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IDRA's Knowledge is Power is a national resource for educators and advocates to help you do your work for equity and excellence in education in the midst of classroom censorship policies.

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See previous editions of $\underline{\mathsf{Knowledge}}$ is $\underline{\mathsf{Power}}$ and related resources online.

What Texas' New Book Banning Law Means for School Libraries and Student Books

by Chloe Latham Sikes

Texas lawmakers passed a new book banning law this spring to take effect this school year. House Bill 900 institutes new book rating and removal standards for school library books considered "sexually inappropriate" for students. While the bill purports to protect students from sensitive content, the reality is that the bill further enables book banning and censorship of LGBTQ+ voices and history and other books by Black and Latino authors containing themes related to race, gender and sexuality.



Efforts to remove and limit access to books that present diverse viewpoints are designed to erase the social gains made in racial and gender equity (<u>IDRA, 2022</u>). These actions harm students' opportunities for academic and civic engagement.

Book publishers and library advocates <u>filed a lawsuit</u> challenging the bill (Schneid, 2023), arguing that the law <u>violates</u> constitutional free speech and due process rights due to its vague requirements paired with stiff penalties for noncompliance (see *Book People v. Wong*, 2023).

Last week, a federal judge agreed and <u>stopped HB 900</u> from taking effect (Albanese, 2023). More decisions about the bill's implementation are forthcoming. Below we outline the bill's proposed changes for Texas schools.

Update: On September 26 (after this article was published) the Fifth Circuit Court issued an administrative stay to the lower court's preliminary injunction, allowing this book-banning law to go into effect pending further action. You can follow <u>IDRA's Twitter</u> account (@IDRAedu) and a <u>thread</u> by Children's Defense Fund-Texas (@CDFTexas) for updates.

Changes for School Library Book Standards if HB 900 Goes into Effect

- The Texas State Library and Archives Commission must adopt new standards for school library collection development with State Board of Education approval by January 1, 2024.
- Book vendors (publishers) must review each book for "sexually relevant" or "sexually explicit" content and submit ratings to the Texas Education Agency by April 4, 2024.
- The Texas Education Agency is authorized to enforce the vendor rating system and maintain a list of non-compliant book vendors.

Changes for School Libraries, Students and Families if HB 900 Goes into Effect

- Parents must grant consent for students to check out school library books rated "sexually relevant."
- School districts must remove material rated "sexually explicit" after vendor ratings are published by TEA.
- School districts and charter school librarians must conduct a review every two years of all books in the school library catalog that are rated in this system and must issue a report.

 Students may see books removed from library shelves after the rating system has been put in place.

District library book review policies can stay in place, and the bill does not require additional review of instructional materials or other classroom resources. Parents can still inquire about or contest book removals based on their district's grievance policies.

Schools should continue to stock and use books, materials, and other learning tools that reflect and affirm students' diverse identities that engage them in their learning. Notably, the law states that books cannot be removed solely based on an author or a character's background. School staff are not asked to rate or remove books. They do risk violating students' first amendment rights by prematurely removing books from school libraries.

To learn more, see Texans for the Right to Read Coalition, which IDRA is a member of and that offers an <u>analysis of HB 900</u> and other resources for and about school libraries.

Texas' New High-Quality Instructional Materials Law is Tangled in Classroom Censorship

by Chloe Latham Sikes

The Texas State Board of Education met recently to discuss new legislation, including implementation of Texas' new "High-Quality Instructional Materials" bill, or House Bill 1605. The bill creates a state-approved instructional materials list for schools with special funding for procurement. The state board's task now is to develop rubrics to assess the quality and suitability of new instructional materials for board approval across subjects and grade levels.



Unfortunately, the bill <u>contains provisions</u> that would enforce classroom censorship in the approved materials lists. This became the subject of debate among the board, as members discussed including a prohibition against the censored concepts in the rubric criteria.

Censoring honest and accurate content about race, gender, oppression, history and current events in school instructional materials contradicts the notion of "high-quality" and rejects pleas from students, educators and community members for quality, inclusive materials. The state board will continue to finalize rubric criteria at its November meeting later this year.

Read more about the need for affirming, inclusive and comprehensive instructional materials through <u>IDRA's testimony</u> to the State Board of Education.



The Real Impact of Banning African American Studies

by Terrence Wilson, J.D.

Education leaders across the U.S. South have been making news recently with further attempts to censor what students can learn and what teachers can teach. The most recent is an attack on Advanced Placement (AP) African American Studies. According to College Board that designs AP courses, this "interdisciplinary course reaches into a variety of fields – literature, the arts and humanities, political science, geography, and science – to explore the vital contributions and experiences of African Americans."



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The value of a course like this should be clear. However, leaders in the Florida Department of Education <u>rejected</u> the course in January and the Arkansas Department of Education <u>decided</u> to refuse to offer credit for students enrolled in the course 48 hours before school started. These decisions are problematic for a number of reasons.

First, this course has been developed and vetted over multiple years with input from over two dozen college and K-12 experts in the well-established field of African American studies. While there are legitimate <u>critiques</u> of the College Board for how it handled criticism of the standards by watering down or removing topics like Black Lives Matter, mass incarceration, intersectionality, queer life and reparations, leaders should not overlook how important it is to have this course available for students.

This is particularly important for Black students as students taking AP classes <u>impacts</u> <u>students positively</u> (for example, students are more likely to enroll in college and do better once they get there). However Black students are <u>underrepresented</u> in AP courses. This reflects a larger trend that students of color, particularly Black and Latino students, are <u>underrepresented</u> in advanced coursework broadly. Second, getting a high score on an AP test enables students to earn college credits while in high school. Several researchers have shown that this <u>increases</u> their chances of college success. These courses are so important that, even in the South, where public education has been systematically underfunded, states *still* subsidize funding for the AP course exam for students with limited economic resources or for all students taking the exams.

Taking all of this into consideration, the actions of education leaders across the South are meant to significantly diminish the opportunities of BIPOC students to attend and thrive in college.

Nevertheless, advocates should continue to push back. IDRA is promoting resources to help educators teach culturally-sustaining lessons even when these AP courses and related content have been banned (see IDRA's <u>We All Belong ~ School Resource Hub</u>)

Additionally, communities are organizing, such as the Task Force for Teaching Our Own History in Florida, that will continue pushing to allow students to gain an understanding of Black history and an awareness of the resilience and brilliance of Black people.

The efforts of the political leaders will not succeed at whitewashing history and diminishing the value of African American Studies and Black history if students, parents, caregivers and communities stand together and demand that these courses be taught.



Celebrate Banned Books Week!

by Thomas Marshall III, M.Ed.

This year, Banned Books Week is October 1-7 nationwide. Banned Books Week is an annual event celebrating the freedom to read. Celebrated since 1982, Banned Books Week launched in response to book challenges in schools and libraries. More than ever in Texas and Georgia, we must continue to celebrate students' freedom to read, learn and ensure they have access to books that affirm their identities.



Here is more information on Banned Books Week and events happening in various communities.

Banned Books Week Events Happening in Texas and Georgia

The Georgia Library Media Association will host the 2023 Freedom to Read Georgia essay and video contest for K-12 students for the third year. The contest will kick off October 1 during Banned Books Week with project prompts posted on September 30. Get details.

BookPeople, Children's Defense Fund, Austin Public Library and PEN America are coming together to host Banned Camp: The Magic Power of Reading for a day of promoting the power of reading banned books! Help support intellectual freedom and reading banned books on October 7, at the downtown Austin Public Library. Learn more.

A student in Georgia's Cobb County wrote this op-ed for Teen Vogue describing recent organizing against local book bans: <u>Banned Books in Georgia Face Protests From Cobb</u> <u>County Students, Community Members</u>, by Hunter Buchheit, September 12, 2023.



Hispanic Heritage Month – In the Classroom



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