



FLORIDA BOOK BAN GUIDE

CREATED BY THE **FIRST AMENDMENT FOUNDATION**
WITH HELP FROM **FOUNDATION 451** AND THE **FLORIDA
FREEDOM TO READ PROJECT**

Florida schools lead the country in the number of banned and challenged books reported over the last year, according to PEN America. These include poetry and literary classics, as well as religious and historical texts.

Under Florida law, any book available in a public institution may be challenged by a citizen, school official, or government official. This has led to the removal of hundreds of books from school shelves.

HOW THE FIRST AMENDMENT APPLIES TO BOOK BANS

- Books can be removed from schools if their content is deemed inappropriate for certain ages. However, the First Amendment doesn't allow for blanket bans. Restrictions must be agreed upon by local communities, and books can only be removed from schools after public district school board meetings.
- Under case law, school officials must use their discretion to determine what is age-appropriate for school libraries, but they may not remove books based on "narrowly partisan or political" grounds.
- The U.S. Supreme Court has provided guidance for local authorities to determine what media may be deemed obscene in their communities, but obscenity is limited to sexually explicit speech or expression.
- Books may be removed from public schools for reasons of religion, race, profanity, politics, or violence. Governmental entities may only impose restrictions on speech that are reasonable and done in an even-handed way. This means that public schools should not remove books simply for containing subjects or information some people may not like.

HB1069 ESTABLISHED RULES FOR BOOK REMOVALS IN SCHOOLS

- Under the law, librarians must submit a list of books available to students annually for review by the district school board. The school board or librarian may decide to remove any books they deem age-inappropriate for students. Citizens can ALSO petition the school board to remove books.



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HOW TO MONITOR WHAT BOOKS ARE BEING CHALLENGED

- Push back at board meetings! It is important to make your voice heard at school board meetings when a book has been challenged. If you believe that a challenged book belongs on school bookshelves, you must show up to defend its educational and/or social value.
- Public notices for school district board meetings must be posted on the school board's website at least one week before the meeting, and the agenda must be posted at least 48 hours beforehand.
- If a book is being challenged during a school board meeting, it must be listed in the agenda with the reasoning for its removal.
- Remember, the criteria for "age- inappropriateness" is a community standard. If enough parents and citizens speak out in defense of a challenged book, it will be hard for the school board to argue that the community has agreed to its removal.

IMPORTANT TALKING POINTS

- Individuals have the right to make their own decisions about what they believe and what they want to read free from government interference.
- Parents have the right and duty to make decisions for their own children but not to impose their decisions on other parents.
- Students should be able to see themselves and their concerns reflected in the books on library shelves.
- Books help young people prepare for the real world. Limiting their choices does not serve their interests.
- Removing books from schools, prisons, and public libraries is a slide toward government censorship and violates America's constitutional right of freedom of expression.

For more detailed information, and to learn about other ways Floridians are pushing back against book removals, scan to read FAF's full guidebook.

