state that a written decision be sent to the person initiating the objection and that information on appeal must be provided. For some, the next level of appeal is to the superintendent; others go immediately to the Board of Education. Some policy documents end at this point, while others include the State Board of Education appeal for a special magistrate when a challenger wishes to pursue an objection to a title that has not been removed by lower levels of review. This notification is required by the FLDOE, but is often not present in the policies.

Finally, some policies include language stipulating that the district must submit an annual list of library objections to the FLDOE; others do not include this in their policy documents, although they may comply with the submission of a list.

## **A Hypothetical Case Study: Springfield County, Florida**

To illustrate an example of the process that Florida school districts have been navigating in developing and updating their policies on library materials objections, we include a case example. The story of Springfield County, Florida is a composite of several districts, and our narrative incorporates patterns of familiar events that have taken place in the last four years. Specific references to actual cases are included in Appendix C.

For many years, Springfield County had a policy for addressing challenges to adopted instructional materials. It was designed to guide district action when a public objection was made to specific materials chosen for classroom instruction, such as textbooks. The policy was based on regulations from the FLDOE.

In 2022, as the focus of legislation on parental rights and the content of educational materials increased and advocacy groups became more active in examining and objecting to these materials, it became clear that the existing policy of Springfield County was not adequate since not only instructional, but also library materials, were being questioned. Legal counsel from the district reviewed the legislation, statutes, FLDOE regulations, and policies from other districts and worked with district administrators and media specialists to develop policy language specific to library objections. The 2022 policy restricted the right to challenge to parents or residents of the district, called for an initial informal meeting with the principal of the school where the challenged material was present, required challengers to complete an objection form and appeal to a review committee if they were not satisfied after the meeting, specified a process of review at the school level, and subsequently at the district level if a second appeal was filed, and then, appeals to the school board and request for a state magistrate if the appeal continued.

In early 2023, Springfield County's superintendent received an email from a book challenger asking that 82 books be removed from the district's libraries. The challenger was working with Moms for Liberty, a group that said it wanted to protect children from harmful materials. The titles being challenged were a mix of books that contained sexual content, references to LGBTQ+ families or students, and content about slavery and other topics that the challenger felt students could find disturbing. She acknowledged that these same titles were being challenged in other districts and that a [national database](#) of objectionable titles had been consulted. The superintendent met with the challenger and offered to have the books reviewed. He also asked the Director of Media Services to look over the list, which resulted in 10 of the titles being removed for reasons such as low circulation or physical damage to the book. In his attempt to deal with the situation quietly, the superintendent did not follow the district's policy of dealing with the challenge in the informal meeting and requesting the filing of a formal appeal before he ordered the review.

Working with the Director of Media Services, the superintendent appointed a large committee of Springfield County's parent volunteers, teachers, and media specialists to read the questioned books and report. These committees determined that only 15 of the books should be removed. The superintendent added another book to the list, a book that the Florida governor singled out as inappropriate for school libraries. Again, several steps in the district policy were skipped and in the case of one book, the committee decision was overruled. Complaints by citizens and parents arguing against policy breaches and favoring the retention of one or more of the books dominated school board meetings.

As the process moved forward and new legislation was passed, it became clear that the policy needed further revision. Language spelling out the specific composition of school- and district-level review committees was added, and the revisions were approved by the Springfield County School Board. Very soon, however, protests escalated, with additional challenges, public reading at School Board meetings of excerpts from books deemed to be objectionable, and unfavorable press coverage adding pressure for change. When a significant number of additional books were removed without further review after public reading of passages deemed to be objectionable by challengers, community members expressed process concerns through comments at board meetings, emails, telephone meetings, and in-person meetings with administrators. Springfield County once again looked at additional revisions.

As the number of library material objections continued and protests were raised about the protracted amounts of time between objection and decision, Springfield County's School Board worked to include timelines for policy decisions. It also added language allowing for the initial meeting between challenger and principal to be remote rather than in-person and emphasized completion of the written challenge form before initiation of action. Community members also called for more transparency in the process, such as making meeting notes available and tracking activities of the review process. They also wanted the policy to stipulate that school-level decisions not result in district-level action unless the district review process took place. These requests were tabled for future consideration. Although the School Board did not include all citizen considerations in the new revision, it predicted the likelihood that there would soon be another necessary revision to accommodate them and address other needed alterations to ensure alignment with new Florida laws and regulations as they would arise.

During the summer of 2023, while the Springfield County district was focusing on library materials objections, its media specialists were being advised at mandatory [FLDOE training](#) to "err on the side of caution" when reviewing the district collection, removing any that had pornographic or sexual conduct harmful to minors. Alarmed that the training warned of possible felony convictions for violations, they contacted the superintendent, who approved summer salary for media specialists to cull the collection of materials liable to challenge on these grounds. Almost 400 titles (2,000 actual books) were removed and an additional unanticipated \$400,000 was spent on summer salaries to compensate those reviewing the materials.

In early 2024, despite its struggles, Springfield County school district was named in a legal challenge for failure to follow policy and violating First Amendment freedoms.

### **Conclusion**

The case of Springfield County school district illustrates the multiple factors that school districts encounter throughout the state that affect their ability to respond quickly, legally, and with consideration for community input. Successive waves of legislation create the need to track changes as codified in statutes and interpreted in FLDOE regulations and communications. Instances of library objections, especially in districts where an organized group files numerous objections, put pressure on the districts to respond with existing, and often previously untested, policies. Those districts faced with large numbers of objections must process these with limited resources, entailing reassigning normal tasks from personnel, which draws out the process. Costs of objections are estimated to be [substantial](#). Counterpressure by parents and residents who oppose large-scale library objections then becomes an additional challenge for the districts, which experience heated exchanges at board meetings and sharply

different opinions on attempts to modify policies. And as new legislation and changes in FLDOE requirements continue to occur, the work of policy revision and development becomes an ongoing task.

Districts, for their part, have uneven levels of resources to draw upon. Those who have enlisted the services of policy development organizations such as NEOLA and NEFEC have an advantage over those who have only local resources because they have access to vetted templates. Some wealthier districts can engage sophisticated legal counsel. Smaller districts may have none of these advantages.

Even when district policy is current and explicit and conforms to state requirements, navigating its implementation is demanding, given differing levels of expertise among administrative staff, pressures from external groups, and the level of effort needed to follow policy carefully. The temptation is to try to shortcut the process through informal resolution and to avoid public scrutiny. These factors create the context for the response of Florida school districts to create and adhere to well-developed policies on library materials objections.

## Recommendations

To make the library materials objection process in Florida more consistent and transparent, the League of Women Voters of Florida recommends:

- That confusion between adopted instructional materials, instruction, and classroom and school library materials be addressed
  - Policies must be in accord with the ruling of the March 2024 Settlement Agreement on HB 1557, which ruled that restrictions on materials on sexual orientation and gender identity apply only to instruction and not library materials.
  - Documents such as the “Core Questions Rubric,” which clearly states it is to be used for decisions on materials bid for state adoption, should not be part of media specialist training, nor used to justify library materials objections.
  - FLDOE should issue separate forms for objections to adopted instructional materials and library materials since the requirement to list district removal policy at the beginning of the form would entail listing two separate policies and the form would be routed in two different ways.
- That the standard library materials objection form include a reference to the Florida Statute 847.01 (7) [criteria](#) that must be applied in judging a material harmful, which would curtail wholesale removals based on the presence of any sexual conduct.
- That all districts clarify their policies on library materials objections and increase the specificity of the policies, taking into account such model policies as those developed by the Florida Freedom to Read Project, the American Library Association, and the National Coalition Against Censorship. Some specific recommendations based on these policies include:
  - Excluding challenges from those who are not parents or legal residents and not permitting use of surrogates by outside challengers
  - Requiring the use of the standard form at the time of the first contact so that even challenges handled informally can be tracked (in Florida, the FLDOE Specific Material Objection Template is mandated)

- o Requiring the use of the standard form to register an objection before public reading of book excerpts takes place at school board meetings
  - o Requiring reviews at both the school- and district-level, ensuring that actions taken by each are restricted to the level at which titles are challenged
  - o Posting timelines for each phase of the objection process
  - o Specifying the membership composition of review committees and their administrative process
  - o Enumerating criteria upon which decisions are made at all levels
  - o Providing reviewers with resources such as copies of contested materials, reviews by expert sources, and copies of the district policy
- That districts increase the ease of accessibility of their policy postings on their websites:
    - o By inserting a direct link to the policy on the homepage or library media page
    - o By providing a flow chart of the process on the district website
    - o Through posting a link to the required FLDOE’s “Specific Material Objection Template” in an easy-to-find location, and
    - o By listing a contact for library materials questions, perhaps creating a generic email address that would persist through personnel changes
  - That districts follow their policies strictly in processing book challenges, as required by Florida Statute 1006.28 (2) (b) IV. 3
  - That book challenges are handled promptly according to stated timelines that can be tracked by the public
  - That the library objection process is transparent and conducted in the Sunshine, as required by Florida Statute 1006.28, 2 (b) IV. 5
  - That decisions taken by the districts on library objections are posted on their websites
  - That internal decisions on book removals be made with public input, allowing these potential removals the benefit of the same kind of community opinion that occurs through the externally-originating challenges
  - That the policy should include a process for addressing requests for reinstatement of a given library material

Our study has described the current state of library objection policies across Florida’s 67 districts, highlighting models of good practice and also documenting problems with current policy language, accessibility, and practice. The importance of sound policy in a volatile environment cannot be overstated. When library objections are made, often with systematic intent to obtain the wholesale removal of titles that specific political or religious groups oppose, it is important to have a clear and well-conceived policy procedure for handling these objections with the goal of responding to both warranted and unwarranted objections.

Good policy helps to preserve the availability of materials that belong in library collections because they have been chosen with care to create a rich body of resources that reflect the best in scholarship and literary achievement and a diversity of viewpoints. Good policy involves the expertise of

educators, working with informed community members, making judgments about the soundness of given materials. It creates an environment of careful inquiry and transparency, responding to the needs of the educational process rather than individual opinion. While reforms to legislation and FLDOE training and directives can make a great difference in preventing the excessive removal of library materials in Florida, associated improvements in policy development, communication, and policy-based practice are also crucial. We call on districts to examine their policies in light of the models of good practice that are available (a sample checklist is provided in Appendix D), with the goal of dealing with library objections in an orderly and fair manner that preserves the integrity and high quality of their library collections.

## Sources Consulted

### Legislation

[HB 1557](#), Parental Rights in Education 2022  
[HB 1467](#), General Bill on K-12 Appropriations, 2022  
[HB 7](#), Individual Freedom, 2023  
[HB1069](#), General Bill on Education and Employment, 2023  
[HB1285](#), General Bill on Education, 2024

### Statutes

[1006.28](#) Duties of district school board, district school superintendent, and school principal regarding K-12 instructional materials  
[1006.40](#) Purchase of instructional materials  
[847.012](#) Harmful materials; sale or distribution to minors or using minors in production prohibited

### Regulations

[6A-10.081](#), Principles of Professional Conduct for the Education Profession in Florida  
[6A-7.0714](#), Library and Instructional Materials Objection Report and Specific Material Objection Template  
[6A-7.0715](#), Certifications and Plans for Instructional Materials and Library Media  
[6A-1.094126](#) Special Magistrate for Materials Used in Classroom or School Libraries

### Directives and Training Materials

Memo to School District Superintendents from Chancellor Paul O. Burns, October 13, 2023. Subject: House Bill 1069, K-12 Education, School District Responsibilities

Memo to School District Superintendents from Chancellor Paul O. Burns, November 17, 2023. Subject: Amended State Board of Education Rule 6A-7.0714, Florida Administrative Code (F.A.C.), Library and Instructional Materials Objection Report and Specific Material Objection Template

[FLDOE, Library Media and Instructional Materials Training](#), January 13, 2023

### Policy Templates

North East Ohio Learning Associates (NEOLA)

These templates are only available to members. For an [example](#), access the following items under the “Program” menu:

2520. Selection and Adoption of Instructional Materials

2521. Instructional Materials Program

2522. Challenges to Adoption or Use of Instructional, Library, or Reading List Materials

North East Florida Education Consortium (NEFEC)

This template is only available to members. In this [example](#), access policy 4.22, section “VII. Challenge Process for Educational Media Materials” of the template:

Educational Media Materials Selection

## Model Policies

[American Library Association. “Selection & Reconsideration Policy Toolkit for Public, School, & Academic Libraries”](#)

[Florida Freedom to Read Project. “Suggested Policy Updates to Comply with HB 1069”](#)

[National Coalition Against Censorship. “Responding to Challenges to Library and Instructional Materials”](#)

## Appendix A.

### Details on Relevant Recent Legislation and Related Statutes on Library Objections

#### Legislation

[HB 1557](#), Parental Rights in Education, approved in 2022, focuses on parental oversight of their students’ education, particularly health education, and states limits on the topics to be treated. The law prohibits the use of materials on sexual orientation and gender identity in instruction. In March 2024, a United States District Court [settlement agreement](#) found that the restriction on these materials applies only to materials used directly in instruction and not library materials.

[HB 1467](#), General Bill on K-12 Appropriations, passed in 2022, lays the foundation for objections to instructional materials by specifying the basis for objections based on sexual content, the contents of objection forms, processes for book challenges, and training of media specialists. It identifies the principal as responsible for oversight of instructional materials policy implementation.

[HB 7](#), Individual Freedom, passed in 2023, defines non-discriminatory principles underlying what may and may not be used in instruction, regulates sports team composition, and outlines methods for sex education. It specifies the availability of a parental restriction form on health education instruction and materials on reproductive health.

[HB 1069](#), General Bill on Education and Employment, passed in 2023, states that School Boards are responsible for both instructional materials and school and classroom library materials and repeats many of the policies of HB 1467. It expands the criteria on sexual content to include “sexual conduct” and adds this to the materials that can be removed within five days even before the book challenge process comes into play if criteria for harm are met. It also calls for a more general form for parents to

use in restricting their students from accessing materials that they deem harmful to them. The legislation states that meetings on library objections must be publicly noticed and include at least one parent. HB 1069 also provides for a special magistrate to be available when challengers are not satisfied with the decision of the local board.

[HB 1285](#), General Bill on Education, passed in 2024, permits only one library objection per month by residents of a county who do not have children in that county's schools.

### **Statutes Relating to Book Challenges**

The main language in these bills that deals with instructional and library materials is found in section 1006.28 of the Florida Statutes. In this section, procedures for acquiring instructional and library materials and objections to selections are treated. At the beginning of the statute, instructional materials and library media center materials are defined separately [1006.28 (1) a. 2 and 3].

*Instructional materials*-student or site licenses or sets of materials that are available inbound, unbound, kit, or package form and may consist of hard backed or soft backed textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serve as the basis for instruction for each student in the core subject areas of mathematics, language arts, social studies, science, reading, and literature.

*Library media center*-any collection of books, ebooks, periodicals, or videos maintained and accessible on the site of a school, including classrooms.

The first section, [(2) through (2) a. 6. c.], treats issues connected with the selection of both instructional and library materials and the adoption of instructional materials. It specifies that district policy on objections must be easily accessible on its webpage, easy to read and understand, and must identify the district contact for objections.

The statute then identifies materials to be removed as those that are pornographic in nature, depict sexual conduct in ways that are harmful, are not suited to student needs or comprehension level, or are inappropriate for the age of students for which the material is being used.

The statute next states that materials judged to be pornographic or containing sexual conduct harmful to minors must be removed within five days of the objection and remain unavailable. At issue here for the category of sexual conduct are the three criteria that dictate removal of the materials, which allow for materials to remain if not met, possibly restricted to a certain age group. The use of materials that are not suited to needs or age level as determined by the district must be discontinued for those students.

The following section of 1006.28 [(3) through (6) c] deals with objections to adopted materials. It outlines the timeline for objections, the process that materials adoption committees must follow, and the process for objections to adoptions.

Section (6) d is on school media centers processes, specifying the training required for media specialists and the process they must use in selecting materials. It requires school districts to publish in searchable format a list of all media center materials and to make these materials available for

inspection. Districts must publish on websites the process for parents to restrict students' access to school or classroom library materials.

The remainder of the statute returns the focus to adopted instructional materials and contains the requirement that districts publish a list of all materials that were removed as a result of objections. It outlines responsibilities of the superintendent and principals for oversight of the instructional materials acquisition and objections processes.

Other related statutes contain previous or similar provisions to those found in 1006.28. Statute 1006.31 describes the criteria to be used in evaluating instructional materials. 1006.40 contains the criteria for removing pornographic materials that were later expanded to include harmful sexual conduct in 1006.28. Section 847.012 is also referenced for discussion of what constitutes pornography and for its stipulation that those who expose students to materials harmful to minors (pornography and other materials that violate community standards, appeal to prurient interests, or have not literary or artistic value) are guilty of a felony. Another regulation, 6A-10.081, Principles of Professional Conduct for the Education Profession in Florida, states: "A certificate holder serving as a school principal shall not prevent, direct anyone to prevent, or allow anyone to prevent students from accessing educational materials without legal cause to do so," differentiating between materials found to be objectionable and those that have not been so designated.

#### **Appendix B. Details on FLDOE Regulations and Directives on Library Objections**

The FLDOE rule 6A-7.0714 contains additional requirements that interpret the Florida Statutes and legislation to include library materials within the category of instructional materials, except for a few instances related to the formal adoption process. During the [training for media specialists](#), the Department states: "There is some overlap between the selection criteria for instructional and library materials." This overlap is not further defined nor is the distinction uniformly applied in the training.

The series of slides based on the Florida Statutes FLDOE Rules used in media specialist training treat criteria for selection, evaluation, and maintenance of materials; penalties for those responsible for maintaining pornographic materials in the collections; the rights of parents; and objections to challenged materials. The section on challenged materials advises the media specialists to follow their district policy and states that objections can be made by parents or residents of the district in which the complaint is being made. The training treats pornography and depictions of sexual content as the main focus for restricting materials; however, an associated rubric to guide media center choices mixes library materials with direct instruction by including several other restrictions that have been placed on instruction.

#### **Appendix C. Media Citations on the Implementation of Library Objection Policies**

##### **District Response to Calls for Policy Reform**

<https://www.mainstreetdailynews.com/education/school-district-clarifies-book-challenge>

<https://www.wjhg.com/2024/04/10/bds-officials-agree-process-book-banning/>

## **Heated School Board Meetings on Book Challenge Policies**

<https://flvoicenews.com/alachua-school-district-slammed-for-book-challenge-hearing-process-designed-to-intimidate-parents/>

<http://news4jax.com/news/local/2024/05/28/st-johns-county-school-board-decides-not-to-remove-slaughterhouse-five-3-other-books-from-high-school-shelves/> Mom objects even after review committee okays books to stay

*[Brevard schools book ban under protest at rally in Viera, Florida](#)*

<https://www.tampabay.com/news/education/2023/07/10/florida-school-boards-will-no-longer-get-final-say-book-challenges/>

<https://www.yahoo.com/news/miami-dade-board-school-gets-190432779.html>

<https://www.orlandosentinel.com/2023/10/11/seminole-schools-books-banned/>

## **Documented Failures to Follow Policy**

<https://ncac.org/news/st-johns-county-school-district-in-florida-improperly-removes-library-books-without-following-procedure>

<https://act.moveon.org/go/173156?t=5&akid=353399%2E57163095%2EMowPQn>

<https://flvoicenews.com/school-board-forced-to-remove-explicit-books-after-stopping-parents-from-speaking/>

[https://ncac.org/wp-content/uploads/2024/03/St-Johns-School-District-2\\_NCAC.pdf?fbclid=IwAR0W-7QOZ15-d1pJuY5tyVfLX2NDG4LluM0sd4cPcTymByIRsgP-S8Sjl4Y\\_aem\\_AZicw0nIP2g3C77MAm3yzc7XLjJWgpIAQ9aHyHXYwuVUC9XvHMDfISzXP\\_1UdjrmBrc](https://ncac.org/wp-content/uploads/2024/03/St-Johns-School-District-2_NCAC.pdf?fbclid=IwAR0W-7QOZ15-d1pJuY5tyVfLX2NDG4LluM0sd4cPcTymByIRsgP-S8Sjl4Y_aem_AZicw0nIP2g3C77MAm3yzc7XLjJWgpIAQ9aHyHXYwuVUC9XvHMDfISzXP_1UdjrmBrc)

[https://www.thefire.org/news/florida-school-district-removes-library-books-response-public-complaints-defying-first?gad\\_source=1&gclid=Cj0KCQjwsuSzBhCLARIsAlcdLm75ONJw0Vz-s81Rxb\\_Vi9DulCgsUaAS51KQzy02D-c1yM33TOWk2uwaAkY-EALw\\_wcB](https://www.thefire.org/news/florida-school-district-removes-library-books-response-public-complaints-defying-first?gad_source=1&gclid=Cj0KCQjwsuSzBhCLARIsAlcdLm75ONJw0Vz-s81Rxb_Vi9DulCgsUaAS51KQzy02D-c1yM33TOWk2uwaAkY-EALw_wcB)

[https://www.fftrp.org/the\\_past\\_year\\_in\\_duval\\_county](https://www.fftrp.org/the_past_year_in_duval_county)

<https://www.tampabay.com/news/education/2023/09/19/pinellas-school-board-book-challenge-ban-moms-for-liberty-traffick/#:~:text=The%20Pinellas%20County%20school%20district,formal%20complaints%20about%20the%20titles.>

<https://www.sun-sentinel.com/2022/11/03/broward-schools-memo-on-banning-and-restricting-library-books-spurs-controversy/>

## **Protests against Removals**

<https://www.fox13news.com/news/manatee-county-group-holds-read-in-outside-school-board-meeting-protesting-new-book-removal-policy>

[https://www.politico.com/news/2024/05/16/florida-education-pac-launch-00158244?fbclid=IwZXh0bgNhZW0CMTEAAR3mF62C6RNe6PmVh9E4vSdNh1iKuLCGL\\_7XwvqUnVOHu66zLerjJ6VFIB8\\_aem\\_AdToiNm1G2CTWKjJcgB7JttD1vijxvuzzhXZCf9y70elXKgy0H0kezYD0EJD78LXwDXTXuDNr9f097rvZyraarzo](https://www.politico.com/news/2024/05/16/florida-education-pac-launch-00158244?fbclid=IwZXh0bgNhZW0CMTEAAR3mF62C6RNe6PmVh9E4vSdNh1iKuLCGL_7XwvqUnVOHu66zLerjJ6VFIB8_aem_AdToiNm1G2CTWKjJcgB7JttD1vijxvuzzhXZCf9y70elXKgy0H0kezYD0EJD78LXwDXTXuDNr9f097rvZyraarzo)

<https://www.hrw.org/news/2024/06/19/us-florida-school-laws-discriminate-against-black-lgbtq-people>

<https://www.hrw.org/report/2024/06/19/why-do-they-hate-us-so-much/discriminatory-censorship-laws-harm-education-florida>

<https://www.wptv.com/news/education/palm-beach-county-group-called-woke-and-ready-takes-stand-against-florida-book-bans>

<https://frost.house.gov/media/press-releases/florida-leads-nation-book-bans-congressman-maxwell-frost-introduces-bill-fight>

## **Internal Removals by District or State Officials**

<https://www.tallahassee.com/story/news/politics/2024/01/12/desantis-laws-are-causing-schools-to-pull-hundreds-of-books-for-review-florida/72095888007/>

<https://www.pnj.com/story/news/education/2024/01/10/pen-america-lawsuit-against-escambia-county-public-schools-ensues/72169839007/>

<https://www.orlandosentinel.com/2024/01/23/florida-rejects-books-on-voting-tuskegee-airmen-for-museums-storytime/>

<https://pen.org/escambia-county-florida-banned-books-list/>

<https://pen.org/books-banned-orange-county-florida/>

<https://www.theguardian.com/books/article/2024/jun/11/florida-book-bans-book-banned>

[https://daytonanewsjournal-fl.newsmemory.com/?publink=1ef1c826f\\_134d308](https://daytonanewsjournal-fl.newsmemory.com/?publink=1ef1c826f_134d308)

<https://www.tallahassee.com/story/news/politics/2023/09/28/cannot-exist-florida-county-removes-lgbtq-books-from-schools-charlotte/70973276007/>

<https://www.orlandosentinel.com/2023/10/11/seminole-schools-books-banned/>

<https://www.tampabay.com/news/education/2023/06/26/pinellas-schools-under-fire-book-review-list/>

**Legal Challenges**

<https://www.heraldtribune.com/story/news/politics/state/2024/08/29/publishers-authors-sue-florida-over-unconstitutional-book-banning/74995234007/>

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<https://www.tampabay.com/news/education/2024/06/28/florida-library-book-battles-continue-latest-court-motions/>

**Appendix D.**  
**Checklist of Model Policy Recommendations**  
*(for actual examples of policies, see above list of model policies)*

CRITERIA	TO BE ADDRESSED
Book Complaint Process easily found on district website	
Identifies who can complain	
<ul style="list-style-type: none"> <li>• Parent/guardian or county resident</li> </ul>	
Specifies status of materials during process	
<ul style="list-style-type: none"> <li>• Pornographic material removed through expedited process in district review panel</li> </ul>	
<ul style="list-style-type: none"> <li>• Material with sexual conduct reviewed by criteria on potential harm and retained, identified for specific level, or removed</li> </ul>	
<ul style="list-style-type: none"> <li>• Out of date, damaged, etc. books can be removed routinely</li> </ul>	
<ul style="list-style-type: none"> <li>• Other materials remain available</li> </ul>	
Requires informal meeting with school principal or designee within 10 days of complaint	
<ul style="list-style-type: none"> <li>• States that principal will explain process and give objection form</li> </ul>	

<ul style="list-style-type: none"> <li>Options include: restricting access only to complainant's child, restricting access to students of certain ages</li> </ul>	
If not resolved, requires written complaint form within 10 days	
<ul style="list-style-type: none"> <li>FLDOE Form required</li> </ul>	
<ul style="list-style-type: none"> <li>Suggestion of substitute material</li> </ul>	
<ul style="list-style-type: none"> <li>Priority of complaint (if submitting multiple)</li> </ul>	
<b>School Level Review</b>	
Mandates school level review before district level	
Specifies school-level council composition	
<ul style="list-style-type: none"> <li>Contains media specialist, teacher(s), principal, parent, student services representative or knowledgeable community member (odd number of members, at least 5)</li> </ul>	
Outlines school-level council process held within 20 days of complaint	
<ul style="list-style-type: none"> <li>Materials supplied to members include copy of book, objection form, reviews of material from reputable sources from community</li> </ul>	
<ul style="list-style-type: none"> <li>Meet in sunshine</li> </ul>	
<ul style="list-style-type: none"> <li>Maintain quorum of half the members, with absent members allowed to submit comments but not vote</li> </ul>	
<ul style="list-style-type: none"> <li>Members review and understand material</li> </ul>	
<ul style="list-style-type: none"> <li>Determine how it supports curriculum</li> </ul>	
<ul style="list-style-type: none"> <li>Weigh merits against alleged faults of work as a whole</li> </ul>	
<ul style="list-style-type: none"> <li>Consider written input from students, when available</li> </ul>	
<ul style="list-style-type: none"> <li>Maintain written minutes</li> </ul>	
States decision options: challenged material is removed for 5 years or is kept	
<ul style="list-style-type: none"> <li>Specifies that the principal communicate decision with 5 days</li> </ul>	
<ul style="list-style-type: none"> <li>Uploads to school's database of objections</li> </ul>	
Requires complainant wishing to appeal to district-level to do so in writing within 5 days	
<b>District Level Review</b>	
Specifies district level council/committee composition	
<ul style="list-style-type: none"> <li>Facilitated by curriculum coordinator</li> </ul>	
<ul style="list-style-type: none"> <li>Contains media specialist, teacher(s), administrator, trained student, student services representative, knowledgeable community member</li> </ul>	
Outlines committee process	

<ul style="list-style-type: none"> <li>Materials supplied to members include copy of book, objection form, reviews of material from reputable sources, district's educational philosophy, report of school level committee, comments from community</li> </ul>	
<ul style="list-style-type: none"> <li>Members review and understand material</li> </ul>	
<ul style="list-style-type: none"> <li>Meet within 20 working days of receipt of form</li> </ul>	
<ul style="list-style-type: none"> <li>Meet in sunshine</li> </ul>	
<ul style="list-style-type: none"> <li>Allow public comment</li> </ul>	
<ul style="list-style-type: none"> <li>Maintain quorum of half the members, with absent members allowed to submit comments but not vote</li> </ul>	
<ul style="list-style-type: none"> <li>Keep notes of meetings</li> </ul>	
Requires statement of criteria for judging material	
<ul style="list-style-type: none"> <li>Accuracy and completeness (if textbook)</li> </ul>	
<ul style="list-style-type: none"> <li>Importance to curriculum</li> </ul>	
<ul style="list-style-type: none"> <li>Reviews, rewards, and recommendations</li> </ul>	
<ul style="list-style-type: none"> <li>Age appropriateness</li> </ul>	
<ul style="list-style-type: none"> <li>Popularity of work</li> </ul>	
<ul style="list-style-type: none"> <li>Length of time materials have been used</li> </ul>	
<ul style="list-style-type: none"> <li>Presence of discussion of sociopolitical issues</li> </ul>	
<ul style="list-style-type: none"> <li>Criteria stated in legislation (literary value)</li> </ul>	
<ul style="list-style-type: none"> <li>Avoids charges of personal offense, conflict with community values, personal characteristics of author</li> </ul>	
States final decision process	
<ul style="list-style-type: none"> <li>Council makes decision</li> </ul>	
<ul style="list-style-type: none"> <li>Written decision available to public</li> </ul>	
<ul style="list-style-type: none"> <li>Sent to complainant within 5 working days</li> </ul>	
States appeal process	
<ul style="list-style-type: none"> <li>Appeal within 10 days</li> </ul>	
<ul style="list-style-type: none"> <li>Status of materials while under appeal</li> </ul>	
<ul style="list-style-type: none"> <li>Special Magistrate as recipient of appeal</li> </ul>	