

Please consider this an official appeal to the Beaufort County School Board. I am requesting an appeal hearing as opposed to the Board making a unilateral decision. I ask that you please include this appeal along with the committee's report on the first four books that were reviewed (*The Handmaid's Tale*, *Speak*, *Perks of Being a Wallflower*, and *The Kite Runner*) to the Board. In addition, please let this serve as notice of appeal for *The Lovely Bones*.

Dear Board Members,

I do not feel that I have been provided with ample material to fully make this appeal. Dr. Bruder notified me on Thursday, December 8th of the committee's decisions. The next day I requested the following material (Bold is my inquiry, italics is the response from the District, and underlined is my appeal as to why this is not acceptable):

1. Is there a formal form to fill out for the appeal? If so, Where can I find it?

There is no form. As a complainant, you should inform the Board of Education "in writing" as per Administrative Regulation IS - 38.1 (e.g., an email to Robyn Cushingberry at Robyn.Cushingberry@beaufort.k12.sc.us or a hardcopy document addressed to the Board of Education would be acceptable).

2. What is the process the Board will follow regarding the appeal? It was not included in Regulation IS-38.1. It simply states "After reviewing the

committee's report on the material in question, the Board of Education will make a determination regarding the material in question...". Any
action(s)/processes beyond what is stated in Administrative Regulation IS-38.1 will be determined by the Board of Education. The Board should not be making any decisions regarding the committee's recommendation until a formal process is crafted and adopted. Simply using a recommendation without further investigation is a dereliction of duty by the Board which is duly elected representatives of their District. The entire process seemed to be rushed to put together. Additionally, the District received a memorandum from the State Department of Education on November 9, 2021 saying, "This is a fitting time for each district to review their own purchased texts including those used in classrooms, libraries, and media centers to ensure they are age and content appropriate. Schools and districts should not rely solely on publishers' vetting. We must work alongside students, families, and educators for this process to be successful."¹ Had this been done, we likely would not be where we are today with a list of 96 books for review and likely more to come.

¹ Spearman, M. (2021, November 9). *School District Memoranda Archive*. South Carolina Department of Education. Retrieved December 16, 2022, from <https://ed.sc.gov/newsroom/school-district-memoranda-archive/>

3. I am requesting each review committee member's name and position (either their district position or community position- for example whether they are a community member, a parent of a school, or an SIC member).

Please submit a FOIA request for this information so it can be provided via the appropriate process. In full transparency, this information should be made available to the complainant to know that the Regulation was followed. On December 16th, I was provided this information but only because another community member had requested it prior to me. At the December 13th Board meeting, it was mentioned that this was a community effort. With a committee supposedly consisting of 7 members, 4 of them are District employees constituting a majority. There should be more community representation and there should be more of an effort to balance the committee with opposing viewpoints. I will address this in more detail later.

4. I am requesting copies of the completed Reconsideration Committee Checklist for each committee member for all 4 books. *Please submit a FOIA request for this information so it can be provided via the appropriate process. Again, in full transparency, this information should be made available to the complainant so that an educated decision can be made as to the legitimacy of the process and whether the complainant wishes to appeal or not.*

5. I am requesting copies of each committee's report for all 4 books that will be given to the Board for consideration. *Please see the attached document. If this is the sole amount of information that is being provided to the Board without a policy or process in place, the Board is not doing its due diligence in making an informed decision.*

In reviewing the committee's report, I ask that you consider the following information. Many people want to point to the Pico case as a cause for Districts and Boards not being able to remove books. According to The Office for Intellectual Freedom of the American Library Association, "*Pico is the first and only Supreme Court decision to address a student's right to receive information; however, it does not provide a clear explanation of the breadth of the school board's right to restrict access...Pico has been interpreted to allow school boards some latitude in choosing to remove a book. There are two standards that were discussed in the justices' opinions which might allow for removal: pervasive vulgarity or lack of educational suitability. Unfortunately, the problem is associated with interpreting these two standards. An additional issue is that these two standards were supported by four of the justices constituting a plurality and not majority of the court. What has resulted from the case are several basic ideas:*

- *School boards ARE responsible for supervising the education of students who are in their care and can remove materials deemed educationally unsuitable or pervasively vulgar;*

- *School boards CANNOT impede student rights just because they object to a certain viewpoint or idea; and*
- *School boards must follow established procedures to remove materials from school libraries and classrooms.”²*

The Miller test is used to determine whether material is obscene. Was this information given to the committees? Many of the excerpts from these 5 books would be considered obscene according to this standard.

Miller vs. California (1973)

Melvin Miller was prosecuted for distributing obscene material. He argued that there should be a national obscenity standard, not one based on local community standards. However, it was determined in that case that “[i]t is neither realistic nor constitutionally sound to read the First Amendment as requiring that the people of Maine or Mississippi accept public depiction of conduct found tolerable in Las Vegas, or New York City.”

Chief Justice Warren Burger outlined what he called “guidelines” for jurors in obscenity cases. These guidelines are the three prongs of the Miller test. They are currently used in many cases to help determine what is viewed as “obscene”:

They are:

(1) whether the average person applying contemporary community standards would find the work, taken as a whole, appeals to the prurient interest (i.e., erotic, lascivious, abnormal, unhealthy, degrading, shameful, or morbid interest in nudity, sex, or excretion);

(2) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and

(3) whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value.³

² Dawkins, A. (2017, November 7). *The Pico Case – 35 Years Later*. Intellectual Freedom Blog The Office for Intellectual Freedom of the American Library Association. Retrieved December 12, 2022, from <https://www.oif.ala.org/oif/pico-case-thirty-five-years-later/>

³ Jr., D. L. H. (n.d.). Miller Test. Retrieved December 16, 2022, from <https://mtsu.edu/first-amendment/article/1585/the-miller-test>

In reviewing the **District's Progressive Discipline Plan Student Code of Conduct**, I found several items where the District does in fact restrict or limit what many would argue are rights afforded by the First Amendment.

On page 10, **STUDENT RIGHTS**

A right is a privilege to which one is justly entitled.

All students have the right to...

Exercise free expression/ freedom of speech

Students are entitled to express their verbal opinions, as long as they maintain dignity and respect for others and such speech does not disrupt or threaten to disrupt the school environment.

Other forms of expression

Vulgar, profane or symbolic expressions or items advertising drugs, alcohol and/or tobacco of any type are prohibited. No form of expression shall interfere with the rights of others to express themselves or with the conduct of school, classroom and transportation activities.

If students are restricted in the way they can express themselves, why as a District would you allow them to read the very things that you do not allow them to do?

Starting on page 74 is the **Consistent Progressive Discipline Matrix Student Code of Conduct Admin. Reg. SS-18** where there are definitions A through Y. None of them include definitions for things like *inappropriate materials* or *items that are unsuitable for school*; however, I ask you to consider the **BCSD Progressive Discipline Plan** which uses those or like terms.

Level I: Behavioral Misconduct

Code 016 Inappropriate Language

Inappropriate or irreverent language that is not demeaning or not directed to another student or adult.

Code 018 Inappropriate Materials *Related to the possession or viewing of items considered to be unsuitable for school or school related activities.*

LEVEL II: DISRUPTIVE CONDUCT

Code 004 Contraband

Related to the possession or viewing of items considered to be unsuitable for school or school related activities (magazines, materials to promote discriminatory practices/speech, lighters, chemicals)

Code 016 Inappropriate Language to Staff

Demeaning, abusive speech that shows dishonor or disrespect towards BCSD staff and personnel

Code 290 Obscene Gesture/Comment /Writing

An offensive expression of an idea, opinion, or emotion through gesture, comments, or writing.

Code 210 Profanity (towards student/peer) *Abusive, vulgar, or irreverent language, swearing, cursing, foul speech, or speech that shows disrespect or dishonor toward a student/staff member*

Code 710 Pornography

Possession, manufacturing, or distribution of sexually explicit/obscene material

This last offense is the most damning. By providing the books that are the most sexually explicit, is the District breaking its own rule and how will it be enforced if the District has provided it? More so, how can the District enforce other forms of pornography if it is providing it in the form of a book from the school library?

In BCSD Regulation OS-39 Technology Acceptable Use Policy February 2021, III. District Technology Resources and Usage

G. Using obscene, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or gangrelated language or symbols is prohibited.

H. Using the district system to access, receive, distribute, or store material that is profane or obscene, pornographic, or sexually explicit; which advocates illegal acts; or that advocates violence or discrimination toward other people (e.g., hate literature), including access through the system and all network peripherals including printers, hard drives, removable disc drives, and electronic storage devices, is strictly prohibited.

The fact that the District does not allow “obscene, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or gang related language” or “Using the district system to access, receive, distribute, or store material that is profane or obscene, pornographic, or sexually explicit”, how is it acceptable to make this material available in the library? If students cannot access it on their District provided device, how can you justify them being able to access it in the form of a book?

The District uses content filters to ensure minors are not exposed to inappropriate material. I would like for you to consider the following quote from the American Library Association saying that they do not support content filters.

"The negative effects of content filters on Internet access in public libraries and schools are demonstrable and documented. Consequently, consistent with previous resolutions, the American Library Association cannot recommend filtering. However, the ALA recognizes that local libraries and schools are governed by local decision makers and local considerations and often must rely on federal or state funding for computers and internet access. Because adults and, to a lesser degree minors, have First Amendment rights, libraries and schools that choose to use content filters should

*implement policies and procedures that mitigate the negative effects of filtering to the greatest extent possible. The process should encourage and allow users to ask for filtered websites and content to be unblocked, with minimal delay and due respect for user privacy."*⁴

It would be negligent for the District to not filter content, yet the ALA is suggesting not doing it. No one to my knowledge has complained nor demanded that device filters be removed because they are a violation of a student's rights to access material.

Some have also pointed out the Library Bill of Rights. I would like to remind you that the Library Bill of Rights is not law. It is simply a list of Rights that the American Library Association came up with. Just as the District is using content filters that are not recommended by the ALA, the District and the Board has the authority to make decisions based on the content of books and whether they are age appropriate and educationally suitable.

I would like to point out some ineffective content of ***Regulation IS - 38.1 Procedures for Handling Questioned or Challenged School Library Materials.***

Section V. School-Site Reconsideration Procedure.

C. To evaluate the challenged material(s), the Superintendent or designee shall appoint a Materials Reconsideration Committee which may be composed of an odd number of the following individuals:

- 1. At least one teacher with expertise in the content area and grade level;*
- 2. At least one school librarian;*
- 3. At least one school administrator;*
- 4. At least one parent representing a school family other than the complainant;*
- 5. At least one community member;*
- 6. At least one district-level director or coordinator with expertise in the content area;*
and
- 7. At least one member of a School Improvement Council within the district/school;*

On further inspection of the committee members, I have serious concerns. Three representatives serving as a *Parent Representing a School Family* did not participate. None of the *Teacher with Expertise in a Specific Content Area/Grade Level* are English Language Teachers which would constitute expertise in a specific content area. There were two Science teachers, one Art teacher, and one Math teacher. One School Administrator is listed as an Instructional Coach according to their school website but I

⁴ American Library Association. (2017, May). *Filters and Filtering*. American Library Association. Retrieved December 12, 2022, from <https://www.ala.org/advocacy/intfreedom/filtering>

am told that he is the Testing Coordinator, not an Administrator. Three of the four School Improvement Council Representatives are district employees, one representative no longer serves and another is not eligible to serve in their current capacity as well as the school's SIC not being in compliance with SC SIC. 19 members of the 28 committee members are district employees. There are only 9 community members out of 28 committee members. 4 out of the 9 community members did not show up to vote. Out of the 23 members who did vote, 19 were district employees. That equates to 82% of the vote being by district employees.

How is this representative of the community as Dr. Stratos stated the other night at the Board meeting? Although SIC does have members that are District employees, they should be exempt from serving in that capacity. I will attach a spreadsheet at the end of this appeal for your reference.

I hope that you all will take the time to review the ***Reconsideration Committee Checklist***. It only allows for a checkmark and gives no direction as to how the checklist will be tallied. The checklist should have been formatted similarly to the surveys that families in the District receive using a scale to rate the statements such as, on a scale of 1-5 with 1 being strongly disagree and 5 being strongly agree. There were no directions given as to tallying the checkmarks and how that would equate to keeping the book or limiting access to the book based on age or grade appropriateness. The checklist also didn't address books that are being used in classroom curriculum. According to the email that I received, the books were approved to go back to the library. Does that mean that they are not approved to be used as curriculum? The checklist and the composition of the committees need further review.

Excerpt from the checklist:

***BEAUFORT COUNTY SCHOOL DISTRICT RECONSIDERATION
COMMITTEE CHECKLIST***

AVOIDANCE OF PERVASIVE VULGARITY

When considered as a whole, the novel does not appeal to sexual interest in a shameful way.

The novel does not depict or describe sexual conduct in a clearly offensive way.

The novel abides by prevailing standards in the adult community in regard to suitable material for minors.

The novel is free from graphic depictions of sexual activity.

Evidence from the text relating to PERVASIVE VULGARITY:

Without having the checklist of each committee member I am unable to know how much weight was given to this particular section. The submittal of the 96 books was primarily based on sexual content. And when viewing the book as a whole, this gives the impression that the objectionable content should not carry as much weight. That is like

saying alcoholic drinks only have a small percentage of alcohol in them. They still are not allowed to be consumed by someone younger than 21.

I would like for you to consider something said during public comment at the December 13th, 2022 Board meeting. Amy Trask who is the school librarian at Beaufort Middle School made public comments to the effect that parents can choose certain books or “genres” to tell the librarian to not allow their child to check out (opt-out). Dr. Gwozdz reiterated the point at the end of Dr. Stratos’ presentation that evening. Mrs. Trask is a phenomenal teacher as my boys had her for a total of 5 years at Lady’s Island Elementary and I know she cares deeply for her students. Let us say, for example, that I contact my child’s school librarian and request that he not be allowed to check out any book that has explicit sexual content. The problem with this concept is she admitted on a social media post that she has not read all of the titles. How would she know if a book has explicit sexual content if she has not read it? Let us further say that my child checks out a book with explicit sexual content because his librarian has not read the book. The concept has now failed. What repercussions now does the librarian and/or the District have? Although in theory, it sounds like a logical solution, it now further complicates the matter and could be grounds for criminal liability. None of us want something like that to happen.

I have also seen mention of requiring a permission slip from a parent or guardian to check out books with questionable content that might be held in the school librarian’s office or a locked location. What if Susie gets permission, checks out a book, and then shows or gives it to her friend Heather whose parents have told the school librarian specifically that they do not want Heather to check out sexually explicit books? By way of giving the book to Susie, is the school librarian now implicit in going against Heather’s parent’s wishes? Again, although these solutions sound like they would work, they could potentially have bad consequences.

I will now provide evidence from each book but please note that nowhere on the checklist does it address obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language. Nor does it address glorified excessive drug use. I would ask you to consider if you would be ok if this content was read over the public address system in any of our schools or publicly at a Board Meeting. If the answer is no, then it is not appropriate for it to be available in the school library or in the curriculum.

The Handmaid's Tale by Margaret Atwood Rated 4

Voted to go back into circulation with no restrictions. Meaning this book could now be purchased and placed in Middle and Elementary Schools.

Available at the following schools:

Bluffton High School

Battery Creek High School

May River High School

Whale Branch Early College High School

Book Summary:

In the near future, America becomes a puritanical theocracy and one woman tells about her only significance being her womb.

Summary of Concerns:

This book contains profanity; violence; sexual activities; self-harm including suicide

Page 130

Above me, towards the head of the bed, Serena Joy is arranged, outspread. Her legs are apart, I lie between them, my head on her stomach, her pubic bone under the base of my skull, her thighs on either side of me. She too is fully clothed. My arms are raised; she holds my hands, each of mine in each of hers. This is supposed to signify that we are one flesh, one being. What it really means is that she is in control, of the process and thus of the product. If any. The rings of her left hand cut into my fingers. It may or may not be revenge.

My red skirt is hitched up to my waist, though no higher. Below it the Commander is fucking. What he is fucking is the lower part of my body. I do not say making love, because this is not what he's doing.

...I wish it were true; then I could get better and this would go away.

Serena Joy grips my hands as if it is she, not I, who's being fucked, as if she finds it either pleasurable or painful, and the Commander fucks, with a regular two-four marching stroke, on and on like a tap dripping. He is preoccupied, like a man humming to himself in the shower without knowing he's humming; like a man who has other things on his mind. It's as if he's somewhere else, waiting for himself to come, drumming his fingers on the table while he waits. There's an impatience in his rhythm now. But isn't this everyone's wet dream, two women at once? They used to say that. Exciting, they used to say.

...It has nothing to do with sexual desire, at least for me, and certainly not for Serena. Arousal and orgasm are no longer thought necessary; they would be a symptom of frivolity merely, like jazz garters or beauty spots: superfluous distractions for the light-minded. Outdated.

Page 133

I untangle myself from her body, stand up; the juice of the Commander runs down my legs.

Page 163

Sometimes the movie she showed would be an old porno film, from the seventies or eighties. Women kneeling, sucking penises or guns, women tied up or chained or with dog collars around their necks, women hanging from trees, or upsidedown, naked, with their legs apart, women being raped, beaten up, killed. Once we had to watch a woman being slowly cut into pieces, her fingers and breasts snipped off with garden shears, her stomach slit open and her intestines pulled out.

Page 173

Someone has spiked the grape juice.

Someone has pinched a bottle, from downstairs. It won't be the first time at such a gathering; but they'll turn a blind eye. We too need our orgies.

Page 248

They'd been in a march that day; it was during the time of the porn riots, or was it the abortion riots, they were close together.⁵

The Perks of Being a Wallflower by Stephen Chbosky Rate 4

Voted to only go back into Circulation to High Schools. Meaning this book could be checked out by someone as young as 14.

Available at the following schools:

Beaufort High School

Battery Creek High School

Bluffton High School

HE McCracken Middle School

May River High School

Whale Branch Early College High School

Summary of Concerns:

This book contains sexual activities including assault and battery; sexual nudity; profanity; violence; alcohol and drug use.

Page 12

And I opened the door to the basement, and my sister and this boy were naked.

He was on top of her, and her legs were draped over either side of the couch. And she screamed at me in a whisper.

"Get out. You pervert."

Page 21

I had a weird dream. I was with Sam. And we were both naked. And her legs were spread over the sides of the couch. And I woke up. And I had never felt that good

⁵ Booklooks. (n.d.). *The Handmaid's Tale*.

<http://booklooks.org/data/files/Book%20Looks%20Reports/H/The%20Handmaids%20Tale.pdf>. Retrieved December 16, 2022.

in my life. But I also felt bad because I saw her naked without her permission. ...Do you know what "masturbation" is? I think you probably do because you are older than me. But just in case, I will tell you. Masturbation is when you rub your genitals until you have an orgasm. Wow!

I thought that in those movies and television shows when they talk about having a coffee break that they should have a masturbation break.

...I told Sam that I dreamt that she and I were naked on the sofa, and I started crying because I felt bad, and do you what she did? She laughed.

Page 30

This one couple, whom I was told later were very popular and in love, stumbled into my room and asked if I minded them using it. I told them that my brother and sister said I had to stay here, and they asked if they could use the room anyway with me still in it. I said I didn't see why not, so they closed the door and started kissing. Kissing very hard. After a few minutes, the boy's hand went up the girl's shirt, and she started protesting.

"C'mon, Dave."

"What?"

"The kid's in here."

"It's okay."

And the boy kept working up the girl's shirt, and as much as she said no, he kept working it. After a few minutes, she stopped protesting, and he pulled her shirt off, and she had a white bra on with lace. I honestly didn't know what to do by this point. Pretty soon, he took off her bra and started to kiss her breasts. And then he put his hand down her pants, and she started moaning. I think they were both very drunk. He reached to take off her pants, but she started crying really hard, so he reached for his own. He pulled his pants and underwear down to his knees.

"Please. Dave. No."

But the boy just talked soft to her about how good she looked and things like that, and she grabbed his penis with her hands and started moving it. I wish I could describe this a little more nicely without using words like penis, but that was the way it was.

After a few minutes, the boy pushed the girl's head down, and she started to kiss his penis. She was still crying. Finally, she stopped crying because he put his penis in her mouth, and I don't think you can cry in that position. I had to stop watching at that point because I started to feel sick, but it kept going on, and they kept doing other things, and she kept saying "no." Even when I covered my ears, I could still hear her say that.

..."Did they know you were in there?"

"Yes. They asked if they could use the room."

"Why didn't you stop them?"

"I didn't know what they were doing."

"You pervert,"...

Page 44

When most people left, Brad and Patrick went into Patrick's room.

They had sex for the first time that night.

I don't want to go into detail about it because it's pretty private stuff, but I will say that Brad assumed the role of the girl in terms of where you put things. I think that's pretty important to tell you. When they were finished, Brad started to cry really hard. He had been drinking a lot. And getting really really stoned.

Page 49

According to my sister, Sam used to be a "blow queen." I hope you know what that means because I really can't think about Sam and describe it to you.

Page 70

She told me about the first time she was kissed. She told me that it was with one of her dad's friends. She was seven.⁶

Speak by Laurie Halse Anderson Rated 3

Voted to go back into circulation with no restrictions. Meaning this book could now be purchased and placed in Middle and Elementary Schools.

Available at the following schools:

Battery Creek High School

Beaufort High School

Beaufort Middle School

Bluffton High School

HE McCracken Middle School

Hilton Head Island High School

Hilton Head Island Middle School

Lady's Island Middle School

Whale Branch Early College High School

Summary of Concerns:

This book contains sexual activities including inexplicit sexual assault and battery; and profanity.

Page 29

How else could they sleep with the football team on Saturday night and be reincarnated as virginal goddesses on Monday?

⁶ Booklooks. (n.d.). *The Perks of Being a Wallflower*.

<http://booklooks.org/data/files/Book%20Looks%20Reports/P/The%20Perks%20of%20Being%20a%20Wallflower.pdf>. Retrieved December 16, 2022.

Page 30

They are the Pride of the Trojans. Oops—I mean Pride of the Blue Devils. ...In Universe #2, they throw parties wild enough to attract college students. They worship the stink of Eau de Jocque. They rent beach houses in Cancun during Spring Break and get group-rate abortions before the prom.

Page 135

He tilted my face up to his. He kissed me, man kiss, hard sweet and deep. Nearly knocked me off my feet, that kiss.

...He kissed me again. His teeth ground hard against my lips. It was hard to breathe.

..."Do you want to?" he asked.

What did he say? I didn't answer. I didn't know. I didn't speak.

We were on the ground. When did that happen? "No." No I did not like this. I was on the ground and he was on top of me. My lips mumble something about leaving, about a friend who needs me, about my parents worrying. I can hear myself—I'm mumbling like a deranged drunk. His lips lock on mine and I can't say anything. I twist my head away. He is so heavy. There is a boulder on me. I open my mouth to breathe, to scream and his hand covers it. In my head, my voice is as clear as a bell: "NO DON'T WANT TO!" But I can't spit it out. I'm trying to remember how we got on the ground and where the moon went and wham! shirt up, shorts down, and the ground smells wet and dark and NO!—I'm not really here, I'm definitely back at Rachel's, crimping my hair and gluing on fake nails, and he smells like beer and mean and he hurts me hurts me hurts me and gets up and zips his jeans and smiles.

Page 164

If my life were a TV show, what would it be? If it were an After-School Special, I would speak in front of an auditorium of my peers on How Not to Lose Your Virginity. Or, Why Seniors Should Be Locked Up. Or, My Summer Vacation: A Drunken Party, Lies, and Rape.

Was I raped?

Oprah: "Let's explore that. You said no. He covered your mouth. with his hand. You were thirteen years old. It doesn't matter that you were drunk. Honey, you were raped. What a horrible, horrible thing for you to live though. Didn't you ever think of telling anyone? You can't keep this inside forever. Can someone get her a tissue?"

Sally Jessy: "I want this boy held responsible. He is to blame for this attack. You do know it was an attack, don't you? It was not your fault. I want you to listen to me, listen to me, listen to me. It was not your fault. This boy was an animal."

Page 156

Did he rape my head, too?

Page 183

I didn't call the cops to break up the party, I write. I called—I put the pencil down. I pick it up again—them because some guy raped me. Under the trees. I didn't know what to do. She watches as I carve out the words. She leans closer to me. I write more. I was stupid and drunk and I didn't know what was happening and then he hurt—I scribble that out—raped me. When the police came, everyone was screaming, and I was just too scared, so I cut through some back yards and walked home.

Page 193

Somebody slams into my chest and knocks me back into the closet. The light flicks on and the door closes.

I am trapped with Andy Evans.

He stares at me without talking. He is not as tall as my memories, but is still loathsome. The lightbulb throws shadows under his eyes. He is made out of slabs of stone and dives off a smell that makes me afraid I'll wet my pants. He cracks his knuckles. His hands are enormous.

Andy Beast: "You have a big mouth, you know it? Rachel blew me off at the prom, giving me some bullshit story about how I raped you. You know that's a lie. I never raped anybody. I don't have to. You wanted it just as bad as I did. But your feelings got hurt, so you started spreading lies, and now every girl in school is talking about me like I'm some kind of pervert. You've been spreading that bullshit story weeks. What's wrong, ugly', you jealous? Can't get a date The words fall like nails on the floor, hard, pointed. I try to walk around him. He blocks my way. "Oh, no. You're not going anywhere. You really screwed things up for me." He reaches behind and locks the door. Click.

"You are one strange bitch, know that? A freak. I can't believe anyone listened to you." He grabs my wrists. I try to pull them back and he squeezes so tight it feels like my bones are splintering. He pins me against the closed door. Maya Angelou looks at me. She tells me to make some noise. I open my mouth and take a deep breath.

Beast: "You're not going to scream. You didn't scream before. You liked it. You're jealous that I took out your friend and not you. I think I know what you want." His mouth is on my face. I twist my head. His lips are wet, his teeth knock against my cheekbone. I pull my arms again and he slams his body against mine. I have no legs. My heart wobbles. His teeth are on my neck. The only sound I can make is a whimper. He fumbles to hold both my wrists in one hand. He wants a free hand. I remember I remember. Metal hands, hot knife hands.

No.

"A sound explodes from me.

I follow the sound, pushing off the wall, pushing Andy Evans off-balance, stumbling into the broken sink. He curses and turns, his' fist coming, coming. An

explosion in my head and blood in my mouth. He hit me. I scream, scream. ...bowl—I throw it at him, it bounces to the floor. My books. He swears again. The door is locked the door is locked. He grabs me, pulls me away from the door, one hand over my mouth, one hand around my throat. He leans me against the sink. My fists mean nothing to him, little rabbit paws thumping harmlessly. His body crushes me.

My fingers wave overhead, looking for a branch, a limb, something to hang on to. A block of wood—the base of my turkey-bone sculpture. I slam it against Maya's poster. I hear a crunch. IT doesn't hear. IT breathes like a dragon. ITS hand leaves my throat, attacks my body. I hit the wood against the poster, and the mirror under it, again.

Shards of glass slip down the wall and into the sink. IT pulls away from me, puzzled. I reach in and wrap my fingers around a triangle of glass. I hold it to Andy Evans's neck. He freezes. I push just hard enough to raise one drop of blood. He raises his arms over his head. My hand quivers. I want to insert the glass all the way through his throat, I want to hear him scream. I look up. I see the stubble on his chin, a fleck of white in the corner of his mouth. His lips are paralyzed. He cannot speak. That's good enough.

Me: "I said no."

He nods. Someone is pounding on the door. I unlock it, and the door swings open. Nicole is there, along with the lacrosse team—sweaty, angry, their sticks held high. Someone peels off and runs for help.⁷

The Kite Runner by Khaled Hosseini Rated 4

Voted to only go back into Circulation to High Schools. Meaning this book could be checked out by someone as young as 14.

Available at the following schools:

Beaufort High School

Battery Creek High School

Bluffton High School

HE McCracken Middle School

Hilton Head Island High School

May River High School

Robert Smalls International Academy (K-8)

Whale Branch Early College High School

⁷ Booklooks. (n.d.). *Speak*. <http://booklooks.org/data/files/Book%20Looks%20Reports/S/Speak.pdf>. Retrieved December 16, 2022.

Summary of Concerns:

This book contains explicit sexual activities including sexual assault and battery; prostitution involving minors and adults; explicit violence; and mild profanity.

Page 7

He handed the cigarette to the guy next to him, made a circle with the thumb and index finger of one hand. Poked the middle finger of his other hand through the circle. Poked it in and out. In and out.

“I knew your mother, did you know that? I knew her real good. I took her from behind by that creek over there.” The soldiers laughed. One of them made a squealing sound. I told Hassan to keep walking. “What a tight little sugary cunt she had!” the soldier was saying, shaking hands with the others, grinning.

Page 75

Hassan lay with his chest pinned to the ground. Kamal and Wali each gripped an arm, twisted and bent at the elbow so that Hassan's hands were pressed to his back. Assef was standing over them, the heel of his snow boots crushing the back of Hassan's neck.

...“All I want you weaklings to do is hold him down. Can you manage that?” Wali and Kamal nodded. They looked relieved.

Assef knelt behind Hassan, put his hands on Hassan's hips and lifted his bare buttocks. He kept one hand on Hassan's back and undid his own belt buckle with his free hand unzipped his jeans. Dropped his underwear. He positioned himself behind Hassan. Hassan didn't struggle. Didn't even whimper. He moved his head slightly and I caught a glimpse of his face. Saw the resignation in it. It was a look I had seen before. It was the look of the lamb.

...I stopped watching, turning away from the ally. Something warm was running down my wrist. I blinked, saw I was still biting down on my fist, hard enough to draw blood from the knuckles. I realized something else. I was weeping. From just around the corner, I could hear Assef's quick, rhythmic grunts

Page 77

I stopped watching, turning away from the ally. Something warm was running down my wrist. I blinked, saw I was still biting down on my fist, hard enough to draw blood from the knuckles. I realized something else. I was weeping. From just around the corner, I could hear Assef's quick, rhythmic grunts.

Page 115

Karim cleared his throat, dropped his head. Said the soldier wanted a half hour with the lady in the back of the truck.

...“It's his price for letting us pass.” Karim said. He couldn't bring himself to

look the husband in the eye. “But we’ve paid a fair price already. He’s getting paid good money,” the husband said. Karim and the Russian soldier spoke. “He says... he says every price has a tax.”

Page 116

My mind flashed to that winter day six years ago. Me peering around the corner in the alley. Kamal and Wali holding Hassan down. Assef’s buttock muscles clenching and unclenching, his hips thrusting back and forth.

Page 120

Then he told Baba about Kamal. I caught only snippets of it: Should have never let him go alone... always so handsome, you know... four of them...

Page Content

tried to fight... God... took him...bleeding down there... his pants... doesn’t talk anymore...just stares...

Page 255

“There is a Talib official,” he muttered. “He visits once every month or two. He brings cash with him, not a lot, but better than nothing as all.” His shifty eyes fell on me, rolled away. “Usually he takes a girl. But not always.” “And you allow this?” Farid said behind me. He was going around the table, closing in on Zaman. “What choice do I have?” Zaman shot back. He pushed himself away from the desk. “You’re the director here,” Farid said. “Your job is to watch over these children.” “There’s nothing I can do to stop it.”

“You’re selling children!” Farid barked.⁸

The Lovely Bones by Alice Sebold Rated 3

Voted to go back into circulation for Middle and High School. Meaning a child as young as 11 years old could check this book out.

Available at the following schools:

Beaufort High School

Bluffton High School

Beaufort Middle School

HE McCracken Middle School

Hilton Head Island High School

May River High School

⁸ Booklooks . (n.d.). *The Kite Runner*.

<http://booklooks.org/data/files/Book%20Looks%20Reports/K/the%20Kite%20Runner.pdf>. Retrieved December 16, 2022.

Book Summary:

A fourteen-year-old girl watches her family and friends from Heaven after she is brutally raped and murdered.

Summary of Concerns:

This book contains mild profanity; alternate sexualities; sexual activities including sexual assault; sexual nudity; violence; alcohol use; and suicide commentary.

Page 13

After this he said, "You're very pretty, Susie."

"Thanks," I said, even though he gave me what my friend Clarissa and I had dubbed the skeevies.

"Do you have a boyfriend?"

"No, Mr. Harvey," I said. I swallowed the rest of my Coke, which was a lot, and said, "I got to go, Mr. Harvey. This is a cool place, but I have to go."

He stood up and undid his hunchback number by the six dug-in steps that let to the world. "I don't know why you think you're leaving."

I talked so that I would not have to takin in this knowledge: Mr. Harvey was no character. He made me feel skeevy and icky now that he was blocking the door.

"Mr. Harvey, I really have to get home."

"Take off your clothes."

"What?"

"Take your clothes off," Mr. Harvey said. "I want to check that you're still a virgin."

"I am, Mr. Harvey," I said.

"I want to make sure. Your parents will thank me."

"My parents?"

"They only want good girls," he said.

"Mr. Harvey," I said, "please let me leave."

"You aren't leaving, Susie. You're mine now."

...I fought hard. I fought as hard as I could not to let Mr. Harvey hurt me, but my hard-as-I-could was not hard enough, not even close, and I was soon lying down on the ground, in the ground, with him on top of me panting and sweating, having lost his glasses in the struggle.

...I thought it was the worst thing in the world to be lying flat on my back with a sweating man on top of me. To be trapped inside the earth and have no one know where I was.

...Mr. Harvey started to press his lips against mine. They were blubbery and wet and I wanted to scream but I was too afraid and too exhausted from the fight. I had been kissed once by someone I liked. His name was Ray and he was Indian.

...He kissed me by my locker the day before we turned in our photos for the yearbook.

..."Don't, Mr. Harvey," I managed, and I kept saying that one word a lot. Don't. And I said please a lot too. Franny told me that almost everyone begged "please"

before dying.

"I want you, Susie," he said.

"Please," I said. "Don't," I said. Sometimes I combined them. "Please don't" or "Don't please." It was like insisting that a key works when it doesn't or yelling "I've got it, I've got it, I've got it" as a softball goes sailing over you into the stands. "Please don't."

But he grew tired of hearing me plead. He reached into the pocket of my parka and balled up the hat my mother had made me, smashing it into my mouth. The only sound I made after that was the weak tinkling of bells.

As he kissed his wet lips down my face and neck and then began to shove his hands up under my shirt, I wept. I began to leave my body; I began to inhabit the air and the silence. I wept and struggled so I would not feel. He ripped open my pants, not having found the invisible zipper my mother had artfully sewn into their side.

"Big white panties," he said.

I felt huge and bloated. I felt like a sea in which he stood and pissed and shat. I felt the corners of my body were turning in on themselves and out, like in cat's cradle, which I played with Lindsey just to make her happy. He started working himself over me.

"Susie! Susie!" I heard my mother calling. "Dinner is ready."

He was inside me. He was grunting.

"We're having string beans and lamb."

I was the mortar, he was the pestle.

"Your brother has a new finger painting, and I made apple crumb cake."

...Mr. Harvey made me lie still underneath him and listen to the beating of his heart and the beating of mine. How mine skipped like a rabbit, and how his thudded, a hammer against cloth. We lay there with our bodies touching, and, as I shook, a powerful knowledge took hold. He had done this thing to me and I had lived.

Page 105

It was not so much, she would write in her journal, that she wanted to have sex with women, but that she wanted to disappear inside of them forever.

Page 111

Their breath began to heat the small space beneath the boat, and he could not stop it- his penis stiffened inside his jeans.

Lindsey reached her hand over.

"I'm sorry..." he began.

"I'm ready," my sister said.

At fourteen, my sister sailed away from me into a place I'd never been. In the walls of my sex there was horror and blood, in the walls of hers there were windows.

Page 134

She took his hand and placed it on her breast. She whispered in his ear. I knew what was happening. Her rage, her loss, her despair. The whole life lost tumbling out in an arc on that roof, clogging up her being. She needed Len to drive the dead daughter out.

He pushed her back into the stucco surface of the wall as they kissed, and my mother held on to him as if on the other side of his kiss there could be a new life.

Page 138

Clarissa, giggly with both fear and lust, had unlocked her privates and slept with Brian.

Page 159

She was waiting for her father outside a bar. He raped her in the bushes and then strangled her. That time, as he grew conscious, coming up out of the stupor that often clung on, he heard noises. He turned the dead girl's face toward his, and as the voices grew closer he bit down on her ear. "Sorry, man," he heard two drunk men say as they walked into the nearby bushes to take a leak.

Page 253

He had made a certain kind of love to my mother before she went away. Sex as an act of willful forgetting. It was the kind he made more and more in the rooms above the barbershop.

...The edges of Mr. Harvey seemed oddly blurred. For years he had kept at bay the memories of the women he killed, but now, one by one, they were coming back. The first girl he'd hurt was by accident. He got mad and couldn't stop himself, or that was how he began to weave it into sense. She stopped going to the high school that they were both enrolled in, but this didn't seem strange to him. By that time he had moved so many times that he assumed that was what the girl had done. He had regretted it, this quiet, muffled rape of a school friend, but he didn't see it as something that would stay with either one of them. It was as if something outside him had resulted in the collision of their two bodies one afternoon. For a second afterward, she'd stared. It was bottomless. Then she put on her torn underpants, tucking them into her skirt's waistband to keep them in place. They didn't speak, and she left. He cut himself with his penknife along the back of his hand. When his father asked about the blood, there would be a plausible explanation. "See," he could say, and point to the place on his hand. "It was an accident."

Page 267

Ray drew back the curtain. I turned to face him and opened my eyes. I felt a marvelous draft on the inside of my thighs.

"It's okay," I said.

He stepped slowly into the tub. At first he did not touch me, but then, tentatively, he traced a small scar along my side. We watched together as his finger moved

down the ribbony wound.

"Ruth's volleyball incident, nineteen seventy-five," I said. I shivered again.

"You're not Ruth," he said, his face full of wonder.

I took the hand that had reached the end of the cut and placed it under my left breast.

"I've watched you both for years," I said. "I want you to make love to me."

His lips parted to speak, but what was on his lips now was too strange to say out loud. He brushed my nipple with his thumb, and I pulled his head toward me. We kissed. The water came down between our bodies and wet the sparse hair along his chest and stomach. I kissed him because I wanted to see Ruth and I wanted to see Holly and I wanted to know if they could see me. In the shower I could cry and Ray could kiss my tears, never knowing exactly why I shed them.

I touched every part of him and held it in my hands. I cupped his elbow in my palm. I dragged his pubic hair out straight between my fingers. I held that part of him that Mr. Harvey had forced inside me. Inside my head I said the word gentle, and then I said the word man.⁹

Please note that *The Handmaid's Tale* (rated 4) and *Speak* (rated 3) were both voted to be put back in circulation with no limits on grade or age. This means that theoretically they could be put into Elementary Schools. I implore you to use common sense and (1) have the RECONSIDERATION COMMITTEE CHECKLIST updated to require that selecting grade level is mandatory and (2) if you do decide to go with the recommendation of the committees, that you require parental permission for any of these books (however, I addressed that previously).

I would also like to address the Democrat Resolution that was read to the Board at the December 13th meeting regarding:

Regulation IS - 38.1

III. Reconsideration of School Library Materials.

B. The BCSD shall be operated to promote academic freedom, the student's right to read, and the fair and reasonable competition of ideas and information. School officials may not broadly remove books from a school library based on "narrowly partisan or political" grounds that may violate students' first amendment rights to receive information and ideas.

The Resolution specifically mentioned the BCSD. This section in the Regulation needs to be rewritten to address both partisan and political grounds, not just one political side.

⁹ Booklooks. (n.d.). *The Lovely Bones*. Retrieved December 18, 2022, from <http://booklooks.org/data/files/Book%20Looks%20Reports/L/The%20Lovely%20Bones.pdf>

We have a new Superintendent for Education taking office in January. She admitted during the public debate with Lisa Ellis that she knows that there are pornographic books in our public school libraries, that taxpayer dollars should not be spent on pornographic books, and does not believe it is book banning.

She referred to some works as “*crassly inappropriate pornographic materials*”. She is quoted as saying, “*At the state level, I believe that the Superintendent of Education needs to issue clear guidance which I believe Superintendent Spearman has to our local school districts. Those School boards need to adopt policies that are clear and transparent and that give parents a process to be able to contest materials that they don’t believe is appropriate for their children. These are things that parents have the right to decide and a school should never come between a parent and a child in these critical decisions.*”

To give some background on the guidance that Mrs. Weaver is referring to, on November 10, 2021, Governor McMaster sent Superintendent Spearman a letter concerning pornographic material to quote, “*It has come to my attention that public schools in South Carolina may be providing students with access—whether in school libraries, electronic databases, or both—to completely inappropriate books and materials, including sexually explicit and obscene images or depictions.*”

“*For sexually explicit materials of this nature to have ever been introduced or allowed in South Carolina’s schools, it is obvious that there is or was either a lack of, or a breakdown in, any existing oversight processes or the absence of appropriate screening standards. Therefore, I respectfully request that the Department of Education promptly investigate this matter, on a statewide basis, and identify whether any systemic policy or procedural deficiencies exist at the state or local levels, or both.*” “*I trust you agree that pornography and obscenity have no place in our State’s public schools, much less in their libraries. Aside from being deeply disturbing and manifestly inappropriate, it is likely illegal under South Carolina law. Accordingly, by copy of this letter, I am notifying the South Carolina Law Enforcement Division of this matter for further evaluation.*”

On November 21, 2021, Superintendent Spearman responded to Governor McMaster saying, “*I was alerted by a member of the York County legislative delegation to the presence of a book containing cartoon style explicit imagery in a Fort Mill area high school on November 2, 2021. I was both shocked and disappointed that a book containing this explicit imagery was allowed to be present in a school library. South Carolina Department of Education (SCDE) staff immediately contacted the Fort Mill district superintendent who had already instructed his staff to remove the book in question. The SCDE was also in contact with your Office the week of the incident and thereafter leading up to receipt of your letter. I also understand your Office has been in direct contact with Fort Mill district officials and members of the York delegation throughout the investigatory process. Following the removal of the book from the*

schools in Fort Mill, a statewide meeting of district superintendents was held on November 4, 2021. At this meeting, I discussed the incident in Fort Mill and, while the state has no formal authority over district purchased texts, requested that every district examine their libraries and media centers for age and content appropriateness. On November 9, 2021, the SCDE issued a memorandum concerning the statewide public review of state funded and adopted instructional materials.” The memorandum stated, *“This is a fitting time for each district to review their own purchased texts including those used in classrooms, libraries, and media centers to ensure they are age and content appropriate. Schools and districts should not rely solely on publishers’ vetting. We must work alongside students, families, and educators for this process to be successful.”*

I have seen or heard many say that this effort to safeguard minors from inappropriate material is based on racism or phobias of LGBTQ+. I gave these statistics in public comment but I feel that I need to include them here as well.

Statistics for Submitted Book List

Total Number of Books Submitted	96
Number of Books with Authors	95

Racial Makeup of Authors

Percentage of White Authors	78%
Percentage of Minority Authors	22%
• Black	11%
• Asian	4%
• Hispanic	4%
• Afghan	1%
• Iranian	1%

Sexual Preference Based on Biographies of Authors (68 Authors)

Percentage of Authors Who are Heterosexual	81%
Percentage of Authors who are LGBTQ+	16%
Percentage of Authors who might be LGBTQ+	3%

In closing, it should not have taken one parent doing countless hours of research to find inappropriate books in our school libraries. For over a year, it had been suggested by the State Superintendent that the District should review its material for age and content appropriateness. As a Board, you should be questioning why this was not done. You should also be questioning the publications that are suggested by the District to use in reference to book purchasing and review. Two of the resources specifically address “book banning”, so how can they be used as unbiased sources? If resources such as these are being used, then resources with a more wholesome approach need to be added to counterbalance.

I thank you for your time in reviewing this appeal. My hope is that you can see past politics and do what is in the best interest of the minor children that our community has entrusted to your care.

Comr Role	Original Committee Member	Replaced by	Present	Actual Position	
1 Community Member	Roseneau, Mary Hope		No		
1 District- Level Director or Coordinator	Murray, Melissa			DIR OF LITERACY District Office	DE
1 Parent Representing a School Family	Miller, Dawn				
1 School Administrator	Austin, Kristen			AP HHHS	DE
1 School Improvement Council Member Within BCSD	Friday, Denise			Social Worker at HHHS/Not on SIC that I can find record of	DE
1 School Librarian	Trask, Amy			Librarian at Beaufort Middle School	DE
1 Teacher with Expertise in a Specific Content Area/Grade Level	Chatman-Jenkins, Juvonna			Math Teacher LIMS/No Expertise in Specific Content Area/Grade Level	DE
2 Community Member	Haupt, Jonathan			Exec Director Pat Conroy Center	
2 District- Level Director or Coordinator	McCanick, Freda			Not found in Directory/According to LinkedIn-Teacher	DE
2 Parent Representing a School Family	Strebe, Donna	Sarah Ford	No		
2 School Administrator	Landa, John			Listed as Instructional Coach at Beaufort High School, not an Administrator	DE
2 School Improvement Council Member Within BCSD	Sandusky, Kevin			Teacher at Bluffton High School	DE
2 School Librarian	Gareis, Karen			Librarian Bluffton High School	DE
2 Teacher with Expertise in a Specific Content Area/Grade Level	Dobbelaere, Monique			Art Teacher at HHHS/No Expertise in Specific Content Area/Grade Level	DE
3 Community Member	Jenkins, Alana				
3 District- Level Director or Coordinator	Chappell, Carrie			MSAP ARTS SPECIALIST District Office	DE
3 Parent Representing a School Family	Flores Clemente, Koral		No		
3 School Administrator	Shelton, Carla		No	Principal Beaufort High School	DE
3 School Improvement Council Member Within BCSD	Cook, David			Not currently serving on SIC	
3 School Librarian	Sunday, Lynne			Librarian HE McCracken Middle School	DE
3 Teacher with Expertise in a Specific Content Area/Grade Level	Westwood, Sarah			Science Teacher at Bluffton High School/No Expertise in Specific Content Area/Grade Level	DE
4 Community Member	Aspinwall-Winter, Duncan			Former Teacher Hilton Head Island High School	
4 District- Level Director or Coordinator	Gibson, Kelsey			MSAP ARTS SPECIALIST District Office	DE
4 Parent Representing a School Family	Shorter, Jenna		No		
4 School Administrator	Strmac, Meredith			AP May River High School	DE
4 School Improvement Council Member Within BCSD	James, Ruth			LIMS Either Parent Liason or Bookkeeper/SIC not in compliance, not e	DE
4 School Librarian	Sargent, Joanna			Librarian Lady's Island Middle School	DE
4 Teacher with Expertise in a Specific Content Area/Grade Level	Mostiler, Michelle			Science Teacher Bluffton High School/No Expertise in Specific Content Area/Grade Level	DE
19 District Employees out of 28 Committee Members					
9 Community Members out of 28 Committee Members					
4 out of the 9 Community Members did not show up to vote					
Out of the 23 Members who did vote, 19 were District Employees					



HENRY McMASTER
GOVERNOR

November 10, 2021

The Honorable Molly Spearman
Superintendent of Education
South Carolina Department of Education
1429 Senate Street
Columbia, South Carolina 29201

Dear Superintendent Spearman:

It has come to my attention that public schools in South Carolina may be providing students with access—whether in school libraries, electronic databases, or both—to completely inappropriate books and materials, including sexually explicit and obscene images or depictions. After learning of this issue from understandably outraged parents and reviewing the examples provided of such obscene and pornographic depictions, I was shocked and disappointed. Although my staff previously contacted the Department of Education regarding this issue, I write to bring this matter to your immediate attention and to request both a comprehensive investigation and a detailed explanation of how these materials were allowed to be introduced in our State's schools.

By way of example, it is my understanding that concerned parents were recently required to petition the Fort Mill School District to remove a book from a school's physical or digital library, titled *Gender Queer: A Memoir*, by Maia Kobabe. If school personnel had performed even a cursory review in this particular instance, it would have revealed that the book contains sexually explicit and pornographic depictions, which easily meet or exceed the statutory definition of obscenity. Thus, I am concerned that further examination may identify additional instances in which inappropriate materials have been introduced into our State's public schools.

For sexually explicit materials of this nature to have ever been introduced or allowed in South Carolina's schools, it is obvious that there is or was either a lack of, or a breakdown in, any existing oversight processes or the absence of appropriate screening standards. Therefore, I respectfully request that the Department of Education promptly investigate this matter, on a statewide basis, and identify whether any systemic policy or procedural deficiencies exist at the state or local levels, or both. Upon completion of this investigation, pursuant to article IV, section 17 of the South Carolina Constitution and sections 1-1-840 and 1-3-10 of the South Carolina Code of Laws, please provide me with a detailed explanation of how such materials were allowed to be

The Honorable Molly Spearman
Page 2
November 10, 2021

introduced into our State's schools and what measures the Department of Education intends to take to address this matter.

In the interim, I call on the Department of Education or the State Board of Education, as appropriate, to promulgate statewide standards and directives to prevent pornography and other obscene content from entering our State's public schools and libraries and to identify any such materials that may already be available to children. Additionally, the Department of Education should develop—or, if existing, obviously improve upon—a transparent statewide process and procedure to review and approve the books and other materials that are available to students. In doing so, the Department of Education should also advise parents of this process and ensure that they, as well as the public at large, have a formal mechanism by which to notify the Department of Education and local school districts in the event they identify obscene or otherwise inappropriate material in schools or school libraries.

I trust you agree that pornography and obscenity have no place in our State's public schools, much less in their libraries. Aside from being deeply disturbing and manifestly inappropriate, it is likely illegal under South Carolina law. Accordingly, by copy of this letter, I am notifying the South Carolina Law Enforcement Division of this matter for further evaluation.

Thank you in advance for your prompt attention to this important matter. I look forward to hearing from you.

Yours very truly,

A handwritten signature in blue ink, appearing to read "Henry McMaster", is written over a horizontal line.

Henry McMaster

cc: Chief Mark Keel
South Carolina Law Enforcement Division



**STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION**

MOLLY M. SPEARMAN
STATE SUPERINTENDENT OF EDUCATION

November 17, 2021

The Honorable Henry McMaster
Office of the Governor
South Carolina State House
1100 Gervais Street
Columbia, SC 29201

Dear Governor McMaster:

I am in receipt of your letter dated November 10, 2021, concerning inappropriate books and materials being made available to students in our state's public-school libraries.

I was alerted by a member of the York County legislative delegation to the presence of a book containing cartoon style explicit imagery in a Fort Mill area high school on November 2, 2021. I was both shocked and disappointed that a book containing this explicit imagery was allowed to be present in a school library. South Carolina Department of Education (SCDE) staff immediately contacted the Fort Mill district superintendent who had already instructed his staff to remove the book in question. The SCDE was also in contact with your Office the week of the incident and thereafter leading up to receipt of your letter. I also understand your Office has been in direct contact with Fort Mill district officials and members of the York delegation throughout the investigatory process.

Following the removal of the book from the schools in Fort Mill, a statewide meeting of district superintendents was held on November 4, 2021. At this meeting, I discussed the incident in Fort Mill and, while the state has no formal authority over district purchased texts, requested that every district examine their libraries and media centers for age and content appropriateness. On November 9, 2021, the SCDE issued a memorandum concerning the statewide public review of state funded and adopted instructional materials. To be clear, books located in libraries and media centers are not funded by and do not go through the state instructional materials process, but the issuing of the memorandum on this similar topic presented a timely opportunity for the state to reiterate the need and importance for districts to review their own purchased texts and not rely solely on publisher vetting.

Specifically, we stated: "This is a fitting time for each district to review their own purchased texts including those used in classrooms, libraries, and media centers to ensure they are age and

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The Honorable Henry McMaster
Page 2
November 17, 2021

content appropriate. Schools and districts should not rely solely on publishers' vetting. We must work alongside students, families, and educators for this process to be successful."

Each school district has its own board policy governing the process by which locally adopted texts are adopted. A SCDE cursory review of district policies revealed that while many have strong, recently updated policies, others are in need of improvement and modernization. As you undoubtedly agree, parents and local communities must play a role in the selection process and must also have a transparent method for resolution of disputed texts.

At the November 16, 2021, meeting of the State Board of Education (SBE), which the SBE invited a representative of your Office to attend, the members and I had a robust conversation concerning the steps the SBE and the SCDE can and should take to address the issue and respond to your request. The Chair of the SBE outlined three action items. They are to conduct a review of school district policies regarding local book adoption and complaint processes, identify best practices, and draft a model policy that encompasses best practices and includes a strong, transparent process by which the public can voice concerns with locally adopted texts.

The SCDE has already begun working on these directives and will provide a report to the SBE at their December 14, 2021, meeting. A copy of this report and any actions taken by the SBE will be provided to your Office.

I have also met with South Carolina Law Enforcement Division Chief Mark Keel and have provided him with the information he has requested to conduct an evaluation of the incident.

As we address this issue, we must also be cognizant of the vast diversity of the students and families we serve and ensure all feel welcome, safe, and supported within our schools. My staff will continue to keep your Office abreast of our work and look for ways we may collaborate to strengthen public trust in our state's education system.

Sincerely,



Molly M. Spearman
State Superintendent of Education

Enclosure

cc: Dr. Kristi Woodall
Chair, State Board of Education

Chief Mark Keel
South Carolina Law Enforcement Division



STATE OF SOUTH CAROLINA
DEPARTMENT OF EDUCATION

MOLLY M. SPEARMAN
STATE SUPERINTENDENT OF EDUCATION

MEMORANDUM

TO: District Superintendents
State Board of Education
District Instructional Materials Coordinators

FROM: Molly M. Spearman
State Superintendent of Education

DATE: November 9, 2021

RE: Virtual Public Review for Instructional Materials

The Instructional Materials Review Panels have finalized their instructional materials recommendations for the 2021 adoption cycle. The student editions of each of the recommended programs will be on display from November 9 through December 9, 2021, at 15 review locations across the state and available virtually using publisher-provided links. A report of the Review Panel recommendations with citizen comments from the public review will be submitted to the State Board of Education on December 14, 2021. Upon approval of the panel recommendations, districts and schools will receive notification of the newly adopted materials.

We would like to invite you and members of your district and community to participate in the public review. The following [press release](#) provides the link to the South Carolina Department of Education's website to access information on the virtual public review. Please assist us by distributing this information to appropriate persons in your district and schools.

This is a fitting time for each district to review their own purchased texts including those used in classrooms, libraries, and media centers to ensure they are age and content appropriate. Schools and districts should not rely solely on publishers' vetting. We must work alongside students, families, and educators for this process to be successful.