

Statement – for release Nov 29th:

Today the Fifth Circuit Court of Appeals heard *BookPeople v. Wong*, a lawsuit against book ban law HB 900. We applaud the bookstores and bookseller associations leading the lawsuit against this unconstitutional law, and we remain in solidarity with Texas students leading the fight for their freedom to read from their classrooms to their Capitol.

Students have the right to receive information and to read freely in their school libraries. In 1968, the Supreme Court held in *Tinker v. Des Moines* that students “may not be regarded as closed-circuit recipients of only that which the State chooses to communicate.” The Court later affirmed in *Island Trees v. Pico* that “the special characteristics of the school library make that environment especially appropriate for the recognition of the First Amendment rights of students.”

Now, HB 900 threatens these fundamental rights as school districts have responded by removing hundreds of books, creating new barriers for students to use the library, and even closing down school libraries altogether. Disturbingly, book bans have disproportionately targeted books that discuss or feature student health and wellbeing, characters of color, and LGBTQ+ characters. These stories reflect the lived realities of hundreds of thousands of Texas students and give all students the opportunity to learn, grow, and thrive.

Over the past two years, Texas students have demonstrated real leadership by forming banned books clubs, testifying in support of an honest education, and campaigning and voting for candidates who champion public schools - even as some state officials spent the past two years stripping lifesaving resources from our public schools. Students have worked with adults, including parents, teachers, and advocacy organizations, to support their right to read. HB 900 passed over the voices of young Texans and their adult allies who demand an inclusive and truthful education for all students.

All students deserve access to inclusive, representative, and culturally relevant libraries. As the Fifth Circuit considers *BookPeople v. Wong*, we urge the Fifth Circuit to affirm the district court’s decision, and ask all Texans to stand with the students protecting their freedom to read.

