

## MINUTES

### Fairfax County School Board

#### Burkholder Administrative Center

Special Meeting No. 7

March 16, 2000

#### I. MEETING OPENING

##### A. Call to Order/Pledge of Allegiance

Chairman Frye convened the meeting at 7:08 p.m. with the following Board members present:

Catherine A. Belter (Springfield)	Ernestine C. Heastie (Providence)
Christian N. Braunlich (Lee)	Kaye Kory (Mason arr. 7:19)
Mychele B. Brickner (At Large)	Gary A. Reese (Sully)
Isis Castro (Mt. Vernon)	Jane K. Strauss (Dranesville)
Robert E. Frye (At Large)	Rita S. Thompson (At Large)
Stuart D. Gibson (Hunter Mill)	Tessie Wilson (Braddock)

Also present were Division Superintendent Daniel A. Domenech; Deputy Superintendent Alan E. Leis; Executive Assistant/Clerk of the Board Grace H. Winters; Administrative Assistant Betty Curtis; and certain other members of staff.

#### II. DISCUSSION AND ACTION

Mr. Frye noted that the Board had before it a challenge to the inclusion of the book *Daughters of Eve* by Lois Duncan; that the Board would be examining the Superintendent's recommendation to deny the parent's appeal of the review committee's decision to retain the book in FCPS libraries; that the Board's consideration of this issue would be based on the written record provided to the Board in advance.

Mrs. Strauss moved, and Mrs. Brickner seconded, that the book *Daughters of Eve* be maintained in high school rather than middle school libraries.

Discussion proceeded as follows: that she had read the book and found it very interesting; that middle school in Fairfax County included students as young as 11 years; that she felt the book could be appreciated by students 14 to 15 years old, but as a parent had serious qualms about an 11- or 12-year-old reading it; that the story was well written, and a student with maturity could understand the morality revealed at the end of the book—that the activities engaged in by the girls were wrong and the teacher's role was out of place; that she felt it was more appropriate for a high school library rather than a middle school library (Strauss); that she agreed, and was very concerned about some aspects of the book; that the violence described in the book—mob assault and trashing a school classroom—would result in serious consequences in FCPS, but there were no consequences in the book, which sent a very poor message; that in the end of the book, a girl killed her father; that she saw no merit in the book for students as young as middle school; that she supported the parent who raised the challenge and regretted that it had to be appealed to the School Board level (Brickner); that he could not support the motion; that the idea of removing books from a library was offensive to him, and that he believed it required overwhelming evidence that the material was completely inappropriate in order to do so; that in response to the previous challenge to the book *The Agony of Alice* by Phyllis Reynolds Naylor, some eighth graders were invited to write to him regarding the School Board banning books—before any of them were aware that the Board would be considering this challenge; that his wife had compiled the responses, and that 76 students said books should be removed 'under no circumstances,' 6 said they could be 'if there was some alternative,' 10 said it was okay sometimes 'if you had a whole bunch of parents who objected to the book'; that one of the students had written "Did our rights disappear completely or do they still exist in full? Don't minors have the right to

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even be exposed to what they want or do parents and administrators control ... in the libraries in the public schools? A few parents shouldn't be able to force the school board members to ban a book that kids are reading because of their radical point of view or ... on the book as long as it portrays reality ... the book. Many adults want to protect their kids from certain views, emotions, and actions, but adults would not be able to watch what their kids see, hear, and do forever. So parents should shine a little light on their child's mind while they're still impressionable enough for adults to influence their child's life and tell them that some things are bad and wrong to do. By letting their children see what the world is like, they will know how to deal with problems when they arise. By forcing someone else's views on them, adults are slowly strangling their children's free will and their opinions before they can be made. Trust your kids. Most adults might be surprised on what we believe is an okay thing to do and which they ... all would be wrong."; that he had many such comments from the students, and the one he had quoted was a 13-year-old eighth grader; that his 13-year-old daughter had read the book and liked it; that in response to his inquiry whether she knew anyone who would think that the advice offered in the book was good advice, she had answered "absolutely not"; that one of the things from which adults try to protect their children, but cannot, was the requirement that they learn how to make decisions when they grow up; that thinking about all of the influences from literature that were considered to be classic and wondering whether the School Board would want to prohibit a student from choosing on their own to read a book about a child being kidnapped, in which case they would be denied reading *The Ransom of Red Chief*, one of the greatest short stories of all time; that if the Board did not want children to learn about gang violence, they would be denied the opportunity to watch *West Side Story*; that if the Board wanted to prevent students from being influenced by kids committing suicide because so many teenagers commit suicide, they would be denied the reading of *Romeo and Juliet*; that denying students sexual themes would mean denying them *Oedipus Rex*, *Tess of the D'Urbervilles*; that denying them themes of children being in control would eliminate *Lord of the Flies*; that by preventing students' exposure to the idea of the government going around setting fires, they would not read *Fahrenheit 451*, which was about burning books, Fahrenheit 451 being the temperature at which paper burns; that parents had the right to control what their children read, and this was not curricular material; that this challenge did not arise from taking the material home from the middle school library; that the book had been purchased in a bookstore, and the parent decided after reading it that it was not appropriate, which was the way the system should work; that the system should not work in a way where a parent bought a book, decided it was not appropriate for his or her child, and then asked the School Board to determine that it was not appropriate for any child; that there were positive messages in the book; that one of the most serious acts of violence in the book was one which many children faced, the act of a father beating up his wife; that when a newspaper article relayed the fact of a seven-year-old child killing a six-year-old child, it was hard to say a student should not be allowed to read a book of fiction where there are some morals; that the book depicted an extremely positive relationship between a father and his daughter about one of the most significant decisions a woman could ever be asked to make; that there are consequences for some of the girls and not for others, and that was what life was about; that Rabbi Kushner had written a book entitled *Why Bad Things Happen to Good People* which was a kind of update on the book of Job whom God tested by challenging his faith with numerous obstacles; that the reality was that bad things did happen to good people and that good things did happen to people who did bad things; that everyone did need to teach their children right from wrong and to use literature to guide children to make correct decisions, because we would not always be there for them; that middle school children started thinking for themselves and realized there were problems in the world bigger than their universe; and that they need the tools to deal with this, one of which was selecting the right reading material, discussing it with their parents, and drawing lessons from it (Gibson).

Additional comments and questions included the following: the question what affect the motion would have (Braunlich); that if the motion were passed, the book would be retained in high school libraries (for grades 9-12) but not in middle school libraries (Strauss); that it had been said there were great role models in this book, but if they were there, he had been unable to find them; that students in the book were engaged in mob assault, destroying school and personal property, led by a teacher; that the only consequence that he read was that the teacher became an assistant principal later on; that Mr. Gibson had said his daughters said they knew no one who would take the advice in the book seriously (Braunlich); that, as a point of clarification, he had indicated that his younger daughter had said no one she knew would think the advice

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given by the teacher in the book was good advice that should be followed (Gibson); that having met Mr. Gibson's daughters, he knew them to be intelligent young ladies, having received strong moral values, which was unlike the students Board members see regularly in discipline hearings, who did not know the difference between right and wrong and may not have the kind of parents to teach them the difference; that he thought the materials they received from school should give them that information; that it had been said that removing this book would be banning books, and letters had been read from students saying adults should not be making these decisions for students; that, however, the school system made those kinds of choices every day—what was bought and what was not bought; that that was why the school system did not buy videos of Jerry Springer or subscribe to *Playboy* magazine no matter how good the articles were; that the school system made decisions like that, and sometimes the School Board was called upon to make the final judgment; that he would support the motion (Braunlich); that her daughter was 12 years old, was in the seventh grade, and had enjoyed the book, noting that Lois Duncan was one of her favorite authors; that her daughter had thought the family situation in the book had showed a lot of love, caring, and forthright conversation, and she thought the book should be available to students such as herself; that she had not read the entire book, but read the beginning and the end and deferred to her daughter's judgment; that she thought it should be available for sixth grade and up (Kory); that she had read the book and had asked some other people to look at it; that she did not think the book was appropriate for any elementary or middle school; that when the author had asked about violence and why such rebelliousness was portrayed in her books, she said that her writing was so violent because "the burden of responsibility of the writer is greater than ever before because kids are trained by television to want violence and sex" and "we have the obligation to write about those things in an appropriate manner"; that she agreed that such writing had to be appropriate, and she did not think this was appropriate for elementary or middle school students; that everyone needed to be very cognizant of things that children were putting in their minds and acting out in their everyday lives; that there was a culture now looking for identity and hopefully looking for things that were morally right; that they needed to understand that promiscuity, murder, destroying property, and bashing men or women were inappropriate behaviors, and should not be part of our students' culture; that she would support the motion (Thompson); that she had read and thoroughly enjoyed the book; that she saw it as a period piece for those who grew up in the 70's, and included just about everything that the women's movement was about; that the issue of mob mentality and how one reacts and gets to that point was well done; that the subtlety of physiological manipulation was also well done; that having noted those things, she still did not think the book was age appropriate for sixth grade and middle school children; that she, as an adult, could read the book with an understanding the history of the 70's and see the manipulation occurring; that she did not, however, think eleven-year-olds could do that, and she would support the motion (Wilson); that the question of including books such as this hinged on age appropriateness, which was a judgment call, because everyone had different backgrounds, experiences, and points of view; that he felt the book was definitely not appropriate for sixth graders; that he believed the book could be appropriate for middle schoolers; that he felt very strongly that schools should have a wide range of books available from which students could select, in order to foster a lifetime love of reading, and that it was not his place to say that books of only a certain type should be available (Frye); that this was a very old book, one of the writer's first; that she had re-read the book and gone through some of the information available at the public library where she worked; that the book had been housed for a long time in the young people's, or juvenile's, section of the library, not the young adult section; that lately people had been viewing it with a different eye and saying that perhaps it should not be available to students up through the sixth grade; that the book had been read a lot by seventh, eighth, and ninth graders; that the readership was not at the tenth, eleventh, and twelfth grades, but younger students; that she applauded the parents who were looking at and questioning what their children were reading, and discussing it with them; that children often came into the public library asking for books that were not age appropriate; that when parents questioned whether a book was appropriate for their child, the public library asked that they review the book themselves; that she agreed the book was very much a period piece, and that should be remembered; that she had not really liked the book, and she did not think many students would think it was a dynamite book; that she had asked several students what they thought of it, and had received responses such as "it was dorky," as well as those who either had no relationship with the book or were glad they had read it and viewed the teacher as "something else"; that students were very much aware of what they were reading; that she would be comfortable retaining the book for seventh and eighth graders, because she felt the majority of students

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would be able to handle it without fear of their having negative reactions; and that most of the students who read the book were female (Belter).

Further comments were made as follows: that students were exposed to a lot of violence on television and in music; that she had talked to her older daughter and had found that this author was once one of her favorite writers, although she could see the concerns regarding the violence depicted; that students who were involved in disciplinary hearings before the School Board were probably not doing any reading, although they should be; that she would not mind having the book available at the middle school level; that most of her daughter's friends really liked Lois Duncan books, but the boys were not interested; that her daughter had been surprised that people would complain about this book when there was more violence on television and radio than in this book (Castro); that she had been struggling with her position regarding this book and had been anxious to hear the viewpoints of her fellow Board members; that some important points were made, and she quoted from the book where Tammy said or thought "It's horrible! I hate it! Please, Irene, stop them! Why hadn't she shouted the words aloud? How could she have stood there unmoving, conducting a whole exchange within her mind? But she had. She had not opened her mouth, had not begun to make a move to stop them. Even when he screamed. When he realized what it was they were doing, he had screamed, a high shrill bleat of horror, not the cry of a man, but the wail of a thing! She could not hear that sound again, not even in memory. If she did, she would break apart."; that clearly this character heard a voice telling her that what was happening was terrible, and at one point, accused the teacher of being insane; that this was the author's way of letting the reader know that what was happening was wrong; that while she felt there were consequences for the students—one girl gets pregnant and decides not to have an abortion and the girl who killed her father was placed in a mental institution—she was troubled that there were no consequences for the teacher; that she would prefer the book were not available for sixth graders, even though some middle schools housed sixth grade; that she thought middle school students should have the opportunity to read the book; and that she would like to see the book available to seventh graders and up, so she would not support the motion (Heastie).

Mr. Reese called the question. The motion **passed 10-2** with Mrs. Belter, Mr. Braunlich, Mrs. Brickner, Mrs. Castro, Mr. Frye, Mrs. Heastie, Mr. Reese, Mrs. Strauss, Mrs. Thompson, and Mrs. Wilson voting "aye"; and with Mr. Gibson and Mrs. Kory voting "nay".

The motion that the book *Daughters of Eve* be maintained in high school rather than middle school libraries **failed 6-6** with Mr. Braunlich, Mrs. Brickner, Mr. Reese, Mrs. Strauss, Mrs. Thompson, and Mrs. Wilson voting "aye"; and with Mrs. Belter, Mrs. Castro, Mr. Frye, Mr. Gibson, Mrs. Heastie, and Mrs. Kory voting "nay".

Mr. Gibson moved, and Mrs. Heastie seconded, to amend the staff recommendation to provide that the book *Daughters of Eve* be available at the seventh grade and higher.

Discussion included the following: that he thought the Board had attempted a similar motion at a previous book challenge, and had been told by staff that it would be very difficult to administer (Braunlich); that only a few schools had the book available (Alan Leis, Deputy Superintendent); that once the method was set up it should not make a difference how many schools had the book (Braunlich); that he did not recall the specifics or to which challenge Mr. Braunlich was referring (Leis); that as there was no one present at the meeting who could respond to that concern, he would prefer to move the discussion along (Frye); that the last challenge had been the book *The Agony of Alice* which dealt with small group and classroom discussions of the book, not library retention; that he believed there were sections in elementary school libraries that were restricted to certain grades (Gibson); an affirmative response; that some books bore a sixth-grade sticker (Leis); that he did not think it would be a major administrative task to do the same for the copies of the book located at the three middle schools that housed sixth-grade students (Gibson); the request for confirmation whether or not the book could be restricted to only seventh and eighth graders in middle schools that housed sixth-grade classes (Braunlich); that by the nature of the motion, the book would be restricted to seventh grade and above; that if that could not be done administratively in three schools, those schools should not have the book; that the Board did not have to saddle a school with a

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heavy administrative burden in order to make the book available (Frye); that the three middle schools that included sixth-grade classes were all in her district; and that if it were difficult for those three schools, she was sure that those principals would have no problem giving the book up if it were best for the county (Kory).

The motion that the book *Daughters of Eve* be available at the seventh grade and higher **failed 6-6** with Mrs. Belter, Mrs. Castro, Mr. Frye, Mr. Gibson, Mrs. Heastie, and Mrs. Kory voting "aye"; and with Mr. Braunlich, Mrs. Brickner, Mr. Reese, Mrs. Strauss, Mrs. Thompson, and Mrs. Wilson voting "nay".

Comments proceeded as follows: that if the Board took no action, the Superintendent's ruling would stand (Frye); the question if the motion were to uphold the staff recommendation and it were defeated, what would the affect be (Braunlich); and that if a motion to uphold the staff recommendation were defeated, then the Board would have overturned the staff (Frye).

Mr. Braunlich moved, and Mr. Reese seconded, to uphold the staff recommendation [to deny the appeal of the complainant, regarding the book *The Daughters of Eve*].

Questions and discussion continued: the request for a ruling of the chair; that the Board had already voted not to restrict the book to high schools, voted not to permit the book in traditional middle schools, and if the motion to uphold the staff recommendation were defeated, the Board would have taken no action; that he believed it would be useful for the chair to rule on the effect of those three votes (Gibson); that if the Superintendent denied the appeal, from his viewpoint it put the school system back to the status quo, and, in the three middle schools that housed sixth grades, the book would be available to sixth graders (Frye); that his question was what would happen if Mr. Braunlich's motion were defeated (Gibson); that if the motion currently on the table failed, the chair would entertain another motion or would reschedule the decision for another date and time to allow the Board to have more time to think about it (Frye); the request for the deadline by which a decision had to be made (Gibson); that the deadline would be next Tuesday, March 22 (Grace Winters, Clerk of the School Board); that if the Board upheld the staff recommendation, the book would not only be available to middle schools and sixth grades, it would be made available to any elementary school; and that she could not support doing that (Brickner).

The motion to uphold the staff recommendation [to deny the appeal of the complainant, regarding the book *The Daughters of Eve*] **failed unanimously**.

Mr. Frye suggested that, if the Board were unable to act on the book challenge, they proceed with the Audit and Student Services Work Sessions scheduled to take place immediately following the challenged materials Special Meeting; that following the Audit Work Session, he would ask if the Board wanted to proceed to a decision on the book challenge, and if not, he would ask again following the Student Services Work Session; that if the Board could not reach a decision at this time, he would reschedule the challenge, as there was a required time by which the Board was supposed to act, which was March 22.

Mr. Braunlich requested that, in the long term, the Policy on challenged material be referred for discussion of the process to the Policy Review Work Session; that in addition to being uncertain of the ramification of some of the votes, the process by which members of the local and countywide review committees were selected had been questioned by one of the members of the committees; and that since this policy had been passed a Character Education Program had been initiated, which should perhaps have some involvement in the process.

Mr. Frye noted that it was his intention to respond to the appeal within the established time limit; and when a significant number of Board members were prepared to act, he would reschedule the topic. Mrs. Brickner expressed concern that March 22 was the following week with no meetings scheduled currently scheduled at which the Board could take action. Mr. Frye stated that it was his hope that a Board member from each side of the question might take a few minutes during the following work session to consider whether a compromise were feasible, and that the Board could then reconvene the Special Meeting and take action.

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Special Meeting reconvened at 8:35 p.m. by Chairman Frye, who then passed the gavel to Vice Chairman Jane Strauss.

Mr. Frye moved, and Mr. Reese seconded, to reconsider the motion that the book *Daughters of Eve* be maintained in high school rather than middle school libraries. The motion **passed** with Mr. Braunlich, Mrs. Brickner, Mr. Frye, Mr. Reese, Mrs. Strauss, Mrs. Thompson, and Mrs. Wilson voting “aye”; [Clerk’s Note: ...and with Mrs. Belter, Mrs. Castro, Mr. Gibson, Mrs. Heastie, and Mrs. Kory voting “nay”.]

Mrs. Strauss moved, and Mr. Reese seconded, moved that the book *Daughters of Eve* be available in high school libraries, ninth grade and up.

Discussion proceeded as follows: that in his first four years of service, the School Board had heard two challenges to curricular material—a biology book at Thomas Jefferson High School for Science and Technology and *Huckleberry Finn*; that this challenge was the second within one academic year for non-curricular material; that the first challenge had been *The Agony of Alice*, which suggested small group reading and discussion, this second challenge was for a library book, and a third challenge was still pending on another curricular text; that he hoped this was not a trend where the school system would be encouraging parents to scour every book in the libraries and ask the Board to remove any they deem inappropriate for their children; that he agreed that this parent had the right to direct the upbringing of his or her own child; that, as someone once said, “the right to swing your fist ends where my nose begins”; that your right to direct what your child can read ends when you begin to direct what my child can read (Gibson); that this action would not be banning a book, but discussing and considering a book based on age appropriateness, and to move it to the appropriate age level where we do not have to be concerned about students understanding the impact of the book; that she would support the motion (Brickner); that he wanted to clarify his vote; that his preference would be to have this book available for seventh grade and above; that although he heard Mrs. Belter’s comments about the readership of the book being at the middle school level, he did not believe this issue was of sufficient importance to carry it over to another meeting; and that based on that rationale, he would change his vote to support the motion (Frye).

The motion that the book *Daughters of Eve* be available in high school libraries, ninth grade and up **passed 7-5**, with Mr. Braunlich, Mrs. Brickner, Mr. Frye, Mr. Reese, Mrs. Strauss, Mrs. Thompson, and Mrs. Wilson voting “aye”; and with Mrs. Belter, Mrs. Castro, Mr. Gibson, Mrs. Heastie, and Mrs. Kory voting “nay”.

### III. ADJOURNMENT

The meeting was adjourned at 8:40 p.m.