

MINUTES

Fairfax County School Board

Burkholder Administrative Center

Special Meeting No. 9/**Challenged Materials**

June 25, 2001

I. MEETING OPENING

Call to Order

Chairman Jane Strauss convened the meeting in public session at 7:07 p.m. with the following Board members present:

Catherine A. Belter (Springfield)
Christian N. Braunlich (Lee)
Mychele B. Brickner (At Large)
Isis Castro (Mt. Vernon)
Robert E. Frye (At Large)
Stuart D. Gibson (Hunter Mill)

Ernestine C. Heastie (Providence)
Gary A. Reese (Sully)
Jane K. Strauss (Dranesville)
Rita S. Thompson (At Large; arr. 7:12)
Tessie Wilson (Braddock)

Also present were Division Superintendent Daniel A. Domenech; Deputy Superintendent Alan E. Leis; Executive Assistant/Clerk of the Board Pamela Goddard; Administrative Assistant Marianne Gearhart; Administrative Officer Helen Westfall; Chief Information Officer Maribeth Luftglass; and certain other members of staff.

II. DISCUSSION AND ACTION

Mrs. Strauss clarified that the discussion would be on the written record; that the Board would consider whether the book, *The Pillars of the Earth*, by Ken Follett, would remain within the Fairfax County Public Schools library collection; and that the material was not assigned reading and had not been included on any summer reading list.

Mrs. Heastie moved, and Mr. Gibson seconded, to support the recommendation of the Challenge Review Committee to retain *The Pillars of the Earth* in FCPS high school library collections.

Mr. Gibson raised a point of order; that the Board's attorneys had advised that if the vote on the motion resulted in a tie, the status quo could not be changed; and that the motion would have to be to change the status quo and sustain the challenge.

Mrs. Heastie withdrew the motion.

Mrs. Brickner moved, and Mr. Reese seconded, to sustain the challenge to remove the book, *The Pillars of the Earth*, from all FCPS libraries.

Discussion included the following: the question why Mrs. Stohr, the parent who had filed the challenge, had not been furnished with a copy of the Challenge Review Committee report (Brickner); the response that a motion was on the table, and the Board had to address the issue of whether the challenged material would remain in all FCPS libraries (Strauss); that they understood that an unabridged audio cassette recording of the material had been in the Rocky Run Middle School library (Braunlich, Brickner); the question why the material had been available in a middle school (Brickner); the response that the audio material had been removed from Rocky

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Run Middle School (Strauss); that *The Pillars of the Earth* portrayed medieval life in great detail and was well-written; that the book was sexually explicit and graphically violent, and included vulgar language; that she would not be comfortable reading excerpts from the book into the written record, because the language was too explicit; that one male character physically abused women; that some students entering high school could be as young as 13 years old, and it was inappropriate to expose them to such explicit material; that recent reports indicated that children were negatively impacted by exposure to such material; that if the popular culture was sinking into a state of depravity, the school division was still obligated to maintain a wholesome environment; that the Code of Virginia Section 22.1-208 indicated that the entire theme of instruction should emphasize moral education through lessons supported by appropriate reading; that *The Pillars of the Earth* had been assigned by some classroom teachers and had been included on supplemental reading lists (Brickner); that a book challenge was an appropriate mechanism for parents to express concerns about the literature with which their children were presented (Brickner, Thompson); that material challenges were not highly regarded by school staff members, although it was not appropriate to present such explicit material to students (Brickner); that *Student Responsibilities and Rights* included provisions for disciplining students who used language which was patently offensive; that students were not allowed to wear clothing that depicted profanity or obscenity; that Regulation 3005.3, Supplemental Instructional Materials, mandated that videos with an 'R' rating would not be viewed (Brickner, Thompson); that 'PG-13' movies could only be shown at the high school level after a form that delineated potential concerns was submitted for approval to a supplemental instructional review committee; the question whether such a form was completed for *The Pillars of the Earth*; that she was doubtful that a principal would approve the use of the book if areas of concern were outlined; that she appreciated that the Board had been informed that *The Pillars of the Earth* had been included on reading lists at two high schools; that she was aware that it had been included by a third school; the question how the material could be removed from those lists since school had closed; that she was concerned that parents would not be informed about the problems with the book (Brickner); and that the Board should have an opportunity to provide input to staff members before new guidelines were developed to ensure consistency regarding acceptable print materials (Brickner, Wilson).

Discussion continued as follows: that the Challenge Review Committee had recommended that *The Pillars of the Earth* be retained in high school library collections, that staff members had not overridden the interests of parents on the Committee, because the majority of the Committee members who had voted to retain the book were students and parents; that the Committee had concluded that the sexual references were not gratuitous, but appeared in the context of the historical content of the book; that the character whose behavior was unconscionable was clearly depicted as the villain, who was ultimately punished for his crimes; that she learned a great deal about medieval times by reading the book; that she would oppose the motion (Heastie); that *The Pillars of the Earth* was a work of historical fiction about a violent society, designed for mature readers; that the values held by students were established within their families by the time they reached high school; that high school students were able to distinguish between medieval and modern society; that animals were valued more highly than women in medieval society and history could not be rewritten; that there was not public consensus that *The Pillars of the Earth* should be removed from FCPS high school libraries, and the issue had engendered debate about who had the right to determine what children should read (Belter); that parents were in a position to determine what material their children should read, and it was ultimately their responsibility to do so (Belter, Castro, Thompson); that individuals who were in agreement with the organization PABBIS (Parents Against Bad Books in School) could prevent their children from reading the

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book, but they should not be entitled to remove it from school libraries (Belter, Castro); that she had heard that 1,000 people had signed a petition circulated by PABBIS to remove *The Pillars of the Earth* from FCPS high school libraries, but she had not seen the petition and did not know if the signatories were Fairfax County residents who had read the book; that it would be unreasonable to remove the book on the basis of several excerpted sections taken out of context; that she would not support the motion (Belter); that the Board made decisions about Fairfax County schools for parents; that the Board was responsible for determining whether the book was made available in FCPS libraries, which were not public libraries (Reese); that the Board had to consider whether school library material was age appropriate for students (Reese, Thompson); that many historical events had degraded humanity and society but schools were not compelled to provide students with books depicting those events; that the Board was responsible for determining that the material in FCPS libraries was appropriate for students, and a great deal of historical information was excluded from school libraries (Reese); that if *The Pillars of the Earth* was produced as a movie, it would most likely be rated 'R', and FCPS students did not view 'R' rated movies in school (Braunlich, Reese); that parents made decisions about what materials were appropriate in their homes (Reese); that the Board was not banning or censoring books or limiting First Amendment rights; that while the book was a work of historical significance, the author's use of vivid, vulgar detail was inappropriate for 17-year-old children; that the book should not be available in FCPS libraries; and that they would support the motion (Reese, Thompson).

Discussion continued as follows: that the Board wanted to maintain a wholesome environment in schools, and was considering a challenge that sought to remove *The Pillars of the Earth* from all schools countywide, restrict libraries from reacquiring the book in the future, and restrict teachers from using the book in any fashion or by suggestion; that he felt that the sweeping nature of the challenge was too broad; that the Board needed to rely on the judgment of teachers and librarians to determine what material was appropriate for individual students; that the book was clearly inappropriate for some students (Frye); that they appreciated that the matter had been brought to the attention of the Board (Brickner, Frye, Thompson); that they appreciated the Superintendent's efforts to develop guidance for staff members in selecting materials (Braunlich, Frye, Heastie, Wilson); that she found it disturbing that *The Pillars of the Earth* had been available in the FCPS library collection, since the Board had a moral responsibility to provide acceptable material in the school division; that she considered the explicit sexual content vulgar and pornographic; that the book encouraged acts of sexual abuse and promoted rape and raging acts of violence; that statistics had shown that adolescent males could become addicted to viewing pornography by reading such passages; that the Board should work proactively to curb the violence and outward sexual communication between young people, and to instill good character values; that students had to be provided with materials that reinforced positive values to help them develop into good citizens; that the historical content of the book could have been conveyed without the explicit and obscene passages; that exposing youngsters to explicit sex would cause some of them to want to experiment sooner than they would otherwise; that not all children were able to discern between good and evil; that the Board should not have to apologize for its efforts to preserve the innocence of students (Thompson); that there were 24 copies of *The Pillars of the Earth* in FCPS high school libraries which served 55,000 students; that the book had only been checked out five times during the 2000-2001 school year, and 15 times during the previous year; that the book did not encourage "rape and raging acts of violence" as Mrs. Thompson had asserted; that students should be taught about the fundamental freedom on which the United States was founded, and should understand the importance of independent thought; that while many more pages in this historical novel were devoted to medieval gothic architecture than to sex, it could not be described as a manual on how to construct a gothic cathedral any more than it could be likened to

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pornography; that while the descriptions of how people died by hanging were disturbing, those sections could be compared to recent news coverage of the execution of Timothy McVeigh; that having historical background knowledge could help people better understand current issues surrounding capital punishment; that the definition of obscene was that which, considered as a whole, had as its dominant theme or purpose an appeal to the prurient interest in sex and did not have serious literary, artistic, or scientific value; that *The Pillars of the Earth* had serious historical, political, and artistic value; that the preservation and advancement of knowledge through the writings of monks, preserved by the Moors, caused society to emerge from the Dark Ages with the foundation that enabled humanity to proceed; that censorship had been defined as the removal, suppression, or restricted situation of literary, artistic, or educational materials of any type, ideas, or information, on the grounds that they were morally or otherwise objectionable; that authors including Nathaniel Hawthorne, Ernest Hemingway, William Shakespeare, George Bernard Shaw, and Upton Sinclair had previously been censored; that a most significant literature could be opposed on the grounds that it contained ideas which were disturbing and objectionable; that a psychologist had commented that “the specific concerns of PABBIS involved sexual and violent content based on the impact those passages would have upon their children, but there were many graphic references to murder, mayhem, and sexual behavior in the Bible and no organized effort had been made to remove it from school libraries; that the problem did not focus on the written word, but on a lack of parental involvement and an unwillingness to engage in healthy, honest dialogue with children; that banning books was the first step toward autocratic control of thought, and uncensored opportunities for reading offered the best hope for the development of thought”; and that he would oppose the motion (Gibson).

Discussion continued as follows: that he had enjoyed much of the book, which was well written with a good plot, but it included graphic, offensive, gratuitous violence and sex which added little; that the manner in which sex and violence were included in *The Pillars of the Earth* was not analogous to such inclusions in the Bible; that the book was on the best seller list because it was fundamentally entertaining; that the Board was a consumer which made decisions about material purchases for FCPS; that *The Pillars of the Earth* was recommended for 10th grade through adult readers, but was currently available in secondary schools which enrolled 7th and 8th grade students; that the book had been used in small group reading and discussion in freshman English classes at two high schools, was suggested reading for history classes, and was on the summer reading list for rising freshmen at Westfield High School; that the standards and practices for selecting materials were not consistent, but seemed to be implemented on an ad hoc basis throughout FCPS; and that the Board routinely determined what materials would be made available in schools based on what was educationally appropriate (Braunlich).

Mr. Braunlich moved, and Mr. Reese seconded, to amend the main motion in the form of a substitute motion, by restricting access and lending rights of *The Pillars of the Earth* to students in 9th grade and above.

Discussion included the following: the question whether school librarians could limit access and lending rights to students in certain grades in a secondary school library (Heastie); an affirmative response (Leis); request for clarification of the intent of the motion (Wilson, Strauss); that he had assumed it would not be possible electronically to limit that access for secondary school students; that now knowing that capability was available, the intent of the substitute motion would be to restrict access to students at or above the 10th grade level (Braunlich); that the limitation could be marked on the record (Luftglass); that in previous book challenges, the Board had decided to restrict the book to certain grade levels; that it became the responsibility of staff members to carry

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out the intent of the Board (Strauss); the request for clarification whether the intent of the motion would be to limit access to *The Pillars of the Earth* in secondary schools to students in 10th grade or above (Wilson); an affirmative response; that the book should not be available to middle school students or high school freshmen (Braunlich); that not all students were of the same age when they attained the same grade levels (Gibson, Heastie); that some 9th grade students for whom English was a second language could be older than 11th grade students born in America (Gibson); that it would be difficult for librarians to restrict access to materials on the basis of a student's age; and that since librarians could electronically restrict the book, the request that Mr. Braunlich amend the substitute motion to 10th grade students and above (Brickner).

Mr. Braunlich agreed on the basis of the written record to amend his substitute motion by restricting access and lending rights of *The Pillars of the Earth* to students in 10th, 11th, and 12th grades only.

The substitute motion to restrict access and lending rights of *The Pillars of the Earth* to students in 10th, 11th, and 12th grades **passed 7-4**, 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, and Mrs. Heastie voting "nay"; and with Mrs. Kory absent.

Discussion continued as follows: the question how the book could be restricted to 10th, 11th, and 12th grade students (Heastie); the response that staff members would be able to selectively restrict the book, but the process would become more difficult for librarians if many books were only available to students of certain grade levels within a school (Belter); that parents on the Challenge Review Committee had recommended keeping the book in libraries; that she would be disappointed if the book was restricted to students in 10th, 11th, and 12th grades (Heastie); that the school division should notify parents if their students were expected to read material containing sexual passages (Thompson); that the Board did not want *The Pillars of the Earth* to be required reading for any students; that the majority of the Board did not want to remove the book from all high school library collections; that she would support the substitute motion (Strauss); that the Board was considering the substitute motion to keep *The Pillars of the Earth* in FCPS high school libraries, but to restrict access to 10th, 11th, and 12th grade students; that a vote against the substitute motion would be in support of keeping the book in FCPS high school libraries where it would be available to 9th, 10th, 11th, and 12th grade students (Gibson); that he still did not believe the book should be available to students in 10th or 11th grade (Reese).

The motion to restrict access and lending rights of *The Pillars of the Earth* to students in 10th, 11th, and 12th grades **passed 7-4**, 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, and Mrs. Heastie voting "nay"; and with Mrs. Kory absent.

III. ADJOURNMENT

The meeting was adjourned at 8:30 p.m.