



# **WHY CAN'T I READ WHAT I WANT TO READ? WHOSE STORIES DO I GET TO READ?**

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April 2025**

# **Outline – Book Banning in the U.S.**

- **Brief History**
- **Traditional Challenges**
- **Role of the U.S. Constitution**
- **Current Challenges – primary focus YA books, authors**
- **State Comparisons**
- **Current State of Things in California**
- **The Good News**

# Brief History of Book Banning in America

- 1637 – Thomas Morton's *New English Canaan* - critical of Puritans' treatment of indigenous people. He was expelled from colonies for trying to sell this book.
- 1<sup>st</sup> Amendment – protects (competing) freedoms of religion and speech
- Traditional Challenges – pornography, sexual content, violence, obscenity
- *Canterbury Tales*, *Uncle Tom's Cabin*, *Huckleberry Finn*, *The Great Gatsby*, *Catcher in the Rye*, *The Grapes of Wrath*, *To Kill a Mockingbird*, *The Color Purple*, *Ulysses*, *Beloved*, *The Lord of the Flies*, *1984*, *Fahrenheit, 451*, *Charlotte's Web*, *The Handmaids Tale*, *The Giver*, *Enders Game*, *The Kite Runner*, *I Know Why the Caged Bird Sings*
- Roth v US (1957) – book seller convicted for mailing pornographic magazines, USSC defined pornography as “utterly without redeeming social importance”. Book challenges decreased; written materials and art became more explicit.

# What is the PPRA?

Under the federal Protection of Pupil Rights Amendment (1978), certain rights are guaranteed to parents:<sup>4</sup>

- the right to consent prior to their child taking any survey regarding protected topics, including religious beliefs, political affiliations, sexual behavior, and family income
- the right to opt their child out of invasive physical exams that are not necessary to protect the immediate health of the student
- the right to opt their child out of data collection for marketing purposes
- the right to inspect instructional materials, excluding exams, upon request
- the right to inspect surveys or data collection activities, as described above

- 1980s (Reagan years) – encouraged challenges to School Boards and Public Libraries
- – more vocal religious and social conservatives, more home schooling
- 1982 – American Library Association’s “Banned Book Week” (late Sept/early Oct.) supported by many organizations: National Hispanic Media Coalition, PEN America, various booksellers and publishers associations, Universities, Comic Book Legal Defense Fund, LAUSD and other school districts, public library districts, the Library of Congress ...



# Current Challenges – since 2021 - up >50%

- More local – School Boards and Public Libraries being targeted
- Troxel v Granville 530 U.S. 57 (2000) – constitutional right of parents to direct the upbringing of their children, struck down a Washington law that allowed “any third-party” (parental grandparents in this case) to petition state courts for child visitation over parental objections. Unintended consequences...
- More politicized, organized (by organizations whose agenda is to stir up communities ?), antagonistic and escalating
- Parents - caught in the middle and manipulated
- Targeting multiple book titles with each challenge (& lists are handed on)
- Covid 19 – kids “at school” at home

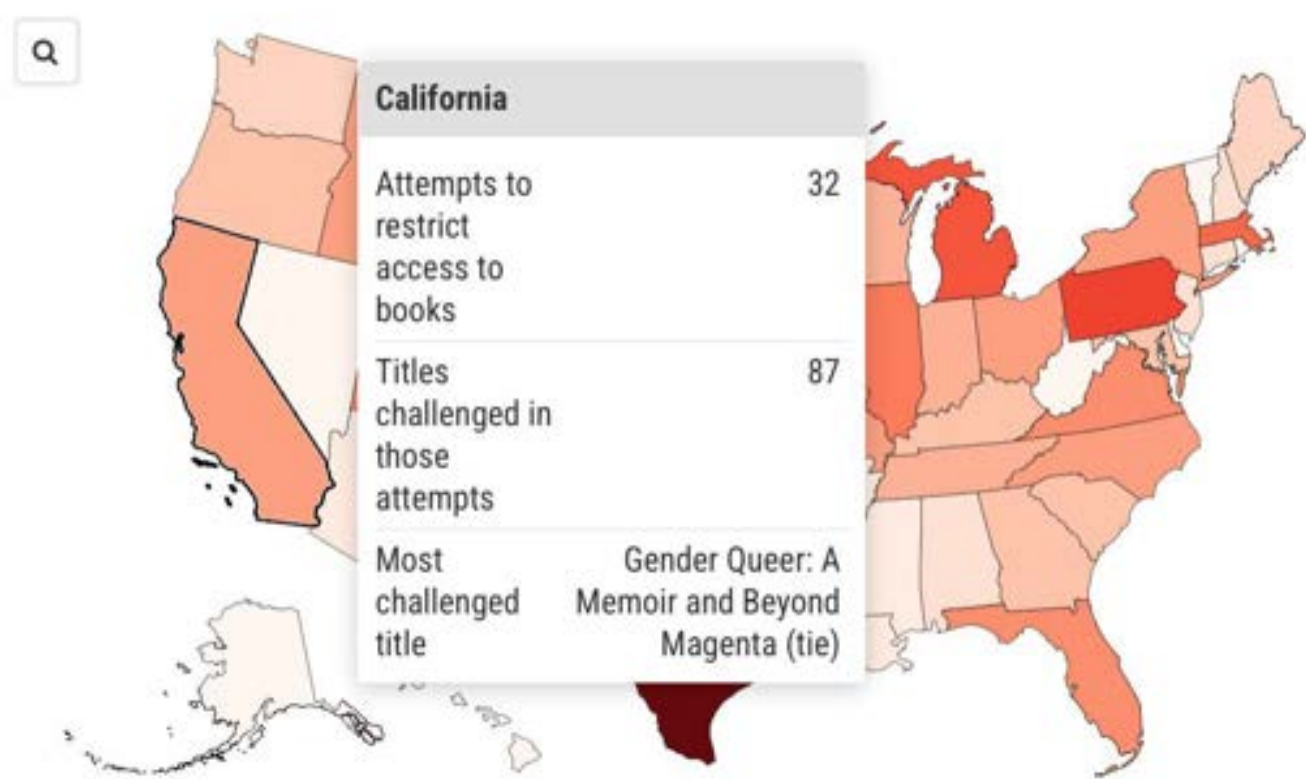


A sign at a 2022 rally headlined by Governor Glenn Youngkin in Annandale, Virginia. Youngkin ran his 2021 gubernatorial campaign using "parental rights" rhetoric. (Photo courtesy of Ellie Ashford/Annandale Today)

Hot Button (fear-based, emotional) phrases: “parental rights”, “indoctrination”, “sexual grooming”, “pedophile“, “religious freedom“, “opt-out”, “liberal”, “transparency”

(prompted/accelerated by Covid 19 school closures/at-home learning ?)



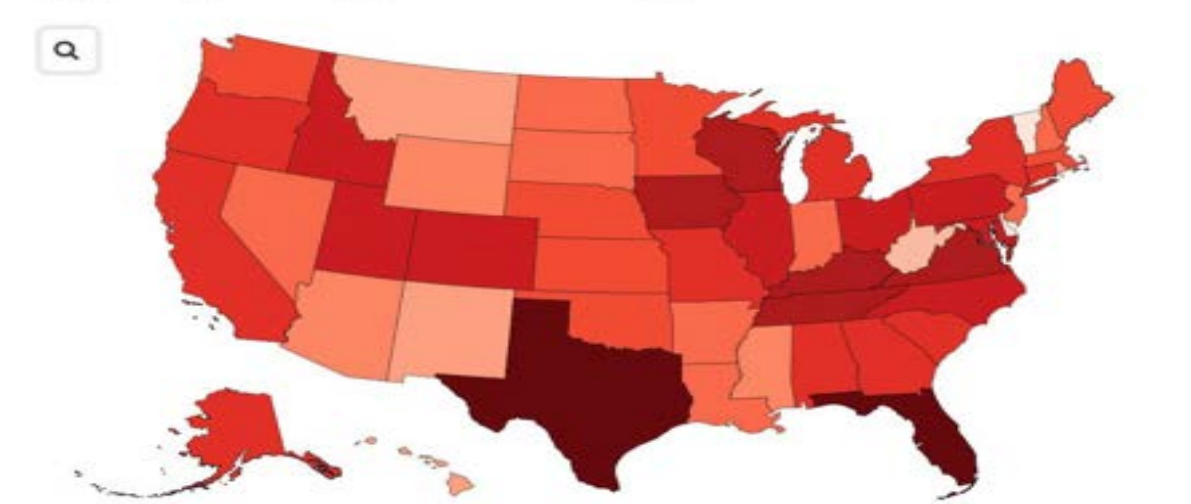


Data compiled by: [American Library Association -- Office for Intellectual Freedom](#)

## Libraries During 2023

Attempts to censor books during this period: 938.  
Total titles challenged in those attempts: 9,021.  
Unique titles: 4,240.

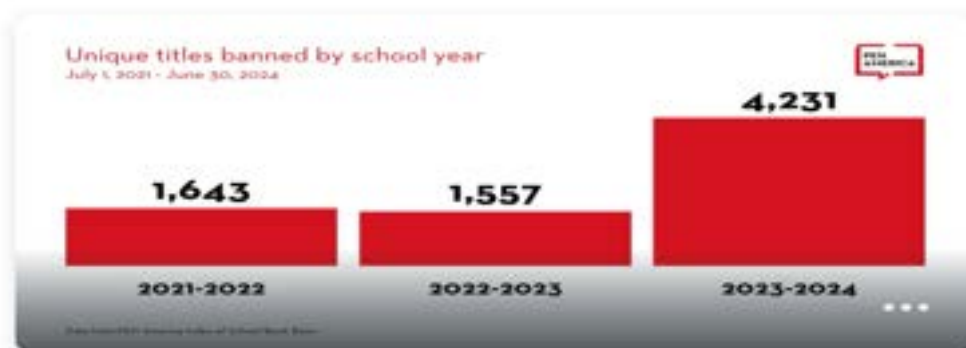
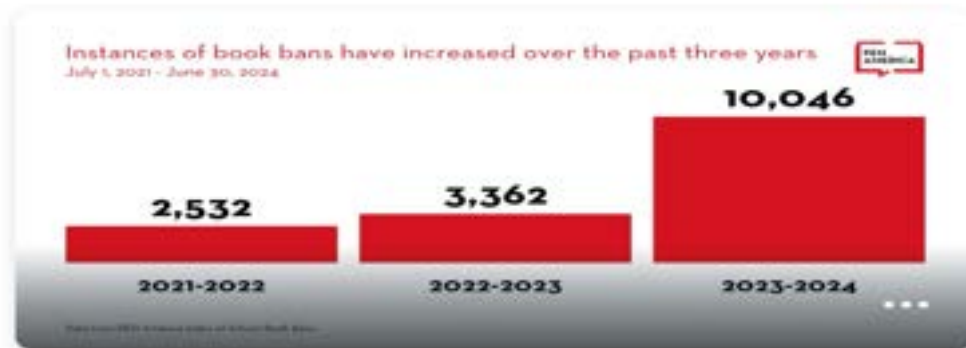
A challenge may result in access being retained, restricted, or revoked at a school or public library.



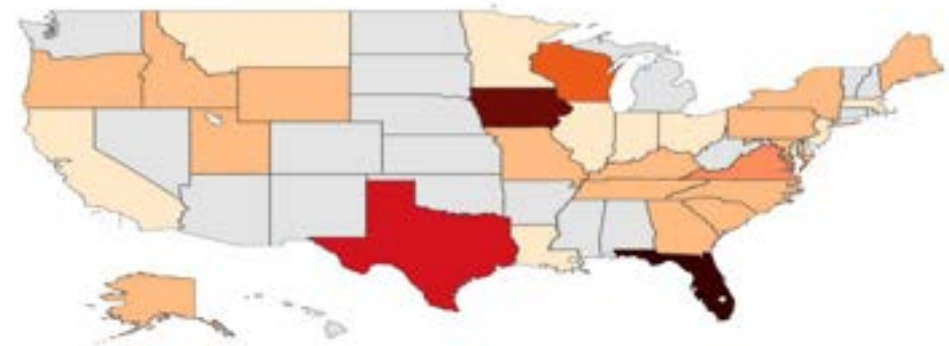
Data compiled by: [American Library Association -- Office for Intellectual Freedom](#)



From July 2023 to June 2024, PEN America's [Index of School Book Bans](#) recorded 10,046 instances of book bans across 29 states and 220 public school districts. When taken all together, since July 2021, we have recorded 15,940 instances of book bans across 43 states and 415 public school districts.



## 2023-2024 Book Bans by State



### MAP KEY



\*There are no states with one or two bans and one or more bans.

# Most banned books of the 2022-2023 school year, by district



33 bans



Tricks

29 bans



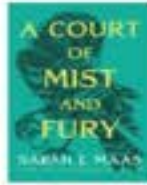
The Bluest Eye

27 bans



Looking for Alaska

27 bans



A Court of Mist and Fury

26 bans



Gender Queer: A Memoir

25 bans



The Perks of Being a Wallflower

24 bans



Thirteen Reasons Why

24 bans



Sold

23 bans



Crank

22 bans



Identical

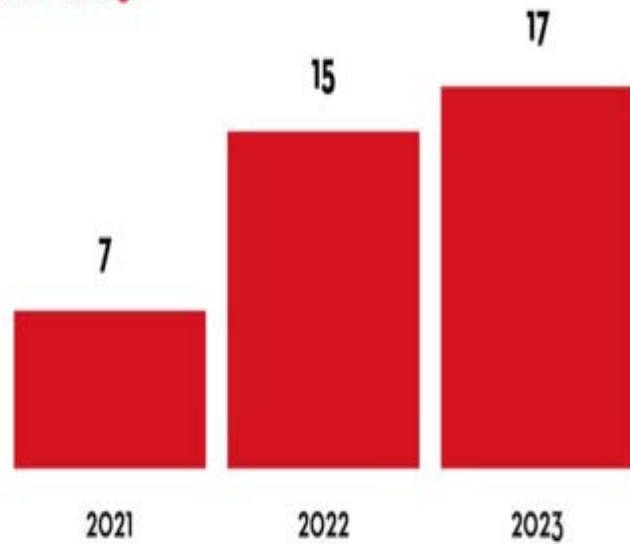
22 bans



Empire of Storms

Data from PEN America Index of School Book Bans.

## The number of educational intimidation bills passed per year from 2021-2023

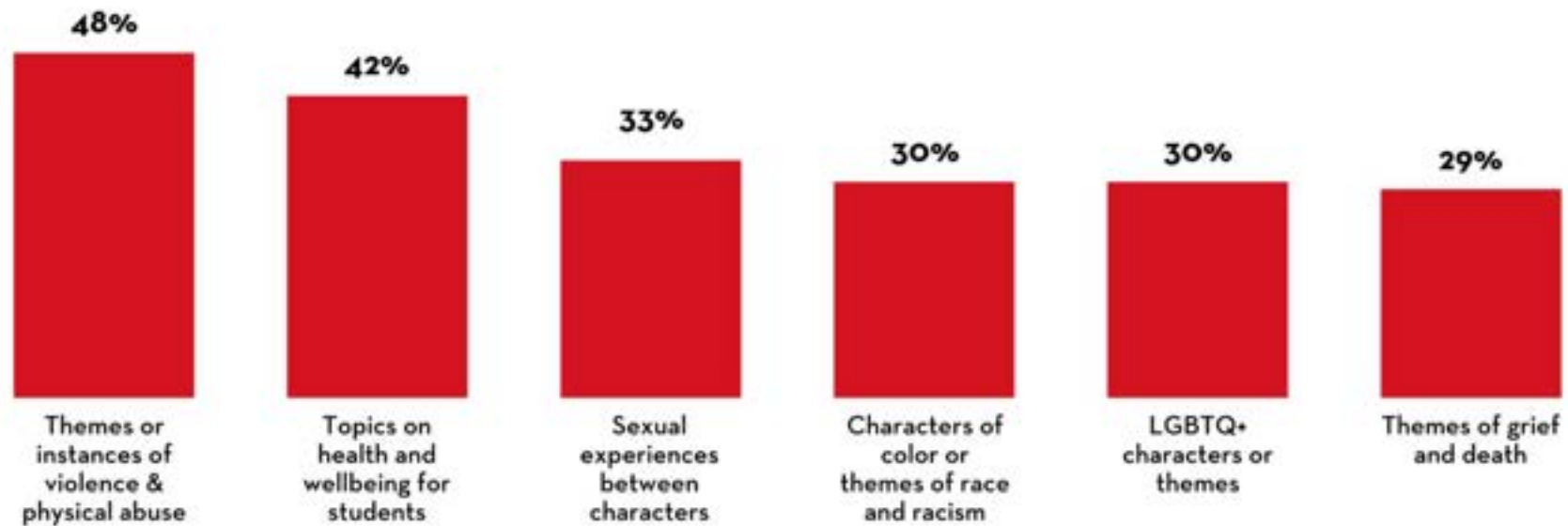


Data from PEN America Index of Educational Intimidation Bills, January 1, 2021-August 17, 2023

## Subject matter of banned content

Of the 3,362 instances of book bans July 1, 2022 - June 30, 2023

Note: many titles contain more than one type of content.



**Conservative State Actors :** Florida, Texas, Missouri, Utah, Virginia, West Virginia, Tennessee, Georgia, Iowa, Colorado, Illinois, Ohio, Maryland

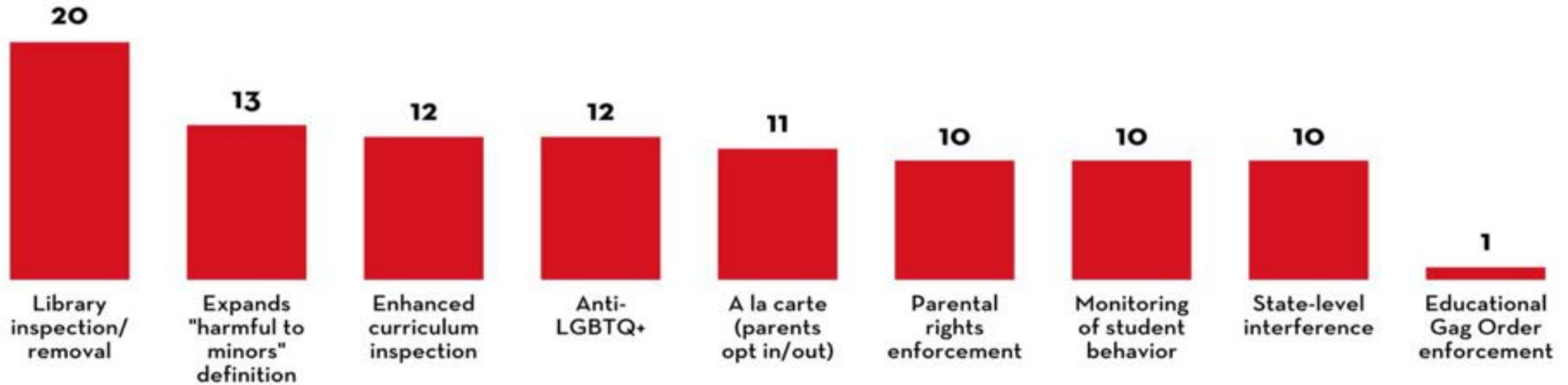
**Conservative Organizations:** Moms for Liberty, Heritage Foundation, American Principles Project, Parent Rights Foundation, Fox News, Goldwater Institute, No Left Turn in Education, Manhattan Institute (has created “model legislation”)

# Laws and policies containing each kind of provision

out of 39 laws and 9 policies enacted from 2021-2023



Note: these categories overlap



Data from PEN America Index of Educational Intimidation Bills, January 1, 2021-August 17, 2023



Manhattan Institute senior fellow Christopher Rufo, a leading proponent of educational gag orders, has explicitly, publicly explained how all these types of bills are linked, saying in January 2022:

The Left will expect that, after passing so-called “CRT bans” last year, we will overplay our hand. By moving to curriculum transparency, we will deflate that argument and bait the Left into opposing “transparency,” which will raise the question: what are they trying to hide? . . . The ultimate goal [of these bills] is to shift incentives: we will empower parents over the bureaucracy and put a price on promoting racist abuse in public schools. That’s how we fight CRT, that’s how we continue to build the parent movement, and that’s how we win.<sup>24</sup>

As with many proponents of educational intimidation bills, Rufo’s strategy depends on the public misunderstanding what this legislation would do. By framing such bills in terms of “curriculum transparency” and “parental rights,” supporters hope to make them appear benign—as simple common sense. They are not.

# A Few Examples

- Governor DeSantis (Florida) HB1557 (2/22) “Don’t Say Gay” Bill
- - and encourages parents to “opt out” of activities or studies by their children of Black History Month; critical race theory; ethnic studies; diversity, equity and inclusion; white fragility



In accordance with the rights of parents . . . [a school district must] adopt procedures for notifying a student’s parent if there is a change in the student’s services or monitoring related to the student’s mental, emotional, or physical health or well-being and the school’s ability to provide a safe and supportive learning environment for the student. The procedures must reinforce the fundamental right of parents to make decisions regarding the upbringing and control of their children by requiring school district personnel to encourage a student to discuss issues relating to his or her well-being with his or her parent or to facilitate discussion of the issue with the parent.<sup>133</sup>

In 2022, Pasco County administrators instructed teachers to remove space stickers like this one under their interpretation of HB 1557.

- 39-65 Bills (different states) requiring specific parental notification before broadly defined/vague topics (so potentially very hard to identify) are discussed – re “sex or gender identity”, “civil rights”, “divisive or controversial topic that may conflict with parents beliefs...” “romantic relationships” (so would my *Nancy Drew* books and *Archie & Veronica* comics have been off the shelf?! 🤔)
- Texas HB 900 - booksellers must categorize books offered to school districts; if “inaccurate”, put on “don’t buy” list
- Missouri – teacher and staff training sessions open to the public
- Tennessee SB 2247 – 12 person Commission – create library selection guidelines – resolve parent challenges - can overrule State/local SD Education Guidelines and issue statewide bans



**Inappropriate Material/Racially Divisive Concepts/SEL**

**Parental Non-Consent/Opt Out Form For the \_\_\_\_\_ School Year**

I, \_\_\_\_\_, as parent and/or legal guardian of \_\_\_\_\_, a minor child, hereby exercise my right under the Protection of Pupil Rights Amendment, the U.S. Constitution and the Constitution and laws of the State of Ohio, to direct the upbringing and education of my minor child, and hereby place school administrators on notice of the following:

I. I DO NOT CONSENT to my child's participation in any instruction or discussion which is derived of racially divisive concepts in whole or in part from; contains information from; or references to the following sources, including but not limited to:

- A. 1619 Project
- B. Revisionist History
- C. Critical Race Theory
- D. Culturally Responsive Teaching
- E. Ethnic Studies
- F. Action Civics
- G. White Fragility
- H. Antiracism
- I. Systemic Racism
- J. Diversity, Equity & Inclusion
- K. Equity Initiatives
- L. BrainPop
- M. CASEL
- N. Any SEL programs including, but not limited to, Sanford Harmony, Edgenuity, Purpose Prep, Second Steps, RethinkEd, 7 Mindsets, Panorama, UnboundEd, the Wallace Foundation etc.

2. I DO NOT CONSENT to my child participating in any Social Emotional Learning (SEL) or Sexuality/Gender Discussions including the following...

- A. Any referral of my child to a counselor, medical professional, social worker, within or outside the school for purposes of discussing SEL, or any of the topics listed herein.
- B. Any reference to or participation in a personal analysis, evaluation or survey that reveals or attempts to affect my child's attitudes, habits, traits, opinions, beliefs or feelings concerning: political affiliations; religious beliefs or practices; mental or psychological conditions; or illegal, antisocial, self-incriminating or demeaning behavior;
- C. Any advertisement of or participation in any group, organization, club, entity or activity that discusses or addresses sexual activity, sexual orientation or gender identity, including pronoun use or new names, under the guise of inclusion, "bullying" or other rationale;"



# Fallout

**Teacher intimidation/threats & penalties**

**Chilling effect on teachers and school librarians (& stolen books – SD State)**

**31-43% Teachers leaving the profession, especially in suburban areas (Rand study 2023) (note other reasons ... Covid school closures)**

**Chilling effect on student expression, reduced sense of safety at school, lack of access to materials that “look like”/reflect them**

Research from UCLA School of Law suggests that over half of LGBTQ+ families with children in the Florida school system have considered leaving the state because of the antagonistic environment created by HB 1557–Florida’s “Don’t Say Gay” bill, which restricts classroom speech and education around gender identity—and other anti-LGBTQ+ legislation.<sup>149</sup> Some Black parents in Florida and Texas have withdrawn their children from public school altogether, citing their states’ hostility toward teaching Black history.<sup>150</sup>

12:21



## PROPOSED UNIVERSITY OF NORTH CAROLINA POLICY CHANGE WOULD CHILL CAMPUS SPEECH, SAYS PEN AMERICA

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FOR IMMEDIATE RELEASE

May 10, 2024

(NEW YORK)— A proposed amendment to the University of North Carolina Policy Manual would chill campus free speech, PEN America said today in a **letter to the University System Board of Governors** opposing the change.

The change would ban every “employing subdivision or employment position within the University” from promoting any “divisive concepts” about race, gender and identity, discussing “matters of contemporary political debate or social action,” or offering any prescribed ‘view of social policy’ or ‘political controversies.’”

Jeremy Young, Freedom to Learn program director at PEN America, wrote in the letter that

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# Now - Trump Agenda

- Guts Dept of Education
- Threatens Universities
- Threatens State Depts of Education
- Threatens State School Districts
- Threatens Large Law Firms re DEI
- “Abolishes” DEI language in federal agencies
- Who/What is next?



It has come to this: Escambia County, Florida, schools have banned the dictionary.

Five dictionaries are on the district's list of more than 1,600 books banned pending investigation in December 2023, along with eight different encyclopedias, *The Guinness Book of World Records*, and *Ripley's Believe it or Not* – all due to fears they violate the state's new laws banning materials with “sexual conduct” from schools.

Biographies of **Beyoncé**, **Lady Gaga**, **Oprah Winfrey**, **Nicki Minaj**, and **Thurgood Marshall** are on the list, alongside *The Autobiography of Malcolm X* and *Black Panther* comics by **Ta-**

*Malcolm X* and *Black Panther* comics by **Ta-Nehisi Coates**. *The Feminism Book* was banned along with *The Teen Vogue Handbook: An Insider's Guide to Careers in Fashion*.

The list obtained by the **Florida Freedom to Read Project** also includes *Anne Frank's Diary of a Young Girl*, *The Adventures and the Memoirs of Sherlock Holmes* and *Agatha Christie's Death on the Nile*. *The Princess Diaries* and 14 other books by **Meg Cabot** have been taken from libraries, alongside books by **David Baldacci**, **Lee Child**, **Michael Crichton**, **Carl Hiaasen**, **Jonathan Franzen**, **John Green**, **John Grisham**, **Stephen King** (23 of them), **Dean Koontz**, **Cormac McCarthy**, **Celeste Ng**, **James Patterson**, **Jodi Picoult**, and **Nicholas Sparks**. Conservative pundit **Bill O'Reilly's** two books, *Killing Jesus* and *Killing Reagan*, were also banned pending investigation.

PEN America, Penguin Random House, and a diverse group of authors joined with parents and students in Escambia County for a **first of its kind federal lawsuit** alleging that an earlier set of book bans and restrictions violate their rights to free speech and equal protection under the law. A hearing in the case is





KTLA



The Temecula Valley Unified School District banned a book that mentioned **Harvey Milk**, California's first openly gay man elected to office. The book ban has gotten the attention of California Governor Gavin Newsom. He announced today that the state will buy the banned book for the students in the district. Jul 13, 2023



- **State-approved history textbook “barred” by TVUSD**



# Current State of Things in California



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cde.ca.gov

100%

CALIFORNIA DEPARTMENT OF EDUCATION

**NEWS RELEASE**

TONY THURMOND

STATE SUPERINTENDENT OF

PUBLIC INSTRUCTION

Release: #23-74  
September 26, 2023

Contact: Communications  
E-mail: [communications@cde.ca.gov](mailto:communications@cde.ca.gov)  
Phone: [916-319-0818](tel:916-319-0818)

## State Superintendent Tony Thurmond-Sponsored Legislation to Halt Book Bans Signed into Law

SACRAMENTO—State Superintendent of Public Instruction Tony Thurmond today celebrated the signing of Assembly Bill (AB) 1078 (Jackson), which bans “book bans” in schools, prohibits censorship of instructional materials, and strengthens California law requiring schools to provide all students access to textbooks that teach about California’s diverse communities. AB 1078, an urgency statute, took effect immediately when it was signed yesterday, and California is only one of two states enacting a law to halt book bans. AB1078 was one of several bills Superintendent Thurmond sponsored to strengthen supports for more inclusive education that [were recently signed by the Governor](#).

“AB 1078 sends a strong signal to the people of California—but also to every American—that in the Golden State, we don’t ban books, we cherish them,” said Superintendent Thurmond. “This law will serve as a model for the nation that California recognizes and understands the moment we are in—and while some want to roll back the clock on progress, we are doubling down on forward motion. Rather than limiting access to education and flat-out banning books like other states, we are embracing and expanding opportunities for knowledge and education, because that’s the California way.”

While other states ban books as a means to suppress facts, erase history, and reverse efforts of inclusion and diversity, AB 1078 prevents attempts to ban literature and other education-based books that promote inclusion and diversity. This will help ensure that Black, Native American, Latinx, Asian American and Pacific Islander, LGBTQ+ students, and students with disabilities are seen, heard, and reflected in their instructional materials.

It also provides the Superintendent of Public Instruction the authority to buy textbooks for students in a school district, recoup costs, and assess a financial penalty if a school board willfully chooses to not provide sufficient standards-aligned instructional materials for students. The law also prohibits school boards from banning

## California Bans Book Bans and Textbook Censorship in Schools

Sep 25, 2023 — WHAT YOU NEED TO KNOW: Governor Newsom signed AB 1078 (Jackson) to ban book bans and textbook censorship in the state's 10,000+ schools.



# The Good News

- CA is a bellweather state (so is Fla.) – AB 1084 has banned school book banning
- Many Banned Book Week library festivals (& Brooklyn Public Library free ebook and audio access online)
- Teen Banned Book Clubs (Vandagriff HS, Houston)
- PEN America activism – Pen.org
- Letter to Colton (San Berdo Cty) Bd of Ed – re “The Bluest Eye”, Toni Morrison - 1 day later, book put back into HS AP English classes
- PEN, Random House, et al. v Escambia Cty Fla – USDC Jan 2024 (Motion to Dismiss denied 5-17-23) unlawful censorship



# So - Who Gets to Decide What Stories & Whose Stories Get to Be Told?

## Carla Hayden Quotes

There are ways to make room for more books and still have room to live. Libraries are a cornerstone of democracy—where information is free and equally available to everyone. People tend to take that for granted, and they don't realize what is at stake when that is put at risk.



*Carla Hayden*  
Carla D. Hayden, Ph.D.  
Chief Executive Officer



# References – partial list

- U.S. Library of Congress, [www.loc.gov](http://www.loc.gov)
- Sacramento Observer
- PEN America at <https://pen.org> – articles, author interviews, book summaries, pending federal district court litigation in Florida
- American Library Association, [ala.org](http://ala.org) (Annual Conf June 27-July 2, 2024)
- CA.gov re AB 1078
- Literary Hub “ History of Banned Books in America”, Amy Brady 9/2016
- New York Times – various articles
- California, Florida, Texas education statutes
- The Manhattan Institute