August 22, 2023

Superintendent David Woods
Members of the Oxford Area School District Board of Education
Oxford Area School District
125 Bell Tower Lane
Oxford, PA 19363

Dear Superintendent David Woods and Members of the Board:

We understand that some parents and community members are questioning the validity and utility of the Oxford Area School District’s written policies for acquiring and retaining library materials, and are also challenging the presence of several books included in the collections of the school district’s libraries. We deeply appreciate the Board’s decision to retain those policies.

Well-written selection and reconsideration policies for library and instructional materials assure that your school librarians have the guidance they need to develop a varied library collection that reflects the wide range of abilities and interests of the students you serve. Such policies establish objective standards for even-handed collection development and establish orderly procedures for selection and reconsideration of library materials that allow for a fair and thorough evaluation of any claim that a book is not suitable for the library collection.

More importantly, such policies protect the students’ right to read by making sure that a book is not removed or restricted simply because someone does not like the book. Under the best professional standards, reconsideration policies ask those charged with reviewing a challenged book to set aside their personal beliefs and evaluate the work in light of the objective standards outlined in the materials selection policy. Passages from the work should not be considered out of context, rather the work’s value should be assessed based on evaluation of it as a whole. While a title is under review, it must remain available for checkout.

School librarians are trained professionals whose education, professional values, and experience prepare them to make careful decisions when selecting titles. Your professional library staff remain best prepared to implement your materials selection policies, which require purchasing titles on a broad range of topics that reflect the experiences and interests of all your students. Indeed, your policies specifically provide for the acquisition of books addressing topics some deem controversial, making sure that your students have the freedom to research and learn from books addressing political, economic, religious, social, minority, and sexual issues, so that they are prepared to engage as adults in a world where persons possess differing backgrounds, beliefs and identities.

We understand that the inclusion of the titles Lucky, The Bluest Eye, The Perks of Being a Wallflower, and The Hate U Give in the library’s collection were challenged and that some parents and individuals living in the district have argued that because these books include gay, lesbian, bisexual, and/or
transgender (LGBT) characters and themes, or include descriptions of or references to human sexuality, the books are obscene or harmful to minors under the law. That is untrue. Claims that these materials are obscene or harmful to minors because the materials address the lives and experiences of LGBTQIA persons, or present accurate medical information, depict human anatomy, or includes literary scenes that depict the variety and range of human relationships are false and unsupported by Pennsylvania law, which narrowly construes what is deemed obscene or illegal content and excludes materials that a reasonable person would view as having serious literary, artistic, political, or scientific value for a reasonable 17-year-old minor.

These books, like many books, may not be right for every student in the District, but the library has a responsibility to represent a broad range of views in its collection and to meet the needs of all students in the community it serves. Parents and students may rightfully voice their concerns and select different materials for themselves and their children, but those objecting to the books should not be given the power to restrict other users’ rights to access the material.

Moreover, any decision to remove or restrict titles because of some individuals' objections to the ideas or views expressed in the books may constitute unconstitutional censorship in violation of the First Amendment. Courts have long held that school boards may not remove books from school libraries when the "substantial motivation" for the removal is the board's disagreement with the ideas expressed in the book. (Case v. Unified School Dist., 908 F. Supp. 864 (D. Kan. 1995). More recently, the Office of Civil Rights in the U.S. Department of Education has expressed its concern that the removal books that include themes addressing race, racism, or the experiences of LGBTQIA persons is discriminatory activity that creates a hostile educational environment for students based on sex, race, color, or national origin under Title IX of the Education Amendments of 1972 and Title VI of the Civil Rights Act of 1964.

We also understand the title Push is being included in the same process of reconsideration as the other titles despite the fact that there was no formal written challenge to it. Board policy 6300 requires receipt of a written challenge form before the review process of a title can begin. A board’s disregard of its own written policies when considering the placement or removal of books from school libraries has been accepted as evidence of an unconstitutional motivation for the book removal (see Case v. Unified School District, cited above).

Again, we thank the Oxford area School District Board for upholding its policies and providing your school librarians with the resources they need to curate library collections that provide for the education and interests of all the students of your community. We also want to extend our support for your school librarians, whose hard work ensures that students are able to read and research a wide range of topics and ideas, confident that they are free to learn.

Such work is in the best tradition of the work of librarians, administrators, and board members who are charged with serving the community as a whole and upholding and protecting students’ right to read and learn from books they have chosen, recognizing that not all books are for all students. While parents have the right to guide their child’s reading, protecting the right to choose – for everyone – is key to creating a successful and safe educational experience for students.

Sincerely,

[Signature]

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