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Re: Dangerous Efforts to Ban Books from Our Public Schools

Dear Superintendents and School Board Presidents:

We write to express our alarm regarding current efforts to ban books in our public schools. In response to complaints from some parents and political groups, several school districts in our state have recently removed highly acclaimed books from school library collections such that they are no longer available for students to check out or read. We urge you to affirm your commitment to public education, the First Amendment, and the welfare of all students in your community by resisting and speaking out against these harmful and misguided efforts—and, if books have been banned in your district, restoring students' access to all materials in your collection as soon as possible.

Unfortunately, recent events appear to be part of a dangerous nationwide trend in which school boards or administrators have succumbed to pressure from parents and politicized advocacy groups to deny students access to important literature and information about LGBTQ+ people, human sexuality, racism, and other topics that students have the right to learn about in an educational setting. Restricting students' access to books limits their opportunity to be introduced to new ideas and information, to learn about themselves and about people who are different from themselves, and to become active and informed citizens in their communities. To the extent that some individual parents wish to insulate their children from exposure to ideas that might make them uncomfortable or conflict with their personal values or religious beliefs, such an objective does not justify culling the school library's collection to deny all students access to books that some parents dislike.

It has long been recognized that removing books from school libraries is a serious threat to the First Amendment rights of students and their families. The Supreme Court held over 40 years ago that "local school boards may not remove books from school library shelves simply because they dislike the ideas contained in those books." *Bd. of Educ., Island Trees Union Free Sch. Dist. No. 26 v. Pico*, 457 U.S. 853, 872 (1982). "[T]he special characteristics of the school library make that environment especially appropriate for the recognition of the First Amendment rights of students." *Id.* at 868. "[J]ust as access to ideas makes it possible for citizens generally to exercise their rights of free speech and press in a meaningful manner, such access prepares students for active and effective participation in the pluralistic, often contentious society in which they will soon be adult members." *Id.* "[I]n light of the special role of the school library as a place where students may freely and voluntarily explore diverse topics," a school district's "non-curricular decision to remove a book well after it had been placed in the public school libraries evokes the question whether that action might not be an unconstitutional attempt to 'strangle the free mind at its source.'" *Campbell v. St. Tammany Par. Sch. Bd.*, 64 F.3d 184, 190 (5th Cir. 1995) (quoting *W. Va. Bd. of Educ. v. Barnette*, 319 U.S. 624, 637 (1943)).

The circumstances we are now encountering in various locations throughout Michigan are strikingly similar to the facts of *Board of Education v. Pico*, where school board members removed books from the library shelves after obtaining a list of “objectionable” books from a “politically conservative organization of parents.” *Pico*, 457 U.S. at 857. Although the school board in that case had been able to cherry-pick excerpts from many of the disfavored books containing vulgar or sexually explicit language, the Supreme Court held that the school board violated the First Amendment insofar as they “intended by their removal decision to deny [students] access to ideas with which [the board members] disagreed.” *Id.* at 871.

Historically, book banning has long been used to marginalize underrepresented and disempowered voices and communities, and we are particularly troubled by the dangerous anti-LGBTQ+ rhetoric that has accompanied much of the recent book-banning advocacy. Nationally, LGBTQ+ youth are far more likely to be bullied and harassed at school, alienated from their families and communities, and suffer from depression and suicidal ideation than their non-LGBTQ+ peers. For LGBTQ+ youth who are isolated at home, in school, or in their community, access to LGBTQ+ representation or information in books and literature can be a refuge—and in some cases life-saving. Courts have repeatedly ruled that censoring books because they express support for lesbian, gay, bisexual, and transgender people is a form of viewpoint-based discrimination prohibited by the First Amendment. *See Parents, Fams., & Friends of Lesbians & Gays, Inc. v. Camdenton R-III Sch. Dist.*, 853 F. Supp. 2d 888, 897 (W.D. Mo. 2012) (holding that censorship of LGBT-supportive websites in school library violated First Amendment); *Sund v. City of Wichita Falls, Tex.*, 121 F. Supp. 2d 530, 532 (N.D. Tex. 2000) (holding that restrictions on access to *Heather Has Two Mommies* in public libraries violated First Amendment); *Case v. Unified Sch. Dist. No. 233*, 908 F. Supp. 864, 875 (D. Kan. 1995) (holding that removal of book depicting romance between two women from school libraries violated First Amendment).

In debating whether to allow students to check out a controversial book from the school library, it is easy to lose sight of the overarching function of our schools: to train young people to think for themselves. Many years ago, the Supreme Court explained the essential role our schools play in helping young people to develop into the reflective and critical citizens that a democracy needs to survive and flourish: “The Nation’s future depends upon leaders trained through wide exposure to [a] robust exchange of ideas which discovers truth out of a multitude of tongues, rather than through any kind of authoritative selection.” *Keyishian v. Bd. of Regents of Univ. of State of N.Y.*, 385 U.S. 589, 603 (1967) (internal quotation marks and alterations omitted). Indeed, students in a diverse society will thrive only if a diverse array of literature and informational material are available to them—from literature by and about LGBTQ+ people, to religious texts of all faiths, to books about science, art and history written from traditional as well as non-traditional perspectives. By contrast, when school officials attempt to create a “sanitized” learning space by eliminating controversial texts from school libraries, they undermine this critical function of public education. And when books can be removed based on parents’ complaints about the author’s message or point of view, it paves the way for an unending series of attempts by one group or another to cleanse a school of reading material based on what a vocal faction finds objectionable. In the end, schools become another arena for political warfare, rather than a space of learning for our youth. Neither students nor their communities are well-served by this practice.

Accordingly, we are asking superintendents and school boards throughout the state to take a stand against censorship, and in support of the rights and interests of your students and our democracy. We urge you to resist any attempts to remove books from your school libraries—and, if books have been banned in your district, to restore students' access to all censored materials as soon as possible.

Very truly yours,

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Cc: Dr. Michael F. Rice, State Superintendent, Michigan Department of Education  
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