

SUPREME COURT OF THE STATE OF NEW YORK
WAYNE COUNTY

In the Matter of the Appeal of
MOMS FOR LIBERTY, INC. OF WAYNE
COUNTY and REVEREND JACOB
MARCHITELL,

Index No. _____

VERIFIED ART. 78 PETITION

(Oral argument requested)

Petitioners,

-against-

STATE OF NEW YORK
STATE EDUCATION DEPARTMENT;
BOARD OF EDUCATION OF CLYDE-SAVANNAH
CENTRAL SCHOOL DISTRICT,

Respondents,

Verified Article 78 Petition

By and through Counsel, Petitioners, pursuant to Article 78, NY C.P.L.R. § 7801 et. seq., bring this petition from Decision 18,402 of the Commissioner of the New York State Education Department (“NYSED Op.”), affirming the decision of the Board of Education (“Board”) of the Clyde-Savannah Central School District (“District”) to retain certain books within its Library collection. The Board exceeded its authority in arbitrarily deciding to retain these books, which contain obscene depictions of sexually explicit acts. The Board’s action, and the Commissioner’s affirmation of the same was arbitrary, an abuse of discretion, and based on a misapplication of the First Amendment. Petitioners seek a judgment under Article 78 of the Civil Practice Law and Rules and for a preliminary injunction and permanent injunction.

Parties

1. Petitioner Moms for Liberty, Inc. of Wayne County (hereinafter “Moms for Liberty”) is a registered, not-for-profit incorporated entity¹ in the state of New York and has 266 members – 192 of whom are taxpayers and/or parents of students enrolled in public schools that are located throughout Wayne County, New York.

2. At time of the events in this Petition, at least five (5) registered members of Moms for Liberty are parents of students currently enrolled in the Clyde-Savannah School District. All five of these members’ children will be exposed and/or have access to these lewd and sexually explicit materials when they visit the District’s Jr./Sr. High School Library and as such, their interests are the same and fully and adequately represented in this petition.

3. Moms for Liberty’s mission seeks to ensure that “parents and community members in Wayne County . . . have a seat at the table in making decisions for our children’s education.”

4. Moms for Liberty has consistently opposed sexually explicit books in school libraries and will continue to advocate for the removal of these books from school libraries, as well as encourage policy changes to prohibit the inclusion of sexually explicit books in school libraries. In accordance with this mission, members of Moms for Liberty regularly attend Board of Education meetings throughout Wayne County involving this issue.

5. Also in accordance with its mission and directly relating to the issue of sexually explicit books in school libraries, Moms for Liberty maintains a private Facebook page and regularly posts information relating to this issue for its Facebook members – eighteen (18) of which are parents of children currently enrolled in the District.

¹ Proof of Incorporation, etc., is attached to this Petition as Exhibit A.

6. Moms for Liberty fully and adequately represents the interests of each individual member with a child currently enrolled in the District; accordingly, participation by each individual member and/or parent is not required in this litigation.

7. Petitioner Reverend Jacob Marchitell, a taxpayer, local pastor, and community leader, has direct relationships with many parents and children in the Clyde-Savannah School District. Reverend Marchitell first filed written requests for reconsideration of library materials in April and May 2023 requesting the removal of five sexually explicit books from the library which resulted in the events at the center of this petition.

8. The District's Board of Education ("Board") is the governing body of the Clyde-Savannah Central School District organized and existing under Article 37 of the Education Law, and has the authority under N.Y. Educ. Law § 1709 to manage the library collection in the District. It is a "body" subject to judicial review pursuant to Article 78 of New York's Civil Practice Law and Rules. *See* C.P.L.R. § 7802(a). The Board's principal office is located at 215 Glasgow Street, Clyde, New York, located in Wayne County, New York.

9. The New York State Education Department ("NYSED") is the administrative agency governing the actions of the Board and rendering final administrative decisions concerning the Board's decisions. It is a "body" subject to judicial review pursuant to Article 78 of New York's Civil Practice Law and Rules. *See* C.P.L.R. § 7802(a).

Jurisdiction and Venue

10. Under C.P.L.R. § 7801 et. seq., this Court has jurisdiction to review the actions by New York bodies or officers who have made a determination in violation of state law and/or whose actions were arbitrary, capricious, or an abuse of discretion.

11. This Court has jurisdiction over the matter because the New York Commissioner of Education’s (“Commissioner”) denial of the Petitioners’ appeal cannot be further “reviewed by appeal to a court or to some other body or officer.” C.P.L.R. § 7801[1].

12. Venue is proper in Wayne County pursuant to §§ 7804(b) and 506(b), because the material events in this case and the original decision of the Board occurred in Wayne County.

13. As a resident and taxpayer in the District who initiated the initial challenge against the obscene books at issue here, Reverend Jacob Marchitell has standing to appeal.

14. As an organization with members who are residents, taxpayers, and parents of children attending the District’s School, Moms for Liberty has standing to bring this appeal.

15. The Commissioner found that the Petitioners have standing to prosecute this proceeding, as the District’s “Objection to Instructional Materials and Controversial Issues” Policy allows “[d]istrict community members” to submit objections against schoolbooks to the district. “Given Petitioner Marchitell’s status as a district resident and taxpayer, I find that he has standing to challenge the denial of his objection.” NYSED Comm. Decision 18,402, at 3 n.2.

16. Petitioners timely commenced this Article 78 proceeding within four months of the Commissioner’s decision. *See* C.P.L.R. § 217.

Introduction

17. This case presents the Court with important questions of law relating to the knowing and intentional exposure of minor students as young as twelve years old to excessive pornographic or sexually explicit materials in school libraries. Specifically, Petitioners ask this Court to affirm – in accordance with long-standing precedent – that school boards maintain the authority to remove sexually explicit books from school libraries, and that neither students nor teachers have a First Amendment right to share and/or access sexually explicit content in school libraries.

18. Studies have determined that “increased exposure to sexually explicit materials ‘can lead to exaggerated beliefs of sexual activity among peers, sexually permissible attitudes, and sexual callousness, including more negative attitudes toward sexual partners.’” National Coalition to Prevent Child Abuse and Exploitation, *Impact of Exposure to Sexually Explicit and Exploitative Materials*, National Sexual Violence Resource Center (Dec. 2013), [publications_nsvrc_factsheet_impact-of-exposure-to-sexually-explicit-and-exploitative-materials.pdf](#). Females are especially prone to the normalization of sexual promiscuity, which heightens their risk of being victims of unwanted sexual violence and of sexually transmitted diseases. *Id.*

19. Unlike movies, television programs, music, and video games which contain ratings to warn parents and viewers of graphic and explicit content, as well as settings on computers, phones and other electronics allowing parents to restrict their child’s access to sexually explicit materials, books are different and do not contain any ratings.

20. Parents and readers (including young children) remain unaware of the sexually explicit content that has made its way into books marketed to minors and sitting on school library shelves. Unlike a community public library, parents do not have the opportunity to accompany their children in a school library to assist in choosing an age and developmentally appropriate book during the school day.

21. Accordingly, the job of school librarians in selecting age and developmentally appropriate material is more important than ever, and parents should be able to trust that the books selected by their children’s librarians do not contain pornography or sexually explicit material, excessive profanity, and other lewd or vulgar content.

22. Astoundingly, however, librarians across the country are being encouraged by

library associations not only to include sexually explicit content in school libraries but also to oppose the removal of these books in the face of legitimate concerns raised by parents and members of the community when the sexually explicit content is discovered.

23. In 2020, the American Library Association (ALA) hosted a webinar on book challenges. In that webinar, legal counsel for ALA, Deborah Caldwell-Stone, instructed that when book challenges arise due to inappropriate content, “the thing that needs to happen most is sustained messaging that reframes this issue that takes it away from the idea that these are inappropriate for minors or are sexually inappropriate for minors and promote them as diverse materials and programming that are about inclusion and fairness and protection of everyone’s right to see themselves.” ALA Office for Intellectual Freedom, *Webinar: Banned Books Uncensored: LGBTQIA+ Stories & Gender Identify*, YouTube (May 21, 2020).

<https://www.youtube.com/watch?v=J-hyIwgXA8k&t=2106s> .

24. In response to the rapid influx of pornographic or sexually explicit content in books being added to school library shelves, several states have already taken action to address this issue and protect students.

25. In the case at hand, the Board attempted to do the same by removing five (5) books from its Jr/Sr High School Library containing excessive pornographic and/or sexually explicit material as well as profanity.

26. Almost immediately, however, the Board was falsely accused of acting in bad faith and “book banning,” and was threatened with legal action. In a matter of days, the Board reversed course and while stating on the record again that these books were inappropriate, it nonetheless reinstated the sexually explicit materials to the school library.

27. As demonstrated below, the content in the books challenged in this case contain

sexually explicit content (or pornography²) – content that normalizes violence and abuse of women and children, depicts rape, equates violence and pain with pleasure, encourages and normalizes early sexual activity among minors.

28. Petitioners challenge the Board’s reversal and reinstatement of the sexually explicit books.

Statement of Facts

A. Petitioners’ Challenge to the Sexually Explicit Library Materials

29. Time and time again, federal and state laws have emphasized the important role and compelling interest of public schools in protecting children from exposure to lewd and obscene content.

30. The Supreme Court of the United States has made clear that there is no First Amendment right to broadcast or speak vulgarity or obscenity. As the Court further elaborated:

These words offend for the same reasons that obscenity offends. Their place in the hierarchy of First Amendment values was aptly sketched by Mr. Justice Murphy when he said: “[Such] utterances are no essential part of any exposition of ideas, and are of such slight social value as a step to truth that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality.” *Chaplinsky v. New Hampshire*, 315 U.S., at 572.”

Bethel Sch. Dist. No. 403 v. Fraser, 478 U.S. 675, 685 (1986).

31. The Supreme Court has also made quite clear that public schools have a widespread “interest in protecting minors from exposure to vulgar and offensive spoken language.” *Id.* at 684

32. Similarly, the Court unanimously recognized that school boards “ha[ve] the authority to remove books that are vulgar” or otherwise inappropriate. *Id.* at 658 (“***all Members of the Court, otherwise sharply divided, acknowledged that the school board has the***

² Pornography is defined as “pictures, movies, or writing that show or describe sexual behavior for the purpose of exciting people sexually.”

authority to remove books that are vulgar.’ *Pico*, 457 U.S. at 871-872; *id.*, at 879-881 (BLACKMUN, J., concurring in part and in judgment); *id.*, at 918-920 (REHNQUIST, J., dissenting).”).

33. The state of New York defines obscene or indecent material as that which is “*explicit or detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct or sado-masochistic abuse* and which, taken as a whole, is *harmful to minors.*” N.Y. Penal Law § 235.21 (emphasis added).

34. In certain contexts, New York law prohibits the selling or loaning of indecent material as defined above when it would be harmful to minors. N.Y. Penal Law § 235.21.

35. New York Penal Law § 235.20(6) defines content that is “harmful to minors” as follows:

“Harmful to minors” means that quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:

- (a) Considered as a whole, appeals to the prurient interest in sex of minors; and
- (b) Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and
- (c) Considered as a whole, lacks **serious** literary, artistic, political and scientific value for minors.

Emphasis added.

36. “Minor” is defined as “any person less than seventeen years old.” N.Y. Penal Law § 235.20(1).

37. “Sexual conduct” is defined as “acts of masturbation, homosexuality, sexual intercourse, or physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks or, if such a person be a female, breast.” N.Y. Penal Law § 235.20(4).

38. In early 2023, Reverend Marchitell began the process to challenge five (5) library books included in the District's Jr./Sr. High School Library due to the excessive pornographic or sexually explicit content, as well as numerous profanities contained therein.

39. The Jr./Sr. High School Library is accessible to both middle and high school-aged students ranging from the age of 12 to 18 years.

40. On or about April 12, 2023, at a meeting of the Board, Reverend Marchitell informed the Board of his concerns regarding three library books in the Jr/Sr High School Library: *People Kill People*, by Ellen Hopkins; *It Ends With Us*, by Colleen Hoover; and *All Boys Aren't Blue*, by George M. Johnson (a memoir).

41. Shortly thereafter, Reverend Marchitell submitted a formal written request to review these three library books due to their inappropriate and sexually explicit content for students served by the Jr./Sr. High School Library as young as 12 years old. A copy of Rev. Marchitell's April 2023 Request is attached hereto as Exhibit B.

42. In his requests for review, and in response to a question requesting "resources that provide . . . additional information," Marchitell directed school officials to booklooks.org which contains a comprehensive list of all profanities and sexual content contained with each book. *Id.*

43. As booklooks.org demonstrates, some of the books challenged by Marchitell contain more than ten single-spaced pages — of examples of graphic sexual content including sexual criminal acts, as well as hundreds of profanities. A copy of these reports is attached hereto as Exhibit C (all booklooks.org reports).

44. In May 2023, at another Board meeting, Reverend Marchitell informed the Board of two additional concerning books in the same library including *Red Hood* by Elana K. Arnold, and *Jesus Land: A Memoir* by Julia Scheeres.

45. Shortly thereafter, Reverend Marchitell submitted another formal written request for review of these two additional books, *Red Hood* and *Jesus Lane: A Memoir*. A copy of Rev. Marchitell's May 2023 Request is attached hereto as Exhibit D.

46. As Reverend Marchitell outlines in his formal requests, all five books contain pornography/sexually explicit content – i.e. printed material containing explicit descriptions of sexual activity intended to stimulate erotic feelings – involving both children and adults – some of which constitutes criminal sexual activity including rape.

47. As Reverend Marchitell explains in his request for review, *People Kill People* is a fiction novel containing graphic descriptions of anal sex. Just one example of sexual content contained within the book includes the following:

That part didn't hurt and, in fact, you were surprised that your wiener responded positively. Still, you knew it was wrong, so wrong, and you tried to get away. "Oh, no. Not yet." He said. The hand holding you gripped tighter while the other unzipped your pants and yanked them off in one swift, well-practiced motion. You struggled, but couldn't come near to matching his physical strength. He unbuttoned his own fly, freeing his sorry erection to worm its way between your butt cheeks. He slapped a hand over your mouth. "This might hurt a little if it's really your first time. Let's see if it is." He said. If there was one small saving grace, it was that he possessed a pencil dick. Still, when he drove it inside you, the pain was exquisite and you screamed into his filthy palm.

Exhibit B.

48. *People Kill People* contains at least 137 profanities, and several instances of pornography, as well as sexual innuendos and other lewd language. Exhibit C, at 44.

49. *It Ends With Us* is an adult romance fiction novel. Just one example of the sexual content contained within its covers includes the following:

He grips my hip with one hand while shoving my panties aside with the other. Then he pushes forward until he's all the way inside of me. His hand slides down my stomach and settles between my legs. I can no longer keep up with his rhythm. I can barely even stay on my knees. He's somehow holding makeup [sic] up with one hand and destroying me in the best possible way with his other hand.

Exhibit B.

50. *It Ends With Us* contains at least 105 profanities, and several instances of pornography including the criminal act of rape. Exhibit C, at 27.

51. *All Boys Aren't Blue*, a young-adult "memoir manifesto," similarly contains several instances of pornography including sexual molestation. One example includes a graphic description of anal sex on page 266 and reads as follows:

I put some lube on and got him up on his knees, and I began to slide into him from behind. I tried not to force it because I imagined that it would be painful; I didn't want this moment to be painful. So I eased in, slowly, until I heard him moan. . . . As we moved, I could tell he was excited and I was, too . . . I finally came and let out a loud moan I pulled out of him and kissed him while he masturbated. Then, he also came.

Exhibit B.

52. *All Boys Aren't Blue* also contains numerous profanities and lewd content. Exhibit C at 14.

53. *Red Hood*, a fantasy fiction book, likewise contains instances of pornography. Just one example can be found on page 105:

The tight black curls of his pubic hair surrounded his erection. It's wet-tipped and urgent, and you stroke it with your fingers . . . find his penis, and guide it toward the entrance of your vagina. It feels thick there, sort of scary, and there is a moment when you wonder how on earth it will fit inside, but James doesn't rush you, and you lower yourself onto him, his hands gentle on your hips, not trying to tell you what to do. His eyes are closed, his head is back, and you look at him through the soft curtain of your hair as you sink all the way down, as you feel a tear deep inside you, painful but not terrible, as you feel yourself full of him, of James. And then you move, careful and slow, your hands on his chest, his on your hips, your thighs, and it's not long before his face tightens up, he makes a low groan, and he shivers beneath you. You stay there, above him, for a moment longer, and inside you, you feel his penis beginning to soften.

Exhibit D.

54. The instances of pornography in *Red Hood* are numerous. Exhibit C, at 38.

55. In *Jesus Land: A Memoir*, another book marketed for adult interest – not for children, just one example of the sexually explicit content contained therein includes the following:

I open my eyes, and in a boozy blur, see his penis jutting from his shorts. He grabs it by the root. “Lick it,” he says in his thick voice, pressing my head toward it. I’ve heard of girls giggle about blow jobs at school; it’s something a boyfriend requires of you. I stare at Scott’s penis.

There’s a pearl balanced on the tan tip. It smells like liverwurst. “Like a lollipop,” he’s begging now, breathing hard. He wags the penis with his hand to get my attention. I close my eyes and stick out my tongue and it touches the side of it. “Open your mouth,” Scott says, and I do. He puts it between my lips and grabs my hair and pulls my head up and down on it. A moment later he groans and something slimy spurts into my mouth that tastes like pool water. Scott collapses onto his back on the mattress and I spit the slime onto my parents’ white bedspread and roll onto my back beside him.

Exhibit D.

56. Like the other challenged books, *Jesus Land* contains several examples of sexually explicit content and profanities. Exhibit C, at 33.

57. As Reverend Marchitell’s requests for review clearly demonstrated, the sexual content contained within these books is excessive and severely undermines any asserted literary value for the students given access to the school library.

B. Applicable School Board Policies

58. Pursuant to District Policy 8320, the school district is to “establish and maintain a library media center in each school which will contain library materials. The library media center in each District school will meet the needs of students and staff and *provide an adequate complement to the instruction program in the various areas of the curriculum.*” See Exhibit E, at 6 (emphasis added).

59. Pursuant to District Policy 8320, “[t]he Board delegates its authority to designate library materials to be used in the District to the school library media specialist(s). When appropriate, the school library media specialist(s) will work cooperatively with the Superintendent, other District administrators, instructional staff, the Board, students, and/or District community members to identify, order, and organize library materials.” *Id.* at 6.

60. Pursuant to Policy 8320, instructional material including library content must meet several criteria and must “support the District’s curriculum and instructional program, taking into consideration the varied interests, abilities and learning styles of students.” *Id.* at 7.

61. District Policy 8330 allows for community members to raise concerns about instructional materials and sets forth a procedure for evaluating any such criticism. *Id.* at 8.

62. District Policy provides that when an objection is raised:

The Superintendent will designate a review committee to investigate and evaluate the challenged instructional material. The committee will include, among others, the school library media specialist from the building where the objection originated and the building Principal. The committee will evaluate the challenged material according to the District’s criteria for the evaluation and selection of instructional materials.

The review committee will submit a written report of the results of their review to the Superintendent within 60 days of receipt of the formal written objection. Appeals of decisions by the review committee may be submitted in writing to the Superintendent who will then submit the appeal to the Board for action.”

Id. at 9.

63. District Policy 8330 makes clear that the Board is the final decision-maker on objections raised regarding the content of instructional material. *Id.* at 9.

C. The District’s Review of Petitioners’ Challenges to the Sexually Explicit Books

64. Reverend Marchitell’s requests that the books be removed were submitted to the Library Committee which, pursuant to Policy 8330, were supposed to investigate and evaluate the challenged library material.

65. The Library Committee then prepared “reviews” of each book challenged by Reverend Marchitell. These reviews consisted of a cutting and pasting of book reviews conducted by *outside* sources, as well as a conclusory statement for each book that it “has aligned their [sic] review of materials to BOE Policy 8320” and that “consideration was given to” these principles. A copy of the Committee’s review of each book is attached hereto as Exhibit F.

66. The Library Committee did not provide its own comments or reviews of the challenged books. *Id.*

67. The Library Committee did not dispute that the books at issue here contain all the concerning content identified by Reverend Marchitell and in the lists compiled by booklooks.org. *Id.*

68. The Library Committee’s reviews did not acknowledge the pornographic content of each book, nor the excessive profanities contained therein. *Id.*

69. The Library Committee did not identify any curriculum within the District that would be supported by the challenged books – a necessary factor when selecting appropriate material for the school library. *See* Policy 8320; *see also* Exhibit F (listing on the last page of each review the criteria for the school library when selecting books which includes “to provide materials **that will enrich and support the curriculum . . .**”).

70. The Library Committee did not include any discussion or explanation as to how these books are appropriate for the “maturity levels of the students served” by the library – another consideration when selecting appropriate material for the school library. *Id.*

71. Despite not following policy and procedure for review, the Library Committee voted to retain all five books and submitted its review of each book to the Board asserting that the books were educationally suitable.

72. On August 9, 2023, Reverend Marchitell's requests to remove the pornographic books were appealed to the Board.

73. Following the concerns raised by Reverend Marchitell and other parents within the District, the Board voted 5-3 to remove all five books from the library on the grounds that the books contained material inappropriate for children. A copy of the Minutes of the District's August 9, 2023, meeting is attached hereto as Exhibit G.

74. No evidence exists that the Board was motivated by a desire to deny students access to political, social, or religious ideas with which the Board disagreed.

75. Following its August 9, 2023, vote, the Board received legal threats from two members of the Library Committee who filed a petition with the NYSED Commissioner on September 8, 2023, challenging the Board's decision to remove the explicit materials from the library as arbitrary and capricious and arguing that the First Amendment required the Board to include the sexually explicit books in the school library. A copy of the now-rescinded petition is attached hereto as Exhibit H.

76. In their now-rescinded petition, select members of the Library Committee alleged that the Board's decision to remove the books was made in bad faith. *Id.* at 13.

77. The now-rescinded petition also alleged that the Board's decision to remove the books violated the academic freedom of the library media specialist to include the books containing pornography in the school library for children as young as 12 years old. *Id.* at 13.

78. The now-rescinded petition alleged that the Board's decision to remove the books violated parent's First Amendment right "to have their children access information and ideas within their school library." *Id.* at 15.

79. The now-rescinded petition also alleged that students have a First Amendment right to “receive information and ideas,” even when the information consists of pornographic content and other sexually explicit content and excessive profanities. *Id.* at 15.

80. The now-rescinded petition alleged that the Board’s removal of the books somehow “failed to ensure teaching and learning reflected principles of diversity, equity and inclusion (DEI), and failed to provide opportunities for all students to make educational progress through uses of materials that incorporate diverse perspectives.” *Id.* at 16.

81. The now-rescinded petition failed, however, to identify what specific “educational opportunities” students would be denied if the books were removed, and how those educational opportunities could not be served by the hundreds of other books remaining in the school library. *Id.* at 16.

82. On September 13, 2023, the Board held another meeting to discuss its August 9, 2023, decision to remove the books in light of the legal threats it had received. A copy of the Board’s Minutes is attached hereto as Exhibit I; see also Video of Board Meeting on September 13, 2023, available at [Exhibit J 9 13 23 BOE Meeting Part 1 \(youtube.com\)](#); [Exhibit J 9 13 23 BOE Meeting Part 2 \(youtube.com\)](#); [Exhibit J 9 13 23 BOE Meeting Part 3 \(youtube.com\)](#).

83. Jennifer Williams, Chapter Chair for Moms for Liberty, along with several other members of Moms for Liberty, attended and spoke at the September 13, 2023, Board meeting and urged the District to stand by its original decision.

84. Reverend Marchitell also attended and spoke at the September 13, 2023, Board meeting.

85. At the September 13, 2023, Board meeting, the President of the Board, Pamela Anstee, stated on the record that the sexual and obscene content of the books are not appropriate for school-

aged children, but indicated that she felt obligated by law to restore the books. Board Meeting Video, Part 3 at 2:53-5:30, available at [Exhibit J 9 13 23 BOE Meeting Part 3 \(youtube.com\)](#).

86. As the President of the Board explained orally at the time, and just after an executive session with legal counsel, the legal advice that the Board had received was that the law required retention of the challenged books regardless of their inappropriate content. *Id.*

87. The Board then voted to reverse course and reinstate the books, by a vote of 6-2. Exhibit I.

88. The Board recorded that “after further consideration of the Committee’s written report, the basis for the prior vote and upon advice of legal counsel, the Board rescinds the prior vote to remove the Challenged Materials.” Exhibit I, at 7.

89. The record is devoid of any discussion or consideration by the Board as to how each challenged book compliments or supports the school curriculum – a necessary factor when selecting appropriate material for the school library. *See* Policy 8320; see also Exhibits I; Exhibit F (containing the library committee’s “review” of each book and listing on the last page of each review the criteria for the school library when selecting books which includes “to provide materials **that will enrich and support the curriculum . . .**”).

90. The record is also devoid of any discussion or consideration by the Board as to how any of these books were appropriate for the “maturity levels of the students served” by the library including students as young as 12 years old – another consideration when selecting appropriate material for the school library. Exhibits I and J.

D. Petitioners Appeal to the New York State Education Department and the Commissioner’s Decision on Appeal

91. Petitioners timely appealed to the NYSED on October 13, 2023.

92. Petitioners personally served their Notice of Petition and Application for Stay upon Mr. Timothy VanDuyne, a member of the Clyde-Savannah Central School District's Board of Education.

93. The District served a response in opposition to the request for a stay on October 20, 2023.

94. The Commissioner denied the stay request on October 27, 2023.

95. On November 2, 2023, the District served its Verified Answer.

96. Petitioners served their Verified Reply on December 18, 2023, and then their Memorandum of Law, which included an Application to Submit Additional Exhibits, on December 20, 2023.

97. On April 14, 2024, Petitioners were notified that the Commissioner had received and accepted into the record an amicus curia brief submitted by the New York Library Association (NYLA) in this matter (8NYCRR 275.17) which propelled the same narrative suggested by the ALA – *i.e.* that concerns regarding inappropriate sexual content were merely a pretext to intimidate and threaten schools and librarians into denying access to diverse content. NYSED Dec. 18402, at 7 (expressing agreement with NYLA on this point), attached hereto as Exhibit K.

98. Just a few days later, the Commissioner issued a final decision, Decision No. 18,402, on April 25, 2024, dismissing Petitioner's appeal.

99. That decision first concluded that Petitioners had failed to demonstrate that Respondent's determination was "unlawful on the basis that the challenged books are per se inappropriate." Exhibit K at 4.

100. The Commissioner applied the definition of "obscenity" and three-part test articulated in *Miller v. California*, 414 U.S. 15, 24 (1973), governing the regulation of commercial

distribution of hard-core sexual content to adults (not school library content for minors) and concluded that “[p]etitioners failed to demonstrate that the challenged books here lack ‘literary, artistic, political and scientific value.’” *Id.* at 5.

101. The Commissioner acknowledged “that each of the challenged books contain some vivid and detailed accounts of sexual interactions. But that alone is not enough to justify their censorship.” *Id.* at 5.

102. The Commissioner went on to conclude that the Board’s deference to its library committee’s argument for the books to be retained, cannot be considered arbitrary or capricious. *Id.* at 6.

103. The Commissioner did not acknowledge, however, that the Board’s reconsideration was prompted by legal threats.

104. The Commissioner did not discuss how these books did or did not meet the necessary factors – including how these books complimented school curriculum and/or how the books were appropriate for the various maturity levels of the students served by the library. *See generally id.*

105. While the Commissioner’s review is of the Board’s decision, it nonetheless noted and took issue with the fact that Marchitell’s objection to one book, “All Boys Aren’t Blue” constituted disagreement with the author’s “personal and political views.” *Id.* at 6.

106. The Commissioner did not identify any evidence in the record to demonstrate that the Board’s decision was based on personal or political views, rather than a desire to protect students from excessive sexually explicit content.

107. As the record demonstrates, and the Library Committee acknowledged, the five challenged books addressed a wide array of topics and issues. These topics included bullying,

overcoming adversity, race, gun violence, immigration, feminism, gender, adoption, masculinity and peer pressure. Exhibit H, paragraphs 29-34.

108. No common single political, cultural, or social issue is woven throughout all five books.

109. The Commissioner also suggested that Reverend Marchitell's objections to certain books were not sincere and instead "emblematic of a 'dangerous nationwide trend of accusations used to intimidate and threaten schools and librarians into denying access to books on the basis of their content and the identities of their authors.'" Exhibit K, at 6-7.

110. The Commissioner determined that long-time Supreme Court precedent governing a school board's compelling interest and authority to limit vulgar speech and content in schools "is inapposite as [the Board] has not proposed any restriction on speech." *Id.* at 7.

111. The Commissioner held that the real issue "at the heart of this dispute" is "the right to academic freedom, intellectual, and personal freedom . . . and school librarians, whose duties are educational in nature, enjoy academic freedom to the same extent as classroom teachers." *Id.* at 8.

112. Relying solely upon the Supreme Court's plurality decision in *Board of Ed., Island Trees Union Free School Dist. No. 26 v Pico*, 457 U.S. 853, 872 (1982), the Commissioner held that students have a First Amendment "right to receive information and ideas through school library materials" irrespective of any academic study demonstrating that early exposure to sexual content is harmful to children. *Id.* at 8.

113. The Commissioner further determined that the *Pico* Court held that "boards of education lack authority, under the First Amendment, to 'prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion'" and likened a school's attempts to

expel students for failing to salute the flag to community concerns here of exposing young students to graphic sexual content. *Id.* at 8.

ARGUMENT

First Cause of Action:

**Respondents' Decision Was Arbitrary And Capricious,
And Constitutes An Abuse Of Discretion**

114. The Petitioner repeats and realleges each paragraph above as if fully set forth herein.

115. This cause of action is brought pursuant to C.P.L.R. § 7803(3).

116. Under New York law, “[a]n action is arbitrary and capricious when it is taken without sound basis in reason or regard to the facts.” *Ward v. City of Long Beach*, 20 N.Y.3d 1042, 1043 (2013) (quoting *Matter of Peckham v. Calogero*, 12 N.Y.3d 424, 431 (2009)).

117. An agency abuses its discretion when it takes action without “sound basis in reason” or lacking a “rational basis.” *See Pell v. Bd. of Ed. of Union Free Sch. Dist. No. 1 of Towns of Scarsdale and Mamaroneck, Westchester County*, 34 N.Y.2d 222, 231 (1974).

A. **The Board Decision to Reinstate Sexually Explicit Books in Its School Library Flies in the Face of Its Stated Duty, Interests and Educational Mission.**

118. The Supreme Court has explained that “[i]t is evident beyond the need for elaboration that a State’s interest in ‘safeguarding the physical and psychological well-being of a minor’ is compelling.” *New York v. Ferber*, 458 U.S. 747, 756-57 (1982).

119. In keeping with this compelling interest, courts have time and time again “sustained legislation aimed at protecting the physical and emotional well-being of youth *even when the laws have operated in the sensitive area of constitutionally protected rights.*” *Id.* (emphasis added).

120. The Supreme Court has also made quite clear that public schools have a widespread

“interest in protecting minors from exposure to vulgar and offensive spoken language,” and that the “fundamental values necessary to the maintenance of a democratic political system disfavor the use of terms of debate highly offensive or highly threatening to others. Nothing in the Constitution prohibits the states from insisting that certain modes of expression are inappropriate and subject to sanctions.” *Fraser*, 478 U.S. at 683 (internal quotations and citations omitted).

121. When evaluating student speech containing much milder content than what is contained within the books in this case, the Supreme Court quickly determined that sexual content – even sexual innuendos – in a school setting is “seriously damaging to less mature audiences consisting of 14 years olds [who are] on the threshold of awareness of human sexuality.” *Id.* at 683-84.

122. In New York, school boards of education have a “duty to ensure the safety of its students.” *Matter of Santer v. Bd. of Educ. of E. Meadow Union Free Sch. Dist.*, 23 N.Y.3d 251, 265 (2014). This duty stems from the “broad and well-settled principle” “that the State has a public policy in favor of protecting children.” *City Sch. Dist. of the City of New York v McGraham*, 17 N.Y.3d 917, 920 (2011); *see e.g., Villarín v Rabbi Haskel Lookstein Sch.*, 96 A.D.3d 1, 9 (N.Y. App. Div. 1999).

123. “[A] school has a duty of care while children are in its physical custody or orbit of authority, or if a specific statutory duty has been imposed.” *Chainani by Chainani v. Bd. of Educ.*, 87 N.Y.2d 370, 378 (1995).

124. Likewise, and as the New York State Education Department (NYSED) has also affirmed “the United States Supreme Court not only recognized the authority of the public schools to ban speech considered to be lewd or offensive, but also recognized the authority of the school

board to ban such speech *even when it might otherwise have been protected as ‘political expression.’*” *Matter of Parsons*, 1993 NY Educ. Dept. LEXIS 81, *5-6 (emphasis added).

125. As the Commissioner for NYSED previously noted in another opinion, while it is true that “[s]tudents do not shed their constitutional rights to freedom of speech or expression at the schoolhouse gate (*Tinker v. Des Moines Independent CSD*, 393 U.S. 503, 21 L Ed 2d 731, 89 S. Ct. 733) . . . the right of free speech is not absolute and ‘. . . must be balanced against society’s countervailing interest in teaching students the boundaries of socially acceptable behavior.’” *Matter of Parsons*, 1993 NY Educ. Dept. LEXIS 81, at *5 (citing *Fraser*, 478 U.S. at 681).

126. The District’s policy affirms the District’s obligation to protect children from harmful and obscene content and to only permit appropriate content that enhances the school’s educational mission.

127. District Policy 8271, relating to technology use and adopted “to ensure the safety of students,” requires that “technology protection measures apply to Internet access by both adults and minors with regard to visual depictions that are obscene, child pornography, or, with respect to the use of computers by minors, considered harmful to such students.” See Exhibit E, at 1.

128. District Policy 8271 makes clear that these protection measures are in place to achieve “the educational mission of the schools **including the selection of appropriate teaching/instructional materials and activities** to enhance the schools’ programs; and to help ensure the safety of personnel and students while online.” *Id.* (Emphasis added).

129. As the legal precedent and policies above demonstrate, the District and the Board have a duty to protect the students under its care, as well as a compelling interest in protecting minors from exposure to vulgar and obscene content because such content violates the educational mission.

130. The Board's decision to reinstate books containing excessive obscene or sexually explicit content flies in the face of its duty and its educational mission and constitutes an abuse of discretion.

B. The Board Failed to Follow Its Own Policies Governing the Selection of Appropriate Library Materials.

131. The federal, state, and local laws and policies cited above make abundantly clear that public schools and boards of education owe a duty of care and responsibility to students and that this duty includes careful consideration before *knowingly* and *intentionally* exposing minors to excessive sexually explicit content and profanities.

132. This duty and responsibility is carried out through the proper consideration of its own policies and procedures when selecting library materials, *see* Exhibit E (District Policy 8320), and to establish any legitimate pedagogical interest or other appropriate literary purpose for the obscene content.

133. As both District policy and the Library Committee's reviews affirm, library and other materials offered to students "**will enrich and support the curriculum, taking into consideration the varied interest, abilities and maturity levels of the students served.**" Exhibit E (District Policy 8320); Exhibit F (last page of each review outlines these necessary considerations).

134. Neither the Library Committee nor the Board identified how any of these books would enrich and support the curriculum offered by the Jr. and Sr. High Schools.

135. For example, how would the adult fiction romance novel, *It Ends With Us*, support the curriculum? Neither the Library Committee nor the Board considered this factor.

136. The Library Committee's "review" of each book merely consisted of the cutting and pasting of book reviews conducted by *outside* sources for the purposes of marketing, such as

the New York Times, Publishers Weekly and book vendors servicing both adults and children. *See* Exhibit F.

137. Neither the Library Committee nor the Board's consideration identifies how these sexually explicit books align with the maturity levels of the students as young as 12 years old who have access to the Jr./Sr. High School library.

138. Indeed, even the Library Committee's reviews affirm that at least two of the challenged books are recommended only for "adult" audiences – not for the middle or high school students who use the library. *See* Exhibit F, at 22 (noting that "Follett Titlewave, a vendor used by many school libraries, assigns *It Ends With Us* an audience of "adult" and further noting that the "Atria (Publisher) posts a recommended age of 18+"); Exhibit F, at 8 ("Follett Titlewave, a vendor used by many school libraries assigns *Jesus Land* an "adult" interest level.").

139. Further, appropriate ages for the other books varied widely depending on the publisher or vendor. *Id.*

140. In its haste to avoid a legal challenge, the Board failed to adequately evaluate and follow its own policies for selecting appropriate library materials.

141. Rather than evaluating each book to ensure it met the appropriate criteria, the Board reversed itself under the mistaken legal impression that it had no authority to protect students from excessive sexually explicit content and profanities when the books – at least in the Library Committee's opinion – contained some type of literary content and/or touched on controversial issues.

Second Cause of Action:
Respondents' Decisions Include Several Errors of Law

142. The Petitioner repeats and realleges each paragraph above as if fully set forth herein.

143. This cause of action is brought pursuant to C.P.L.R. § 7803(3).

144. Both the Board's decision to reinstate the sexually explicit books, and the Commissioner's decision to uphold it, were affected by errors of law.

A. Respondents Misapplied and Misinterpreted Supreme Court Precedent And Erred in Concluding that The First Amendment Accords Students An Unfettered Right to Access Sexually Explicit Material.

145. Respondents misinterpreted and misapplied the *Pico* case to hold that students have an unfettered right to access sexually explicit books.

146. In upholding the Board's decision to reinstate the sexually explicit books, the Commissioner stated that "the right to academic, intellectual, and personal freedom lies at the very heart of this dispute," and that "boards of education lack authority, under the First Amendment, to 'prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion' (*Pico*, 457 U.S. at 854)." NYSED Op., at 8.

147. First, and as demonstrated above, the record before the Commissioner fails to demonstrate that the Board sought to prescribe anything other than the excessive sexually explicit content contained within the books.

148. Second, the Commissioner's interpretation of *Pico*'s plurality as a holding of the Supreme Court is a clear error of law; Justice Brennan's plurality opinion is not binding. *Jones v. Jegley*, 947 F.3d 1100, 1106 n.3 (8th Cir. 2020); *see also Pico*, 457 U.S. at 885 (Burger, C.J., dissenting) ("Were [the plurality opinion] to become the law . . .").

149. Justice White's opinion (which did *not* contain any suggestion of the plurality principles the Commissioner relied on) represents the narrow grounds for judgment in *Pico* and is the controlling decision that governs First Amendment interpretation. *See Pico*, 457 U.S. at 883 (White, J., concurring in the judgment); *see also Griswold v. Driscoll*, 616 F.3d 53, 57 (1st Cir.

2010) (Souter, J.) (explaining “Justice White concurred in [Pico’s] judgment without announcing any position on the substantive First Amendment claim”); *Muir v. Ala. Educ. Television Comm’n*, 688 F.2d 1033, 1045 n.30 (5th Cir. 1982) (en banc) (finding Justice White’s opinion had the narrowest grounds for the judgment and therefore concluding the Court did not decide the “extent” or even the “existence” of “First Amendment implications in a school book removal case”).

150. Justice White explained the precise scope of the Court’s true holding in *Pico*:

The unresolved factual issue, as I understand it, is the reason or reasons underlying the school board’s removal of the books. I am not inclined to disagree with the Court of Appeals on such a fact-bound issue and hence concur in the judgment of affirmance. Presumably this will result in a trial and the making of a full record and findings on the critical issues. The plurality seems compelled to go further and issue a dissertation on the extent to which the First Amendment limits the discretion of the school board to remove books from the school library. I see no necessity for doing so at this point. . . . If, for example, the District Court concludes after a trial that the books were removed for their vulgarity, there may be no appeal.

Pico, 457 U.S. at 883 (1982) (Opinion of White, J.) (Emphasis added).

151. Accordingly, while the plurality in *Pico* held that “the Constitution protects the right to receive information and ideas,” 457 U.S. at 867, the Court also made clear that this right was not without limits and “that the school board has the authority to remove books that are vulgar.” *Fraser*, 478 U.S. at 684.

152. As the Court affirmed in *Fraser* (decided four years after *Pico*), “all Members of the Court, otherwise sharply divided, acknowledged that the school board has the authority to remove books that are vulgar.” *Id.* at 658 (citing *Pico*, 457 U.S. at 871-72; *id.*, at 879-81 (Blackmun, J., concurring in part and in judgment); *id.*, at 918-20 (Rehnquist, J., dissenting)).

153. Accordingly, rather than creating a right to vulgar or obscene speech, the true holding of *Pico* affirmed the responsibility of school districts to remove vulgarity from their schools.

154. Since *Pico*, the Supreme Court has again confirmed that “the constitutional rights of students in public school are not automatically coextensive with the rights of adults in other settings,” and “simply because the use of an offensive form of expression may not be prohibited to adults making what the speaker considers a political point, the same latitude must be permitted to children in a public school.” *Fraser*, 478 U.S. at 682 (*New Jersey v. T.L.L.*, 469 U.S. 325, 340-42 (1985)).

155. Indeed, “the First Amendment gives a high school student the classroom right to wear Tinker’s armband [a political message communicated without obscenity], but not Cohen’s jacket [a political message containing obscenity – *i.e.* ‘F*** the draft’].” *Id.* (citing *Thomas v. Bd. of Educ., Granville Central Sch. Dist.*, 607 F.2d 1043, 1057 (1979) (opinion concurring in result)).

156. The Supreme Court has also made abundantly clear that “[t]he First Amendment does **not** prevent the school officials from determining that to permit a vulgar and lewd speech . . . would undermine the school’s basic educational mission.” *Fraser*, 478 U.S. at 685 (emphasis added).

157. Obscenity including “sexually explicit” and “vulgar and lewd” speech “is wholly inconsistent with the ‘fundamental values’ of public school education.” *Id.* at 685-86.

158. Respondents cannot present any case precedent to support their contention that the right to academic freedom includes the right by and through the public school system to access the type of sexually explicit content contained within the books challenged herein consisting of graphic and detailed descriptions of sex, anal sex, and rape involving both children and adults.

159. The Board likewise relied on the same flawed interpretation of the First Amendment when reversing its original decision to remove the books.

160. Various comments made by Board members at the meeting confirm that the Board

misunderstood its obligations under the law at the time it voted to rescind its prior vote removing the books. For example, the Board's President, Pamela Anstee, stated.

I personally think having these books in our school libraries is abhorrent . . . I do not know of any parent in their right mind who would have [their children] read graphic descriptions of [explicit sexual encounters regarding bodily fluids]. That kind of stuff has business in our public library. . . I am very much opposed to these books. But, I am an elected official . . . , and we all said we would follow the Constitution of the United States and the State of the New York We have to vote like a jury. What is legal? Is it legal to write trash like that? Yes. Is it legal for students to read trash like that? Yes. Is it legal for that to be in school libraries? Unfortunately.

...

Legal doesn't necessarily mean its right.

Board Meeting Video, Part 3 at 2:53-5:30, available at [Exhibit J 9 13 23 BOE Meeting Part 3 \(youtube.com\)](#).

161. Then, President Anstee stated, in casting her vote, “[s]ince the vote has already passed, I am going to vote my conscience, not legal, and say no.” *Id.* at 7:15-7:22.

162. In a later vote on whether to accept the library committee's recommendations and reinstate the challenged books, while obviously being conflicted, President Anstee repeatedly muttered to herself, “[v]ote like a jury, vote like a jury. Yes.” *Id.* at 15:35-15:50.

163. The Board's decision was clearly guided by, and dependent on, an erroneous interpretation of both federal and state law – i.e., that it would be impermissible for the Board to remove the sexually explicit books.

164. The Board was improperly informed that that *Pico's* plurality was binding precedent upon it.

165. The Board was also improperly informed and believed that the Supreme Court had created an enforceable “right to receive information and ideas” that are sexually explicit through school library materials. *Pico*, 457 US at 867.

B. The Commissioner Erroneously Determined that the Supreme Court's Decision in

Fraser Was Not Applicable or Persuasive.

166. The Commissioner also committed an error of law in concluding that *Fraser* or other case law “regarding a school board’s authority to limit speech is inapposite here as respondent has not proposed any restriction on speech (*see e.g., Bethel Sch. Dist. No. 403 v. Fraser*, 478 U.S. 675, 678 (1986)).” *Id.* at 7.

167. There is no legal authority to support the Commissioner’s opinion that a school board’s authority is limited only to regulating *student* speech that is lewd or vulgar, and that it holds no authority to limit the same speech (verbal or written) brought into the school by non-students in books or other content.

168. In *Fraser*, the Court made clear that the *Pico* opinion “recognize[d] the obvious concern on the part of parents, and school authorities acting in loco parentis, to protect children – especially in a captive audience – from exposure to sexually explicit, indecent, or lewd speech.” 478 U.S. at 684.

169. Further, and as already noted above, the *Fraser* court affirmed that the ruling in *Pico* confirmed that boards of education have authority to remove books that are – just like student speech – vulgar or inappropriate.

170. The principles outlined in *Fraser* affirming a school board’s authority to regulate and remove vulgar content is not limited only to words spoken by students. Such a misinterpretation of *Fraser* would eliminate a school’s ability to remove a non-student speaker with the same access to students within the school walls as a student.

C. Respondents Misinterpreted and Misapplied State Law Governing the Proper Selection of School Materials and Curriculum.

171. The Commissioner erroneously concluded that “school librarians . . . enjoy academic freedom,” NYSED Op. at 8, to expose students to books containing sexually explicit

content including sexual intercourse, anal sex, and rape – even those rated for adults only.

172. The Commissioner also erroneously concluded that a librarian’s right to academic freedom is equal to and/or takes precedence over a school board’s interest and authority to regulate vulgar content. NYSED Op., at 8 (further noting that “school librarians . . . enjoy academic freedom”).

173. Neither the United States Constitution (as demonstrated above) nor the law of the state of New York recognizes any such right to academic freedom. On the contrary, “[b]oards of education have the right to ‘establish and apply’ curricula” – not teachers. *Appeal of Rickson*, N.Y. Ed. Dept. Decision No. 18,211, 2022 NY Educ. Dept. LEXIS 140 at *7-8 (November 22, 2022).

174. While the board of education’s selection of curriculum must be balanced against teachers’ right to academic freedom, see *Matter of Malvern Union Free Sch. Dist. v. Sobol*, 181 A.D.2d 371 (N.Y. App. Div. 1992), the right to academic freedom is not absolute. Teachers must first demonstrate that the instructional material (1) has educational value; (2) is relevant to the curriculum; and (3) is “suitable to the age and maturity of the students.” *Appeal of Rickson*, 2022 NY Educ. Dept. LEXIS 140 at *8.

175. The Commissioner erred in concluding that the law protects the right of librarians to, and even necessities that, school officials include sexually explicit materials in school libraries in the name of celebrating “diverse viewpoints.” *Id.* at 8 (arguing that “the vocation of a librarian . . . requires the commitment to freedom of speech and the celebration of diverse viewpoints unlike that found in any other profession”) (citing unpublished opinion).

WHEREFORE, it is respectfully requested that the Commissioner grant this Petition in all respects and issue an order to:

1. Annul the September 13, 2023, determination of the Board reinstating all five sexually explicit books to the Jr/Sr High School library;
 2. Issue a preliminary and permanent injunction requiring the District, its agents, officials, servants, employees, and any other persons acting in its behalf to remove the enumerated books (It Ends with Us; People Kill People; All Boys Aren't Blue; Jesus Land: A Memoir; and Red Hood) from their school library, in accordance with its "Objection to Instructional Materials and Controversial Issues" policy;
 3. Awarding attorney fees and costs as permitted by the New York Equal Access to Justice Act, C.P.L.R. § 8601; and
 4. Granting such other and further relief as this Court deems just and proper.
- (Oral Argument Requested)

Respectfully submitted,

/s/ Aurora Cassirer

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**Pro Hac Vice Motions Pending*

Department of State Division of Corporations

Entity Information

Return to Results

Return to Search

Entity Details



ENTITY NAME: MOMS FOR LIBERTY INC.

DOS ID: 6313931

FOREIGN LEGAL NAME: MOMS FOR LIBERTY INC.

FICTITIOUS NAME:

ENTITY TYPE: FOREIGN NOT-FOR-PROFIT CORPORATION

DURATION DATE/LATEST DATE OF DISSOLUTION:

SECTION OF LAW: NOT-FOR-PROFIT CORPORATION - 1304 - NOT-FOR-PROFIT CORPORATION LAW - NOT-FOR-PROFIT CORPORATION LAW

ENTITY STATUS: ACTIVE

DATE OF INITIAL DOS FILING: 10/27/2021

REASON FOR STATUS:

EFFECTIVE DATE INITIAL FILING: 10/28/2021

INACTIVE DATE:

FOREIGN FORMATION DATE: 10/28/2021

STATEMENT STATUS: NOT REQUIRED

COUNTY: NEW YORK

NEXT STATEMENT DUE DATE:

JURISDICTION: FLORIDA, UNITED STATES

NFP CATEGORY: CHARITABLE

ENTITY DISPLAY

NAME HISTORY

FILING HISTORY

MERGER HISTORY

ASSUMED NAME HISTORY

Service of Process on the Secretary of State as Agent

The Post Office address to which the Secretary of State shall mail a copy of any process against the corporation served upon the Secretary of State by personal delivery:

Name: COGENCY GLOBAL INC.

Address: 122 EAST 42ND STREET, 18TH FLOOR, NEW YORK, NY, UNITED STATES, 10168

Electronic Service of Process on the Secretary of State as agent: Not Permitted

Chief Executive Officer's Name and Address

Name:

Address:

Principal Executive Office Address

Address:

Registered Agent Name and Address

Exhibit A

Name:

Address:

Entity Primary Location Name and Address

Name:

Address:

Farmcorpflag

Is The Entity A Farm Corporation: NO

Stock Information

Share Value	Number Of Shares	Value Per Share

Appendix C: Request for reconsideration of Library Materials

If you wish to request reconsideration of school or library resources, please return the completed form to the Superintendent.

Name: Jacob Marchitell

Date: 04/17/2023

Phone: (315) - 200- 5802

Email: IcanAdopt@gmail.com

Date of the initial meeting with Librarian: Emailed on 04/17/2023 to set up appointment

Do you represent self, organization, or group? Self

If yes, please name the organization or group: N/A

1. Title and author on which you are commenting:
 - a. Title(s) & Author(s):
 - i. People Kill People by Ellen Hopkins - ISBN: 978-1-4814-4293-0 / 978-1-4814-4294-7
 - ii. It Ends with Us by Colleen Hoover - ISBN: 978-1-5011-1036-8
 - iii. All Boy's Aren't Blue by George M. Johnson - ISBN: 978-0-374-31271-8
2. What brought this resource to your attention?
 - a. GoFollett.Com
3. Have you examined the entire resource?
 - a. Enough of each book to lodge a complaint.
4. What concerns you about the resource? Please be specific, cite exact parts and explain why you have concerns (Use the other side or additional pages if necessary).
 - a. I spoke on my concerns at the most recent Clyde-Savannah Board of Education meeting, and gave the Superintendent a copy of the concerns. I also have a recording of the reading of the concerns available, and will provide it at the end of this questionnaire.
5. What value is there in this work?
 - a. In the work of objecting to the materials? There is great value in keeping sexual deviancy away from underage children.
 - b. In the work of the books themselves? I am unsure what value there is in communicating such sexually explicit behavior to underage children.
6. Are there resource(s) you suggest to provide additional information and/or other viewpoints on this topic?
 - a. <http://booklooks.org/book-reports>

STATEMENT TO: CLYDE-SAVANNAH BOARD OF EDUCATION ON 04/12/2023

(Public Officers Law - Article 7 - Section 103 - Subpoint "D" #1 says: "Any meeting of a public body that is open to the public shall be open to being photographed, broadcast, webcast, or otherwise recorded and/or transmitted by audio or video means)

Hail to thee Dear Clyde Savannah, Eagles soaring high; through these hallowed halls...our children have been reading filth. If we aspire to be a student-centered community that promotes diversity to meet today's goals and tomorrow's opportunities, then we should reel back at our young minds reading things from the books our School Library, like this excerpt from **"People Kill People" by Ellen Hopkins-pg.138** which was checked out over Spring Break by a CS Student,

"That part didn't hurt and, in fact, you were surprised that your wiener responded positively. Still, you knew it was wrong, so wrong, and you tried to get away. "Oh, no. Not yet." He said. The hand holding you gripped tighter while the other unzipped your pants and yanked them off in one swift, well-practiced motion. You struggled, but couldn't come near to matching his physical strength. He unbuttoned his own fly, freeing his sorry erection to worm its way between your butt cheeks. He slapped a hand over your mouth. "This might hurt a little if it's really your first time. Let's see if it is." He said. If there was one small saving grace, it was that he possessed a pencil dick. Still, when he drove it inside you, the pain was exquisite and you screamed into his filthy palm."

OR

"It ends with us" - Colleen Hoover - pg.173 Which was taken home by student on or around February 28th

"He grips my hip with one hand while shoving my panties aside with the other. Then he pushes forward until he's all the way inside of me. His hand slides down my stomach and settles between my legs. I can no longer keep up with his rhythm. I can barely even stay on my knees. He's somehow holding makeup with one hand and destroying me in the best possible way with his other hand."

OR "All boys aren't blue" by George M. Johnson - pg266

"I put some lube on and got him up on his knees, and I began to slide into him from behind. I tried not to force it because I imagined that it would be painful; I didn't want this moment to be painful. So I eased in, slowly, until I heard him moan...As we moved, I could tell he was excited and I was, too,... I finally came and let out a loud moan—...I pulled out of him and kissed him while he masturbated. Then, he also came."

For those you who were unaware of these books, and many more just like it, which I'm hoping many of you are -- I must, out of my deep love and concern for my neighbor, let you know that NY State Penal Law 235.21 says that A person is guilty of Disseminating Indecent Material to Minors - A Class E Felony; when they provide to a child any book, pamphlet, magazine, printed matter however reproduced, or sound recording which contains, any matter of explicit & detailed verbal descriptions or narrative accounts of Sexual Excitement, Sexual Conduct or Sado-Masochistic abuse & which, taken as a whole, is harmful to minors.

In closing, I would like to remind you that the eyes of the NY State Government are pointed in your direction. The eyes of the Parents of this wonderful Community are watching, and the unclosing eyes of God, who knows no rest and holds all power within His hands, are ever upon those who willingly promulgate pornography to children.

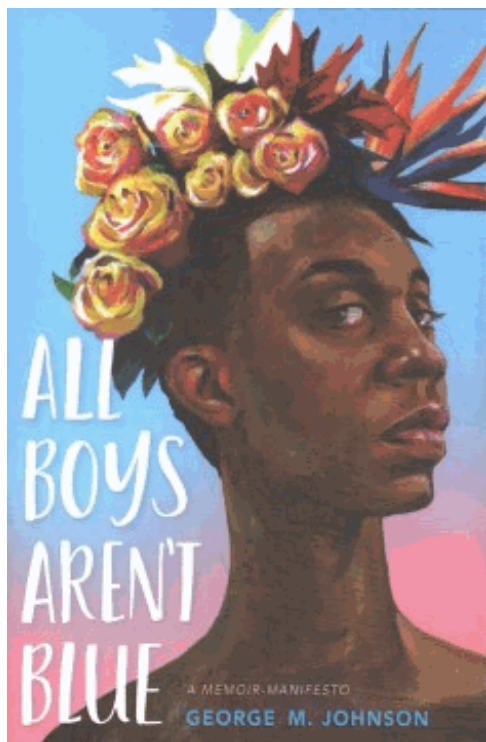
Soli Deo Gloria

Rev. Jacob Marchitell

icanAdopt@gmail.com



ALL BOYS AREN'T BLUE



Book Summary:

A gay black man remembers his turbulent childhood and adolescence.

Summary of Concerns:

This book contains sexual nudity; sexual activities including sexual assault; alternate gender ideologies; profanity and derogatory terms; alcohol and drug use; and controversial racial commentary.

Young Adult

By George M. Johnson

ISBN:978-0-374-31271-8

CONTENT WARNING

You are about to access material that may contain content of an ADULT nature. These files may include pictures and materials that some viewers may find offensive. If you are under the age of 18, or if such material offends you or if it is illegal for you to view these materials, please exit now.

4

/5

Not For Minors
BookLooks Review Rating



Page	Content
vii	<p>This book will touch on sexual assault (including molestation), loss of virginity, homophobia, racism, and anti-blackness. These discussions at times may be a bit graphic, but nonetheless they are experiences that many reading this book will encounter or have already encountered.</p> <p>Within these pages, the word nigger or nigga appears, sometimes in full and sometimes abbreviated as n****. The same is true for fag and faggot, and their abbreviations.</p>
1	BLACK. QUEER. HERE.
2	<p>The "It's a girl! No, it's a boy!" mix-up is funny on paper, but not quite so hilarious in real life, especially when the star of that story struggles with their identity. Gender is one of the biggest projections placed onto children at birth, despite families having no idea how the baby will truly turn out. In our society, a person's sex is based on their genitalia. That decision is then used to assume a person's gender as boy or girl, rather than a spectrum of identities that the child should be determining for themselves.</p> <p>...It's as if the more visible LGBTQIAP+ people become, the harder the heterosexual community attempts to apply new norms. I think the majority fear becoming the minority, and so they will do anything and everything to protect their power.</p>
3	<p>Look up intersex if you're confused about "other."</p> <p>...When our gender is assigned at birth, we are also assigned responsibilities to grow and maneuver through life based on the simple checking off of those boxes. Male. Female. Black. White. Straight. Gay. Kids who don't fit the perfect boxes are often left asking themselves what the truth is:</p> <p>Am I a girl? Am I a boy? Am I both? Am I neither?</p>
4	<p>Unfortunately, we are still struggling to move the conversation past an assumed identity at birth. And LGBTQIAP+ people are not just fighting for the right to self-identify and be accepted in a society that is predominantly composed of two genders...</p> <p>...I started writing this book with the intention that every chapter would end with solutions for all the uncomfortable or confusing life circumstances I experienced as a gay Black child in America. I quickly learned this book would be about so much more. About the overlap of my identities and the importance of sharing how those intersections create my privilege and my oppression.</p>
5	<p>We all go through stages of accepting or struggling with our various identities- gay, straight, or non-identifying.</p> <p>...In the white community, I am seen as a Black man first- but that doesn't negate the queer identity that will still face discrimination.</p>
6	<p>I believe that the dominant society establishes an idea of what "normal" is simply to suppress differences, which means that any of us who fall outside of their "normal" will eventually be oppressed.</p>



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7	<p>Surrounded by whiteness, I wasn't going to dare let my classmates get comfortable using that word with or around me. Anytime a white student even tried to utter it, I checked them. White kids love to test Black kids on things like that. Certain Black kids were fighting so hard to fit in, they would let white kids steal that part of our culture just so they could pretend they were accepted in white society.</p> <p>...The n-word was the last word heard by many of my ancestors when they were being beaten and shackled- forced into enslavement in a new land. It was the last word heard by my people when they were lynched as a spectacle for white people.</p>
8	<p>At that time, I was learning how to be "a respectable negro"- with the good grades and a college degree, attempting to fit into white society,...</p>
9	<p>But now I know that queerness is a part of Blackness, and that there is no Blackness without queer people.</p> <p>Then, early in 2012, Trayvon Martin was killed by George Zimmerman- and my entire perspective shifted on being a Black person in this society.</p> <p>...My eyes were opened by seeing the shooting of Black people at the hands of police. Seeing the killing of Black children like Tamir Rice at the hands of police. Seeing that it didn't matter whether you were an affluent Black, a poor Black, a child, or an adult. In the eyes of society, I was still a n****.</p>
10	<p>I understand now that there is no such thing as "a respectable negro" in the eyes of society, nor was I ever made to be one.</p> <p>BLACK.</p> <p>...That being different didn't mean something was wrong with me, but that something was wrong with my cultural environment, which forced me to live my life as something I wasn't. The fact that I couldn't see my full self in Black heroes or the history books was more about the changing of history to spare white guilt than it ever was about me knowing the whole truth.</p>
11	<p>...I had to deal with the intersection of Blackness and queerness- and the double oppression that generates-...</p> <p>...Fighting for Blackness in a white space came naturally to me...</p>
13	<p>I want to immortalize this...narrative of the Black queer experience that has been erased from the history books.</p>
20	<p>My brother and I grew up middle class, or at least what Black folk were supposed to think was middle class.</p> <p>...We were blessed to have parents who understood what it was like to have the bare minimum, and who ensured their kids never experienced that same plight. We are a rarity amongst most Black folks, who don't get to have intergenerational wealth like our white neighbors just one block over.</p>
22	<p>Unfortunately, my life story is proof that no amount of money, love, or support can protect you from a society intent on killing you for your Blackness. Any community that has been taught that anyone not "straight" is dangerous, is in itself a danger to LGBTQIAP+ people.</p>
23	<p>I used to daydream a lot as a little boy. But in my daydreams, I was always a girl.</p>



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28	I wish I knew what motivated the attack. Could it have been because I was effeminate? Could it have been a race thing, since the main assaulter was a white boy from a different part of the neighborhood?
31	<p>There can be both fear of your own community and a fear of dealing with bullying from other children who don't respect your identity.</p> <p>...As an adult, I have gone through the unlearning to understand that my community's treatment of Black queer children is in fact a by-product of a system of assimilation to whiteness and respectability that forces Black people to fit one mold in society, one where being a man means you must be straight and masculine.</p>
47	This is about identity. This is about culture and how it dictates what is a "good" and "bad" name, especially in the Black community. This is about the politics around sex and gender, and that when our parents choose a name that we as children are uncomfortable with, we have the right to change it.
49	When we see our children not conforming to the societal standards of heterosexuality or we see them gravitating to things of the "opposite gender," I would love for us to ask the deeper questions about who and what they are.
50	<p>As we continue to grow through sex and gender, many people will take back their power and change their names- choosing one that fits the person they are, not the one society pushed them to be.</p> <p>...Suffice it to say, respect people for their names, and for how they choose to identify. This also goes for respecting people and their choices of pronouns- he/him, she/her, they/them, go, goddess, or whatever. We are conditioned to think these things should be the expectations. People being allowed to be called by their chosen names and their gender pronouns is the rule.</p> <p>Let yourself unlearn everything you though you knew about yourself, and listen to what you need to know about those who navigate life outside the margins of heterosexual box. I bet most of you never thought to ever question if you even like your name. Or question if that was something you had the power to change if you didn't. I hope you will now...</p>
57	Boys were supposed to speak one way. And girls were supposed to speak another. So, I would do my best to not use girl lingo when I was around boys, and vice versa. I was "code-switching" long before I knew what code-switching was.
58	<p>I had created my first term in gay lingo, even though I didn't know what being gay was.</p> <p>...Lingo that children like me were ostracized for using. Lingo that queer children today still get ostracized for using. And yet straight people use it out of context safely.</p> <p>This lingo or slang was created by "Black femmes," which is an umbrella term that captures Black trans women, Black queer men, nonbinary folk, cishet Black women, and anyone else I may be missing. However, a lot of this history has been erased from those who identify as queer, which has allowed the notion that queer culture comes from emulating Black cishet women to spread. But it's not true. That erasure also allows the hetero community to get "a pass" for using language that would often get queer folk harmed.</p>



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63	...I realized the only place that was truly safe for me would be in my imagination. My ability to be a kid came at the expense of my gender identity.
71	...I would sit with the boys and talk about "boy" things, but then immediately go to recess and get with my girls. Code-switching like that, navigating disparate spaces like that, was pretty much normal.
75	<p>People who are straight that associate with me now, as an adult, still get questioned about their sexuality. Simply because they are friends with me. Adults who participate in homophobia create kids that do the same.</p> <p>Homophobia denies queer people happiness.</p> <p>...Homophobia is the reason that so many who currently play sports are closeted- as there is no way football, baseball, and basketball are 99.9 percent heterosexual.</p> <p>...Dominant culture's inability to integrate his queerness into a masculine-centered sport like football stole the opportunity of a lifetime from him.</p>
83	<p>Despite my school consisting of mostly Black students, there were only a few Black faces on the walls of our hallways...each alternating with white historical figures.</p> <p>...However much we focused on the older white faces in American history, there was always one time of the year that was dedicated to us Black students. I recall that the few white students we had always seemed a bit out of place on February 1. It was like the tables had turned for a change, and we got to be the center of attention.</p>
84	<p>My K-12 education mirrored my other systems that oppress the Black community- with Black children being taught by predominantly white staff. From the principal down to the guidance counselor, we were surrounded by white authority figures in my elementary school. We had a minimal number of Black teachers, but Black folks were always the janitors, lunch ladies, and secretaries, which wouldn't be a problem if they also held positions of power.</p> <p>...Our being the "center of attention" meant we got to learn about people that looked like us for a change.</p>
85	<p>But white teachers were all I knew. Every single teacher I had for my years in elementary school was white. The only Black teachers, Ms. Chiles and Mr. Robinson, had a reputation for having the "bad students." Funny how those classes had only Black students in them.</p>
86	<p>There are levels to the oppression.</p> <p>...White history didn't need a month; we were always learning about it. And because we had one teacher teaching various subjects, we learned history every day, but mainly centered about how much the white forefathers did to create the United States.</p>
87	<p>What it doesn't show is that the Pilgrims stole the American Indians' food when they first arrived on the Mayflower, because they weren't prepared for winter. And many American Indians died from the diseases brought by white settlers. "Peace" was often a survival tactic.</p>
88	American History is truly the greatest fable ever written.



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90	<p>I wrote all the lyrics to the rap and taught them how to flow. There were two white boys in our group and I remember them struggling, but me and another Black kid go them up to par.</p> <p>...Again, it was easy to pay homage back then to white historical figures because we learned about them through the lens that they were concerned about us all. The interesting thing about studying history is how much it starts to change based on the school setting and who is teaching it. And it's not always about how those teachers view history, but how they view you. And your place in history. The history I learned in elementary school began to unravel once I hit junior high. Here, all my teachers were Black, and the population of students was overwhelmingly Black. We began learning history that was inclusive to slavery, as well as those historical figures like Washington and Jefferson and how they had some not-so-great history to them. We had teachers who wanted to make sure we really knew what it meant to be Black in America.</p>
91	<p>It's important that I say this, because the white community has long prevented Black progress in every arena. Even today, institutions are still having "the first Black person to..."</p>
95	<p>A Black identity that was making me more radical in my thoughts as a teenager and more willing to push back against the whitewashing of Black history.</p>
96	<p>Leaving junior high, I had a whole new outlook on Black history and race in this country. Even though I was only fourteen, I was well aware of what it meant to be a Black "man" in the eyes of society. It wasn't lost on me how racist the Rodney King beating was. Or how divided the world was shown to be with the O.J. Simpson verdict- which many in the Black community saw as a win against a justice system that rarely, if ever, would let a Black man get off. Especially one accused of killing a white woman.</p>
97	<p>Though my dad was a cop, he knew that being his child wouldn't protect me from how police interacted with Black boys. So my parents taught me early about how you behave so that you don't end up a statistic. "The Talk" is what we call it in Black families.</p> <p>...about the dangers of interacting with non-Black people, because they will assume the worst of you as a Black boy.</p> <p>..."...You just can't be so trusting of white people with your history."</p> <p>...These sentiments were echoed by my father, who worked on a predominantly white police force.</p>
98	<p>I was one of the token Black kids at the Bishop George Ahr High School in Edison, New Jersey, a Catholic school that was primarily white and Filipino.</p> <p>...Racism was common at my high school, but mainly covert. I was never called a nigger, but I did deal with weird, racially charged questions...</p>
99	<p>Microaggression is the academic term for what I was experiencing. Simply put, it's when a person insults or diminishes you based solely on the marginalized group you are in. It's called "micro" because that person isn't outright calling you a n**** or a fa* or both. Instead, they're calling attention to your differences in a low-key way. At times it can seem almost innocent or naïve, but make no mistake, these small things become big over time. These little assumptions grow to create an entire stereotype. This kind of microaggressive behavior often leads to overt</p>



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	<p>racism or homophobia, eventually.</p> <p>Sometimes it's intentional, like non-Black kids asking questions with a negative, condescending type of vibe to rattle you. But other times, a person doesn't even know that they've insulted you or your culture.</p> <p>...If someone asks you a question and you have to squint your eyes and twist your face a little to make sure heard them correctly, you've probably just dealt with a microaggression.</p>
100	<p>You'll find that people often use the excuse "it was the norm" when discussing racism, homophobia, and anything else in our history they are trying to absolve themselves of. Saying that something was "a norm" of the past is a way not to have to deal with its ripple effects in the present. It removes the fact that hate doesn't just stop because a law or the time changed. Folks use this excuse because they are often unwilling to accept how full of phobias and -isms they are themselves- or at least how they benefit from social structures that privilege them.</p>
101	<p>Why didn't he see that white people, had made a choice to enslave another race? There were abolitionists who were able to see it was wrong, and Quakers who were able to see it was wrong, so why couldn't all white people see it was wrong?</p>
103	<p>No wonder so many kids of color and queer kids don't feel they have the opportunity to speak for themselves.</p> <p>...Black kids are given harsher penalties for the same offenses as white kids. Back then, it was business as usual. Suffice it to say, when white kids spoke up, it was taken as nonthreatening, but when Black kids spoke up, it was clearly different.</p> <p>...When we hear the media use the term alt-history, it is in direct correlation to what America has always been.</p> <p>All that I knew about white history as a child had been disproved by the time I became a young adult.</p> <p>...Honest Abe lied to you.</p> <p>I won't.</p>
115	<p>...in the Guardian on post-segregation public swimming pools, she explains how Black kids drown at roughly three times the same rate of white kids due to a lack of resources, both tangible and cultural, as well as racism. It's interesting how many things in this country white kids do as a given but Black kids continue to struggle with for generations. Black folks have always had a complicated connection to water, and even a fear of it dating back to our enslavement.</p>
118	<p>Too many watch in silence while others in the community suppress Black queer people.</p>
125	<p>You are living proof that it really isn't as hard as most think to get along with and enjoy the company of people from different sexual identities.</p>
126	<p>...to brothers playing ball together, *whispers* smoking weed together,...</p> <p>...Black babies are born into oppression despite any additional marginalizations.</p>
127	<p>My queer identity is a part of my Blackness...</p>
132	<p>Although division of people through intelligence isn't exclusive to the Black community, it has much different connotations when you know that white folks,</p>



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	regardless of where they fall in school, can achieve. ...There will always be a different set of standards for us.
140	...around the world who fight for little Black boys and girls and gender nonconforming people who are considered different.
148	"...White people taught y'all to be afraid of ghosts. That's why they used to dress up in sheets like them..."
158	I watch Black men criticize Black queer boys every day. And that's not to say my community is more homophobic than others or that I don't see where Black straight men affirm me, but by and large, it's not enough.
159	My father taught me that as much as I feel that straight Black men are often my oppressors... ...That the social conditioning that told us to hate our own because of sex and gender...
160	I'm going to write this in the only language I knew at the time- in my adolescent years before I had a full understanding of transphobia and the actions that fed into it. Knowing what I know now, there would've never been the misgendering, or the switching between your birth name, Jermaine, and your chosen name Hope.
164	...the world still isn't a safe and accepting place for trans people. Some days I fear it may never be.
165	I was unsure if I was a boy or a girl or a science project...
168	I was proud of how strong you were to make that decision to transition, knowing that society is no safe space to live in that existence.
169	I also knew by this point in my early teens that I wasn't going to be a transgender. ...As a young boy I was effeminate and figured that I was supposed to be a girl- because I liked girl things and had girl mannerisms. That was all I could process from the age of five until I was about twelve, because I didn't have a full vocabulary for gender and sexuality. My daydreams didn't feature me as a boy, but as a girl named Dominique-...
170	My belief that I was supposed to be a girl also correlated with my attraction to other boys. Girls liked boys. I didn't know that boys could like boys. At that time, the only representation I had of what happened when a boy liked a boy was watching my cousin transitioning. Which then led me to think that I might possibly be transgender. I thought that meant "a boy who wanted to be a girl" and you were the physical representation of what that looked like. For many of my younger years, I did have the mind-set that one day I would likely transition to a girl.
172	Growing up with transgender people in our family was a norm for us...
175	You taught me a lot about myself and that an LGBTQIAP+ community did exist. ...A Blackness that can't tolerate and protect queerness. A white society wanting to destroy us all.
177	I know it was likely even harder raising a Black queer kid in a society that already makes it difficult to raise a Black child without the additional marginalization. ...Making my godmother Aunt Audrey, who just happened to be a lesbian,...



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182	This is likely the hardest chapter I'll ever write. And frankly, I'm not even sure if it fits with the themes of Blackness or queerness or critical race theory in this book—nor do I really care.
184	We would sneak and drink liquor from the liquor cart and refill the bottle with water.
201	<p>"Yeah." But I laughed and said, "Get your hand off my butt."</p> <p>You giggled. "That's not my hand."</p> <p>"You're lying," I said. You then placed both hands on my hips, as we lay side by side. There was still something poking me.</p> <p>You were fully erect at this point. I was nervous. "We gonna get in trouble."</p> <p>"You can't tell anybody, okay?" you said. "You promise that you not gonna tell anyone?"</p> <p>I promised. You then grabbed my hand and made me touch it. It was the first time I had ever touched a penis that wasn't my own. I knew what was happening wasn't supposed to happen. Cousins weren't supposed to do these things with cousins. But my body didn't react that way. My body on the inside was doing something, too.</p>
202	By now we were both touching each other. I tried my best not to enjoy it, because you were my cousin. We were crossing a line that family should never cross. But it felt so right for a boy who always felt that he was wrong. To know someone else was having those same feelings validated everything going on inside of me. I knew it wasn't fake. But the fact that we were doing it in secret also told me this wasn't something anyone would accept. Especially your girlfriend.
203	<p>I had never done anything sexual with anyone up until that point, despite my friends in school all talking about losing their virginity.</p> <p>We sat there for about ten minutes before you finally stood up. You then had me stand up with you. At this time, you were much taller than me, probably by a good foot. You told me to take-off my pajama pants, which I did. You then took off your shorts, followed by your boxers. There you stood in front of me fully erect and said, "Taste it." At first, I laughed and refused. But then you said, "Come on, Matt, taste it. This is what other boys like us do when we like each other." I finally listened to you.</p> <p>The whole time I knew it was wrong, not because I was having sexual intercourse with a guy, but that you were my family. I only did that for about forty-five seconds before you had me stop. Then you got down on your knees and told me to close my eyes. That's when you began oral sex on me as well. It was the strangest feeling in the world. Unfortunately, I didn't have a handbook to earn sexuality as a queer boy. My crash course was happening right in front of me, and despite the guilt I was feeling, there was also euphoria. Things were happening to me that I couldn't explain. Feelings and emotions I had not known existed.</p> <p>After a minute or so, you stopped. You then laid me on the ground and got on top of me. You began humping me— back and forth back and forth—never penetrating me, though. It was just our bodies on top of each other going back and forth for several minutes while the music on the TV played in the background. Aretha Franklin was singing "A Rose Is Still a Rose." The irony of a song playing in the background about the deflowering of a young girl being used by a man. The</p>



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	<p>irony of me lying on the basement floor.</p> <p>You eventually got up off me and told me to come to the bathroom, that you wanted to show me one more thing. You turned on the light and closed the door. You began stroking yourself in front of me. I just stood there nervous because I didn't know what to expect next. You said, "Just keep watching, Matt." So I stood there and watched you for several minutes.</p> <p>Then you began to moan slightly. I took a step back because I didn't know what was about to happen, and then it did. You ejaculated into the toilet in front of me. I was very unaware of what sex involved at the time— primarily because I stayed away from it. I knew I didn't like girls that way, and the first thing folks would ask you if you inquired about sex was whether "you were fucking or not." And I wasn't. We also had the bare minimum of sex education in school, so I was unaware of a lot of things.</p> <p>Watching you ejaculate was shocking. I remember you telling me, "It's semen. One day when nobody is around, you should do this until you get this feeling you never felt before and bust."</p> <p>Watching you ejaculate was shocking. I remember you telling me, "It's semen. One day when nobody is around, you should do this until you get this feeling you never felt before and bust."</p> <p>I looked at you and said, "I can't do that, I'm not old enough yet."</p> <p>You laughed. "Matt, you are old enough. Go ahead and try it."</p> <p>By this point, fear had overcome me and so many lines had been crossed that I finally said, "I don't want to do it."</p> <p>"That's cool. Come on, let's go to bed."</p> <p>We went back upstairs and both went to bed. You rolled over to face the wall, and I sat there. For hours. I sat there until the sun came up, not knowing what to do or say or how I would face my parents. I finally fell asleep in the early morning. I woke up a while later, after you. You were still in bed behind me but watching TV. I rolled over and looked at you, and you said,</p> <p>"Remember our promise, Matt? "</p>
207	<p>Two weeks after that night, I masturbated for the first time, and you were right. I was old enough to experience that feeling of what I would later learn is called an orgasm. Despite knowing that what happened with you was wrong, I now knew that I was definitely attracted to boys.</p> <p>...I was soon a high school freshman, with sexually active teens all around me.</p>
208	<p>I unzipped my pants and began to pee in the stand-up urinal in the corner. I was there for about ten seconds before I felt someone come up behind me. At first, I froze because I didn't know what was happening. He put both his hands around me and then moved down to touch my genitals. I could feel every nerve in my body start to tingle. I didn't know who was behind me, but I knew that I was being violated.</p> <p>I immediately stopped peeing, turned around, and pushed him off me. It was a boy I will refer to as Evan. Although we weren't friends, I knew who he was. We were in the same grade and had taken classes together before.</p> <p>I zipped up my pants and yelled, "What the fuck are you doing? "</p> <p>"Yo, I'm just playing. Chill out," Evan yelled back.</p>



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	"I don't play like that," I said. "Don't tell anybody, okay?" "I won't. Just get out of here."
209	Further more, I realized that there were more people like me hiding in plain sight.
210	"...Did anyone explore things with you sexually before you were ready? Who taught you about sex in a way that you weren't ready to understand- in a way that made you think I needed to get it firsthand from you, so I would know who not to trust?"
225	It was the same microaggression, the same "I wanna be down" type of stuff we often saw from white kids who wanted to participate in our culture. Today, we call them "culture vultures." All the white students erupted in praise and excitement, while most of the Black students just sighed. It was the last moment of anti-Blackness I wanted to ever deal with at that school My culture was a joke to them the entire time I was in high school- something that they could play with while never suffering the oppression that those who created it did.
228	It's one thing to deal with just Black kids and worry about sexual identity. It's entirely different to struggle with white kids because I was Black, and Black kids because I was gay. That double marginalization was a tiresome burden.
233	I had been in a sea of whiteness for four of the most important years of my life and my integration back into Blackness wasn't clicking for me.
237	Every new person you meet, you are likely having to explain your identity.
244	When I would get home, I would meet up with Baron and our friend Syd, and we would go smoke weed and play basketball. I was smoking up to three blunts a day, working, partying, drinking, and not going to class. I was what one would call "smoked out" and it showed.
245	I got back to school that next semester more motivated than ever to correct the wrongs of the one prior. The first was my weed habit, which had grown out of control. Purple haze, as it's called, was my favorite vice. The weed made everything less real. All the depression, the anger I was feeling. The weed also allowed me to be in the room with others who didn't care that I was hiding my sexuality. It was my masculinity coping mechanism. All the hood boys smoked, and so did I.
247	During campus parties in the Square, the brick walls would literally "sweat" as the liquor came out of our pores while we were dancing.
257	"I heard you were gay. We don't allow that f***** shit in our chapter."
262	I never daydreamed about sex with another boy. When I did think about sex, I was a girl having sex with a boy. I created an alter ego in my mind named Dominique that looked how I would look if I were a girl, and she would have sex with any of the boys I daydreamed about. That was the only thing that ever made sense to me, until I finally didn't. College opened my eyes to some things.
263	We learned the basics about sex. What an erection was, what sperm did and how it traveled to 'an egg to create a baby. We learned about STIs like chlamydia, gonorrhea, and HIV. But again, surface-level information. Nothing about how



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	<p>these infections harm one community more than the other—especially HIV in the Black community.</p> <p>We also didn't learn about sex between two men. I focused on masturbation instead of sex, primarily because I still could not imagine myself having sex with anyone else. The feelings I had were for boys, but 'the only encounters I'd had with boys—Thomas and Evan—weren't the same as what I had seen in love stories or pornography. Those were mostly between men and women, and they were excited and confident with each other. The porn stories were so romanticized, but the passion was there. Even the corny storylines were better than my lived experience—which consisted of no romantic love at all. So, sex with myself was going to have to suffice until I had the ability to trust myself with someone else.</p> <p>That moment for me didn't come until my junior year of college. I remained a virgin until I was almost twenty-one years old, something unheard of in my family. It had been a daunting task to lie about having sex (and with a girl) to all of my heterosexual cousins. I had never seen a vagina other than in the movies, and had no desire to.</p>
266	<p>As we kissed, he began unzipping my pants. It was clear to me in this moment that he wasn't new to this.</p> <p>He reached his hand down and pulled out my dick. He quickly went to giving me head. I just sat back and enjoyed it as I could tell he was, too. He was also definitely experienced in what he was doing, because he went to work quite confidently. He then came up and asked me if I wanted to try on him. I said sure. I began and he said, "Watch your teeth." I didn't want to let him know I was inexperienced. So, I slowed down and took my time and luckily got into a good rhythm. He didn't know I was a virgin, and I did my best to act dominant like my favorite porn star. I was an actor, and this was my movie.</p> <p>There was so much excitement running through my body: This was much more than losing my virginity. For once, I was consenting to the sexual satisfaction of my body. This moment also confirmed that sex could look how I wanted it to look. And that it could be passionate and kind, but most importantly, fun and satisfying. His body felt great in my mouth.</p> <p>I came up after a while and kissed him again. We both got up and went into his bedroom, where we got completely naked. He took off his clothes and immediately lay on his stomach. I then took off my shirt, and then my boxer briefs. I got behind him. There was moonlight coming through the shades of the dark room. Two Black boys under the glow of blue moonlight. How poetic, dare I say ironic?</p> <p>Now, I was scared as hell. One, because I didn't know what I was doing and clearly, he did. Two, because it was still college, and my fear of word getting out that I was inexperienced or bad in bed would have been too big of a campus rumor. Let alone that I was having sex with men and a friend of someone in my chapter.</p> <p>For the first few minutes, we dry humped and grinded. I was behind him, with my stomach on his back as we kissed. After a few minutes of fun and games, he got up and went to his nightstand, where he pulled out a condom and some lube. He then lay down on his stomach. I knew what I had to do even if I had never done it</p>



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	<p>before. I had one point of reference, though, and that was seven-plus years of watching pornography. Although the porn was heterosexual, it was enough of a reference point for me to get the job done.</p> <p>I remember the condom was blue and flavored like cotton candy. I put some lube on and got him up on his knees, and I began to slide into him from behind. I tried not to force it because I imagined that it would be painful; I didn't want this moment to be painful. So I eased in, slowly, until I heard him moan.</p> <p>As we moved, I could tell he was excited and I was, too, but the pride in me told me not to show it. I felt like I was in control and proud of myself for getting it right on the first try—all the while still being nervous. I wanted to stay dominant in that moment. We went at it for about fifteen minutes before I started to get that feeling. Weakness in the legs, numbness in the waist. I finally came and let out a loud moan—to the point where he asked me to quiet down for the neighbors. I pulled out of him and kissed him while he masturbated. Then, he also came. That night was glorious. I had conquered a fear and had sex with a man on my own terms.</p>
269	<p>For me, I was finally on my journey of sexual exploration and couldn't wait to do it again.</p> <p>He and I had sex a second time two weeks later, before school let out for summer. ...I had several sexual encounters that involved mutual masturbation and kissing and fooling around, but I just couldn't bring myself to have penetrative sex again. I was hesitant because I still had a lot of questions. As much as I enjoyed being on top, I wasn't sure if I always wanted to be the dominant person in the bedroom. I was still a novice at sex, and even more at gay culture and sexual positions. I wasn't sure if because I "topped" him, that meant I always had to be the top. I also wanted to try the bottom position, which I associated with being the more submissive person.</p> <p>...I just needed time to reflect, and figure out if sex for me was going to be the casual hookup thing or if I was ready to now seek something more.</p>
270	<p>By that time, I was using a dating app online called Black Gay Chat.</p>
271	<p>I got to his apartment and we both began drinking while watching TV. This lasted all of ten minutes before we started kissing and undressing each other.</p> <p>He then stood up and grabbed me by the hands and led me into his bedroom. We took each other's clothes off, fast but deliberate. After, he told me to lie down on the bed. He asked me to "turn over" while he slipped a condom on himself.</p> <p>My heart immediately started to race. Nervously, I asked him what he was doing, and he said, "You." I laughed at first but then told him that I had never been the bottom. He looked at me and said, "Well, that's about to change tonight."</p> <p>I was extremely nervous. There is a fear, as with most things that you are doing for the first time. But this was my ass, and I was struggling to imagine someone inside me. And he was . . . large. But, I was gonna try.</p> <p>I had previously topped someone who clearly enjoyed it, but he had been enjoying anal sex before I ever came along. He knew what to expect. I didn't. As an avid porn watcher, the only thing I knew about anal sex previously was that it was painful, or at least played up as such on the cameras.</p> <p>Nervous and drunk, I listened and got on my stomach. He got on top and slowly</p>

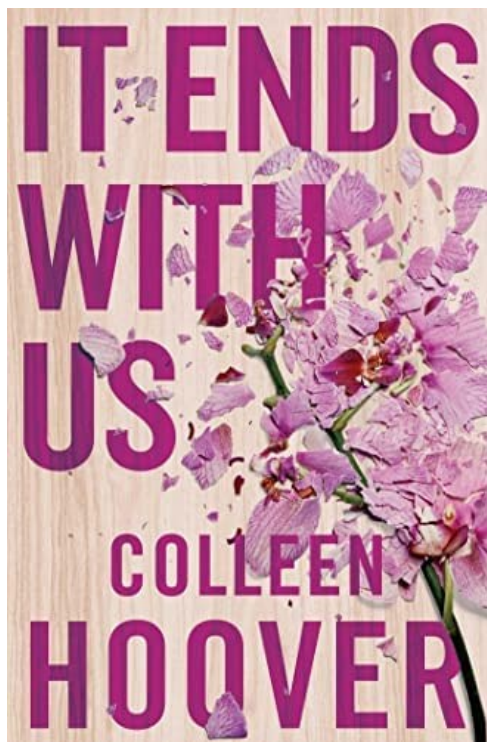


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	inserted himself into me. It was the worst pain I think I had ever felt in my life. He then added more lube and tried again, which felt better but not by much. He began his stroking motion. Eventually, I felt a mix of pleasure with the pain. I can't say that I didn't enjoy it, because I did. But it was painful for sure. In those few minutes though, I can say that he was gentle. His aim wasn't to hurt me, and my aim was for him to be pleased, too. He didn't last long inside of me, thankfully. He gave me a kiss before he pulled out. I didn't stay long, nor did I masturbate after. I was in a state of shock. I just wanted to get back home.
272	I was in pain for nearly three weeks following that encounter and too afraid to go to the doctor for help because I would have had to tell them I had been having anal sex. So, like most other trauma in my life, I sucked it up and dealt with the pain until my body healed. I didn't have sex for several months following that encounter. But after a while, I got the courage to try it again, but this time I went into it much more prepared. With each time, I learned more about my body... ...Sex should be pleasurable. ...Like they say, Practice makes perfect, and I eventually got a lot of practice.
292	Time waits for no one, and for Black queer people, there are too many trying to steal the little bit of time we have.
296	When I say I'm not blue, I'm referring to the blue on the police uniform my father wore. How I've watched too many in that same blue harm Black and brown people. I know for myself that although I respect my father with all my heart, it is my duty to fight against how that institution has harmed us.

Profanity	Count
Ass	2
Faggot/Fag	13
Fuck	2
Nigga/Nigger/Negro	16
Piss	1
Shit	11



IT ENDS WITH US



Book Summary:

A young couple's relationship becomes turbulent when past relationships are discovered.

Summary of Concerns:

This book contains explicit sexual activities; profanity; alcohol and drug use; suicidal ideation; violence; and profanity

Adult

By Colleen Hoover

ISBN: 978-1-5011-1036-8

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4

/5

Not For Minors
BookLooks Review Rating



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3	As I sit here with one foot on either side of the ledge, looking down from twelve stories above the streets of Boston, I can't help but think about suicide.
6	<p>He begins fishing around in his pockets until he finds what he's looking for and- in what I'm sure is probably an effort to release even more of his aggression- he lights up a joint.</p> <p>I'm twenty-three, I've been through college and have done this very same recreational drug a time or two. I'm not going to judge this guy for feeling the need to toke up in private.</p> <p>... He takes in a long drag of his joint and starts to turn back toward the edge.</p>
7	When I don't answer him, he brings the joint back to his mouth and takes another hit.
12	<p>And smokes pot.</p> <p>..."Should doctors be smoking weed?"</p>
21	<p>"...If you were into one-night stands, I would take you downstairs to my bedroom and I would fuck you."</p> <p>..."Okay. Since we're on the subject...the first guy I ever had sex with was homeless."</p>
23	<p>"When I have time, there are girls who satisfy those needs. I don't lack for anything in that department, if that's what you're asking. But love has never appealed to me. It's always been more of a burden than anything."</p> <p>..."You should try my method," he says.</p> <p>"Which is?"</p> <p>"One-night stands."</p> <p>..."I could never sleep with someone if I didn't see it going anywhere."</p> <p>..."If you wouldn't sleep with someone you just met..." His eyes meet mine again.</p> <p>"Exactly how far would you go?"</p> <p>I don't have an answer for that. I roll onto my back because the way he's looking at me makes me want to rethink one-night stands. I'm not necessarily against them, I suppose. I've just never been propositioned for one by someone I would consider it with.</p>
24	<p>"How far would you go, Lily?" His voice is decadent. Smooth. It travels straight to my toes.</p> <p>"I don't know," I whisper.</p> <p>His fingers begin to crawl toward the hem of my shirt. He begins to slowly inch it upward until a slither of my stomach is showing. "Oh, Jesus," I whisper, feeling the warmth from his hand as he slides it up my stomach.</p> <p>Against my better judgement, I face him again and the look in his eyes completely captivates me. He looks hopeful and hungry and completely confident. He sinks his teeth into his bottom lip as his hand begins to tease its way up my shirt. I know</p>



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	<p>he can feel my heart thrashing around in my chest. Hell, he can probably hear it. "Is this too far?" he asks.</p> <p>I don't know where this side of me is coming from, but I shake my head and say, "Not even close."</p> <p>With a grin, his fingers brush the underneath of my bra, lightly trickling over my skin that is now covered in chills.</p> <p>As soon as my eyelids fall shut, the piercing of a ring rips through the air. His hand stiffens when we both realize it's a phone. His phone.</p> <p>He drops his forehead to my shoulder. "Dammit."</p> <p>I frown when his hand slips out from beneath my shirt.</p>
48	<p>"Marshall, are you drunk?"</p> <p>..."You knew that when you dropped us off, Issa. Free beer until..."</p>
49	<p>The brother sounds like he may be a little drunk, too.</p>
50	<p>"There's a bar down the street that gives out free beer to anyone who shows up in a onesie during a Bruins game."</p>
51	<p>"I won't charge you for this, but only because I'm slightly inebriated," he says with a wink.</p> <p>I tilt my head. "The first time I met you, you were high. Now you're drunk. I'm beginning to worry you aren't going to make a very qualified neurosurgeon."</p> <p>..."But I promise you, I rarely ever get high and this is my first day off in over a month, so I really needed a beer. Or five."</p>
53	<p>"I still very much want to fuck you."</p> <p>..."Did you just tell my boss you want to fuck her?"</p> <p>..."He just told Lily he wants to fuck her!"</p> <p>..."He's drunk. They're both drunk. Please don't judge me because my brother is an asshole."</p> <p>I smile at her and wave it off. "It's fine, Allysa. Lots of people want to fuck me."</p>
56	<p>"...So if you still aren't going to agree to a one-night stand, then I think it's best if we do what we can to avoid each other..."</p>
70	<p>"Did you seriously just knock on twenty-nine doors so you could tell me that the thought of me is making your life hell and I should have sex with you so that you'll never have to think of me again? Are you kidding me right now?"</p>
71	<p>"Please have sex with me." He's looking up at me with puppy dog eyes and a pathetic, hopeful grin. "I want you so, so bad and I swear, once you have sex with me you'll never hear from me again. I promise."</p> <p>There's something about a neurosurgeon literally on his knees begging for sex that does me in.</p> <p>..."...If you give me a little while to shower first, I might feel sexy enough to have sex with you."</p>
72	<p>"You say this will make it stope, but I'm warning you right now, Ryle. I'm like a drug. If you have sex with me tonight, it's only going to make things worse for you. But once is all you're getting. I refuse to become one of the many girls you use to- how did you word it that night? Satisfy your needs?"</p> <p>...I wonder if there's a way he could leave them on during the sex?</p>



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73	But now that my hair is dry and I'm cleaner than I've ever been, I think I might be able to do this. I can totally have a one-night stand. I'm twenty-three years old.
74	I can feel his fingers trailing up my arm before I even open my eyes. I force back a tired smile and pretend I'm still sleeping. His fingers trail over my shoulder and stop at my collarbone, just before they reach my neck. I have a small tattoo there that I got in college. It's a simple outline of a heart that's slightly open at the top. I can feel his fingers circle around the tattoo, and then he leans forward and presses his lips against it. I squeeze my eyes shut even tighter.
75	And it's good that he fell asleep and we never even kissed, because if I would have had sex with him while he was wearing scrubs, I would have been the one showing up at his door on my knees, begging for more.
81	"Yes, you are. And if you pull that top up over your cleavage one more time, it'll defeat the whole purpose of your little black dress." He grabs my top and yanks it back down, and then proceeds to reach inside to adjust my bra. ..."Relax, Lily. I've touched way better boobs than yours and I'm still gay." "Yeah, but I bet those boobs were attached to people you probably hang out with more than once every six months."
82	"Ryle. He's a neurosurgeon. And he wants to have sex with me really, really bad." "How do you know he wants to have sex with you?" "Because he literally got down on his knees and said, 'Please, Lily. Please have sex with me.'"
83	"I'm Lily's sex partner!"
86	He makes the shot, but the glass shatters when it hits the bottom of the empty container.
87	If the guy wants to have sex with me so bad...he shouldn't have fallen asleep!
89	"Oh, I want you, Lily. Make no mistake about that. I just don't want to want you." ..."I like you, Ryle. And knowing that you only want me for one night makes me really, really sad. And maybe if this were a few months ago, we could have had sex and it would have been fine. You would have walked away and I could have easily moved on with my life.
91	His chest is pressing against mine, my back is pressed to the door. And then his mouth is on mine. Warm pressure against my lips. Despite the strength behind them, his lips are like silk. I'm shocked at the moan that rushes through me, and even more shocked when I part my lips and want more. His tongue slides against mine and he releases my wrists to grab my face. His kiss grows deeper and I grasp at his hair, pulling him closer, feeling the kiss in my entire body. Both of us become a medley of moans and gasps as the kiss brings us over the edge, our bodies wanting more than our mouths can deliver. I feel his hands as he reaches down and grabs my legs, lifting me up and hooking them around his waist. My God, this man can kiss. It's as if he takes kissing as seriously as he takes his profession. He begins to pull me away from the door when I'm hit with the realization that yes, his mouth is capable of a lot. But what his mouth had failed to do is respond to everything I told him upstairs.



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	<p>For all I know, I've just given in. I'm giving him what he wants: a one-night stand. And that's the last thing he deserves right now.</p> <p>I pull my mouth from his and push on his shoulders. "Put me down."</p> <p>He keeps walking toward his bed, so I say it again. "Ryle, put me down right now."</p> <p>He stops walking and lowers me to the floor. I have to back away and face the other direction to gather my thoughts. Looking at him while I still feel his lips on mine is more than I can deal with right now.</p>
94	<p>I know him enough to know that sex with him won't be enough for me, though. But how I know sex won't be the only thing he wants?</p> <p>My eyes instantly lock with his. "Don't have sex with me."</p> <p>..."Okay. I will not have sex with you, Lily Bloom."</p> <p>He walks around me to his bedroom door and he locks it. He flips off the light, leaving only a lamp on, and then takes off his shirt as he walks toward me.</p> <p>...He tosses his shirt on a chair and then slips off his shoes. "We're going to sleep."</p> <p>I glance at his bed. Then at him. "Right now?"</p> <p>He nods and walks over to me. In one swift movement, he lifts my dress up and over my head, until I'm standing in the middle of his bedroom floor in my bra and panties. I cover myself, but he doesn't even look twice. He pulls me toward the bed and lifts the covers for me to crawl in. As he's walking over to his side of the bed he says, "It's not like we haven't slept together before without having sex. Piece of cake."</p>
102	<p>What's even better, is when I do decide to have sex with Ryle, we can have it over here all the time and not have to worry about being quiet.</p> <p>...I'm not about to wait around to be beckoned by a guy I'm not even having sex with. But I don't know why I assume that reading about the first guy I had sex with will somehow get my mind off the guy I'm not having sex with.</p>
107	<p>When he was wiping that cow shit on me, it was quite possibly the most turned-on I have ever been.</p>
118	<p>That was three years ago and all this time I thought homeless people were homeless they were lazy or drug addicts or just didn't want to work like other people.</p>
120	<p>He bends down and kisses the heart tattoo on my collarbone.</p>
128	<p>He hangs up the phone and slides it into his pocket, then he kisses me. It's not a hello kiss. It's an I've-been-thinking-about-you-nonstop kiss. He wraps both arms around me and spins me until I'm backed up against my car, where he continues to kiss me until I start to feel dizzy again. When he pulls back, he's looking down at me appreciatively.</p> <p>"You know which part of you drives me the craziest?" He brings his fingers to my mouth and traces my smile. "These," he says. "Your lips. I love how they're as red as your hair and you don't even have to wear lipstick."</p> <p>I grin and kiss his fingers.</p>
135	<p>"I requested an Uber so you wouldn't have to go out of your way to take me home. We have approximately..." He looks down at his phone. "One and a half minutes to make out."</p> <p>I laugh. He wraps his arms around me and kisses my neck first, and then my</p>



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	cheek. "I would invite myself over, but I have an early surgery tomorrow and I'm sure my patient would appreciate it if I didn't spend the majority of the night inside you."
140	A minutes later, he leaned over a little and pressed his lips against my collarbone, right between my shoulder and my neck.
145	But let me just say that if he's ever wondered what my boobs feel like... Now he knows. ...If it were up to me, we would kiss al day and all night and do nothing in between except maybe talk a little.
148	He set the bowl down beside me and then leaned in and kissed me. Cookie dough and Atlas's mouth mixed together is like heaven, in case you're wondering. I made a noise deep in my throat that let him know how much I liked the combination, and it made him laugh. But he didn't stop kissing me. He just laughed through the kiss and it completely melted my heart. A happy Atlas was near mind-blowing.
150	He set his briefcase down on the kitchen table and then walked to the refrigerator and pulled out a beer.
151	I closed my fist around the heart and then leaned over and kissed him so hard, he fell back onto the bed. I threw my leg over him and straddled him and he grabbed my waist and grinned against my mouth.
152	He brought his hand to the back of my head and rolled me until I was on my back and he was the one on top. "Then my plan is working," he said, right before kissing me again.
154	They were on the couch and he had his hand around her throat, but his other hand was pulling up her dress. She was trying to fight him off and I just stood there, frozen. She kept begging him to get off her and then he hit her right across the face and told her to shut up.
155	"He's drunk, Lily," she said.
156	"Mom, he was trying to rape you!"
158	And he held me and kissed me so much, I thought I might die if he let go.
162	"You're perfect," he says, kissing me.
164	He tells the waitress to bring me a beer, instead. Ryle tells her to bring me wine. Allysa wants water, and this upsets Marshall even more. He tells the waitress to bring four bottles of beer and then Ryle says, "Two beers, red wine, and a water." ...Marshall throws his arm around Allysa and kisses her. "How am I supposed to try and knock you up tonight if you aren't a little wasted?" ..."I can't have beer, Marshall." "Then drink wine, at least. You like me more when you're tipsy." ..."I can't have wine, either. I can't have any alcohol, actually."
166	"I walked into the kitchen and Marshall was standing there pressed up against some floozy." "She wasn't a floozy," he says. "She was a nice girl. Tasted like Cheetos, but..." ..."I started yelling at him to take his whores to his own house..." ..."Cock blocker," Marshall says. ..."Anyway. After I cock blocked him, I ran to my room, embarrassed that I did



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	<p>that. It was out of pure jealousy, and I didn't even realize I liked him that way until I saw his hands on some other girl's ass." ..."Oh yeah. So Marshall walked over to me, pulled me off the bed, kissed me with the same mouth he was just kissing the floozy with, and we made out for half an hour. Ryle walked in on us and started screaming at Marshall. Then Marshall pushed Ryle out of my bedroom, locked the door, and made out with me for another hour."</p>
167	Ryle straightens up and takes a sip of beer.
168	He laughs and says, "Free beer, Lily. It's free beer."
169	<p>He steps over to me and takes my glass of wine from my hands. He sets both of our glasses on the countertop, and then leans in and gives me a deep, passionate, drunken kiss. I can taste the tart fruitiness of the wine on his tongue and I like it. His hands go to the zipper on my onesie. "Let's get you out of these clothes." He pulls me toward the bedroom, kissing me while we both struggle out of our clothes. By the time we make it to my bedroom, I'm down to my bra and panties. He shoves me against the door, and I gasp at the unexpectedness of it. "Don't move," he says. He presses his lips to my chest, then begins to kiss me slowly as he makes his way down my body. Oh, Lord. Can this day get any better? I run my hands through his hair, but he grabs my wrists and presses them against the door. He climbs back up my body, squeezing my wrists tightly. He raises an eyebrow in warning. "I said...don't move." I try not to smile, but it's hard to disguise. He drags his mouth back down my body. He slowly lowers my panties to my ankles, but he told me not to move, so I don't kick them off. His mouth slides up my thigh until... Yeah. Best. Day. Ever.</p>
173	<p>"That's because you make it easy," he says, sliding a hand inside the back of my shirt. ...Now both of his hands are beneath my shirt, pressed against my back. He pulls me toward him and kisses me. I grin against his mouth and whisper, "Is it the best cake you've ever tasted?" One of his hands moves to the back of my bra and he unfastens it with ease. "I'm pretty sure, but maybe I need another taste of it to be positive." He pulls my shirt and bra over my head. I begin to push myself off of him so I can pull off my jeans, but he pulls me back onto his lap. He grabs his stethoscope and puts it in his ears, then presses the diaphragm against my chest, right over my heart. "What's got your heart so worked up, Lily?" I shrug innocently. "It might have a little to do with you, Dr. Kincaid." He drops the end of the stethoscope and then lifts me off of him, pushing me back onto the couch. He spreads my legs and kneels down on the couch between them, placing the stethoscope against my chest again. He uses his other hand to hold himself up as he continues listening to my heart.</p>



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	<p>"I'd say you're at about ninety beats per minute," he says.</p> <p>"Is that good or bad?"</p> <p>He grins and lowers himself on top of me. "I'll be satisfied when it reaches one forty."</p> <p>Yeah. If it reaches 140, I'm thinking I'll be satisfied, too.</p> <p>He lowers his mouth to my chest and my eyes fall shut when I feel his tongue slide across my breast. He takes me in his mouth, keeping the stethoscope pressed against my chest the entire time. "You're at about one hundred now," he says. He wraps the stethoscope around his neck again and then pulls back, unbuttoning my jeans. Once he slides them off of me, he turns me over until I'm on my stomach, my arms draped over the arm of the couch.</p> <p>"Get on your knees," he says.</p> <p>I do what he says and before I'm even adjusted, I feel the cold metal of the stethoscope meet my chest again, this time with his arm snaked around me from behind. I remain still as he listens to my heartbeat. His other hand slowly begins to find its way between my legs and then inside my panties and then inside of me. I grip the couch but try to keep the noises to a minimum while he listens to my heart.</p> <p>"One hundred and ten," he says, still unsatisfied.</p> <p>He pulls my hips back to meet him and then I can feel him freeing himself from his scrubs. He grips my hip with one hand while shoving my panties aside with the other. Then he pushes forward until he's all the way inside of me.</p> <p>I'm grasping the couch with two desperate fists when he pauses to listen to my heart again. "Lily," he says with mock disappointment. "One twenty. Not quite where I want you."</p> <p>The stethoscope disappears again and his arm curls around my waist. His hand slides down my stomach and settles between my legs. I can no longer keep up with his rhythm. I can barely even stay on my knees. He's somehow holding me up with one hand and destroying me in the best possible way with his other hand. Right when I start to tremble, he pulls me upright until my back meets his chest. He's still inside me, but now he's focused on my heart again as he moves his stethoscope around to the front of my chest.</p> <p>I let out a moan and he presses his lips to my ear. "Shh. No noises."</p> <p>I have no idea how I make it through the next thirty seconds without making another sound. One of his arms is wrapped around me with the stethoscope pressed to my chest. His other arm is tight against my stomach as his hand continues its magic between my legs. He's still somehow deep inside me and I'm trying to move against him, but he's rock solid as the tremors begin to rush through me. My legs are shaking and my hands are at my sides, gripping the tops of his thighs as it takes every ounce of my strength not to scream out his name. I'm still shaking when he lifts my hand and places the diaphragm against my wrist. After several seconds, he pulls the stethoscope away and tosses it to the floor.</p> <p>"One fifty," he says with satisfaction. He pulls out of me and flips me onto my back and then his mouth is on mine and he's inside me again.</p> <p>My body is too weak to move and I can't even open my eyes and watch him. He thrusts against me several times and then holds still, groaning into my mouth. He drops on top of me, tense, yet shaking.</p>



Page	Content
	<p>He kisses my neck and then his lips meet the tattoo of the heart on my collarbone. He finally settles against my neck and sighs.</p> <p>"Have I already mentioned tonight how much I like you?" he asks.</p> <p>I laugh. "Once or twice."</p> <p>"Consider this the third time," he says. "I like you. Everything about you, Lily. Being inside of you. Being outside of you. Being near you. I like it all."</p> <p>I smile, loving how his words feel against my skin. Inside my heart. I open my mouth to tell him I like him, too, but my voice is cut off by the sound of his phone. He groans against my neck and then pulls out of me and reaches for his phone. He pulls his scrubs back into place and laughs as he looks at his caller ID.</p> <p>"It's my mother," he says, leaning over and kissing the top of my knee that's resting against the back of the couch. He tosses the phone aside and then stands and walks over to my desk, grabbing a box of tissues.</p> <p>This is always awkward, having to clean up after sex.</p>
179	<p>Instead of pressing further, I lift my head and scoot forward, pressing my mouth to his.</p> <p>I should know better. Kisses can't seem to stop at just kisses when it comes to me and Ryle. In a matter of minutes, he's inside of me again, but this time it's everything the other time wasn't.</p> <p>This time we make love.</p>
180	<p>"...I'm on my way to your apartment with bottles of wine. You want to have a sleepover with your boyfriend and have drunken sex all night and sleep until noon?"</p>
181	<p>When I said I was just wearing an apron, I meant it. I'm not even wearing panties. I can hear him I can hear him suck in a rush of air when I reach over to the oven and stick the casserole inside. I might reach a little too far for show when I do it. When I close the oven, I don't face him. I grab a rag and start wiping down the oven, making sure to sway my hips as much as possible. I squeal when I feel a piercing sting on my right butt cheek. I spin around and Ryle is grinning, holding two bottles of wine.</p> <p>"Did you just bite me?"</p> <p>He gives me an innocent look. "Don't tempt the scorpion if you don't want to get stung." He eyes me up and down while he opens one of the bottles.</p>
182	<p>I walk over to him and press my lips to his palm. "I'm a little fond of this hand, too."</p> <p>He slides the hand down to my neck and then spins me so that I'm flush against the counter. I gasp, because I wasn't expecting that.</p> <p>He pushes himself against me from behind and slowly slides his hand down the side of my body. I press my palms into the granite and close my eyes, already feeling the rush of the wine.</p> <p>"This hand," he whispers, "is the steadiest hand in all of Boston."</p> <p>He pushes on the back of my neck, bending me further over the counter. His hand meets the inside of my knee and he glides it upward. Slowly. Jesus.</p> <p>He pushes my legs apart, and then his fingers are inside me. I moan and try to find something to hold on to. I grip the faucet, just as he begins to work magic.</p> <p>And then, just like a magician, his hand disappears.</p>



Page	Content
183	I'm on my third glass of wine when he walks out of my bedroom.
185	Must be the wine. This is some seriously strong wine.
188	His mouth is on mine again, hot and wet, and I don't even know what's happening to me. I'm hurting so much on the inside, yet my body craves his apology in the form of his mouth and hands on me.
189	I spread my legs for him and his sorrow comes in another form. Slow, apologetic thrusts inside of me. Every time he enters me, he whispers another apology. And by some miracle, every time he pulls out of me, my anger leaves with him. He's kissing my shoulder. My cheek. My eye. He's still on top of me, touching me gently.
191	He leans forward and presses his lips against mine.
198	"This is Atlas? The homeless boy you pity-fucked?"
207	"Believe me, Lily. I know that wasn't a pity fuck. I was there."
212	He said the first time he went to that old house, he wasn't there because he needed a place to stay. He went there to kill himself. My hands went up to my mouth because I had no idea things had gotten that bad for him. So bad that he didn't even want to live anymore. ...He went to tell me that the first night he was at that house, he was sitting in the living room floor with a razor blade to his wrist. ...And he put down the razor blade because he said it'd been a month since life had given him any sort of feeling at all, and looking at me gave him a little bit of feeling. ...He leaned forward and kissed that spot between my shoulder and my neck that he always kisses. I liked that he did it again. I don't like much about my body, but that spot on my collarbone has become my favorite part of me.
214	Ellen, I know you're an adult and know all about what comes next, but I still don't feel comfortable telling you what happened over those next couple of hours. Let's just say we both kissed a lot. We both laughed a lot. We both loved a lot. We both breathed a lot. A lot. And we both had to cover our mouths and be as quiet and still as we could so we wouldn't get caught.
216	My father became revered for his heroic act- saving his little girl from the homeless boy who manipulated her into having sex with him. ...She just rolled her eyes and said, "Jesus, Lily. Did he brainwash you? He was a dirty, thieving homeless kid who was probably on drugs. He used you for food and sex and now you're defending him?"
222	"Mother," Ryle says. "Meet Lily. My blasphemous whore." ..."No, definitely not a blasphemous whore," he says. "Not like Marshall here, who sank his teeth into my little girl when she was only seventeen."
227	Then I prop my leg over the back of it, letting my skirt slide down my thighs and pool at my waist. Ryle drags his eyes up my body, grinning as he makes his way over to me. He drops to his knees on the couch and slowly crawls up my body. "How's my wife?" he whispers, planting kisses all around my mouth. He presses himself between my legs and I let my head fall back as he kisses down my neck.



Page	Content
	<p>This is the life.</p> <p>We both work almost every day. He works twice as many hours as I do and he only gets home before I'm in bed two or three nights a week. But the nights we actually do get to spend together, I tend to want him to spend those nights buried deep inside me.</p> <p>He doesn't complain.</p> <p>He finds a spot on my neck and he claims it, kissing it so hard it hurts. "Ouch."</p> <p>He lowers himself on top of me and mutters into my neck. "I'm giving you a hickey. Don't move."</p> <p>I laugh, but I let him. My hair is long enough that I can cover it, and I've never had a hickey before.</p> <p>His lips remain in the same spot, sucking and kissing until I can no longer feel the sting. He's pressed against me, bulging against his scrubs. I move my hands and shove his scrubs down far enough so that he can slide inside of me. He continues kissing my neck as he takes me right there on the couch.</p> <p>He took a shower first, and as soon as he got out, I jumped in. I told him we needed to wash the smell of sex off of us before we had dinner with Allysa and Marshall.</p>
239	<p>He said marriage repulsed him. He was only interested in one-night stands.</p>
259	<p>My eyes fall to the counter to his left and I see an empty glass that probably recently held scotch. He drink it on occasion to help him fall asleep.</p>
260	<p>I back myself against the counter and my breath catches. His hands meet my waist and he slides them between my ass and my jeans and pulls me against him. His mouth claims mine and he kisses me while he begins to lower my jeans.</p> <p>Okay. So we're doing this right now.</p> <p>His lips drag down my neck as I kick off my shoes and then he pulls my jeans off the rest of the way.</p> <p>I guess I can eat later. Christening the kitchen just became my priority.</p> <p>When his mouth is back on mine, he lifts me and sets me down on the countertop, standing between my knees. I can smell the scotch on his breath, and I kind of like it. I'm already breathing heavily as his warm lips slide across mine. He takes a fistful of my hair and he tugs gently so that I'm looking up at him.</p> <p>"Naked truth?" he whispers, looking at my mouth like he's about to devour me.</p> <p>I nod.</p> <p>His other hand begins to slide slowly up my thigh until there's nowhere left for his hand to go. He slips two warm fingers inside of me, keeping my gaze locked with his. I suck in a rush of air as my legs tighten around his waist. I begin to slowly move against his hand, moaning softly as he stares heatedly at me.</p> <p>"Where did you get that magnet, Lily?"</p> <p>What?</p> <p>My heart feels like it begins beating in reverse.</p> <p>Why does he keep asking me this?</p> <p>His fingers are still moving inside of me, his eyes still look like they want me. But his hand. The hand that's wrapped in my hair begins to tug harder and I wince.</p> <p>"Ryle," I whisper, keeping my voice calm, even though I'm beginning to shake.</p>



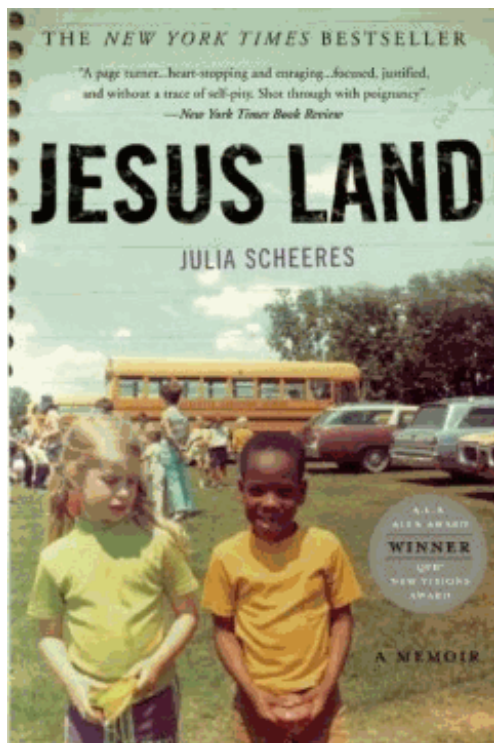
Page	Content
	<p>"That hurts."</p> <p>His fingers stop moving, but his gaze never leaves mine. He slowly pulls his fingers out of me and then brings his hand up around my throat, squeezing gently. His lips meet mine and his tongue dives inside my mouth. I take it, because I have no idea what's going through his head right now and I pray I'm overreacting.</p> <p>I can feel him hard against his jeans as he presses into me. But then he pulls back. His hands leave me entirely as he flattens his back against the refrigerator, scraping his eyes over my body like he wants to take me right here in the kitchen. My heart begins to calm down. I'm overreacting.</p> <p>He reaches beside him, next to the stove, and he picks up a newspaper. It's the same newspaper he showed me earlier, with the awards article printed in it. He holds it up, then tosses it toward me. "Did you get a chance to read that yet?"</p> <p>I blow out a breath of relief. "Not yet," I say, my eyes falling to the article.</p> <p>"Read it out loud."</p> <p>I glance up at him. I smile, but my stomach is anxious. There's something about him right now. The way he's acting. I can't put my finger on it.</p> <p>"You want me to read the article?"</p> <p>I ask. "Right now?"</p> <p>I feel odd, sitting on my kitchen counter half naked, holding a newspaper. He nods. "I'd like you to take off your shirt first. Then read it out loud."</p> <p>I stare at him, trying to gauge his behavior. Maybe the scotch has made him extra frisky. A lot of times when we make love, it's as simple as making love. But occasionally, our sex is wild. A little dangerous, like the look in his eyes right now.</p>
263	<p>I look down, even more confused this time. But whatever will get us past this and into the bed...</p> <p>...I stop reading and look up at Ryle. He has poured himself more scotch and he's swallowing a sip of it.</p>
264	<p>His arm comes around my waist from behind. He slides a hand up my stomach and takes a firm hold of one of my breasts. His other hand feathers my shoulder as he moves the hair away from my neck.</p> <p>I squeeze my eyes shut, just as his fingers begin to trace across my skin, up to my shoulder. He slowly runs his finger over the heart and a shudder runs over my whole body. His lips meet my skin, right over the tattoo, and then he sinks his teeth into me so hard, I scream.</p> <p>I try to pull away from him, but he has such a tight grip on me he doesn't even budge. The pain from his teeth piercing my collarbone rips through my shoulder and down my arm. I immediately start crying. Sobbing.</p> <p>"Ryle, let me go," I say, my voice pleading. "Please. Walk away." His arms are cutting into mine as he holds me tightly from behind.</p> <p>He spins me, but my eyes are still closed. I'm too scared to look at him. His hands are digging into my shoulders as he pushes me toward the bed. I start trying to fight him off of me, but it's useless. He's too strong for me. He's angry. He's hurt. And he's not Ryle.</p> <p>My back meets the bed and I frantically scoot back toward the headboard, trying to get away from him. "Why is he still here, Lily?" His voice isn't as composed as it was in the kitchen. He's really angry now. "He's in everything. The magnet on the</p>

Page	Content
	<p>fridge. The journal in the box I found in our closet. The fucking tattoo on your body that used to be my favorite goddamn part of you!</p> <p>He's on the bed now.</p> <p>"Ryle," I beg. "I can explain." Tears streak down my temples and into my hair.</p> <p>"You're angry. Please don't hurt me, please. Walk away, and when you come back, I'll explain."</p> <p>His hand grips my ankle and he yanks me until I'm beneath him. "I'm not angry, Lily," he says, his voice disturbingly calm now. "I just think I haven't proved to you how much I love you." His body comes down against mine and he takes my wrists with one hand above my head, pressing them against the mattress.</p> <p>"Ryle, please." I'm sobbing, trying to push him off of me with any part of my body.</p> <p>"Get off me. Please."</p>
266	<p>His hand is still pressing mine into the mattress and he's still on top of me. He's no longer trying to force himself on me.</p> <p>...He's kissing me, his lips gentle against my cheek and mouth.</p>
275	I want to wash the taste of scotch out of my mouth.
308	I'm married. I'm pregnant with another man's baby.
323	"...Even if you would have walked into my bedroom and caught us in bed together, you still would not have the right to lay a hand on me, you goddamn son of a bitch!"
325	When his lips meet mine the fifth time, they don't leave.
329	"I get to have sex tonight. It's been four months."
330	She smiles and then says, "Now go get my baby and take her away from here so I can have some sex with my filthy rich husband."
359	"What if she came to you and said, 'My husband tried to rape me, Daddy. He held me down while I begged him to stop. But he swears he'll never do it again. What should I do, Daddy?'"

Profanity	Count
Ass	12
Bitch	3
Dick	1
Fuck	35
Goddamn	5
Piss	4
Shit	45



JESUS LAND: A MEMOIR



Summary of Concerns:

This book contains explicit sexual nudity; obscene sexual activities including incest; underage alcohol abuse; and profanity

Adult

By Julia Scheeres

ISBN:1-58243-338-0

978-1-58243-338-7

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4 /5

Not For Minors
BookLooks Review Rating



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24	I saw him by the pool, frenching a twenty-two-year-old who'd just arrived that morning.
35	but can't help but notice when the big-chested girl next to me unhooks her bra and her boobs fall down like half-filled water balloons. My own boobs are still little-girl pointy...
48	"Woah, nice udders!" one of them shouts to a girl strolling by them.
75	<p>Jerome thrust a mildewed picture of a woman with blond hair over my book. She was naked, gagged, and tied to a chair. Straps were wound tightly around the base of her breasts, making them stick out like fleshy missiles, and her blue eyes were wide with pain or fear.</p> <p>..."She looks like you," Jerome said. "Except you don't have these yet." He touched the woman's strangled breasts and then my flat chest.</p> <p>...As I reached for it, I noticed his penis spilling from the slit of his pajama pants like a rotten banana.</p> <p>...We played like that, him with his dick hanging out, me averting my eyes, until the television show ended and it was time to go to bed.</p> <p>But it kept happening. I'd be peeling potatoes or practicing piano and he'd walk by with his penis poking out. I didn't understand why he did it, and pretended not to notice.</p> <p>A few days after my twelfth birthday, he tried to kiss me.</p> <p>..."You're not really my sister," he said when I stood up. At thirteen, he was already a good six inches taller than me, and a whole lot stronger. He grabbed my shoulders and tried to smash his mouth onto mine, but I averted my face and his chapped lips grazed my forehead instead.</p>
78	<p>I hear him lock the door and creep toward my bed. The mattress tilts under his weight. By the time he touches me, I'm far away.</p> <p>I breathe deeply, pretending to be asleep, falling through layers of numbness, sensation draining from my body like dirty bath water.</p> <p>...Only when I pull my nightgown over my head do I notice the dried blood on my breast and remember Jerome. The tan circle around my left nipple is broken and raw; it's happened before. In my faraway place, I don't feel pain.</p>
93	<p>He knew I'd be here alone. He lied about Mother wanting me home. She doesn't. Brad keeps tugging at the cord; in my rush, I tied it in a knot and it won't budge. Thank you, Lord. Scott unclamps my mouth and snakes a hand down my top, groping my breasts through my bathing suit.</p> <p>"Not quite ripe, but tasty all the same," he says. Scott, who stood in my driveway and shook my hand.</p> <p>"Fuck you!" I scream up at him, craning my neck to look into his eyes.</p> <p>...Brad and Todd are now both yanking on the waistband of my sweatpants, trying to force it over my hips, and Scott is reaching under my swimsuit. I flail my arms and legs like a possessed rag doll, trying to twist from their grasp. Todd grabs my crotch and I spit at him, but the saliva falls on my chest. They whoop with laughter.</p> <p>Brad steps forward, loosening his grip on my ankle, and feeling this, I yank back my leg and slam my tennis shoe into his balls. He crumples, shrieking, to the</p>



Page	Content
	ground, his hands clamped between his legs. Half a second later, I'm sprinting down the hallway toward the exit.
107	He's wearing the same Big Boy T-shirt he wore the day he tried to stick his hands down my pants.
108	Brad's eyes graze my body top to bottom, as if I were the centerfold in a dirty magazine.
111	"What kind of things?" he asks, still caressing my back. "He picks the lock on my door at night and he...he.." I stop because these are things I cannot pronounce, and bury my face in his neck.
112	I open my eyes, and in a boozy blur, see his penis jutting from his shorts. He grabs it by the root. "Lick it," he says in his thick voice, pressing my head toward it. I've heard of girls giggle about blow jobs at school; it's something a boyfriend requires of you. I stare at Scott's penis. There's a pearl balanced on the tan tip. It smells like liverwurst. "Like a lollipop," he's begging now, breathing hard. He wags the penis with his hand to get my attention. I close my eyes and stick out my tongue and it touches the side of it. "Open your mouth," Scott says, and I do. He puts it between my lips and grabs my hair and pulls my head up and down on it. A moment later he groans and something slimy spurts into my mouth that tastes like pool water. Scott collapses onto his back on the mattress and I spit the slime onto my parents' white bedspread and roll onto my back beside him.
117	He leans into me, one hand resting on the locker behind me, the other lifting my chin. His lips are full and soft on mine, and his tongue swishes into my mouth, thick and wet and salty. I pull my head away; I don't know what to do with a tongue and don't much like it. Scott frowns. "You sure could use some practice kissing," he says, before smashing his mouth onto mine.
122	We were in a stall in the basement girls' bathroom, practicing kissing, and he kept trying to put his hand down my jeans, and I kept shoving it away. He was getting peeved. "I won't be your boyfriend unless we do it," he said, his hard-on pressing against my leg. "I'll find someone else. There are lots of fish in the sea." We'd spent the final fifteen minutes of every lunch hour last week locked in that stall, hoping no one would walk in as we wrestled in silence, Scott trying to stick his hands different places and me slapping them away. I wanted to take it slow, so our first time would be special, so it would be making love, not just sex. Scott scoffed when I told him this. "Sex is sex," he said. He narrowed his eyes. "Besides, I didn't think this would be such a big deal for you, considering..." I grabbed his head and stuffed my tongue in his mouth to shut him up. "Fine, I'll do it," I said after coming up for air.



Page	Content
123	<p>"You must have unholy thoughts to masturbate! You must not sin!"</p> <p>He pauses weightily. "I'm here to tell you today that you can't jack off with Jesus!"</p> <p>He pounds the bookcase to emphasize each word, unaware of the obscene gesture he's making. You. Can't. Jack. Off. With. Jesus.</p>
129	<p>I know that as a young Christian woman, my virginity is supposed to be my most prized possession, but Jerome stole it away from a long time ago. Sometimes in my coma state, he does something that startles me to consciousness and an image- his hand groping my breast, his head descending my belly- burns itself into my mind before numbness again saves me. These images sicken me, and I want to replace them with others of my choosing.</p> <p>...Today's a good day for sex;...</p>
131	<p>"You coming to bed or what?" he asks.</p> <p>...I walk to the venetian blinds and close them, then stand on the other side of the darkened room to strip to my bra and panties and rush to the bed before Scott has the time to inventory my imperfections. He throws back the covers and I collide against his solid heat. I put my arm across his chest and press my face into his musk as Sting serenades us. If we could just do this, only this, I'd be happy. Scott puts his arms around me and unhooks my bra.</p> <p>"Roll over," he says. "I want to see you."</p> <p>He pulls my hands from his neck and I cover myself with the sheet as I turn. He flings it off.</p> <p>"But it's cold!" I protest.</p> <p>He pulls off my underwear, then retrieves a sliver square from the nightstand and kneels between my legs and rips it open. It contains a flesh-colored circle, which he rolls over his penis like pantyhose. So that's a condom.</p> <p>"Ready?" he asks. I nod. He pushes my thighs apart with his knees and spits into his hand and wipes it between my legs before lowering himself onto me and prodding my inner thigh with his dick. I bite my bottom lip and look up into his eyes, but his face is turned to the alarm clock next to the bed.</p> <p>...as Scott pokes and prods at me...</p> <p>..."Stop fighting me," he says as I scoot away from his fumbling. "You'll only make it worse."</p> <p>...and inhale deeply, letting my legs fall flat on the bed. I know from the groaning noises he makes that he's inside me, and I try to feel something, to stay focused on the moment- this is Scott, my boyfriend- but it's numb there. I wonder if I'll ever be normal.</p> <p>...Scott's eyes are closed as he moves inside me.</p> <p>...It's over quickly.</p> <p>"Did you like it?" Scott asks as he pulls off the condom. White liquid bulges at the tip of it. Sperm.</p> <p>"It was fine," I say, wrapping the sheet around me.</p> <p>"Want to do it again?" he asks.</p> <p>I glance down at his penis, now deflated and pitiful, and he laughs.</p> <p>"I mean later tonight," he says. "I'll come to your window."</p> <p>...I shrug. I've sunk into my numbness as if it were a soft cocoon and don't care one way or another. He can do what he wants.</p>



Page	Content
	<p>...He takes the Police tape from the cassette player and pulls his clothes on, then goes to the bathroom, and when he comes back he kisses me, gently this time, without groping.</p> <p>"You're a bitchin' girlfriend," he whispers in my ear.</p>
144	<p>I notice, for the first time, the weird bend in the middle of his forearm.</p> <p>"What's happened?" I ask him.</p> <p>...A 2x4 lays on the floor, one of the pieces from the pile beside the woodstove.</p> <p>"Dad hit you with that?"</p> <p>He nods.</p>
146	<p>What I don't tell her is that these things are happening because I'm up all night having sex while she and Dad sleep two doors down the hallway.</p> <p>I wait for Scott each night dressed in a summer teddy, perfumed and painted and shivering under the blankets...</p> <p>...He walks forty minutes from his house to mine...</p> <p>...As I wait for him, I imagine myself his prize, one he must battle cold, dark and distance to claim.</p> <p>When I hear the shuffle of his boots on the roof ledge, I open my window and he steps into my bedroom, tracking in cold as he peels off his layers, one by one, until he's standing there naked and brown and grinning and already hard.</p> <p>We listen to The Police while we do it, and if the tape ends, Scott stops whatever we're doing to flip it over, and afterward he drums his fingers on my back to the music as we fade into sleep.</p>
147	<p>After a few weeks of practicing sex, I'm starting to feel something. Not the eyeballs-rolled-toward-heaven-suck-in-your-breath immensity that Scott gets out of it, but a swelling pleasure that builds as he seesaws on top of me and ends all too quickly when he suddenly stops and says "fuck" in a small voice before rolling off me.</p> <p>But it's enough of a something to make Scott clamp his hand over my mouth so I don't make noise and enough of a something to make me want to practice alone, rubbing the swelling place with a nail polish bottle and pretending it's Scott until my body trembles and a brightness like heat lightning flashes through me and I whisper "fuck" as well.</p>
223	<p>"I drank alcohol," ...</p> <p>..."You were an alcoholic."</p> <p>I jolt my head. A drink now and then before school is not alcoholism.</p>
238	<p>Like when a boy tongues the space between your fingers and you can feel it down between your legs.</p> <p>Janet's boyfriend rises stiffly from the picnic table, a bulge tenting the front of his Sunday slacks.</p> <p>"My Lord, look at that woodie!" Susan whispers as he walks to the boys' bathroom. "Do you think he's going in there to abuse himself?"</p> <p>We laugh, and I remember Reverend Dykstra telling our Young Calvinist group that "you can't jack off with Jesus" and laugh even harder.</p>
242	<p>His callused palms smoothing it shut, the same callused palm that skimmed my back as we laid in bed after sex.</p>

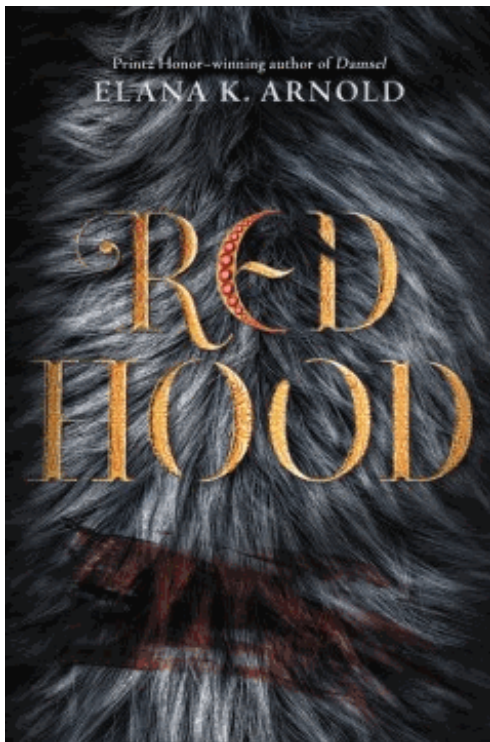


Page	Content
253	"Stay out of our pool, Niggers!" the yelled. "You're polluting it!"
256	I'm still learning not to gag; it's like learning to give a blow job.
272	I pull back my shoulders and thrust out my breasts the way Susan did that night after Vespers, and his eyes slide over this small offering on my nipples, which poke out like the eraser tips on No. 2 pencils.
276	We regard each other for a moment, and then he sticks out his tongue and flutters he tip up and down in a perverted gesture. I turn my head in shame, and he laughs. I will think about his tongue later, when I'm alone with my nail polish bottle.
318	It is of Scott, stripped naked and walking toward me as I lie in my bed at home, his stiff penis wagging back and forth like a chiding finger. ...I close my eyes again, and Scott kneels between my legs, then lowers himself into me. His hot tongue swishes into my mouth and I grab his butt and pull him deeper. His curved brown shoulders dip and rise in the slanted lamp light, his eager skin bumps mine. His salt taste and beef bullion smell, they envelope me. His heat and his desire, they comfort me. I shall not want. A spark flares in me and swells into a flame, and I sweat and sway and whisper, "Yes, Jesus."
319	Later, when I'm lying in my bunk surrounded by the mute shapes of sleeping girls, I reach under the sheet with a bottle of nail polish, spread my legs, and slide the fat glass bottom over my panties. Over the place where, earlier, the flame grew, then flickered out. I think of Scott and his musk and his meat and how I'd shudder with pleasure when he sank into me. Slow, soft. Fast, hard. When the wave of fire crashes through me, I bite one hand and clamp the other over my swollen flesh, trying to keep it in. Sweet Jesus.

Profanity	Count
Ass	10
Bitch	2
Cunt	1
Dick	4
Faggot	2
Fuck	24
Nigger	7
Piss	6
Pussy	1
Shit	11



RED HOOD



Summary of Concerns:

This book contains obscene sexual activities; violence; and profanity.

Young Adult

By Elana Arnold

ISBN: 978-0062742353

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BookLooks Review Rating



Page	Content
9	<p>These are remarkable- his kisses, tracing a path down your neck, his hands pulling low the sweetheart neckline of your dress, his nose brushing your right nipple, and then, a moment later, his lips capturing it, his tongue circling, circling, his teeth skimming and biting, not hard, just enough to make your hands tighten into fists and clutch the blanket, enough to make your legs begin to quiver.</p> <p>And then he pushes up the tulle and satin of your skirt, rustling like wrapping paper coming undone, and his hands reach and find the lace panties you bought just especially for this occasion, and slowly, so slowly, he pulls them down your thighs, and you lift your hips to help him slide them free. Your feet are already bare, high heels abandoned in the front seat, so there is nothing to stop your panties from coming all the way off.</p> <p>Oh, how much you want this.</p>
10	<p>How much you want him to put his mouth on you, there, right there, at the crux of you.</p> <p>Your combined breaths have fogged the windows of the wagon, the air is damp. Your head rolls with desire, frustration, as he moves his kisses from your right thigh to your left as his fingers run up and down your legs, all the way down to your toes but never up all the way to your aching center.</p>
10	<p>Do you shiver from anticipation, for the moment when- at last, at last- his mouth finds his way to the center of you?</p> <p>At last, at last, he's found his way there, a hand on each of your thighs, his head buried between them, and he's not teasing you, not now, not anymore, he's earnest in his desire to bring you desire, and yes, you think, as his tongue and lips press into you, as his fingers pull you apart, as you come undone beneath his hands, it is important to be earnest if this is what earnestness brings.</p> <p>Yes, the smell of him, the sight of him, the feel of him, all of it familiar, but not this- the hot firm pressure of his tongue against your center, the insistence of his hands on your thighs, the building of wonder of your pleasure rising, oh, that is not familiar, that is new, brand-new.</p> <p>You gush- that is the word, the only word- you gush as the pleasure becomes too much to survive, and it bursts like a shaken-up can of soda, it tickles and it burns and it ripples from your center outward, in pulses of sensation so intense you are pinned by them, and your left hand curls into a fist and your right hand flails, hitting the damp cold glass and streaking away the steam, and your eyes open as the pleasure ebbs, and just then the clouds outside part, revealing the full white moon, unblinking, staring down at you from a black velvet sky.</p> <p>James laughs, his gentle, happy laugh, and looks up from where he's crouched between your thighs, and he smiles, and you see his face in the moonbeam that pours through the strip of window you've wiped clean, and at first you don't know what you're seeing, you don't know what to make of the redness on his chin.</p>
29	<p>There is the pelt of your pubic hair. You keep it trimmed close and neat around the edges, but you like the way it looks and have bucked the fashion magazines that advise you to shear it completely. There is the nub of your clitoris, and again you push away the memory of what James did last night with his tongue. With your right hand, you pull apart the lips of your vagina, and with your left, you angle the tampon toward its opening. You are slick with blood, and so the tampon</p>



Page	Content
	<p>slips in easily. You push until you're knuckle-deep in your own body, the first time you've touched yourself like this- though you have rubbed your clitoris and touched the outside, you've never put your fingers inside, somehow feeling like it was not right, like it would be trespassing.</p> <p>It's warm in there, almost hot. It feels like what it is- a muscular tube, made of flesh.</p>
30	<p>The thrust of your small breasts. Nipples that seem darker than you imagine they should be, the right one smaller than the left.</p>
32	<p>You are not going to tell your grandmother about the feel of James's mouth between your legs. You are not going to tell her about your orgasm in his old blue wagon, or about the moonbeam that illuminated his face just as he looked up to see your pleasure on your face and showing you your blood on his.</p>
52	<p>You turned a corner toward your locker and there they were—Maggie and Tucker, her pushed up against the row of lockers, him pinning her there, his mouth on-her throat and one hand disappeared u under her skirt. Maggie squirmed like maybe she wanted him to stop, or maybe she was just embarrassed to be found there by you like that, so undone.</p> <p>But Tucker didn't pull away; he kept his hand where it up under Maggie's skirt, buried between her thighs, as you walked past them, as you turned the dial Of your padlock) as you extracted your book, as you relocked your locker, as you passed them again on your way back up the hallway</p>
72	<p>You have lain together in your bed, first him on top, then you, then him again.</p>
84	<p>He liked to drink- beer, of course, usually Bud Light. Jack Daniel's as well.</p>
104	<p>You work on loosening the buttons of his blue-and-green plaid flannel, and though he do it more efficiently himself, he waits and watches. Then the last button is free, and you push the shirt off his shoulders. There's a white T-shirt underneath, tucked in, and, with a sudden rush of urgency, you pull it roughly from the waistband of his pants, up and over his head. He lifts his arms willingly, and you see the dark curls of his armpit hair, which seems like maybe the most intimate thing you have ever seen.</p> <p>He is hard, you see the shape of him through the thick denim of his jeans. You reach out, you put your hand there. You squeeze and look up into James's eyes. They shine down at you, and you read them well- desire, pleasure, love. Hand still wrapped around his erection, you lean up to kiss him.</p>
105	<p>The rest of your clothes come off, and James's. You are together in your bed, and he is naked before you in a way you have never seen this clearly- his dark, flat chest, the tight black curls of his pubic hair surrounding his erection. It's wet-tipped and urgent, and you stroke it with your fingers. James makes a sound, a moan, and he falls back against your pillows, giving his body up to you to explore. You take your time. If James wishes you'd do something more, or faster, he doesn't say. Instead he strokes your arms, gently, as you run your hands across and over him.</p>



Page	Content
	<p>He doesn't ask you to, but you want to, and you reach into James's discarded pants and find his wallet, find the condom he's tucked inside. He grins then, and he watches as you tear it open.</p> <p>You've never used one of these before, but you've been told how, and anyway, it's not hard to figure out; you roll it down James's penis, all the way to the base of the hair. James adjusts it, making sure it's rolled completely down and pinching the tip a little, stretching it. He's still lying on his back on the bed, and you kneel before him, letting your hair hide your face as you reach between your bodies, find his penis, and guide it toward the entrance of your vagina.</p> <p>It feels thick there, sort of scary, and there is a moment when you wonder how on earth it will fit inside, but James doesn't rush you, and you lower yourself onto him, his hands gentle on your hips, not trying to tell you what to do. His eyes are closed, his head is back, and you look at him through the soft curtain of your hair as you sink all the way down, as you feel a tear deep inside you, painful but not terrible, as you feel yourself full of him, of James.</p> <p>And then you move, careful and slow, your hands on his chest, his on your hips, your thighs, and it's not long before his face tightens up, he makes a low groan, and he shivers beneath you.</p> <p>You stay there, above him, for a moment longer, and inside you, you feel his penis beginning to soften.</p> <p>...Then he grasps the base of the condom while you move off him, and then you sort of look away, a little embarrassed, while he pulls off the condom, knots it.</p>
107	<p>But James is not; he kisses you again, on the mouth, and then he readjusts the blankets and begins to move his mouth down your body, across your breasts, down your stomach. You clench your legs together, remembering last time, but James looks up at you and says, "Relax, Bisou, I'm not worried," and so you let your legs fall apart, you let James kiss you there, and it is wonderful.</p>
121	<p>He said once he had, like, a rash, you know, on his dick, but that was it.</p>
130	<p>Each time the sex feels better than the time before, more natural, though James is embarrassed about how he can only last a few minutes.</p> <p>"It just feels so goo," he says, which makes you smile.</p> <p>That third Wednesday, you decide to try again, after the first time ends quickly. And this time is different- you still don't have an orgasm while he's inside you, but it lasts longer, and you're more able to focus on trying things that feel good for you.</p>
142	<p>You press yourself more firmly into James, you pull his sweater away from his back and run your fingers up and down his warm skin, you tangle your tongue with his and take his lower lip between your teeth. He makes a sound only you can hear, a soft moan, and you feel all the ways his body responds to you.</p>
148	<p>...an I Support Planned Parenthood sticker in the lower right corner of the windshield.</p>
188	<p>He got rough with me, dear one. He tore the neck of my blouse, and he bruised my wrist, but as soon as I could manage it, I found the door handle with my other hand and pried it open. I yanked up with my arm and broke his grip, and I landed hard on the asphalt, hard enough to bruise my tailbone, hard enough to rip the skin from both of my elbows.</p>



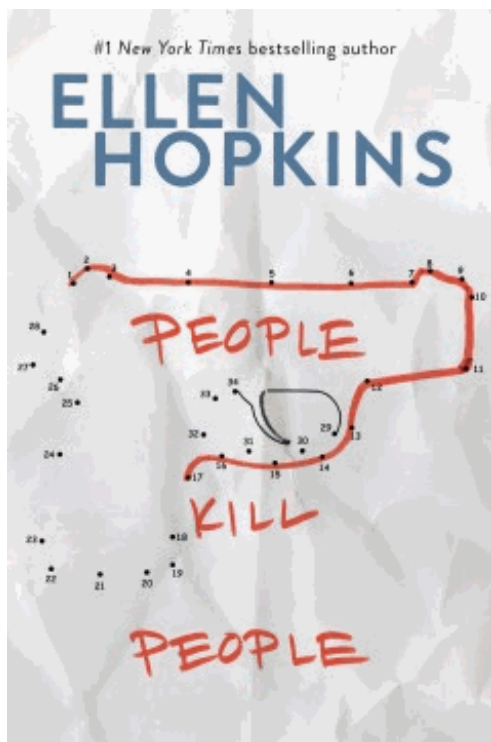
Page	Content
	..."Come on, Sybil," he said. "Don't play hard to get."
213	And my mistake, dear one, was not the abortion. My mistake was leaving a phone number with the clinic.
250	"His daughter had sex with him?" "Not willingly. Maybe no one cared if it was rape or consensual..."
259	Roosters who can't get laid don't flap off to Mother Nature demanding a chicken sex slave. ...You talk about how smart and talented you are, but then you go and reveal that you think "forced monogamy" is a good idea.
277	You wonder, one Saturday afternoon, your chin rubbed red from his weekend stubble, your vulva swollen with desire...
308	"...told us about this time he had sex with a girl at a party, a girl who was really drunk. Too drunk, probably."
310	You feel him shift to open his bedside table and you hear him rustle around, find a condom and tear it open, and his hand slips between you to unroll it before the two of you fit together, his breath in your hair, his blankets up to your chins, and you move together, together, together, until you shiver with pleasure and his breath catches, his hips tighten, and he moans into your hair.

Alternate ISBN
0-06-274235-3

Profanity	Count
Fuck	4
Shit	6



PEOPLE KILL PEOPLE



Summary of Concerns:

This book contains sexual activities including sexual assault and battery; sexual nudity; drug use; profanity and derogatory terms; controversial racial commentary.

Young Adult

By Ellen Hopkins

ISBN: 9781481442954

CONTENT WARNING

You are about to access material that may contain content of an ADULT nature. These files may include pictures and materials that some viewers may find offensive. If you are under the age of 18, or if such material offends you or if it is illegal for you to view these materials, please exit now.

4 / 5

Not For Minors
BookLooks Review Rating



Page	Content
38	"You just want to get laid." ...The gesture moves quickly from "sweet" to "boner-worthy," and as your tongues collide, you lift her off the floor. Another time, you'd carry her into your bedroom.
52	Her food is good, great in fact, but the idea of doing a brown-skinned bitch sickens you. That might be the way things are, but it's not how they should be. Unnatural, that's what it is. And God forbid the two of them ever make half-breed babies. You'd never live that down. Maybe you should have the talk with your dad, remind him to always use a condom.
54	The part-time QuikTrip gig pays minimum wage and you splurged your last check on a little weed, hoping to lower a certain redhead's inhibitions, finally finesse your way into her pants.
55	The evening is young and you've got plans involving beer and weed and a different girl.
57	...and the bitch behind the register was wearing a scarf around her head. That and her dark olive skin told you more than you wanted to know. "Fuck off back to Sharia-land, bitch." ...Not like you're the only Muslim-hating dude in Tucson.
58	A jew could not be your family.
59	Still, you're white, and that's what matters. Your first hint that America was turning too brown was back in fifth grade...
101	You underline the promise with a longer, deeper kiss, one to make him believe his effort to take you out tonight will be justly rewarded at its end. That's so much fun that you go a little farther, dipping your tongue lightly into his ear before dropping your lips to his neck, where you lock them in place and suck gently at first, then a little harder. Hard enough to raise a telltale bruise. "Stop already." He steers your hand into his lap, where it's happy to admire the impressive bulge behind his button fly. "I won't be able to walk, let alone dance. Jesus, what you do to me!" "Hey. Jesus didn't do that. I did, and don't you forget it." Hedging his bets, he invites, "Want to do more?" The offer is tempting. Parking-lot sex might be a kick, with or without people walking by. ...They say the only way to keep married sex interesting is experimentation. You'll have to play researcher soon.
119	Throughout those ten years of spiraling abuse, you witnessed her subtle manipulations, designed to divert his rage. Often that meant submitting to him, like a mare to a stallion. More than once it happened within your direct line of sight. That was your sex education. You knew the mechanics by age six.
122	The worst part now is the two images of her that appear when you let yourself remember: Damian fucking her and Damian killing her.
122	Which is how he almost- too damn close to success- convinced you to have sex the last time you met up. ...Sex has proven to be a useful tool. And beyond that, you like it.



Page	Content
124	The monkey was bartered, sex as commodity. There have been many times when you needed something expensive that you straight-out traded sex for cash.
125	The point isn't 'rising up against tyranny.' It's embracing white identity. Safeguarding our race by keeping it pure.
126	He lights a joint, already rolled; you pass it back and forth. It's decent weed and between that and the beer, which you drink to fight the dope-inspired dry mouth, a warm fog writhes inside your skull and words thicken your tongue.
127	This will be sex as reward. Violence as aphrodisiac. You are totally turned on right now.
128	The mere suggestion of violence serves as intoxicant. Aphrodisiac. Wish more people felt that way. Get down. Get high. Get off.
134	And you didn't get laid. Not last night. Not this morning.
138	"Has anyone ever showed you how to feel good?" "What do you mean?" You really didn't know. "Has anyone ever touched you like this?" He pulled you into his lap. One arm remained possessively in control, while his spare hand dropped to stroke the crotch of your jeans. That part didn't hurt and, in fact, you were surprised that your wiener responded positively. Still, you knew it was wrong, so wrong, and you tried to get away. "Oh, no. Not yet." The hand holding you gripped tighter while the other unzipped your pants and yanked them off in one swift, well-practiced motion. You struggled, but couldn't come near to matching his physical strength. He unbuttoned his own fly, freeing his sorry erection to worm its way between your butt cheeks. He slapped a hand over your mouth. "This might hurt a little if it's really your first time. Let's see if it is." If there was one small saving grace, it was that he possessed a pencil dick. Still, when he drove it inside you, the pain was exquisite and you screamed into his filthy palm. But your pleas carried no weight. The wind blew cinder-heavy ashes into your face, and he grunted like a hungry pig, over and over, until he was finished. When he shriveled out of you, he let you go and you crawled away, bare knees and hands through the dirt.
141	She's dressed like a slut.
146	Ashlyn and you hung out at the meet-up, smoked weed, drank beer,...
148	After you spread the sleeping bag, Ashlyn and you stripped down to skin, and you found yourself grateful the air wasn't colder. February in Tucson usually brings chilly nights, but it didn't seem so bad, especially once she kicked things into high gear. In fact, by the end of the rodeo, you were sweating. There is nothing shy about Ashlyn, nothing tentative. She knows what she likes, and exactly how to get you to comply. She showed you where to touch her, how to touch her, and wouldn't let you deviate. Yet she was willing to accommodate



Page	Content
	<p>your demands, too.</p> <p>"I want to make you feel great," she said, and oh brother, did she!</p> <p>Your previous sexual encounters were clumsy, directed by instinct, not practice. Ashlyn took you way beyond fumbling, past the limitations of missionary, into the realm of weirdness. It took extreme force of will to hang on, but you managed, and you're anxious for an encore. Maybe even today.</p>
149	<p>Logistically, it's a challenge because after tacos at your dad's, you'll want Ashlyn for dessert, and a couple of guys would make that problematic.</p>
155	<p>"White people have to stick together because before you know it, we're going to be the minority race in America," you finish.</p>
170	<p>"...Skinheads are radical lays. I just couldn't help myself. He made me all hot and horny for his hard, Aryan six-pack."</p> <p>...Not only that, but now you want to know if she actually had sex with him, and if she did, if it approached what the two of you shared last night.</p> <p>...Some hint of affection that makes you think sex came secondary to love.</p>
185	<p>Grace is the only person in the world who knows for sure you're queer.</p>
185	<p>It was all about competition, and mostly they competed for the attention of guys. The word "lesbian," if uttered at all, was hissed as an insult, along with the abbreviated "lez" or highly favored "dyke."</p> <p>...You tried to fit in, tried flirting with boys. But on those rare occasions you were successful, somehow kissing them wasn't a huge turn-on and their hungry fingers fumbling unbutton your blouse or touch you there only made you feel dirty, rather than desired.</p>
205	<p>Waylon had just turned two, and while he showed off his sliding ability to his new buddy, Lara and you passed a joint.</p>
210	<p>One night of sex, even after a few weeks of demonstrated interest on Silas's part, doesn't exactly mean a dedicated relationship was formed.</p>
229	<p>The drowsy husk of her voice is sexy as hell and coupled with the heat of her skin, she is a total turn-on. And, for probably the millionth time, you think how incredibly lucky you are that she's all yours. "So I can get laid before work?"</p> <p>..."Yeah. Like, sex lessons. You keep getting better and better."</p> <p>..."No lessons. Just lots of practice."</p> <p>..."We have done it a time or five hundred, huh?"</p> <p>"At least." She runs her hand down the length of your torso, and you might take that as an invitation to be accepted, but the alarm blares.</p>
241	<p>There you were, Silas, lying on a thick bed of jungle leaves, with a redhead on either side. Grace kissed you sweetly while Ashlyn went down on you, and there was nothing sweet about that. It was downright nasty. The kind of nasty that would keep a guy going back for more.</p>
287	<p>Not only that, but now you're in debt to one of Tucson's most connected marijuana traffickers, something you have to work your way out of today.</p> <p>...You woke to Rand's request for lovemaking, and after the hot-hot-hot dream he pulled you from, you were happy to oblige. At nineteen, your sex drive is maturing, changing from passive acceptance to true desire. You've read that hunger will continue to grow, maybe all the way into your thirties.</p>



Page	Content
	<p>But sometimes you worry that Rand can't keep pace. He's pretty damn vanilla. If he had his way, it would mostly be straightforward missionary. Experimentation? Depends on the day. For sure he dislikes when you play the aggressor. Sometimes he even recoils.</p> <p>...But you wouldn't mind more variety, no matter who initiates it. Which is why you got clever this morning, simply offering yourself unusual ways, assuming positions and allowing him to say yea or nay. He didn't disagree even once. So maybe there's hope for the two of you.</p>
296	<p>"Let's see what you've got."</p> <p>You offer the premeasured twelve-plus grams. Yeah, it should be fourteen, but you always scam a little for personal stash. Not like he's going to weight it. "It's awesome sativa."</p> <p>"Sample?"</p> <p>"Of course. Here?"</p> <p>"My mom's gone until dinner, but we can step out in back. Doesn't hurt to be cautious."</p>
308	<p>You were a high school sophomore, and you'd gone to a post-football-game party. The guy who was supposed to take you home- you couldn't rightfully call him your boyfriend, more like an acquaintance with a car- wasn't ready to call it a night. Despite your protest, he drove to a construction site, of course deserted at the time.</p> <p>"Take me home, please" you tried.</p> <p>"Sure. After we have some fun."</p> <p>"Look, I don't give sex away, and you've got nothing I need."</p> <p>"I've got this."</p> <p>He unzipped his pants, freeing his erection, then pushed you down on the seat, forcing himself between your legs. You were wearing a skirt, putting nothing between him and you but thin panties.</p>
310	<p>He reeks of weed and his eyes are bloodshot. Bet you can guess what he and that girl were just smoking. "Smells like good shit."</p> <p>"It is."</p>
330	<p>"Question. Did you know Cami smokes weed?"</p>
337	<p>"He's a jew and he's fucking you..."</p>
340	<p>She does not argue, not even when your hand drops to stroke the ample rounds of her breasts.</p>
381	<p>"How long have you been smoking weed?"</p> <p>"Since the eighth grade. I used to get high every day, but not anymore. Now it's just once in a while."</p> <p>..."I had an ounce in my purse."</p> <p>His cheeks puff scarlet. "That's an awful lot for smoking once in a while."</p> <p>"You're right. I've been dealing a little. Not much, just to a select few, and just enough to earn a little extra cash."</p>
383	<p>"What are you saying? You want a divorce, and that's why you're selling dope?"</p>
397	<p>"White America is the only America!"</p>



Profanity/Derogatory Term	Count
Ass	13
Bitch	19
Dick	3
Dyke	1
Fag/Faggot	1
Fuck	32
Piss	21
Prick	4
Pussy	1
Shit	36
Spic	2
Wetback	4

Appendix C: Request for reconsideration of Library Materials

If you wish to request reconsideration of school or library resources, please return the completed form to the Superintendent.

Name: Jacob Marchitell

Date: 05/11/2023

Phone: (315) - 200- 5802

Email: IcanAdopt@gmail.com

Date of the initial meeting with Librarian: Emailed Librarian on 5/11

Do you represent self, organization, or group? Self

If yes, please name the organization or group: N/A

1. Title and author on which you are commenting:
 - a. Title(s) & Author(s):
 - i. Jesus Land: A Memoir - by: Julia Scheeres ISBN: 978-1-58243-354-7 / 978-0-329-51255-2
 - ii. Red Hood - by: Elana K. Arnold ISBN: 978-0-06-274235-3
2. What brought this resource to your attention?
 - a. GoFollett.Com
3. Have you examined the entire resource?
 - a. Enough of each book to lodge a complaint.
4. What concerns you about the resource? Please be specific, cite exact parts and explain why you have concerns (Use the other side or additional pages if necessary).
 - a. I spoke on my concerns at the most recent Clyde-Savannah Board of Education meeting, and gave the Superintendent a copy of the concerns. I also have a recording of the reading of the concerns available, and will provide it at the end of this questionnaire.
5. What value is there in this work?
 - a. In the work of objecting to the materials? There is great value in keeping sexual deviancy away from underage children.
 - b. In the work of the books themselves? I am unsure what value there is in communicating such sexually explicit behavior to underage children.
6. Are there resource(s) you suggest to provide additional information and/or other viewpoints on this topic?
 - a. <http://booklooks.org/book-reports>

Number 4 continued: Concerns about resources.

“Red Hood” by Elana K. Arnold pg. 105

“The tight black curls of his pubic hair surrounded his erection. It’s wet-tipped and urgent, and you stroke it with your fingers...find his penis, and guide it toward the entrance of your vagina. It feels thick there, sort of scary, and there is a moment when you wonder how on earth it will fit inside, but James doesn’t rush you, and you lower yourself onto him, his hands gentle on your hips, not trying to tell you what to do. His eyes are closed, his head is back, and you look at him through the soft curtain of your hair as you sink all the way down, as you feel a tear deep inside you, painful but not terrible, as you feel yourself full of him, of James. And then you move, careful and slow, your hands on his chest, his on your hips, your thighs, and it’s not long before his face tightens up, he makes a low groan, and he shivers beneath you. You stay there, above him, for a moment longer, and inside you, you feel his penis beginning to soften.”

Jesus Land: A Memoir by Julia Sheeres pg. 112

“I open my eyes, and in a boozy blur, see his penis jutting from his shorts. He grabs it by the root. "Lick it," he says in his thick voice, pressing my head toward it. I've heard of girls giggle about blow jobs at school; it's something a boyfriend requires of you. I stare at Scott's penis. There's a pearl balanced on the tan tip. It smells like liverwurst. "Like a lollipop," he's begging now, breathing hard. He wags the penis with his hand to get my attention. I close my eyes and stick out my tongue and it touches the side of it. "Open your mouth," Scott says, and I do. He puts it between my lips and grabs my hair and pulls my head up and down on it. A moment later he groans and something slimy spurts into my mouth that tastes like pool water. Scott collapses onto his back on the mattress and I spit the slime onto my parents' white bedspread and roll onto my back beside him.”

<h1>POLICY</h1>	2022	8271
	Instruction	1 of 4

SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING POLICY

In compliance with the Children's Internet Protection Act (CIPA) and Regulations of the Federal Communications Commission (FCC), the District has adopted and will enforce this Internet safety policy that ensures the use of technology protection measures (i.e., filtering or blocking of access to certain material on the Internet) on all District computers with Internet access. Such technology protection measures apply to Internet access by both adults and minors with regard to visual depictions that are obscene, child pornography, or, with respect to the use of computers by minors, considered harmful to such students. The District will provide for the education of students regarding appropriate online behavior including interacting with other individuals on social networking websites and in chat rooms, and regarding cyber bullying awareness and response. Further, appropriate monitoring of online activities of minors, as determined by the building/program supervisor, will also be enforced to ensure the safety of students when accessing the Internet.

Further, the Board of Education's decision to utilize technology protection measures and other safety procedures for staff and students when accessing the Internet fosters the educational mission of the schools including the selection of appropriate teaching/instructional materials and activities to enhance the schools' programs; and to help ensure the safety of personnel and students while online.

However, no filtering technology can guarantee that staff and students will be prevented from accessing all inappropriate locations. Proper safety procedures, as deemed appropriate by the applicable administrator/program supervisor, will be provided to ensure compliance with the CIPA.

In addition to the use of technology protection measures, the monitoring of online activities and access by minors to inappropriate matter on the Internet and World Wide Web *may* include, but shall not be limited to, the following guidelines:

- a) Ensuring the presence of a teacher and/or other appropriate District personnel when students are accessing the Internet including, but not limited to, the supervision of minors when using electronic mail, chat rooms, instant messaging and other forms of direct electronic communications. As determined by the appropriate building administrator, the use of email, chat rooms, as well as social networking websites, may be blocked as deemed necessary to ensure the safety of such students;
- b) Monitoring logs of access in order to keep track of the websites visited by students as a measure to restrict access to materials harmful to minors;

(Continued)

<h1>POLICY</h1>	2022	8271
	Instruction	2 of 4

**SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING POLICY
(Cont'd.)**

- c) In compliance with this Internet Safety Policy as well as the District's Acceptable Use Policy, unauthorized access (including so-called "hacking") and other unlawful activities by minors are prohibited by the District; and student violations of such policies may result in disciplinary action; and
- d) Appropriate supervision and notification to minors regarding the prohibition as to unauthorized disclosure, use and dissemination of personal identification information regarding such students.

The determination of what is "inappropriate" for minors shall be determined by the District and/or designated school official(s). It is acknowledged that the determination of such "inappropriate" material may vary depending upon the circumstances of the situation and the age of the students involved in online research.

The terms "minor," "child pornography," "harmful to minors," "obscene," "technology protection measure," "sexual act," and "sexual contact" will be as defined in accordance with CIPA and other applicable laws/regulations as may be appropriate and implemented pursuant to the District's educational mission.

Under certain specified circumstances, the blocking or filtering technology measure(s) may be disabled for adults engaged in bona fide research or other lawful purposes. The power to disable can only be exercised by an administrator, supervisor, or other person authorized by the School District.

The School District shall provide certification, pursuant to the requirements of CIPA, to document the District's adoption and enforcement of its Internet Safety Policy, including the operation and enforcement of technology protection measures (i.e., blocking/filtering of access to certain material on the Internet) for all School District computers with Internet access.

Internet Safety Instruction

In accordance with New York State Education Law, the School District may provide, to students in grades K through 12, instruction designed to promote the proper and safe use of the Internet. The Commissioner shall provide technical assistance to assist in the development of curricula for such course of study which shall be age appropriate and developed according to the needs and abilities of students at successive grade levels in order to provide awareness, skills, information and support to aid in the safe usage of the Internet.

(Continued)

<h1>POLICY</h1>	2022	8271
	Instruction	3 of 4

**SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING POLICY
(Cont'd.)**

Access to Inappropriate Content/Material and Use of Personal Technology or Electronic Devices

Under the Protecting Children in the 21st Century Act, students will also be educated on appropriate interactions with other individuals on social networking websites and in chat rooms, as well as cyberbullying awareness and response.

Despite the existence of District policy, regulations and guidelines, it is virtually impossible to completely prevent access to content or material that may be considered inappropriate for students. Students may have the ability to access such content or material from their home, other locations off school premises and/or with a student's own personal technology or electronic device on school grounds or at school events.

The District is not responsible for inappropriate content or material accessed via a student's own personal technology or electronic device or via an unfiltered Internet connection received through a student's own personal technology or electronic device.

Notification/Authorization

The District's Acceptable Use Policy and accompanying Regulations will be disseminated to parents and students in order to provide notice of the school's requirements, expectations, and student's obligations when accessing the Internet.

The District has provided reasonable public notice and has held at least one (1) public hearing or meeting to address the proposed Internet Safety/Internet Content Filtering Policy prior to Board adoption. Additional public notice and a hearing or meeting is not necessary when amendments are made to the Internet Safety Policy in the future.

The District's Internet Safety/Internet Content Filtering Policy must be made available to the FCC upon request. Furthermore, appropriate actions will be taken to ensure the ready availability to the public of this policy as well as any other District policies relating to the use of technology.

The Internet Safety/Internet Content Filtering Policy is required to be retained by the school for at least five (5) years after the funding year in which the policy was relied upon to obtain E-rate funding. * Discounts for Internet Access.

(Continued)

<h1>POLICY</h1>	2022	8271
	Instruction	4 of 4

**SUBJECT: INTERNET SAFETY/INTERNET CONTENT FILTERING POLICY
(Cont'd.)**

47 USC Sections 254(h) and 254(l)
47 CFR Part 54
Education Law Section 814

NOTE: Refer also to Policy #7315 -- Student Use of Computerized Information Resources
(Acceptable Use Policy)
District Code of Conduct

First Read: 06/12/2019
Adopted: 06/12/2019
Revision: 06/08/2022

<h1>POLICY</h1>	2022	8320
		1 of 3
	Instruction	

SUBJECT: TEXTBOOKS, LIBRARY MATERIALS, AND OTHER INSTRUCTIONAL MATERIALS

The District's instructional program is enriched and supported by the selection of quality print and non-print instructional materials. Selected instructional materials will align with New York State learning standards, reflect different viewpoints, and meet the varied needs and interests of staff and students.

Definitions

For purposes of this policy, the following definitions apply:

- a) "Instructional material" means any print or non-print material with instructional content or an instructional function that is used to facilitate formal or informal learning either in the classroom, library media center, or elsewhere in the District. Examples of instructional materials include, but are not limited to: textbooks; workbooks; hardcover and paperback books; ebooks; online databases; DVDs; streaming videos; sound recordings; magazines; newspapers; pamphlets; pictures; charts; games; kits; maps; models; microforms; slides; specimens; and transparencies.
- b) "Library material" means any print or non-print material which is catalogued and processed as part of the library media center for use by students and staff. Examples of library materials include, but are not limited to: hardcover and paperback books; ebooks; online databases; DVDs; streaming videos; sound recordings; magazines; newspapers; pamphlets; pictures; charts; games; kits; maps; models; microforms; slides; specimens; and transparencies.
- c) "Textbook" means a text, or a text-substitute, that a student is required to use in a particular class or program of the District. Textbooks include:
 - 1. Books, or book substitutes, including hardcover or paperback books, workbooks, or manuals; and
 - 2. Courseware or other content-based instructional materials in an electronic format.

Overview of Instructional Materials

Textbooks

The Superintendent will work with District administrators and instructional staff to determine what textbooks should be used as part of the District's instructional program. Upon the recommendation of the Superintendent, the Board will designate the textbooks to be used. Textbooks, once designated, cannot be superseded within a period of five years except by a 3/4 vote of the Board.

The District will ensure that students who require alternative formats of instructional materials receive those materials in a format that meets the National Instructional Materials Accessibility Standard (NIMAS) and at the same time as those instructional materials are available to their peers.

(Continued)

<h1>POLICY</h1>	2022	8320
		2 of 3
	Instruction	

SUBJECT: TEXTBOOKS, LIBRARY MATERIALS, AND OTHER INSTRUCTIONAL MATERIALS (Cont'd.)

The District participates in the National Instructional Materials Access Center (NIMAC) which is an online repository of source files in the NIMAS format. Since the District participates in NIMAC, contracts with publishers executed on and after December 3, 2006 for textbooks and other printed core materials must include a provision that requires the publisher to produce NIMAS files and send them to the NIMAC (this will not add any cost to the contract).

The Board will make provision for funds to be budgeted for the purchase of textbooks. Students may be required to pay for lost or excessively damaged textbooks.

Calculators

The New York State Education Department (NYSED) requires the use of calculators for intermediate and high school level mathematics and science assessments. Students are not required to purchase their own calculators. To the extent that calculators are a necessary part of the instructional program, the District will provide them.

Calculators must be considered a classroom teaching material for which the District is authorized to levy a tax. Even if operating under a contingent budget, the District must purchase and provide calculators if required for participation in an instructional program. Students may be required to pay for lost calculators.

Library Materials

The District will establish and maintain a library media center in each school which will contain library materials. The library media center in each District school will meet the needs of students and staff, and provide an adequate complement to the instructional program in the various areas of the curriculum. The District will employ certified school library media specialists in accordance with specific standards contained in regulation, unless equivalent service is provided by an alternative arrangement approved by the Commissioner.

The Board delegates its authority to designate library materials to be used in the District to the school library media specialist(s). When appropriate, the school library media specialist(s) will work cooperatively with the Superintendent, other District administrators, instructional staff, the Board, students, and/or District community members to identify, order, and organize library materials.

When appropriate, the school library media specialist(s) will utilize shared services such as Boards of Cooperative Educational Services (BOCES) to improve programs and services, build collections, utilize new technologies, and maximize funding.

The Board will make provision for funds to be budgeted for the purchase of library materials. Students may be required to pay for library materials that are lost, excessively damaged, or overdue.

(Continued)

<h1>POLICY</h1>	2022	8320
		3 of 3
	Instruction	

SUBJECT: TEXTBOOKS, LIBRARY MATERIALS, AND OTHER INSTRUCTIONAL MATERIALS (Cont'd.)

Objectives in the Selection of Instructional Materials

The broad range and varying suitability of all forms of instructional materials which are available for purchase demand careful evaluation before they are selected for use in the District's classrooms and library media centers. In order to select quality print and non-print instructional materials to enrich and support the District's instructional program, the Board endorses and supports the selection of instructional materials that:

- a) Align with New York State learning standards;
- b) Implement, enrich, and support the District's curriculum and instructional program, taking into consideration the varied interests, abilities, and learning styles of students;
- c) Meet the varied needs and interests of staff and students;
- d) Present various sides of controversial issues so that students may develop critical thinking and reading skills resulting in the ability to make informed decisions;
- e) Offer global perspectives and promote diversity by including materials by authors and illustrators of all cultures -- materials will not be excluded because of the race, nationality, religion, gender, gender expression, sexual orientation, political views, or social views of the author;
- f) Provide staff and students with a wide range of up-to-date instructional materials of all levels of difficulty in a variety of physical and digital formats including print and non-print such as electronic and multimedia (including subscription databases and other online products, ebooks, educational games, and other forms of emerging technologies);
- g) Afford students the opportunity to explore a diverse range of literature to develop and strengthen a lifelong love of reading.

20 USC §§ 1412, 1474, and 6311

34 CFR § 300.172

34 CFR Part 300, Appendix C

Education Law §§ 701, 702, 711, 1604, 1709, 1804, 1950, 2503, and 3602

8 NYCRR §§ 91.1, 91.2, 100.1, and 200.2

NOTE: Refer also to Policies #5412 -- Alternative Formats for Instructional Materials
 #8110 -- Curriculum Development, Resources, and Evaluation
 #8330 -- Objection to Instructional Materials and Controversial

Issues

First Read: 02/12/2020

Adopted: 02/12/2020

Revision: 06/08/2022

<h1>POLICY</h1>	2023	8330
	Instruction	1 of 3

SUBJECT: OBJECTION TO INSTRUCTIONAL MATERIALS AND CONTROVERSIAL ISSUES

The Board recognizes the right of District community members to voice concerns and objections about instructional materials and the discussion of controversial issues. This policy addresses how those concerns and objections can be raised.

Definitions

For purposes of this policy, the following definitions apply:

- a) "Controversial issues" means questions, subjects, or problems which can create a difference of opinion. They can include issues which may have political, social, environmental, or personal impacts on students and/or the wider community: locally, nationally, or internationally.
- b) "Instructional material" means any print or non-print material with instructional content or an instructional function that is used to facilitate formal or informal learning either in the classroom, library media center, or elsewhere in the District. Examples of instructional materials include, but are not limited to: textbooks; workbooks; hardcover and paperback books; ebooks; online databases; DVDs; streaming videos; sound recordings; magazines; newspapers; pamphlets; pictures; charts; games; kits; maps; models; microforms; slides; specimens; and transparencies.
- c) "Library material" means any print or non-print material which is catalogued and processed as part of the library media center for use by students and staff. Examples of library materials include, but are not limited to: hardcover and paperback books; ebooks; online databases; DVDs; streaming videos; sound recordings; magazines; newspapers; pamphlets; pictures; charts; games; kits; maps; models; microforms; slides; specimens; and transparencies.
- d) "Textbook" means a text, or a text-substitute, that a student is required to use in a particular class or program of the District. Textbooks include:
 - 1. Books, or book substitutes, including hardcover or paperback books, workbooks, or manuals; and
 - 2. Courseware or other content-based instructional materials in an electronic format.

(Continued)

<h1>POLICY</h1>	2023	8330
	Instruction	2 of 3

**SUBJECT: OBJECTION TO INSTRUCTIONAL MATERIALS AND
CONTROVERSIAL ISSUES (Cont'd.)**

Objections to Instructional Materials

The Board has authority to prescribe curriculum in the District and to designate the textbooks to be used in the District. The parent of a student cannot compel the Board to use a particular textbook or discontinue the use of a particular textbook. Further, the District may not be compelled to assign an alternate curriculum to a student based upon a parent's disapproval of classroom assignments. Students may be able to be excused from instruction in very limited circumstances outlined in law and regulation.

District community members who have questions or concerns about instructional materials are encouraged to bring these questions and concerns to instructional staff and/or the school library media specialist(s).

District community members who wish to formally object to instructional materials must submit their objections in writing to the Superintendent. District staff who object to instructional materials must follow the same process as all District community members. Challenged instructional materials will remain in use and/or circulation until a final decision has been made. The Board will be informed of any objection the Superintendent receives.

The Superintendent will designate a review committee to investigate and evaluate the challenged instructional material. The committee will include, among others, the school library media specialist from the building where the objection originated and the building principal. The committee will evaluate the challenged material according to the District's criteria for the evaluation and selection of instructional materials.

The review committee will submit a written report of the results of their review to the Superintendent within 60 days of receipt of the formal written objection. Appeals of decisions by the review committee may be submitted in writing to the Superintendent who will then submit the appeal to the Board for action.

If subsequent objections after an appeal are issued for the same material within a period of five years, the Superintendent can deny the objection based on the previous review and decision.

Controversial Issues

Controversial issues may be studied as part of the curriculum. Instructional staff will present these issues in their classrooms in an impartial and objective manner. It is expected that a library media center's collection, both print and digital, will include items that are considered to be controversial.

(Continued)

<h1>POLICY</h1>	2023	8330
	Instruction	3 of 3

**SUBJECT: OBJECTION TO INSTRUCTIONAL MATERIALS AND
CONTROVERSIAL ISSUES (Cont'd.)**

Instructional staff wishing to call upon outside speakers to present on controversial issues are required to work with the building principal who will keep in mind the obligation to present balanced viewpoints. The building principal will inform the Superintendent of the presentation on the controversial issue prior to it occurring.

Any objection to how a controversial issue is being taught, including the use of a guest speaker, should be directed to the building principal who will consult with appropriate instructional staff to address the objection.

If the objection is related an instructional material being used in the teaching of a controversial issue, the process requesting reconsideration of library or instructional materials should be followed. Objections to instructional materials by District community members must be submitted in writing to the Superintendent. If the objection is related to the curriculum or New York State learning standards, the building principal will address the matter with the individual(s) raising the objection.

Education Law §§ 701, 711, 809, 1604, 1709, 1804, 2503, and 3204
8 NYCRR §§ 16.2 and 135.3

NOTE: Refer also to Policies #8320 -- Textbooks, Library Materials, and Other Instructional Materials
#8360 -- Religious Expression in the Instructional Program

First Read: 03/11/2020
Adopted: 03/11/2020
Revision: 06/08/2022
Reviewed: 02/08/2023, 07/12/2023

Appendix E: Committee Library Materials Evaluation Form

Clyde-Savannah Central School District
Library Materials Evaluation Form

1.	<p>Physical Description of challenged material (author, title, publisher, copyright, producer, etc.)</p> <p>Ellen Hopkins' <i>People Kill People</i> was first published in 2018. It is a prose/fiction hybrid text. The edition in the Clyde-Savannah JSHS is currently marked as lost. It was checked out in November of 2022 and was not returned. This was the only physical copy available.</p>
2.	<p>Justification for inclusion of materials (including theme and purpose)</p> <p>The committee referenced the following credible sources as we considered the inclusion of <i>People Kill People</i> in the Clyde-Savannah Jr./Sr. High Library.</p> <p>Purpose for Consideration:</p> <p>A compelling and complex novel about gun violence and white supremacy from #1 <i>New York Times</i> bestselling author Ellen Hopkins. New York Times Bestseller</p> <p>"This powerful story will spark controversy and prompt passionate debate." – Publishers Weekly</p> <p>"The lives of six troubled teen characters make for a chilling and disturbing novel that takes on serious and timely issues around gun violence, racism, and immigration. The relationship of the teens in <i>People Kill People</i> is so hard to keep track of (Daniel's half-brother is Tim, who's friends with Silas, who's stalking Daniel's girlfriend, Grace, who's the sometime best friend of Noelle, who's the sister of Rand's wife, Cami) that readers may want to take notes in order to keep everyone straight. While the revelation of the killer at the end is shocking, many readers may also find it makes for an unsatisfying conclusion to the story."-www.Commonsensemedia.org</p> <p>Themes Include: Discrimination and Prejudice, Racial Discrimination, Bullying, Overcoming Adversity, Relationship Skills, Social Awareness, and Violence.</p>
3.	<p>Reviewers' judgment of material (if possible, include copies of reviews indicating the source)</p> <p>The Committee also considered the following information: Follett Titlewave, a vendor used by many school libraries, assigns <i>People Kill People</i> an audience rating of Young Adult (YA). Booklist rates <i>People Kill People</i> for Grades 9-12; Kirkus: Ages 16-18; Publishers</p>

	<p>Weekly: Ages 14-up; School Library Journal (SLJ): Gr 10-Up</p> <p>Reviews considered while reviewing this book were, Follett, Booklist, Kirkus, School Library Journal and Publisher Weekly Reviews. (Full-Text Reviews attached)</p> <p><i>People Kill People</i> is available at six other school libraries in the region.</p>
<p>4.</p>	<p>Material Evaluation Committee's decision and comments: (include statement for the majority and minority positions)</p> <p>The committee reached a unanimous consensus to preserve the title, <i>People Kill People</i>, in the Clyde-Savannah Jr./Sr. High School Library. The book will be appropriately shelved as a YA (Young Adult) novel, which will be indicated on the outside cover of the book.</p> <p>In accordance with the New York State Education Department School Library Program Rubric, Clyde-Savannah CSD strives to be distinguished in all areas, including the following:</p> <ul style="list-style-type: none"> ● All resources that can be accessed through the school library are available equitably to all members of the learning community as appropriate for grade and developmental level. ● The library offers learners the freedom to develop their identities through the discovery of their values, passions, interests, and strengths. ● School culture reinforces that resources and technology are made accessible in a manner that ensures confidentiality, equity, and freedom from barriers in multiple settings. <p>Additionally, Clyde-Savannah CSD strives to uphold the six core values outlined in the NYSED School Library Program Rubric:</p> <ul style="list-style-type: none"> ● Accessibility ● Cultural Responsiveness ● Equity ● Ethics ● Intellectual Freedom ● Privacy <p>and the principles of the American Library Association (ALA) <u>Library Bill of Rights</u> and the New York Library Association's (NYLA) <u>Position Statement on the Defense of Intellectual Freedom</u>.</p> <p>The committee referenced the court case, <i>Board of Education, Island Trees Union Free School District No. 26 v. Pico by Pico</i>, in our review process.</p> <p>The committee has aligned its review of materials to BOE Policy 8320 (Selection of Library and Multimedia Materials) and BOE Policy 8330 (Objection to Instructional Materials and Controversial Issues)</p>

	<p>Consideration was also given to the following:</p> <p>The Board of Education agrees that the responsibility of the school library is:</p> <ol style="list-style-type: none"> 1. To provide materials that will enrich and support the curriculum, taking into consideration the varied interest, abilities and maturity levels of the students served. 2. To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards. 3. To provide a background of information that will enable students to make intelligent judgements in their daily lives. 4. To provide materials on opposing sides of controversial issues so that the young citizens may develop, under guidance, the practice of critical reading and thinking. 5. To provide materials representative of the many religious, ethnic, and cultural groups and their contribution to our American heritage. 6. To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.
	<p>Committee Members:</p> <ul style="list-style-type: none"> ● Director of Curriculum, Instruction and Educational Services, Holly Drahms ● Senior High Principal, Craig Pawlak ● Junior High Principal, Justin Fries ● JSHS Library Media Specialist, Emilie Bastian ● English Department Chair, Joelle Nicholson ● Process Consultant, Katherine Hammill
	<p>Date: 6/14/23</p>

Full-Text Reviews

Booklist (June 1, 2018 (Vol. 114, No. 19))

Grades 9-12. The perennially popular Hopkins returns with another timely novel about an urgent issue; this time it's the violence that threatens the lives of her ensemble cast of six young adults. Indeed, it is "Violence" itself that tells their stories in a combination of Hopkins' signature verse and straightforward, unornamented prose. There is Rand, filled with rage at the man who abused him as a child; Cami, his wife, a small-time drug dealer; Silas, a white supremacist; Noelle, brain damaged in a car accident and secretly in love with beautiful Grace; Daniel, a homeless boy who also loves Grace; and Ashlyn, whose father stabbed her mother to death. The lives of all of the teens are interconnected, sharing the common potential that violence might change—or even end—their lives. Hopkins does a fine job of avoiding the didactic while creating a compelling, page-turning story. Yes, there are guns, but it is made obvious that death can come in other ways, for violence never takes a vacation. Librarians should expect a large demand for this one.

Kirkus Reviews (July 1, 2018)

Violence narrates a tale of intersecting lives. A gun used in an accidental domestic shooting ends up in the hands of one of six Tucson teens whose feelings about guns and violence, immigration and racial superiority, love and sex are explored. Their urges for power—over their own lives or others'—tempt them

to consider violent acts. As the day of a pro-immigration rally and counterprotest nears, readers are left guessing which character will kill and which will die, as Violence promises. Violence alternates between free verse omniscient third-person narration and switching to second-person present tense to invite readers into the mind of each major character. Silas finds a sense of belonging in a white supremacist group and is disgusted by his mother's Jewish boyfriend and father's Mexican girlfriend; Daniel is left feeling bitter when his Honduran mother is deported and his white father dies, leaving him to live with the white wife and son who were not aware of his existence; and Noelle is a depressed, white, closeted teen, suffering seizures following a tragic brush with gun violence. This structure effectively illustrates how otherwise normal people can become killers. The book avoids glamorizing gun violence and bigotry as the characters are difficult to empathize with. The final revelation, though surprising on a plot level, lacks the emotional impact that the subject matter deserves. An interesting thought experiment. (Prose/fiction hybrid. 16-18)

Publishers Weekly (August 6, 2018)

Writing via an omniscient narrator called Violence, which also slips into the minds of characters, Hopkins (*The You I've Never Known*) tackles issues of immigration policy, racism, gun control, and the idea that "Given the right circumstances, / any person could kill someone." The book introduces a network of teens and shows how "each possesses an incentive/ to pick up a gun, pull the trigger." There's new father Rand, itching for revenge on his former scoutmaster, who was recently released from prison; Rand's wife, Cami, also a new parent, who's secretly dealing drugs to make extra cash; Ashlyn, who wants power on her own terms, and her boyfriend, white nationalist Silas; and Daniel, a homeless teen whose love for a girl is growing desperate. Tempers simmer and suspense builds as the characters make plans to attend or protest a pro-immigration rally. Someone will die on the day of the rally, and the explosive and highly ironic event asks questions about the phrase "Guns don't kill people. People kill people." Set in Arizona, a state with an open-carry gun policy, this powerful story will spark controversy and prompt passionate debate. Ages 14-up. Agent: Laura Rennert, Andrea Brown Literary. (Sept.) © Copyright PWxyz, LLC. All rights reserved.

School Library Journal (September 1, 2018)

Gr 10 Up-This novel-in-verse illuminates the potentially powerful and dangerous allure of guns but ultimately lets the message overpower the story. Set in Tucson, AZ, Hopkins's latest follows six teens who have all been witness to or victim of violence in their lives. Over the course of several days, their relationships are tested and ideologies clash. Readers are warned that someone will shoot a gun and someone will die, and as tensions build, it becomes clearer that each character has an incentive for pulling the trigger. Although this novel's themes are timely, the story often comes off as sensationalized, and its characters' traumatic experiences seem forced rather than organic. The alternating verse and second person prose narrative, which switches focus among the six protagonists, makes connecting with each individual especially challenging. Were it not for direct references to age, readers might assume they were in their 20s or 30s by the way they act and speak. This characterization, combined with the story's difficult subject matter-including physical and sexual violence, explicit language, drug use, and racially motivated hatred-makes this novel best suited for a new adult audience. Hopkins has a talent for creating tension and apprehension, and the dramatic ending will no doubt leave readers talking. VERDICT Sure to be a divisive novel, both for its storytelling and themes, this offering spotlights critical social issues but misses the mark on its delivery.-Lauren Hathaway, University of British Columbia © Copyright 2018. Library Journals LLC, a wholly owned subsidiary of Media Source, Inc. No redistribution permitted.

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**PEOPLE
KILL
PEOPLE**

People kill people
Ellen Hopkins.

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Sublocation: REALISTIC FICTION Off-site copies available: 7 of 7. See all.

Follows six teenagers as they are brought into close contact over the course of one tense week, in a town with political and personal tensions that build until one fires a fatal gunshot—Provided by publisher.

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- Novels in verse. [Find It](#)
- Titles by: Hopkins, Ellen.
- Titles by: Online version: Hopkins, Ellen, author. **People kill people** First edition. New York : Margaret K. McElderry Books, [2018] 9781481442954
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- Publisher's Weekly, August 2018
- Booklist, June 2018
- Kirkus Review, July 2018.
- Publisher's Weekly.
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- Publisher's Weekly, August 2018
- Booklist, June 2018
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- Booklist
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- New York Times, October 2018
- Interest grade level: Young Adult Follett Library Resources.
- Interest grade level: Young Adult Follett School Solutions.
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Appendix E: Committee Library Materials Evaluation Form

Clyde-Savannah Central School District
Library Materials Evaluation Form

1.	<p>Physical Description of challenged material (author, title, publisher, copyright, producer, etc.)</p> <p><i>Jesus Land</i> by Julia Scheeres was first published on September 6, 2005, by Counterpoint Press Publishing Co. The book is in new condition. It is shelved in the Junior/Senior High School library. It is the only physical copy in our library system.</p>
2.	<p>Justification for inclusion of materials (including theme and purpose)</p> <p>The committee referenced the following credible sources as we considered the inclusion of <i>Jesus Land</i> in the Clyde-Savannah JSHS Library.</p> <p>Awards and Distinctions:</p> <p>ALA Alex Award 2006 https://www.titlewave.com/search) QPB New Visions Award https://www.counterpointpress.com/books/jesus-land/ New York Times Bestseller London Times Bestseller</p> <p>Purpose for Consideration: In this memoir, Scheeres takes us from the familiar Midwest, a land of cottonwood trees and trailer parks, to a place beyond her imagining. At home, the Scheeres kids must endure the usual trials of adolescence - high-school hormones, incessant bullying, and the deep-seated restlessness of social misfits everywhere - under the shadow of virulent racism neither knows how to contend with. When they start to crack (or fight back), they are packed off to Escuela Caribe. This brutal, prison-like "Christian boot camp" demands that its inhabitants repent for their sins - sins that few of them are aware of having committed. Julia and David's determination to make it through with heart and soul intact is told here with immediacy, candor, sparkling humor, and not an ounce of malice. <i>Jesus Land</i> is, on every page, a keenly moving ode to the sustaining power of love, and rebellion, and the dream of a perfect family. https://www.goodreads.com/book/show/146064.Jesus_Land?from_search=true&from_srp=true&qid=Cm0QYX2rYE&rank=1</p> <p><i>From Follett</i> The author recalls her childhood in a strict religious Midwestern town, her brother's and her education in a Christian reform school in the Dominican Republic, the trials of adolescence and racism.</p> <p><i>From the Publisher</i> "A page turner . . . heart-stopping and enraging . . . focused, justified, and without a trace of self-pity. Shot through with poignancy." –New York Times Book Review</p>

	<p>Over a decade after its first publication, <i>Jesus Land</i> remains deeply resonant with readers. Now with a new preface by the author, this New York Times bestselling memoir is a gripping tale of rage and redemption, hope and humor, morality and malice—and most of all, the truth: that being a good person takes more than just going to church.</p> <p>Julia and her adopted brother, David, are sixteen years old. Julia is white. David is black. It is the mid-1980s and their family has just moved to rural Indiana, a landscape of cottonwood trees, trailer parks, and an all-encompassing racism. In this riveting and heartrending memoir, Julia Scheeres takes us from the Midwest to a place beyond imagining.</p> <p>https://www.titlewave.com/search</p> <p>Themes Include: Gender Studies, Women Studies, Religion, Racism, adoption, Christianity, Cults, Coming of Age, Cultural Experiences, Family</p>
3.	<p>Reviewers' judgment of material (if possible, include copies of reviews indicating the source)</p> <p>The committee also considered the following information:</p> <p>Follett Titlewave, a vendor used by many school libraries, assigns <i>Jesus Land</i> an “Adult” interest level.</p> <p>Teachingbooks.net lists a recommended age group for grades 7-12.</p>
4.	<p>Material Evaluation Committee's decision and comments: (include statement for the majority and minority positions)</p> <p>The committee reached a unanimous consensus to preserve the title, <i>Jesus Land</i>, in the Clyde-Savannah Jr./Sr. High School Library. The book will be appropriately shelved as an “Adult” novel, which will be indicated on the outside cover of the book.</p> <p>In accordance with the New York State Education Department School Library Program Rubric, Clyde-Savannah CSD strives to be distinguished in all areas, including the following:</p> <ul style="list-style-type: none"> ● All resources that can be accessed through the school library are available equitably to all members of the learning community as appropriate for grade and developmental level. ● The library offers learners the freedom to develop their identities through the discovery of their values, passions, interests, and strengths. ● School culture reinforces that resources and technology are made accessible in a manner that ensures confidentiality, equity, and freedom from barriers in multiple settings. <p>Additionally, Clyde-Savannah CSD strives to uphold the six core values outlined in the NYSED School Library Program Rubric:</p> <ul style="list-style-type: none"> ● Accessibility ● Cultural Responsiveness ● Equity ● Ethics ● Intellectual Freedom

- Privacy

and the principles of the American Library Association (ALA) Library Bill of Rights and the New York Library Association's (NYLA) Position Statement on the Defense of Intellectual Freedom.

The committee referenced the court case, *Board of Education, Island Trees Union Free School District No. 26 v. Pico by Pico*, in our review process.

The committee has also aligned their review of materials to BOE Policy 8320 (Selection of Library and Multimedia Materials) and BOE Policy 8330 (Objection to Instructional Materials and Controversial Issues)

Consideration was also given to the following:

The Board of Education agrees that the responsibility of the school library is:

1. To provide materials that will enrich and support the curriculum, taking into consideration the varied interest, abilities and maturity levels of the students served.
2. To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards.
3. To provide a background of information that will enable students to make intelligent judgements in their daily lives.
4. To provide materials on opposing sides of controversial issues so that the young citizens may develop, under guidance, the practice of critical reading and thinking.
5. To provide materials representative of the many religious, ethnic, and cultural groups and their contribution to our American heritage.
6. To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

Committee Members:

- Director of Curriculum, Instruction and Educational Services, Holly Drahms
- Senior High Principal, Craig Pawlak
- Junior High Principal, Justin Fries
- JSHS Library Media Specialist, Emilie Bastian
- English Department Chair, Joelle Nicholson

Date: June 7, 2023

Full-Text Reviews

Booklist (September 1, 2005 (Vol. 102, No. 1))

In the name of religion, Scheeres and her adopted black brother, David, suffer cruel abuse, first in their Calvinist home in Indiana in the 1970s and then when their surgeon father and missionary-minded mother

send the teens to a fundamentalist Dominican Republic reform school that is run like boot camp. The self-righteous sermonizing would be hilarious if it were not the justification for vicious punishment. The racism is open, from the other kids and from authority. Scheeres tries to find comfort in drink and in sex with a classmate ("His heat and his desire they comfort me. I shall not want"). What is unforgettable is the tenderness between sister and brother, as uplifting as any sermon. Their relationship is never sentimentalized: She is ashamed of the times she turns her back on him, tired of being called "nigger-lover . . . the black boy's sister,"but they help each other through the worst with horseplay, humor, and courage. The writing is Dickensian in its blend of the tender, the brutal, and the absurd.

Taken from the **Hardcover**.

Kirkus Reviews (July 15, 2005)

The road out of an intolerant small town leads straight to a faith-based reform school in journalist Scheeres's scaring memoir.

When she was 16, her fundamentalist Christian parents moved the author and her two adopted, African-American brothers to a Midwest farming community that they immediately discovered was a little patch of racist attitudes. Seventeen-year-old Jerome stole the family car and made his escape, but not for long. After his return, he repeatedly raped Scheeres, noting that he wasn't really her brother. Jerome was himself abused by their parents: Mother had enthusiasm only for God's works, not for children; Dad was a sadist who once broke the arm of son David with a two-by-four. When David tried to commit suicide, Mother's response was, "Why can't I just have one day of peace?" Pretty soon Scheeres was finding that a splash of Southern Comfort in the morning went a long way toward making bearable a day that began with the house-wide intercom system blaring Christian radio and typically ended with some motherly snideness (on a good day) or a fatherly beating (on a bad day). The only bright spot was the affection between the author and David, her best friend and angel. It helped the two endure after they were shipped off to reform school in the Dominican Republic. Run by members of their parents' faith, Escuela Caribe was a place of petty cruelty, but at least the tribulations of being a new kid in a close-knit school was better than the torments of life at home. Forget redemption: Think survival, and marvel at how Scheeres kept sadness and fear at bay while battling hormones and small-mindedness so small it's hard for the reader to detect anything in her mother or father that might be considered a mind at all.

A bristly summoning of unpretty events, conveyed with remarkable placidity.

Taken from the **Hardcover**.

Library Journal (November 1, 2005)

In her first book, journalist Scheeres tells what it was like growing up in a fundamentalist Christian family in rural Indiana with two adopted African American brothers. She deftly exposes the disparity between her parents' religious beliefs and their actions, showing that her cold, distant, and temperamental mother invested more interest and emotion in missionaries than in her children and that her father meted out severe punishments for the boys while only lightly punishing his daughter. Scheeres suffered estrangement and teasing by classmates for being the sister of the only two African American boys in the school and confesses with honesty and emotion her guilt and shame at abandoning her little brother in her search for acceptance. Despite the many trying situations in which she found herself, including being imprisoned on a Caribbean island at a fundamentalist Christian reform school, Scheeres's constant love for her younger brother and their childhood dream of moving to Florida pulled her through. This work will

force readers to relive the angst of being a teenager at a new school and desperately trying to fit in. Highly recommended.-Mark Alan Williams, Library of Congress Copyright 2005 Reed Business Information.

Taken from the Hardcover.

Publishers Weekly (August 15, 2005)

Journalist Scheeres offers a frank and compelling portrait of growing up as a white girl with two adopted black brothers in 1970s rural Indiana, and of her later stay with one of them at a Christian reform school in the Dominican Republic. The book takes its title from a homemade sign that Scheeres and the brother closest to her in age and temperament, David, spot one day on a road in the Hoosier countryside, proclaiming, "This here is: JESUS LAND." And while religion is omnipresent both at their school and in the home of their devout parents, the two rarely find themselves the beneficiaries of anything resembling Christian love. One of the elements that make Scheeres's book so successful is her distanced, uncritical tone in relaying deeply personal and clearly painful events from her life. She powerfully renders episodes like her attempted rape at the hands of three boys, the harsh beatings administered to David by her father and the ceaseless racial taunting by schoolmates; her lack of perceivable malice or vindictiveness prevents readers from feeling coerced into sympathy. The same can be said for Scheeres's description of their Dominican school, where humiliation and physical punishment are meant to redeem the allegedly misguided pupils. Tinged with sadness yet pervaded by a sense of triumph, Scheeres's book is a crisply written and earnest examination of the meaning of family and Christian values, and announces the author as a writer to watch. Agent, Sam Stoloff. (Oct.) Copyright 2005 Reed Business Information.

Taken from the Hardcover.

Appendix E: Committee Library Materials Evaluation Form

Clyde-Savannah Central School District
 Library Materials Evaluation Form

<p>1.</p>	<p>Physical Description of challenged material (author, title, publisher, copyright, producer, etc.)</p> <p><i>Red Hood</i> by Elana K. Arnold was published in 2021 by Balzer and Bray, an imprint of Harper Collins Publishers. The book is in new condition. It is shelved in the Junior/Senior High School library. It is the only physical copy in our library system.</p>
<p>2.</p>	<p>Justification for inclusion of materials (including theme and purpose)</p> <p>The committee referenced the following credible sources as we considered the inclusion of <i>Red Hood</i> in the Clyde-Savannah JSHS library.</p> <p>Awards and Distinctions:</p> <p>Rise: A Feminist Book Project Top Ten, 2011-2023</p> <p>Publishers Weekly Best Books, 2010-2022</p> <p>Booklist Editors Choice Books for Youth 2020</p> <p>Purpose for Consideration:</p> <p><i>From Follett</i></p> <p>"Since her grandmother became her caretaker when she was four years old, Bisou Martel has lived a quiet life in a little house in Seattle. She's kept mostly to herself. She's been good. But then comes the night of homecoming, when she finds herself running for her life over roots and between trees, a fury of claws and teeth behind her. A wolf attacks. Bisou fights back. A new moon rises. And with it, questions. About the blood in Bisou's past, and on her hands as she stumbles home. About broken boys and vicious wolves. About girls lost in the woods--frightened, but not alone"--Dust jacket.</p> <p>Sixteen-year-old Bisou Martel's life takes a profound turn after encountering an aggressive wolf.</p> <p>Following an embarrassing incident between Bisou and her boyfriend, James, after the homecoming dance, a humiliated Bisou runs into the Pacific Northwest woods. There, she kills a giant wolf who viciously attacks her, upending the quiet life she's lived with her Mémé, a poet, since her mother's violent death. The next day it's revealed that her classmate Tucker— who drunkenly came on to her at the dance—was found dead in the woods with wounds identical to the ones Bisou inflicted on the wolf. When she rescues Keisha, an outspoken journalist for the school paper, from a similar wolf attack, Bisou gains an ally, and her Mémé reveals her bloody and brave legacy, which is inextricably tied to the moon and her menstrual cycle. Bisou needs her new powers in the coming days, as more wolves lie in wait. Arnold (<i>Damsel</i>, 2018, etc.) uses an intriguing blend of magic realism, lyrical prose, and imagery that evokes intimate physical and emotional aspects of</p>

	<p>young womanhood. Bisou's loving relationship with gentle, kind James contrasts with the frank exploration of male entitlement and the disturbing incel phenomenon. Bisou and Mémé seem to be white, Keisha is cued as black, James has light-brown skin and black eyes, and there is diversity in the supporting cast. https://www.kirkusreviews.com/book-reviews/elana-k-arnold/red-hood/</p> <p>'In the wake of her Printz Honor-winning <i>Damsel</i>, Arnold blazes a new and equally powerful trail through toxic masculinity. Read, shed your pelt, and be transformed—for blades are being sharpened.' — <i>Booklist</i> (starred review)</p> <p>"It's unsettling how seamlessly Arnold incorporates dark fantasy elements of beastly wolves and cunning hunters into her all-too-realistic tale. A fantastic novel in the #MeToo era, empowering women to share their stories by reaching out, speaking up, and demanding a change." — <i>School Library Journal</i> (starred review)</p> <p>"At once a sharp critique of male entitlement and a celebration of sisterhood and feminine power, this story will linger with readers long after the final page." — <i>Publishers Weekly</i> (starred review)</p> <p>"Arnold uses an intriguing blend of magic realism, lyrical prose, and imagery that evokes intimate physical and emotional aspects of young womanhood. A timely and unabashedly feminist twist on a classic fairy tale." — <i>Kirkus Reviews</i></p> <p>'This will satisfy readers looking for a vengeful overthrow of the patriarchy that recasts the victims as the victors.' — <i>Bulletin of the Center for Children's Books</i></p> <p>'An ultimately empowering, and thoroughly immersive, feminist fairy tale.' — <i>Horn Book</i> (starred review)</p> <p>'Deeply and darkly enticing, <i>Red Hood</i> isn't a modern retelling so much as it is the story we should have had all along.' — <i>Shelf Awareness</i></p> <p>https://www.harpercollins.com/products/red-hood-elana-k-arnold?variant=32967804518434</p> <p>Themes Include: Social Themes, Science Fiction and Fantasy, Sexual Abuse, Feminism</p>
3.	<p>Reviewers' judgment of material (if possible, include copies of reviews indicating the source)</p> <p>The committee also considered the following information:</p> <p>Follett Titlewave, a vendor used by many school libraries, assigns <i>Red Hood</i> a "Young Adult" interest level. Follett Titlewave also provides the following age recommendations for <i>Red Hood</i>: From the publisher: Ages 14+; From <i>Booklist</i>: Grades 9-12; <i>Kirkus</i>: Ages 14-18; <i>School Library Journal</i> (SLJ): Gr 10-Up; <i>Barnes & Noble</i>: Ages 14-17</p>
4.	<p>Material Evaluation Committee's decision and comments: (include statement for the majority and minority positions)</p> <p>The committee reached a unanimous consensus to preserve the title, <i>Red Hood</i>, in the Clyde-Savannah Jr./Sr. High School Library. The book will be appropriately shelved as a YA (Young Adult) novel, which will be indicated on the outside cover of the book.</p> <p>In accordance with the New York State Education Department School Library Program Rubric, Clyde-Savannah CSD strives to be distinguished in all areas, including the following:</p>

- All resources that can be accessed through the school library are available equitably to all members of the learning community as appropriate for grade and developmental level.
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- Accessibility
- Cultural Responsiveness
- Equity
- Ethics
- Intellectual Freedom
- Privacy

and the principles of the American Library Association (ALA) Library Bill of Rights and the New York Library Association's (NYLA) Position Statement on the Defense of Intellectual Freedom.

The committee referenced the court case, *Board of Education, Island Trees Union Free School District No. 26 v. Pico by Pico*, in our review process.

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6. To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

Committee Members:

- Director of Curriculum, Instruction and Educational Services, Holly Drahms

- Senior High Principal, Craig Pawlak
- Junior High Principal, Justin Fries
- JSHS Library Media Specialist, Emilie Bastian
- English Department Chair, Joelle Nicholson

Date: July 7, 2023

Full-Text Reviews

Booklist starred (November 15, 2019 (Vol. 116, No. 6))

Grades 9-12. In the wake of her Printz Honor-winning *Damsel* (2018), Arnold blazes a new and equally powerful trail through toxic masculinity by way of a fairy tale. This time it's the mythology of "Little Red Riding Hood" that pulsates through the narrative, setting primal instincts loose in modern times, where wolves wear the clothes of men and the faces of teen boys. The mortifying arrival of Bisou's first period sends her running from her boyfriend and the homecoming dance into the nearby woods, where she quickly senses she is being stalked. Her lupine pursuer attacks with a single-mindedness that leaves Bisou no choice but to fight back, and she finds her unusually heightened senses assure her victory—the body of the dead wolf morphing, bewilderingly, into the naked form of a male classmate. Eventually, Bisou confides in her grandmother, with whom she lives, who reveals their lot as hunters of the wolves who would force themselves on women. This alone would make for an enthralling story, but Arnold ekes out the grandmother's history and the circumstances of Bisou's mother's death in tantalizing increments while also spinning an emotionally complex high-school drama. It is a book of blood, where menstruation empowers, predators bleed out, sisterhood is forged, and genetics bestow unasked-for responsibilities. So read, shed your pelt, and be transformed—for blades are being sharpened.

Taken from the **Hardcover**.

Horn Book Magazine (May/June, 2020)

After a consensual (and vividly described) sexual encounter with her boyfriend that, to her surprise, ends in her beginning to menstruate for the first time, sixteen-year-old Bisou is attacked by a wolf on her way home, and is able to kill it. The next day, she learns that a male classmate has been found naked and dead in the same area of the woods. It is revealed, partly through an extended flashback, that Bisou has inherited the role of "hunter" from her grandmother, that her menses will continue to arrive with the full moon, and that during that time wolves will attack girls or women and she will have the ability to kill those wolves. Arnold (author of the Printz Honor-winning original fairy tale *Damsel*, rev. 11/18) here spins "Little Red Riding Hood" as a story of rape and rape culture as well as of female strength and vengeance. Second-person narration with evocative description makes for a captivatingly immediate reading experience ("As his jaw snaps at you, so close you feel the skim of his teeth on your flesh, the slice of his claw at your breast, you find his neck, your fingers plunge deep into his lush fur and you lunge past him"). Occasional interspersed free-verse poems by Bisou and her murdered mother distill the emotions present in the narrative. A disturbing but ultimately empowering, and thoroughly immersive, feminist fairy tale. Shoshana Flax May/June 2020 p.117

Taken from the **Hardcover**.

Kirkus Reviews (December 15, 2019)

Sixteen-year-old Bisou Martel's life takes a profound turn after encountering an aggressive wolf. Following an embarrassing incident between Bisou and her boyfriend, James, after the homecoming dance, a humiliated Bisou runs into the Pacific Northwest woods. There, she kills a giant wolf who viciously attacks her, upending the quiet life she's lived with her Mémé, a poet, since her mother's violent death. The next day it's revealed that her classmate Tucker—who drunkenly came on to her at the dance—was found dead in the woods with wounds identical to the ones Bisou inflicted on the wolf. When she rescues Keisha, an outspoken journalist for the school paper, from a similar wolf attack, Bisou gains an ally, and her Mémé reveals her bloody and brave legacy, which is inextricably tied to the moon and her menstrual cycle. Bisou needs her new powers in the coming days, as more wolves lie in wait. Arnold (Damsel, 2018, etc.) uses an intriguing blend of magic realism, lyrical prose, and imagery that evokes intimate physical and emotional aspects of young womanhood. Bisou's loving relationship with gentle, kind James contrasts with the frank exploration of male entitlement and the disturbing incel phenomenon. Bisou and Mémé seem to be white, Keisha is cued as black, James has light-brown skin and black eyes, and there is diversity in the supporting cast. A timely and unabashedly feminist twist on a classic fairy tale. (Fantasy. 14-18)

Taken from the **Hardcover**.

Publishers Weekly (December 9, 2019)

There isn't always a wolf... but there is always the threat of one." Arnold artfully spins a dark, magic-tinged "Little Red Riding Hood" retelling in which a young woman discovers the power that is her birthright. Bisou Martel, 16, has lived with her grandmother, Mémé, since her mother's brutal murder when Bisou was only four. Attacked in the forest by a vicious wolf after the homecoming dance—the night she first gets her period—Bisou must slay her pursuer or succumb to its murderous intent. The next day, a boy who behaved forcefully with Bisou at the dance is found naked in the woods, dead from the same wounds as the wolf that Bisou killed. When a classmate, Keisha, is attacked by another wolf and another faces bullying by a likely incel, Bisou's family's past and her grandmother's closely guarded secrets come to the fore. Arnold (Damsel) effectively employs a second-person narrative ("You were ready-lipstick on, hairpins in") that evokes a sense of immediacy, blurring the gap between reader and character. Though Arnold never shies from discomfort, depictions of positive male-female relationships and sexual interactions—which clearly illustrate healthy, joyful, consensual experiences—juxtapose the trauma and pain of nonconsensual acts. At once a sharp critique of male entitlement and a celebration of sisterhood and feminine power, this story will linger with readers long after the final page. Ages 14-up. (Feb.) © Copyright PWxyz, LLC. All rights reserved.

Taken from the **Hardcover**.

School Library Journal (December 1, 2019)

Gr 10 Up—Since Mémé took over guardianship from her Mama 12 years ago, Bisou Martel has lived a relatively normal life in Washington State. However, as the new moon rises and junior year homecoming arrives, everything changes. Bisou finds herself running through the woods with a bloodthirsty wolf at her heels. The struggle that ensues ends with Bisou walking away victorious and full of questions. Her quest for answers unleashes truths about Mémé, Mama, and other women in her supposedly quiet town, leading Bisou to reclaim her tenacity while safeguarding those she holds dear. It's unsettling how seamlessly Arnold incorporates dark fantasy elements of beastly wolves and cunning hunters into her all-too-realistic tale. Broken into three parts, the narration moves between second- and first-person, with a sprinkle of poetry, all of which perfectly fleshes out Bisou, Mémé, and Mama's histories. This dynamic mix

of narration beautifully enriches the mirrored hopes, fears, and overwhelming love that drives each woman. As Bisou draws closer to the women in her life, she begins to grasp the toxic culture that permeates her modern world, a lethal society where many have silently sacrificed a part of themselves because of fear, shame, or doubt. With an author's note at the start, be aware that a few scenes dive into intimate, often uncomfortable moments. VERDICT A fantastic novel in the #MeToo era, empowering women to share their stories by reaching out, speaking up, and demanding a change.-Emily Walker, Lisle Library District, IL © Copyright 2019. Library Journals LLC, a wholly-owned subsidiary of Media Source, Inc. No redistribution permitted.

Taken from the Hardcover.

Appendix E: Committee Library Materials Evaluation Form

Clyde-Savannah Central School District
Library Materials Evaluation Form

1.	<p>Physical Description of challenged material (author, title, publisher, copyright, producer, etc.)</p> <p>George M. Johnsons' <i>All Boy's Aren't Blue</i> was first published in 2020 by Farrar, Straus and Giroux. The book is in new condition. It is shelved in the Junior/Senior High School library. It is the only physical copy in our library system.</p>
2.	<p>Justification for inclusion of materials (including theme and purpose)</p> <p>The committee referenced the following credible sources as we considered the inclusion of <i>All Boy's Aren't Blue</i> in the Clyde-Savannah JSJS library.</p> <p>Awards and Distinctions: American Library Association Rainbow List: Top Ten LGBTQ Books for Children and Teens, 2011-2023. (Commended, 2021) https://glbtrt.ala.org/rainbowbooks/archives/1341</p> <p>American Indians in Children's Literature (AICL): Lists of Best Books, 2010-2022 (High School Selection, 2021) https://americanindiansinchildrensliterature.blogspot.com/2021/12/aicls-best-books-of-2020.html</p> <p>Kirkus Reviews' Best Books of 2020 https://www.kirkusreviews.com/book-reviews/george-m-johnson/all-boys-arent-blue/</p> <p>New York Times Bestseller</p> <p>Purpose for Consideration:</p> <p>George M. Johnson centers the experiences, desires, and agency of a queer Black boy navigating his evolving selfhood and the challenges of society's conditional love for his truthful existence.</p> <p>Queer Black existence has been here forever, and yet rarely has that experience been spotlighted within literature aimed at Black boyhood. This is the context in which this "memoir-manifesto" begins, as Johnson, a still relatively young 33-year-old journalist and activist, debuts his unfolding life story within a vacuum of representation. These stories wrestle with "joy and pain...triumph and tragedy" across many heavy topics—gender policing, sexual abuse, institutional violence—but with a view to freedom on the horizon. Through the witnessing of Johnson's intimate accounts, beginning with his middle-class New Jersey childhood and continuing through his attendance at a historically Black university in Virginia, readers are invited on their own paths to healing, self-care, and living one's truth. Those who see themselves outside the standpoint of being Black and queer are called in toward accountability, clarifying an understanding of the history, language, and actions needed to transform the world—not in pity for the oppressed but in the liberation of themselves. This title opens new doors, as the author insists that we don't have to anchor stories such as his to tragic ends: "Many of us are still here.</p>

	<p>Still living and waiting for our stories to be told—to tell them ourselves.”</p> <p>A critical, captivating, merciful mirror for growing up Black and queer today. (<i>Memoir. 14-adult</i>) https://www.kirkusreviews.com/book-reviews/george-m-johnson/all-boys-arent-blue/</p> <p>This young adult memoir is a contemporary hallmark of the blossoming genre. Johnson anchors the text with encouragement and realistic guidance for queer Black youth. Recommended for YA nonfiction collections where autobiographical and social justice titles are popular. -School Library Journal https://www.slj.com/section/reviews/books/nonfiction?frompublishdate=&topublishdate=&category=&category=&author=Johnson&publisher=&tag=&page_number=1</p> <p>Themes Include:</p> <p>Both a primer for teens eager to be allies as well as a reassuring testimony for young queer men of color, <i>All Boys Aren't Blue</i> covers topics such as gender identity, toxic masculinity, brotherhood, family, structural marginalization, consent, and Black joy. Johnson's emotionally frank style of writing will appeal directly to young adults. https://www.teachingbooks.net/annotations.cgi?id=68459#t_cid_qbs</p>
3.	<p>Reviewers' judgment of material (if possible, include copies of reviews indicating the source)</p> <p>The committee also considered the following information:</p> <p>Follett Titlewave, a vendor used by many school libraries, assigns <i>All Boy's Aren't Blue</i> a “Young Adult” interest level. Follett Titlewave also provides the following age recommendations for <i>All Boy's Aren't Blue</i>: From the publisher: Ages 14-18; From Booklist: Grades 9-12; Kirkus: Ages 14-adult; School Library Journal (SLJ): Gr 9-Up.</p> <p>Additionally, <i>All Boy's Aren't Blue</i> is found in many school and public libraries in the region.</p>
4.	<p>Material Evaluation Committee's decision and comments: (include statement for the majority and minority positions)</p> <p>The committee reached a unanimous consensus to preserve the title, <i>All Boys Aren't Blue</i>, in the Clyde-Savannah Jr./Sr. High School Library. The book will be appropriately shelved as a YA (Young Adult) novel, which will be indicated on the outside cover of the book.</p> <p>In accordance with the New York State Education Department School Library Program Rubric, Clyde-Savannah CSD strives to be distinguished in all areas, including the following:</p> <ul style="list-style-type: none"> ● All resources that can be accessed through the school library are available equitably to all members of the learning community as appropriate for grade and developmental level. ● The library offers learners the freedom to develop their identities through the discovery of their values, passions, interests, and strengths. ● School culture reinforces that resources and technology are made accessible in a manner that ensures confidentiality, equity, and freedom from barriers in multiple

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- Senior High Principal, Craig Pawlak
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- English Department Chair, Joelle Nicholson
- Process Consultant, Katherine Hammill

Date: June 14, 2023

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All boys aren't blue : a memoir-manifesto
George M. Johnson.

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"In a series of personal essays, prominent journalist and LGBTQIA+ activist George M. Johnson explores his childhood, adolescence, and college years in New Jersey and Virginia. From the memories of getting his teeth kicked out by bullies at age five, to flea marketing with his loving grandmother, to his first sexual relationships, this young-adult memoir weaves together the trials and triumphs faced by Black queer boys"—Amazon.com.

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- Johnson, George M. (George Matthew), 1985-
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Publication Info

Published New York : Farrar Straus Giroux, 2020.
 Edition 1st ed.
 Format lx, 304 p. : ill. ; 22 cm.
 LCCN 2019-18174
 ISBN 978-0-374-31271-8

Additional Info

- All boys are not blue
- School Library Journal, May 2020
- Kirkus Starred, February 2020
- Booklist, March 2020
- Publishers Weekly Annex, April 2020
- Interest grade level: Young Adult Follett School Solutions.
- Lexile Service: 890L

Appendix E: Committee Library Materials Evaluation Form

Clyde-Savannah Central School District
Library Materials Evaluation Form

1.	<p>Physical Description of challenged material (author, title, publisher, copyright, producer, etc.)</p> <p>Colleen Hoover's <i>It Ends With Us</i> was first published in 2016. The edition in the JSHS library has been marked as lost, as it was stolen out of the library in May. This was the only physical copy in our library system.</p>
2.	<p>Justification for inclusion of materials (including theme and purpose)</p> <p>The committee referenced the following credible sources as we considered the inclusion of <i>It Ends With Us</i> in the Clyde-Savannah Jr./Sr. High Library.</p> <p>Goodreads Choice Award for Romance (2016) and Nominee for Best of the Best (2018). New York Times Bestseller</p> <p>Purpose for Consideration: "Hoover's latest tackles the difficult subject of domestic violence with romantic tenderness and emotional heft... The relationships are portrayed with compassion and honesty, and the author's note at the end that explains Hoover's personal connection to the subject matter is a must-read. Packed with riveting drama and painful truths, this book powerfully illustrates the devastation of abuse—and the strength of the survivors." https://www.kirkusreviews.com/book-reviews/colleen-hoover/it-ends-with-us/</p> <p>Themes Include: The text covers violence, domestic violence, homelessness, friendship, perseverance, humility, integrity, and empathy. https://www.commonsemmedia.org/book-reviews/it-ends-with-us-book-1</p>
3.	<p>Reviewers' judgment of material (if possible, include copies of reviews indicating the source)</p> <p>The Committee also considered the following information: Follett Titlewave, a vendor used by many school libraries, assigns <i>It Ends With Us</i> an audience of "Adult," and an interest level of UG (upper grades 9-12).</p> <p>Atria (Publisher) posts a recommended age of 18+</p> <p><i>It Ends With Us</i> is available at Seven other regional public school libraries.</p> <p>Commonsemmedia.org rates <i>It Ends With Us</i> at 16+. The text covers violence,</p>

	<p>domestic violence, homelessness, friendship, perseverance, and empathy. https://www.commonsemmedia.org/book-reviews/it-ends-with-us-book-1</p> <p>Reviews considered while reviewing this book were Follett, Booklist, and Kirkus Reviews</p>
<p>4.</p>	<p>Material Evaluation Committee's decision and comments: (include statement for the majority and minority positions).</p> <p>The committee reached a unanimous consensus to preserve the title, <i>It Ends With Us</i>, in the Clyde-Savannah Jr./Sr. High School Library. The book will be appropriately shelved as an Adult novel, which will be indicated on the outside cover of the book.</p> <p>In accordance with the New York State Education Department School Library Program Rubric, Clyde-Savannah CSD strives to be distinguished in all areas, including the following:</p> <ul style="list-style-type: none"> • All resources that can be accessed through the school library are available equitably to all members of the learning community as appropriate for grade and developmental level. • The library offers learners the freedom to develop their identities through the discovery of their values, passions, interests, and strengths. • School culture reinforces that resources and technology are made accessible in a manner that ensures confidentiality, equity, and freedom from barriers in multiple settings. <p>Additionally, Clyde-Savannah CSD strives to uphold the six core values outlined in the NYSED School Library Program Rubric:</p> <ul style="list-style-type: none"> • Accessibility • Cultural Responsiveness • Equity • Ethics • Intellectual Freedom • Privacy <p>and the principles of the American Library Association (ALA) <u>Library Bill of Rights</u> and the New York Library Association's (NYLA) <u>Position Statement on the Defense of Intellectual Freedom</u>.</p> <p>The committee referenced the court case, <i>Board of Education, Island Trees Union Free School District No. 26 v. Pico by Pico</i>, in our review process.</p> <p>The committee has also aligned its review of materials to BOE Policy 8320 (Selection of Library and Multimedia Materials) and BOE Policy 8330 (Objection to Instructional Materials and Controversial Issues)</p>

	<p>Consideration was also given to the following:</p> <p>The Board of Education agrees that the responsibility of the school library is:</p> <ol style="list-style-type: none"> 1. To provide materials that will enrich and support the curriculum, taking into consideration the varied interest, abilities and maturity levels of the students served. 2. To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards. 3. To provide a background of information that will enable students to make intelligent judgements in their daily lives. 4. To provide materials on opposing sides of controversial issues so that the young citizens may develop, under guidance, the practice of critical reading and thinking. 5. To provide materials representative of the many religious, ethnic, and cultural groups and their contribution to our American heritage. 6. To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.
<p>Committee Members:</p> <ul style="list-style-type: none"> • Director of Curriculum, Instruction and Educational Services, Holly Drahms • Senior High Principal, Craig Pawlak • Junior High Principal, Justin Fries • JSHS Library Media Specialist, Emilie Bastian • English Department Chair, Joelle Nicholson • Process Consultant, Katherine Hammill 	
<p>Date: 6/14/23</p>	

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COLLEEN HOOVER

It ends with us
Colleen Hoover.

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"Lily hasn't always had it easy, but that's never stopped her from working hard for the life she wants. She's come a long way from the small town in Maine where she grew up—she graduated from college, moved to Boston, and started her own business. So when she feels a spark with a gorgeous neurosurgeon named Ryle Kincaid, everything in Lily's life suddenly seems almost too good to be true"—Back cover

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- Businesswomen -- Fiction.
- Romance fiction.
- Titles by: Hoover, Colleen.

Publication Info

Published New York : Atria Paperback, 2016.
 Edition 1st Atria Pbk. ed. August 2016.
 Format 376 p ; 21 cm.
 LCCN 2016-25388
 ISBN 978-1-50111036-8

Additional Info

- Booklist, July 2016
- Interest grade level: Adult Follett School Solutions

Ten

BOARD OF EDUCATION MEETING MINUTES (Wednesday, August 9, 2023)*Generated by Doreen Patchen on Thursday, August 10, 2023*

MEMBERS PRESENT: President, Pamela Anstee; 2nd Vice-President, Nicholas Dapolito; Veronica Dapolito; John Ellwood; Debbie Large; Nicole Malbone; John Sloan; Timothy VanDuyne

ABSENT: Jennifer Sullivan

OTHERS PRESENT: Michael Hayden, Superintendent; Susan Gray, Assistant Superintendent for Business and Operations; Holly Drahrs, Director of Curriculum, Instruction & Education Services; Jennifer Mackey, Elementary Principal; Justin Fries, Junior High School Principal; Erin Wood, Assistant Elementary Principal; Christopher Nicol, Director of CSE/PPS; Pamela Lockwood; Donna Riviello, Food Service Director; Jeff Mochan, Director of Facilities; Shari Forsythe, Transportation Director; Doreen Patchen, District Clerk;

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: At 7:01 pm, President Anstee called the meeting to order and asked Debbie Large to lead in the Pledge of Allegiance.

CLERK'S REPORT: A copy of the agenda with added addendum items were placed at each member's seat.

APPROVAL OF AGENDA

Recommended Action: Motion to approve the agenda with the addition of the addendum items.

Motion by John Sloan
Seconded by Veronica Dapolito

VOTE	8-0
President, Pamela Anstee	YES
1st Vice-President, Jennifer Sullivan	ABSENT
2nd Vice-President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	YES

APPROVAL OF THE MINUTES

Recommended Action: Motion to approve the Minutes of July 12, 2023 Re-Organizational Meeting Minutes

Motion by Nicole Malbone
Seconded by Veronica Dapolito

VOTE	8-0
President, Pamela Anstee	YES
1st Vice-President, Jennifer Sullivan	ABSENT
2nd Vice-President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	YES

Recommended Action: Motion to approve the Minutes of July 12, 2023 Regular Meeting Minutes

Motion by Timothy VanDuyne
Seconded by John Sloan

VOTE	8-0
President, Pamela Anstee	YES

1st Vice-President, Jennifer Sullivan	ABSENT
2nd Vice-President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	YES

PRESENTATIONS

Jennifer Mackey presented to the Board of Education the SCEP -School Comprehensive Education Plan

REPORTS AND CORRESPONDENCE

Central Administration

- Superintendent Hayden informed the Board of Education about the interest survey that was sent out to staff regarding Child Day Care within the district.
- Superintendent Hayden reviewed with the Board of Education the Athletic eligibility rules and requirements from NY State. He shared that there were 3 students that did not meet the requirements for the 23-24 school year.
- Superintendent Hayden provided an update about the upcoming Capital Project. A final scope and cost of the project should be determined by the next meeting.
- Susan Gray, informed the Board of Education on Agenda Item 14.N, the resolution to approve the Tax Warrant, Tax Levy, and School Tax Rates for the 2023-24 fiscal year.

Building Administration

- Building Administration reports were sent to the Board of Education, no questions at this time.

Student Representative : NONE

Board Member Comments: NONE

Board Committee Reports

- Pamela Anstee informed the Board of Education regarding the upcoming Policy Committee meeting and who would like to become the next Policy Committee Chairperson

PUBLIC FORUM: NONE

Discussion, Information: A. Public Comments to the Board In the interest of meeting efficiency, public comments should be kept within the Board of Education’s three-minute guideline and not to exceed thirty minutes total.”The Board of Education has set aside a period not to exceed 30 minutes as an opportunity for District residents to address the Board regarding school-related matters. We ask that you stand, state your name, and share your information with the Board. We welcome comments or concerns about agenda items that you may want to bring to the attention of the Board. Issues related to specific personnel or students are not appropriate for public comment and should be brought to the attention of the Superintendent of Schools privately. The Board reserves the right to end a speaker’s time if his or her comments are not appropriate for discussion in a public forum, including but not limited to obscene language, libelous statements, threats of violence advocating racial, religious, or other forms of prejudice. Generally, the Board does not respond to public comments. The Superintendent or Board President may provide a response where is it warranted. We appreciate and thank you for your comments.”

CONSENT AGENDA APPROVAL

Approval of Consent Agenda with added Addendum Items

Recommended Action: Motion to Approve the Consent Agenda with added Addendum Items

Motion by Nicole Malbone
Seconded by Nicholas Dapolito

President, Pamela Anstee abstained from Agenda Item 12. M & N
2nd Vice-President, Nicholas Dapolito pulled Consent Agenda Item 13. H, I, & J for Executive Session
President, Pamela Anstee pulled Consent Agenda Item 14. M for a separate VOTE (please see Consent Agenda Item 14. M for VOTE)

VOTE	8-0
President, Pamela Anstee	YES

1st Vice-President, Jennifer Sullivan	ABSENT
2nd Vice-President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	YES

CONSENT AGENDA - APPROVAL OF FINANCIAL REPORTS

Action: A. Treasurer's Reports

Action: B. Budget Transfers

Action: C. Activity Accounts

Action: D. Budget Status Report

CONSENT AGENDA - REVIEW WARRANTS

Information: A. Warrants Presented to BOE on July 12, 2023

CONSENT AGENDA - CPSE AND CSE RECOMMENDATIONS

Action: A. Approval of CPSE and CSE Recommendations as presented

12. CONSENT AGENDA - PERSONNEL - CERTIFIED STAFF

Action: A. Acceptance of recommendation to amend the June 14, 2023 meeting minutes to read: Action: Z. Acceptance of recommendation of Kim Larsen as Junior Class Advisor (2nd Yr.) for the 2023 - 2024 school year effective July 1, 2023 at a stipend of \$1,100 (Underclassman Advisor with 5 years) per Schedule B. Fingerprint clearance satisfied.

Action: B. Acceptance of recommendation to amend the June 14, 2023 meeting minutes to read: Action: JJJ. Acceptance of recommendation of Peter Seidel as Mentor for the 2023 - 2024 school year (8th yr.) effective July 1, 2023 at a stipend of \$1,320 (per Mentee) per Schedule B. Fingerprint clearance satisfied.

Action: C. Acceptance of recommendation to amend the June 14, 2023 meeting minutes to read: Action FFF. Acceptance of recommendation of Bethany Canham as Mentor for the 2023 - 2024 school year (5th yr) effective July 1, 2023 at a stipend of \$1,100 (per Mentee) per Schedule B.

Action: D. Acceptance of recommendation to amend the June 14, 2023 meeting minutes to read: Action: WW. Acceptance of recommendation of Morgan Suslik as CPSE/ESY Physical Therapist for the 2023-2024 school year effective June 27, 2023 at \$40 hr. Fingerprint clearance satisfied.

Action: E. Acceptance of recommendation of Andrea Roelle as a School Nurse Supervisor for the 2023-2024 school year (3rd yr.) at a stipend of \$1,000 per Schedule B. Fingerprint clearance satisfied.

Action: F. Acceptance of recommendation of Michael Witter as JV Girls volleyball Coach for the 2023-2024 school year (8th yr.) effective August 21, 2023 at a stipend of \$3,812, per Schedule C. Fingerprint clearance satisfied.

Action: G. Acceptance of recommendation of Morgan Suslik as Modified Girls Volleyball Coach for the 2023-2024 school year (1st yr.) effective August 28, 2023 at a stipend of \$2,625, per Schedule C. Fingerprint clearance satisfied.

Action: H. Acceptance of recommendation of Kris King as Varsity Indoor Track and Field Coach for the 2023-2024 school year (12th yr.) effective November 13, 2023, at a stipend of \$4,892 per Schedule C. Fingerprint clearance satisfied.

Action: I. Acceptance of recommendation of Anthony VanCuren as Varsity Bowling Coach for the 2023 - 2024 school year (5.33 yr.) effective November 13, 2023 at a stipend of \$3,812 per Schedule C, Fingerprint clearance satisfied.

Action: J. Acceptance of recommendation of Steven Record as Swimming Scorekeeper, effective August 28, 2023 at \$70 per event per Schedule C. Fingerprint clearance satisfied.

Action: K. Acceptance of recommendation of Steven Dunn as Boys and Girls Basketball Scorekeeper, effective August 28, 2023 at \$70 per event per Schedule C. Fingerprint clearance satisfied.

Action: L. Acceptance of recommendation of Joe DeWolf as Boys and Girls Basketball Scorekeeper, effective August 28, 2023 at \$70 per event per Schedule C. Fingerprint clearance satisfied.

Action: M. Acceptance of recommendation of Becky Anstee as Boys and Girls Basketball Scorekeeper, effective August 28, 2023 at \$70 per event per Schedule C. Fingerprint clearance satisfied.

Action: N. Acceptance of recommendation of Becky Anstee as Volleyball Scorekeeper, effective August 28, 2023 at \$70 per event per Schedule C. Fingerprint clearance satisfied.

Action: O. Acceptance of recommendation of Kim Record as Swimming Scorekeeper, effective August 28, 2023 at \$70 per event per Schedule C. Fingerprint clearance satisfied.

Action: P. Acceptance of recommendation of Shane Valliere as Junior High School Test Coordinator for the 2023 -2024 school year (1st yr.) effective August 10, 2023 at a stipend of \$1,500 per Schedule B. Fingerprint clearance satisfied.

Action: Q. Acceptance of recommendation of Andrew Pirello as Junior High School PBIS Coach for the 2023 -2024 school year (1st yr.) effective August 10, 2023 at a stipend of \$1,000 per Schedule B. Fingerprint clearance satisfied.

Action: R. Acceptance of letter of resignation from Danielle VanGee as Special Education Teacher, effective August 30, 2023.

Action: S. Acceptance of the following Resolution: BE IT RESOLVED that the Clyde-Savannah Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the four year probationary appointment of Danielle VanGee, Elementary Teacher, conditional upon a criminal history record check according to Commissioners Regulation 80 1.11 and Part 87 as follows: Certification: Early Childhood: Birth Grade 2 Literacy: Birth - Grade 6 Students w/Disabilities: Birth Grade 2 Tenure Area: Elementary Teacher Probationary Period: August 31, 2023 - August 31, 2027 Salary: \$47,354 This expiration date is tentative and conditional only. Except to the extent required by the applicable provisions of Section 3012 of the Education Law, in order to be granted tenure the teacher must receive composite or overall annual professional performance review ratings pursuant to Section 3012-c and/or 3012-d of the Education Law, Fingerprint clearance satisfied.

Action: T. Acceptance to approve the following resolution: Be it resolved that the Clyde-Savannah Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the four-year probationary appointment of Jessica Barner as a Teaching Assistant, conditional upon a criminal history record check according to Commissioners Regulation 80 1.11 and Part 87 as follows: Certification: Teaching Assistant Level 111 Tenure Area: Teaching Assistant Probationary Period: August 31, 2023 - August 31, 2027 Salary: \$23,500 Fingerprint clearance satisfied.

Action: U. Acceptance of recommendation of Mary Beth Uetz as STAC and Medicaid Coordinator at a rate of \$350 per day, effective July 17, 2023. Fingerprint clearance satisfied.

Action: V. Acceptance of the following Resolution: BE IT RESOLVED that the Clyde-Savannah Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the four year probationary appointment of Nathan Martin, Special Education Teacher, conditional upon a criminal history record check according to Commissioners Regulation 80 1.11 and Part 87 as follows: Certification: Biology (Grades 7 - 12) :General Science (Grades 7 - 12 EXT): Students w/Disabilities (Grades 7 - 12) Tenure Area: Special Education Teacher Probationary Period: August 31, 2023 - August 31, 2027 Salary: \$43,000 This expiration date is tentative and conditional only. Except to the extent required by the applicable provisions of Section 3012 of the Education Law, in order to be granted tenure the teacher must receive composite or overall annual professional performance review ratings pursuant to Section 3012-c and/or 3012-d of the Education Law, Fingerprint clearance pending.

Action: W. Acceptance of the following Resolution: BE IT RESOLVED that the Clyde-Savannah Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the four year probationary appointment of Julia Giangrosso, Art Teacher, conditional upon a criminal history record check according to Commissioners Regulation 80 1.11 and Part 87 as follows: Certification: Visual Arts - Grade K-12 Tenure Area: Visual Arts - Grade K-12 Teacher Probationary Period: August 31, 2023 - August 31, 2027 Salary: \$43,000 This expiration date is tentative and conditional only. Except to the extent required by the applicable provisions of Section 3012 of the Education Law, in order to be granted tenure the teacher must receive composite or overall annual professional performance review ratings pursuant to Section 3012-c and/or 3012-d of the Education Law, Fingerprint clearance pending.

Action: X. Acceptance of recommendation of Alicia Kennedy as Physical Education and Health - PK-12 Department Chair for the 2023 - 2024 school year (3rd yr.) effective August 10, 2023, at a stipend of \$1,500, per Schedule B. Fingerprint clearance satisfied.

Action: Y. Acceptance of recommendation of Danielle VanGee as Mentor for the 2023 - 2024 school year (2nd yr.) effective August 10, 2023 at a stipend of \$1,000 (per Mentee) per Schedule B. Fingerprint clearance satisfied.

13. CONSENT AGENDA - NON-CERTIFIED STAFF

Action: A. Acceptance of recommendation to amend the July 12, 2023 meeting minutes to read: Action O. Acceptance of letter of resignation from Michelle Tavano, Food Service Helper, effective end of day June 23, 2023.

Action: B. Acceptance of recommendation of Landon Stanley as Lifeguard effective July 1, 2023 at \$20.00 per hour. Fingerprint clearance exempt.

Action: C. Acceptance of recommendation of Landon Stanley as Fitness Room Supervisor effective July 1, 2023 at \$15.00 per hour. Fingerprint clearance exempt.

Action: D. Acceptance of letter of resignation from Cadie Meehan, Senior Clerk Typist, effective end of day July 30, 2023.

Action: E. Acceptance of recommendation of Julie Buettner as a substitute Bus Monitor effective July 17, 2023, at an hourly rate as per substitute pay schedule. Fingerprint clearance satisfied.

Action: F. Acceptance of letter of resignation from Autumn Eller, Teacher Aide, effective August 1, 2023.

Action: G. Acceptance of recommendation of Kate Rice-Porter as Modified Cross Country Coach for the 2023-2024 school year (1st yr.) effective August 28, 2023 at a stipend of \$2,625, per Schedule C. Fingerprint clearance satisfied.

Action: H. Acceptance of recommendation of Jamie Reed as Varsity Boys Swimming Coach for the 2023 - 2024 school year (11th yr.) effective November 13, 2023 at a stipend of \$5,590 per Schedule C. Fingerprint clearance satisfied.

Please see EXECUTIVE SESSION section B for Action: I. Acceptance of recommendation of Darren Preston as Varsity Boys Basketball Head Coach for the 2023 - 2024 school year (6th yr.) effective November 13, 2023, at a stipend of \$5,196 (\$5,082 per Schedule C +2 Asst. Coach \$57). Fingerprint clearance satisfied.

Action: J. Acceptance of recommendation of McKenna Hunt as Varsity Winter Cheerleading Coach for the 2023 - 2024 school year (2nd yr.) at a stipend of \$4,200 per Schedule C, effective November 13, 2023. Fingerprint clearance satisfied.

Action: K. Acceptance of recommendation of Steven Dunn II as Boys and Girls Basketball Scorekeeper, effective August 8, 2023, at \$70 per event per Schedule C. Fingerprint clearance satisfied.

Action: L. Acceptance of recommendation of Karen Langworthy to a probationary position as a Teacher Aide, effective August 31, 2023, at an hourly rate of \$14.20. Fingerprint clearance pending.

Action: M. Acceptance of recommendation of Michelle Donk to a probationary position as a Teacher Aide, effective August 31, 2023, at an hourly rate of \$14.20. Fingerprint clearance pending.

Action: N. Acceptance of recommendation of Teresa Merchant to a probationary position as a Cleaner, effective August 1, 2023, at an hourly rate of \$15.50. Fingerprint clearance pending.

Action: O. Acceptance of recommendation of Alex Lainhart as Modified Cheerleading Coach for the 2023 - 2024 school year (1st yr.) at a stipend of \$2,625 per Schedule C, effective November 13, 2023. Fingerprint clearance satisfied.

14. CONSENT AGENDA - GENERAL

Action: A. Acceptance of recommendation of the following Volunteer: Tiffany Murray

Action: B. Acceptance of recommendation to approve the revised 2023-2024 Re-Org meeting minutes as Follows: Substitute Pay: Substitute Bus Driver with a Permit \$15.00 per hour

Action: C. Acceptance of recommendation of review of Policy #1336 Duties of the Extra-Classroom Activity Fund Personnel

Action: D. Acceptance of recommendation of review of Policy #1337 Duties of the School Attorney

Action: E. Acceptance of recommendation of review of Policy#1410 Policy and Administrative Regulations

Action: F. Acceptance of recommendation of review of Policy #5693 Use of School District Trademarks and Service Marks

Action: G. Acceptance of recommendation for revision and Adoption of Policy #6121 Sexual Harassment in the Workplace

Action: H. Acceptance of recommendation of review of Policy #7210 Student Evaluation

Action: I. Acceptance of recommendation of revision of Policy #7250 Student Privacy, Parental Access to Information, and Administration of Certain Physical Examinations to Minors

Action: J. Acceptance of recommendation of revision of Policy #7316 Student use of Personal Electronic Communication Devices

Action: K. Acceptance of recommendation for review of Policy #7614 Preschool Special Education Program

Action: L. Acceptance of recommendation of review of Policy#8120 Request for Part 100 Variance or Part 200 Innovative Program Waiver from Commissioner's Regulations

Action: M. BE IT RESOLVED that the Clyde-Savannah CSD Board of Education approves the Library Materials Review Committee's decision to retain books in the Jr/Sr. High Library that were objected to by Community Member Jacob Marchitell.

Recommended Action:
Motion by Veronica Dapolito
Seconded by Debbie Large

VOTE	3 - 5
President- Pamela Anstee	NO
1st Vice - President, Jennifer Sullivan	ABSENT
2nd Vice - President, Nicholas Dapolito	NO
Veronica Dapolito	YES
John Ellwood	NO
Debbie Large	YES
Nicole Malbone	NO
John Sloan	YES

Timothy VanDuyne NO

Action: N. Acceptance of recommendation of the following resolution to approve the Tax Warrant, Tax Levy, and School Tax Rates for the 2023-24 fiscal year:

Action: O. Acceptance of the following resolution:BE IT RESOLVED that the Clyde-Savannah Board of Education, upon recommendation of the Superintendent of Schools, approves the MOA between the Clyde-Savannah Central School Chief School Administrator and the Clyde-Savannah Central School Faculty Association (CSFA)

Action: P. Acceptance of the following resolution: BE IT RESOLVED that the Clyde-Savannah Board of Education approves the Special Education District Plan July 1, 2023 - June 30, 2026

15. CONSENT AGENDA - ADDENDUM ITEMS CERTIFIED

Action: A. Acceptance of recommendation of Joseph DeWolf as Social Worker Internship Supervisor per the Mental Health Demonstration Grant for the 2023 - 2024 school year, effective August 10, 2023, at a grant funded stipend of \$3,000 (one intern). Fingerprint clearance satisfied.

Action: B. Acceptance of recommendation of Joelle Nicholson as Mentor Teacher for the 2023-2024 school year (1st yr.) effective August 10, 2023 at a stipend of \$1,000 (per Mentee) per Schedule B. Fingerprint clearance satisfied.

Action: C. Acceptance of recommendation for a 10 month leave of absence for Andrew Pirrello from his tenure teaching position of Literacy 512 Education effective September 1, 2023 - June 30, 2024.

Action: D. Acceptance of recommendation of the following resolution:BE IT RESOLVED that the Clyde-Savannah Board of Education, upon recommendation of the Superintendent of Schools approves the TOSA appointment of Andrew Pirrello in the title area of MTSS Coordinator, effective September 1, 2023 - June 30, 2024.

Action: E. Acceptance of recommendation of Stacey Sherman as 3rd Gr. Grade Level Leader for the 2023 - 2024 school year (1st yr.) effective September 1, 2023 at a Stipend of \$1,100 per Schedule B. Fingerprint clearance satisfied.

16. CONSENT AGENDA - ADDENDUM ITEMS NON-CERTIFIED

Action: A. Acceptance of recommendation of Marlene Perkins to a probationary position as a Bus Monitor, effective September 6, 2023 at the hourly rate of \$15.50. Fingerprint clearance pending.

Action: B. Acceptance of recommendation of Jennifer Buisch as a Substitute Food Service Helper, effective September 5, 2023 at the hourly rate as per substitute pay schedule. Fingerprint clearance satisfied.

Action: C. Acceptance of recommendation of Doris Gary to probationary position as a Food Service Helper, effective August 29, 2023 at the hourly rate of \$14.50. Fingerprint clearance satisfied.

Action: D. Acceptance of recommendation of Doris Gary to Elementary School Cook for the 2023 - 2024 school year at a stipend of \$425 per CSEA contract. Fingerprint clearance satisfied

Action: E. Acceptance of recommendation of Charlene McKinney to Jr./Sr. High School Cook for the 2023 - 2024 school year at a stipend of \$425 per CSEA contract. Fingerprint clearance satisfied

Action: F. Acceptance of recommendation of Natalie Maddox to a probationary position as a Teacher Aide, effective August 31, 2023, at an hourly rate of \$14.50. Fingerprint clearance pending.

Action: G. Acceptance of recommendation of Joseph Davenport as a Substitute Cleaner, effective August 17, 2023, at an hourly rate as per substitute pay schedule. Fingerprint clearance satisfied.

Action: H. Acceptance of recommendation of Donna Riviello as District Health Coordinator for the 2023 - 2024 school year (1st yr.), at a stipend of \$2,000 per Schedule B. Fingerprint clearance satisfied.

Action: I. Acceptance of recommendation of Donna Riviello as Healthy Rewards Ambassador for the 2023 - 2024 school year (1st yr.), at a stipend of \$300 per Schedule B (this stipend is determined and funded by FLASHP. Stipend may be subject to change based on FLASHP allocations.)

Action: J. Acceptance of recommendation of Donna Riviello as Whole Foods Plant Based Coordinator for the 2023 - 2024 school year (1st yr.), at a stipend of \$300 per Schedule B (this stipend is determined and funded by FLASHP. Stipend may be subject to change based on FLASHP allocations.)

Action: K. Acceptance of recommendation of Stacey Crocker to a probationary position as a Food Service Helper, effective August 31, 2023 at the hourly rate of \$14.25. Fingerprint clearance pending.

Action: L. Acceptance of recommendation of Genie O'Sullivan to a probationary position as a Food Service Helper, effective August 31, 2023 at the hourly rate of \$14.25. Fingerprint clearance pending.

17. CONSENT AGENDA - ADDENDUM ITEMS GENERAL

Action: A. Acceptance of the following resolution: BE IT RESOLVED that the Clyde-Savannah Board of Education approves the 2023-2024 District - Wide Safety Plan.

Action: B. Acceptance of the following resolution: BE IT RESOLVED that the Clyde-Savannah Board of Education approves the 2023-2024 DCIP District Comprehensive Improvement Plan

Action: C. Acceptance of the following resolution: BE IT RESOLVED that the Clyde-Savannah Board of Education approves the 2023-2024 SCEP School Comprehensive Education Plan

QUESTIONS FROM THE AUDIENCE: NONE

EXECUTIVE SESSION

Action: A. Enter into Executive Session for - f.

Recommended Action: At 7:25 PM a motion was made to enter into Executive Session for- f.

Motion by Nicole Malbone
Seconded by Timothy VanDuyne

VOTE	8 - 0
President, Pamela Anstee	YES
1st Vice - President, Jennifer Sullivan	ABSENT
2nd Vice - President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	YES

EXECUTIVE SESSION

- a. Matters, which will imperil the public safety if disclosed.
- b. Any matter, which may disclose the identity of a law enforcement agent or informer.
- c. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed.
- d. Discussions involving proposed, pending, or current litigation.
- e. Collective negotiations pursuant to article 14 of the Civil Service Law.
- f. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment or removal of a particular person or corporation.
- g. The preparation, grading, or administration of exams.
- h. The proposed acquisition, sale or lease of real property or the proposed acquisition, sale, or exchange of securities, but only when publicity would substantially affect the value of these things (Pub. Off. Law§ 105 (a-h)).

Action: B. Exit Executive Session

Recommended Action: At 7:52 PM a motion to exit Executive Session and reconvene into regular session.

Motion by Veronica Dapolito
Seconded by Nicole Malbone

VOTE	8 - 0
President, Pamela Anstee	YES
1st Vice - President, Jennifer Sullivan	ABSENT
2nd Vice - President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	YES

Recommended Action: At 7:52 PM a motion was made for the following Consent Agenda Items 13. H & J:

Action 13. H. Acceptance of recommendation of Jamie Reed as Varsity Boys Swimming Coach for the 2023 - 2024 school year (11th yr.) effective November 13, 2023 at a stipend of \$5,590 per Schedule C. Fingerprint clearance satisfied.

Action 13. J. Acceptance of recommendation of McKenna Hunt as Varsity Winter Cheerleading Coach for the 2023 - 2024 school year (2nd yr.) at a stipend of \$4,200 per Schedule C, effective November 13, 2023. Fingerprint clearance satisfied.

Motion by Nicole Malone

Seconded by Nicholas Dapolito

VOTE	8 - 0
President, Pamela Anstee	YES
1st Vice - President, Jennifer Sullivan	ABSENT
2nd Vice - President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	YES

Recommended Action: At 7:52 PM a motion was made for the following Consent Agenda Item 13. I

Motion by Veronica Dapolito
Seconded by John Sloan

Action: 13. I. Acceptance of recommendation of Darren Preston as Varsity Boys Basketball Head Coach for the 2023 - 2024 school year (6th yr.) effective November 13, 2023, at a stipend of \$5,196 (\$5,082 per Schedule C +2 Asst. Coach \$57). Fingerprint clearance satisfied.

VOTE	3 - 5
President, Pamela Anstee	NO
1st Vice - President, Jennifer Sullivan	ABSENT
2nd Vice - President, Nicholas Dapolito	NO
Veronica Dapolito	YES
John Ellwood	NO
Debbie Large	YES
Nicole Malbone	NO
John Sloan	YES
Timothy VanDuyne	NO

ADJOURNMENT

Recommended Action: At 8:13 PM a motion was made to adjourn the meeting.

Motion by Veronica Dapolito
Second by John Sloan

VOTE	8 - 0
President, Pamela Anstee	YES
1st Vice - President, Jennifer Sullivan	ABSENT
2nd Vice - President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	YES

Respectfully submitted by Doreen A. Patchen, District Clerk

UNIVERSITY OF THE STATE OF NEW YORK
STATE EDUCATION DEPARTMENT

In the Matter of the Appeal of

EMILIE BASTIAN and MATTHEW DRAHMS,

Petitioners,

-against-

VERIFIED PETITION
AND APPLICATION FOR STAY

BOARD OF EDUCATION OF THE
CLYDE-SAVANNAH CENTRAL SCHOOL DISTRICT,

Respondent,

-and-

JACOB MARCHITELL, as a Necessary Party.

TO THE COMMISSIONER OF EDUCATION:

Petitioners, by their attorney, Robert T. Reilly, Esq. (Lena M. Ackerman, Esq., Jennifer N. Coffey, Esq., and Christina M. French, Esq., of Counsel), allege as follows:

PARTIES

1. Petitioner Emilie Bastian (“Bastian”) is employed by the Clyde-Savannah Central School District (“District”) as a Library Media Specialist (“LMS”). She is the sole Library Media Specialist in the District and is in her second year in the position. Prior to working as a Library Media Specialist, Bastian worked as Jr/Sr high school English teacher for 23 years, 19 of which were in the District.

2. Petitioner Matthew Drahms is a parent of students currently attending the Jr/Sr High School in the District. He brings these claims both on behalf of himself, as a parent who

wants his children to have access to books that have been removed from, or restricted within, his childrens' District library, and his minor children who also want such access.

3. Petitioner Drahms is a resident and taxpayer of the District. In fact, he and his family—including 5 siblings—all graduated from the District.

4. Mr. Drahms is also a tenured teacher employed by the District since 2014. He holds permanent New York Certification to teach Technology for grades 7-12 and has been doing so for 25 years.

5. Mr. Drahms is the father of two children aged 12 and 14 who currently attend the District's Jr/Sr High School. His children want to be able to check out any book they choose from the Jr/Sr High School library including but not limited to books that are currently unavailable because they have been removed or restricted. In addition, Drahms wants his children to have access to these books, and all books obtained through the District's policies and procedures, to expose his children to cultural diversity, varying perspectives, and alternative viewpoints, among other things.

6. Mr. Drahms wants his children to have access to these books and all books obtained through the District's policies and procedures, to ensure that his children become well-rounded human beings especially where, as in Clyde-Savannah, his children attend school in a small town with minimal diversity.

7. Jacob Marchitell is a private citizen who lodged objections to and sought the removal of 5 books from the District's libraries. He followed up his April 12, 2023 verbal complaint with a May 11, 2023 written Request for Reconsideration of Library Materials. Mr. Marchitell is named as a necessary party in this proceeding due to the potential impact that this proceeding may have on the status of said Request and the resulting Board action.

8. Respondent Board of Education of the Clyde-Savannah Central School District (“Board”) is a body corporate organized and existing under Article 37 of the Education Law and is the governing body of the Clyde-Savannah Central School District. Respondent’s principal office is located at 215 Glasgow Street, Clyde, New York 14433, which is located in Wayne County, New York.

PRELIMINARY STATEMENT

9. School libraries are an integral part of the school communities and provide immense value to the education and intellectual development of students. The purpose of the library is to serve, present, and preserve all points of view, not just those of the majority.

10. While a board of education has “broad authority to prescribe the course of study in the schools of the district,” including “the ability to manage its library collection,” that discretion is not “unfettered.” *Appeal of Bradshaw*, 62 Ed Dept. Rep., Decision No. 18,197 (2022). “Local school boards may not remove books from school library shelves simply because they dislike the ideas contained therein” and a school board’s discretion “may not be exercised in a narrowly partisan or political manner.” *Bd. of Educ., Island Trees Union Free Sch. Dist. No. 26 v. Pico*, 457 U.S. 853, 870-871 (1982).

11. When a school board bans books in complete disregard of sound educational policies and decisions of its own committee of educational experts, the school board’s political and ideological agenda and motivation for the removals become clear; and the resulting censorship and deprivation of students’ rights to access a wide range of viewpoints and information discourages freedom of thought and undermines one of the fundamental goals of education: teaching students how to think and seek out new ideas and information. This is what has happened here in the Clyde-Savannah Central School District.

FACTUAL BACKGROUND

A. Selection of Library Materials

12. As the LMS for the District, Bastian is responsible for maintaining the libraries in all of the schools in the District. Among other duties, she conducts an inventory of books and orders new books for the libraries. Bastian conducted an inventory of the library at the Junior/Senior High School during the 2022-2023 school year.

13. In the fall of 2022, Bastian developed and drafted the Clyde-Savannah Central School District Library Collection Management Guidebook (“the Guidebook”). A copy of the Guidebook is annexed hereto as Exhibit “A.”

14. The purpose of the Guidebook “is to provide clear guidelines for the criteria of selecting print and digital materials, weeding the collection and challenging material.” Ex. A, at p. 3. It was written in accordance with the American Library Association Bill of Rights, cited at Appendix A to the Guidebook.

15. The Guidebook was reviewed by Justin Fries, Junior High School Principal; Holly Drahms, Director of Curriculum, Instruction and Educational Services; and Michael Hayden, Superintendent of Schools. The reviewers told Bastian that the Guidebook was acceptable and did not make any revisions.

16. The Guidebook sets forth District policies and procedures for the library, including policies and procedures pertaining to review of challenges to materials contained within the library.

17. The Guidebook outlines the professional values of the District’s libraries and highlights the importance of intellectual freedom, equitable access and inclusion for all students and staff, and the students’ freedom to read. *See* Ex. A, at pp. 4-6.

18. In regard to the library collections, the Guidebook states:

The collections ... will be chosen based on student interest, academic/social/emotional needs, and staff input to support classroom instruction. Also, the American Association of School Librarians (AASL) standards and the NYSED School Library Program (SLP) Rubric will be used to assist in the selection and maintenance of materials.

Ex. A at p. 5.

19. Board Policy No. 8320, entitled “Textbooks, Library Materials, and Other Instructional Materials” requires the District to establish and maintain a library media center in each school which will contain library materials, and each library must “meet the needs of students and staff, and provide an adequate complement to the instructional program in the various areas of the curriculum.” A copy of Board Policy No. 8320, revised on June 8, 2022, is attached hereto as Exhibit “B.”

20. Board Policy No. 8320 further provides that “the Board delegates its authority to designate library materials to be used in the District to the school library media specialist(s).” Ex. B at p. 2. Further, the Guidebook refers to Board Policy No. 8320 and lists specific criteria for selecting library resources. Ex. A, at p. 6

B. Challenges to Library Material

21. Board Policy No. 8330, revised in 2022 and reviewed in 2023, addresses how community members’ concerns and objections about instructional materials and controversial issues can be raised. A copy of Board Policy No. 8330 is annexed hereto as Exhibit “C.”

22. Board Policy No. 8330 requires District community members who wish to formally object to instructional materials to submit their objections in writing to the District Superintendent. The policy further provides that the “Superintendent will designate a review committee to investigate and evaluate the challenged instructional material.” Ex. C, at p. 2.

23. The Policy establishes a review committee of experts, and requires that said committee “will include, among others, the school library media specialist from the building where the objection originated and the building principal. The committee will evaluate the challenged material according to the District’s criteria for the evaluation and selection of instructional materials.” *Id.*

24. Importantly, the Policy states that “[I]t is *expected* that a library media center’s collection, both print and digital, will include items that are considered controversial.” *Id.* (emphasis added).

25. The Guidebook contains a section on challenged materials and notes the importance of intellectual freedom and a diverse library collection. The Guidebook states that the District: “supports its students’ right to intellectual freedom and their freedom to read. In keeping with this idea, the library collections will be diverse and contain a variety of viewpoints to allow students access to all sides of controversial issues. With these materials, students will be more equipped to make informed decisions and truly understand the complex issues of society.” Ex. A, at p. 10.

26. The Guidebook thereafter cites Board Policy No. 8330 in specifying the objection and review process of challenged material in the library and identifies specific criteria to be considered by the review committee. *Id.* at pp. 10-11.

C. The Challenged Material and Objections at Issue in this Appeal

27. On April 12, 2023, at a meeting of the Board, Necessary Party Jacob Marchitell, a private citizen and resident of the District, lodged a verbal complaint against three books in circulation in the Jr/Sr High School Library: *People Kill People*, by Ellen Hopkins; *It Ends with Us*, by Colleen Hoover; and *All Boys Aren’t Blue*, by George M. Johnson.

28. Mr. Marchitell thereafter submitted a complaint to challenge these three books in writing, dated April 17, 2023. A copy of Mr. Marchitell's April 17, 2023 Request for Reconsideration of Library Materials is annexed hereto as Exhibit "D."

29. *It Ends with Us* is based on the author's experience as a child who grew up with an alcoholic father who abused her mother and finds she is in an abusive relationship herself. The book explores themes including violence, domestic violence, homelessness, friendship, perseverance, humility, integrity, and empathy. See Committee Library Materials Evaluator Form for *It Ends with Us*, annexed hereto as Exhibit "E."

30. *People Kill People* offers the adolescent perspectives on gun violence, race, racism, immigration, and racial superiority among other things. See Committee Library Materials Evaluator Form for *People Kill People*, annexed hereto as Exhibit "F."

31. *All Boys Aren't Blue* is a young adult memoir written by LGBTQIA+ activist George M. Johnson that covers topics of as gender identity, toxic masculinity, family, structural marginalization, race, and racism as the author explores his childhood. See Committee Library Materials Evaluator Form for *All Boys Aren't Blue*, annexed hereto as Exhibit "G."

32. In May, 2023, at another meeting of the Board, Marchitell again lodged a verbal complaint against two additional books located at the same library: *Jesus Land: A Memoir*, by Julia Scheeres, and *Red Hood*, by Elana K. Arnold; and subsequently submitted his written complaint on May 11, 2023. Marchitell's subjective and message-based challenge to these two books was substantively the same as his prior challenge. See May 11, 2023 Request for Reconsideration of Library Materials annexed hereto as Exhibit "H."

33. *Jesus Land: A Memoir* offers the author's unique experiences and perspective on issues involving Gender Studies, Women Studies, Religion, Racism, adoption, Christianity, Cults,

Coming of Age, Cultural Experiences, Family. *See* Committee Library Materials Evaluator Form for *Jesus Land: A Memoir* annexed hereto as Exhibit “I.”

34. *Red Hood* is a feminist retelling of a classic fairytale covering topics such as toxic masculinity, and peer pressure. *See* Committee Library Materials Evaluator Form for *Red Hood* annexed hereto as Exhibit “J.”

35. Upon information and belief, the five books removed from the District’s library were extracurricular and not part of any established course curriculum within the District.

36. As to all five books, Marchitell cited specific passages which he alleged to be “pornography.” The books targeted by Marchitell and his attack against them is aligned with the coordinated national campaign to remove books from public school libraries based on ideological objections to their contents, particularly, their exploration of themes related to race or LGBTQ+ identity. *See* Exs. D and H.

37. Notably, Marchitell had admittedly not read any of the challenged books prior to lodging his complaint but cited Go Follett and Booklooks.org which comprises hundreds of reports about books containing material that the website’s operators consider ideologically objectionable. Indeed, Marchitell described Booklooks.org as a resource “that is run by like-minded parents who go through these books and categorize them for other parents to vet what their children read and has entire sections of the books able to be read and/or downloaded.” *See* Steve Buchiere, *Book Ban Debate Comes to Clyde-Savannah*, Finger Lakes Times, June 24, 2023, available at https://www.fltimes.com/news/the-book-ban-debate-comes-to-clyde-savannah/article_28ffd93c-106c-11ee-af13-578488660b38.html (last visited Sept. 7, 2023).

38. Upon information and belief, book catalogue resources including but not limited to Booklooks.org are developed and disseminated by national organizations such as the Florida-based

“Moms for Liberty” and “like-minded” groups and/or organizations to push their political and ideological agenda within local school districts.

39. While “Book Looks” disclaims affiliation with Moms for Liberty, it was founded by a member of, and uses the same rating criteria to create lists of books it finds “politically objectionable” then shares and disseminates said lists and urges individuals to seek the removal of those books from school libraries. See BookLooks.org, <http://booklooks.org/about> (last visited Sept. 7, 2023); see also Lauren Mechling, *We’ve Moved Backwards: US librarians face unprecedented attacks against rightwing book bans*, The Guardian, September 20, 2022, <https://www.theguardian.com/books/2022/sep/20/librarians-banned-books-attacks-library#:~:text=Moms%20for%20Liberty%20member%20Emily,into%20emails%20to%20school%20principals> (last visited Sept. 7, 2023).

40. The nature of the books targeted for removal by this nationwide movement reveal an unmistakable ideological pattern. According to a PEN America analysis, those who ban books overwhelmingly continue to target stories about people of color and LGBTQ+ individuals. See PEN America, *Banned in the USA: State Laws Supercharge Book Suppression in Schools*, published April 20, 2023, available at <https://pen.org/report/banned-in-the-usa-state-laws-supercharge-book-suppression-in-schools> (last visited Sept. 6, 2023).

D. Committee Review of Marchitell’s Objections

41. Pursuant to Board Policy No. 8330 and the Guidebook, Marchitell’s challenge to all five books were required to be reviewed by a committee designated by the Superintendent to investigate and review the challenged material for the purpose of making a recommendation whether to retain the books in the District library. The Library Materials Review Committee (“Committee”) was comprised of the following six (6) members: Director of Curriculum,

Instruction and Educational Services, Holly Drahms; Senior High Principal, Craig Pawlak; Junior High Principal, Justin Fries; Jr/Sr. High School Library Media Specialist, Emilie Bastian; English Department Chair, Joelle Nicholson; and Process Consultant, Katherine Hammill.

42. Pursuant to the policies and procedures set forth in the Board Policy Nos. 8320 and 8330 and the Guidebook, each Committee member read and discussed each of the challenged books; the Committee also referenced credible sources such as Kirkus Reviews, book awards; information from the various publishers regarding appropriate reader age and audience; each books' ability to reinforce the "six core values outlined in the NYSED School Library Program Rubric"; principles of the American Library Association ("ALA"); and the court case, *Board of Education, Island Trees Union Free School District, No. 26 v. Pico*, 457 U.S. 853, 870 (1982) as relevant to students' right to information. See Exs. E through G; I and J.

43. Pursuant to Board and District policy, the Committee first carried out its duties with respect to Marchitell's objection to the first three books and later with respect to his objections to the second two books. *Id.*

44. The Committee unanimously agreed to retain all five books. The Committee's decisions as to each book were issued in writing with supporting evidence that each book was educationally suitable. *Id.*

45. Upon information and belief, after the decision of the Committee was issued Superintendent Hayden made statements to the press on behalf of the District, including the Board. See Steve Buchiere, *Book Ban Debate Comes to Clyde-Savannah*, Finger Lakes Times, *supra*. Upon information and belief, Superintendent Hayden stated, in part:

Per BOE policy, a review committee was designated to investigate and evaluate the challenged library material After careful consideration and review, the committee reached a consensus to keep the books in circulation within our school library. Their

decision was based on a comprehensive analysis, considering factors such as literary merit, educational value, age-appropriateness, and alignment with our district's policies. *Id.*

46. Upon information and belief, Superintendent Hayden supports the decision of the committee.¹

E. Marchitell Appeal and Board Action

47. By e-mails from Mr. Marchitell to District Superintendent Michael Hayden, dated June 21, 2023 and July 13, 2023, Marchitell appealed the Committees' unanimous decision to retain the five challenged books in the library. A copy of the June 21, 2023 and July 13, 2023 e-mails are annexed hereto as Exhibit "K."

48. Mr. Marchitell's appeal was then placed on the Board agenda for the August 9, 2023 meeting. At the August 9, 2023 meeting, the Board arbitrarily and capriciously defeated a motion to approve the Committee's unanimous decision to retain the challenged books in the Jr/Sr High School library. A copy of the unapproved minutes of the August 9, 2023 Board meeting are annexed hereto as Exhibit "L."

49. The Board's defeat of the motion resulted in the removal of the challenged books from the Jr/Sr High School library and students no longer have access to the books.

50. Upon information and belief, the Board gave no reason(s) or rationale for rejecting the decision of the Committee designated by the Superintendent to investigate and evaluate the challenged material according to the "District's criteria for the evaluation and selection of instructional materials." *See* Exs. A through C.

¹ In response to the Committee's decisions respecting the five books, Superintendent Hayden stated that, "As the superintendent of schools, I feel that responsible educators understand the importance of fostering an environment that promotes critical analysis, respect, and open dialogue. The presence of a book in our library does not imply an endorsement of its content or ideas. Rather, it offers students the opportunity to explore different viewpoints, engage in thoughtful discussions, and develop their own informed opinions."

51. Upon information and belief, educational and/or pedagogical considerations played no part in the Board's decision.

52. Upon information and belief, the Board members relied on Marchitell's representations and characterization of the books as well as his ideological concerns as there is no evidence that any of the individual Board members read any of the books themselves.

**AS AND FOR A FIRST CLAIM AGAINST RESPONDENTS,
PETITIONER RESPECTFULLY ALLEGES**

The Board abused its discretion by making decisions based on ideological rather than pedagogical reasons.

53. While Education Law §1709 provides a board of education with broad authority to prescribe the course of study in the schools of the district, including the ability to manage its library collection, a school district's discretion to remove material from its collection is not unfettered. "[L]ocal school boards may not remove books from school library shelves simply because they dislike the ideas contained [there]in ..." *Appeal of Bradshaw, supra* (citing *Pico, supra*).²

54. Upon information and belief, the Board provided no reasons or rationale for rejecting the decision of the Committee; however evidence suggest that the Board members relied solely upon Marchitell's representations and characterization of the books and his ideological concerns, as there is no evidence that any of the individual Board members read any of the books themselves and educational and/or pedagogical considerations played no part in the Board's decision.

² As noted in *Appeal of Bradshaw*, "While [Bradshaw] has plucked choice words and phrases from the book, he has failed to evaluate the book in context. Each member of respondent's committee, by contrast, read the entire book and concluded that the book's themes and language provided examples of diverse voices and navigated complex themes that would benefit a high school reader."

55. The Board's action effectively banned five books from the District's Jr/Sr High library's existing catalogue, resulting in the discriminatory exclusion of specific viewpoints such as race, racism, feminism, and LGPTQ+ which were all common themes in the five banned books.

56. The Board's action which effectively banned the five challenged books is arbitrary, capricious, irrational, in bad faith, affected by error of law and otherwise in violation of law, in violation of lawful procedure, and/or contrary to strong public policy.

**AS AND FOR A SECOND CLAIM AGAINST RESPONDENTS,
PETITIONER RESPECTFULLY ALLEGES**

The Board's actions violated the academic freedom of the library media specialist.

57. As the Commissioner recently noted in *Appeal of Rickson*, 62 Ed. Dept. Rep., Decision No. 18, 211 (2022), boards of education have the right to establish and apply curricula, however those rights must be balanced against the teacher's rights to academic freedom and such decisions cannot be made in bad faith.

58. In the instant matter, the Board acted in bad faith when it arbitrarily and capriciously defeated a motion to approve the Committee's unanimous decision to retain the challenged books in the Jr/Sr High Library at its meeting on August 9, 2023. *See Ex. L.*

59. The Board's defeat of the motion resulted in the removal of the challenged books from the Jr/Sr High library, thus resulting in the teachers and students no longer having access to the books. Upon information and belief, the Board provided no reasons or rationale for rejecting the decision of the Committee; and educational and/or pedagogical considerations played no part in the Board's decision. The failure to engage in any meaningful discussion as to why the Committee's decision was overturned is evidence of the Board's bad faith. *See Ex. L* and video

recording of the August 9, 2023 meeting: <https://www.youtube.com/watch?v=TDVmgS-g-Dw> (circa Minutes 22-24).

60. Upon information and belief, the Board wholly disregarded the decision of the Committee and adopted Marchitell's message-based characterization of the books and his ideological concerns when it voted to effectively remove the five books from the District's library.

**AS AND FOR A THIRD CLAIM AGAINST RESPONDENTS,
PETITIONER RESPECTFULLY ALLEGES**

The Board's actions violated students' First Amendment rights to intellectual freedom.

61. The First Amendment "protects the right to receive information and ideas" in a public school library. *Pico*, 457 U.S. at 867-68. This right is violated when a school district or school board removes or restricts access to library books "in a narrowly partisan or political manner," and for the purpose of deny[ing] students access to ideas with which" the school district or school board disagrees. *Id.* at 870-71. As set forth above, this is what has happened here.

62. The library is a principal place in our society where one can go to explore and find almost every idea imaginable to exercise these rights. The First Amendment necessarily protects the library collection as the primary source of information that is received and can be read.

63. The parent petitioner Drahms wants his students and children to have access to all books in the library including the removed books, should they so choose. Drahms also wants them to do so without incurring the stigma of having to identify themselves as wishing to access material deemed "pornographic" or otherwise inappropriate.

64. Drahms likewise wants his students and children to be able to access any book in the District's library without fearing hostile and/or discriminatory reactions and/or retaliation from within the school environment and/or from the community at large.

65. If these books may be removed by the Board taking action on the limited complaint of one individual who is hostile to their language, message, and theme, then the precedent is set for the removal of any other work by this and successive Boards, thereby stripping the school library of views contrary to their own.

66. The Board's conduct as detailed above has violated the First Amendment rights of the parent petitioner, and all other parents of students in the District, to have their children access information and ideas within their school library and the First Amendment rights of those student children to receive information and ideas. *See* Affidavit of Peter Drahms in Support of the Verified Petition, sworn to on September 7, 2023 and submitted with the filing of this appeal.

**AS AND FOR A FOURTH CLAIM AGAINST RESPONDENTS,
PETITIONER RESPECTFULLY ALLEGES**

The Board acted in direct contravention of Joint DEI Guidance.

67. Upon information and belief, although recently issued, the Diversity, Equity and Inclusion Guidance (DEI Guidance) jointly issued by this Commissioner and NYS Attorney General James reaffirms long-standing and sound educational policies previously espoused by this and prior Commissioners of Education, as well as that of educator and library organizations throughout the State. New York State Commissioner of Education and New York State Office of the Attorney General, *Diversity, Equity and Inclusion Guidance* at 3-4, dated August 9, 2023, *available at Diversity, Equity, and Inclusion Guidance (nysed.gov)* and annexed hereto as Exhibit "M."

68. The DEI Guidance was issued on August 9, 2023, the same date as the Board's determination. By letter dated September 6, 2023, this Office demanded that the Board reconsider its actions in light of the DEI Guidance's clear pronouncements that school districts place dignity,

inclusion, and respect at the center of their educational decisions. A copy of the September 6, 2023 demand letter is annexed hereto as Exhibit “N.”

69. The DEI Guidance specifically addresses school library book banning and cautions that school districts "cannot abdicate their legal responsibilities [in the area of teaching curricula], even if requested to do so by some community members." *See* Ex. M.

70. When the Board placed greater weight on the opinion of a community member who admittedly had not read the books in question and who did not have a child in the schools to potentially be impacted by the retention of these resources, over the careful consideration of its own Committee, it violated the DEI Guidance and abdicated its legal responsibilities to provide inclusive and culturally responsive teaching and learning. *See, e.g.*, Exs. E through G; I and J.

71. In removing student resources without a rational basis, the Board failed to ensure teaching and learning reflected principles of diversity, equity, and inclusion and failed to provide opportunities for all students to make educational progress through the use of materials that incorporate diverse perspectives. *See* Ex. M, at p 3.

**AS AND FOR A FIFTH CLAIM AGAINST RESPONDENTS,
PETITIONER RESPECTFULLY ALLEGES**

The Board failed to comply with its own policies, procedures, and legal obligations to maintain an appropriate library.

72. According to Commissioner’s Regulation Section 91.1, a school library shall be established and maintained in each school; meet the needs of the pupils; and provide an adequate complement to the instructional program in the various areas of the curriculum. 8 NYCRR § 91.1.

73. According to Board Policy No. 8320, the District will establish and maintain a library media center in each school which will contain library materials that must “meet the needs of students and staff” and compliment the curriculum. Ex. B, at p. 2.

74. According to Policy No. 8320, the Board specifically “delegates its authority to designate library materials to be used in the District to the school library media specialist(s)” who will also “identify, order, and organize library materials” in cooperation with other staff when appropriate. *Id.*

75. In fact, according to Board Policy No. 8330, the Board directs that “a library media center’s collection, both print and digital [] include items that are considered to be controversial.” Ex. C, at p. 2.

76. In removing access to previously approved materials, the Board violated the District’s own standards in that it failed and continues to fail to meet its own “Objectives in the Selection of Instructional Materials,” violates Board Policy Nos. 8320 and 8330, and fails to meet the New York State learning standards cited within said Policy.

77. In this District, a community member’s formal objection to “instructional materials” is reviewed pursuant to the District’s policy and procedures as set out in the Guidebook and Board Policy No. 8330. *See* Exs. A and C.

78. The Board’s actions in removing library resources solely on the basis of community member Marchitell’s ideological and message-based objection violates the District’s own policies and procedures, as set forth in the Guidebook and Board Policy. *See* Exs. A through C.

79. Therefore, the Board’s August 9, 2023 determination to disregard the rational and well-reasoned, unanimous decision of the Committee to retain certain books was unlawful, arbitrary and capricious, constituted an abuse of discretion and exceeded its authority in that it irrationally usurped the authority specifically delegated to the of the Committee.

80. The Board’s failure to adhere to its own policies and procedures regarding objections to curricula materials is arbitrary and capricious and constitutes bad faith.

PETITIONERS' APPLICATION FOR A STAY ORDER

81. Petitioners have established that based on the law and facts, an application for a stay order should be granted pursuant to the Commissioner's Regulations. *See* 8 NYCRR 276.1; *see generally Faiveley Transport. Malmo AB v. Wabtec Corp.*, 559 F.3d 110 (2d Cir. 2009).

82. The removal of the challenged books has resulted in immediate, irreparable, and immeasurable harm to the students and staff who are currently denied access to these materials. For example, the children and students of petitioner Drahms, who is a parent and teacher, are irreparably harmed as they are currently and indefinitely being denied access to the books in question. Similarly, petitioner Bastian, the Library Media Specialist also suffers irreparable injury, in that she and other educators in the District have a professional pedagogical interest in their students' access to these materials.

83. The Board's actions continue to deprive students of access to a wide range of viewpoints, restrict information and discourage freedom of thought, thereby undermining the ability of students to think creatively and seek out new ideas and information.

84. As set forth above, the Board's failure to comply with the Education Law, its own rules and policies and the Commissioner and Attorney General's joint guidance establishes a likelihood of success on the merits. *See Family-Friendly Media, Inc. v. Recorder Television Network*, 74 A.D.3d 738, 739 (2d Dep't 2010); *see generally Doe v. Axelrod*, 73 N.Y.2d 748, 750 (1988).

85. These afore-described violations of educators' academic freedom and students' intellectual freedom at Clyde-Savannah, if left unaddressed, will continue to cause irreparable harm during the pendency of the instant appeal. On the other hand, the private citizen objector, Necessary Party Marchitell, suffers no harm if the books continue to be made available in the District libraries. He is not a student, parent or staff member in the District and has no need or

right to access these materials in a District library. Respondent District suffers no harm as these materials had already been made available in its libraries for considerable time prior to the August 9, 2023 Board determination. As such, the balancing of equities favors the petitioners' position.

86. Based on the above, it is respectfully requested that petitioners' application for a stay order pursuant to Commissioner's Regulation 276.1 be granted.

JURISDICTION

87. An appeal to the Commissioner of Education pursuant to Education Law § 310 must be commenced within thirty (30) days from the making of the decision or the performance of the act. *See* 8 NYCRR § 275.16.

88. Less than thirty (30) days has elapsed since the August 9, 2023 Board determination.

89. As a resident, taxpayer, and Library Media Specialist working in the District, Petitioner Emilie Bastian has standing to bring this appeal.

90. As a resident, taxpayer, parent of children attending school in the District, and teacher working in the District, Petitioner Matthew Drahms has standing to bring this appeal.

91. It has been held that where a complaint relates to a continuing wrong, "the continuing wrong shall be 'subject to complaint at any time.'" *See Appeal of McKenna*, 42 Educ. Dep't Rep. 54 (Dec. No. 14, 774) (2002). As the five challenged books were removed from the Jr/Sr High School library and remain unavailable to students to access, a continuing wrong is established here.

PLEASE TAKE FURTHER NOTICE that the within petition contains an application for a stay order. Affidavits in opposition to the application for a stay must be served on all other parties and filed with the Office of Counsel within three (3) business days after service of the petition.

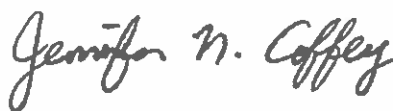
WHEREFORE, it is respectfully requested that the Commissioner grants this Petition in all respects and issue an order:

1. Annulling the August 9, 2023 determination of the Board of Education which defeated a motion to approve the Library Materials Review Committee’s decision to retain certain books in the Jr/Sr High School that were objected to by community member Jacob Marchitell, and which resulted in the removal of the challenged books;
2. Restoring the challenged books (*It Ends with Us*; *People Kill People*; *All Boys Aren't Blue*; *Jesus Land: A Memoir*; and *Red Hood*) to the libraries from where they were removed, including but not limited to the Jr/Sr High School library;
3. Issuing an immediate stay of the Board’s August 9, 2023 action in removing the challenged books; and
4. Granting such other, further and different relief as the Commissioner may deem just and proper, including costs and disbursements of this proceeding.

Dated: Latham, New York
September 7, 2023

Respectfully submitted,

ROBERT T. REILLY, ESQ.
Attorney for Petitioners
Office & P.O. Address
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Latham, New York 12110-2455
Tel. No. (518) 213-6000



By:

Lena M. Ackerman, Esq.
Jennifer N. Coffey, Esq.
Christina M. French, Esq.
Of Counsel

BOARD OF EDUCATION MEETING MINUTES (Wednesday, September 13, 2023)*Generated by Doreen Patchen on Thursday, September 14, 2023*

MEMBERS PRESENT: President, Pamela Anstee; 1st Vice-President, Jennifer Sullivan 2nd Vice-President, Nicholas Dapolito; Veronica Dapolito; John Ellwood; Debbie Large; Nicole Malbone; John Sloan

ABSENT: Timothy VanDuyne

OTHERS PRESENT: Michael Hayden, Superintendent; Susan Gray, Assistant Superintendent for Business and Operations; Holly Drahms, Director of Curriculum, Instruction & Education Services; Jennifer Mackey, Elementary Principal; Justin Fries, Junior High School Principal; Dr. Craig Pawlak, Senior High School Principal; Erin Wood, Assistant Elementary Principal; Christopher Nicol, Director of CSE/PPS; Pamela Lockwood, Director of PE/Athletic Director; Donna Riviello, Food Service Director; Jeff Mochan, Director of Facilities; Shari Forsythe, Transportation Director; Doreen Patchen, District Clerk; Leah Yonge, Student Representative

CALL TO ORDER AND PLEDGE OF ALLEGIANCE: At 7:00 pm, President Anstee called the meeting to order and asked Jennifer Sullivan to lead in the Pledge of Allegiance.

EXECUTIVE SESSION**Action: A. Enter into Executive Session for - d**

Recommended Action: At 7:01 PM a motion was made to enter into Executive Session for- d

MOTION by John Sloan

SECONDED by Jennifer Sullivan

VOTE	8-0
President, Pamela Anstee	YES
1st Vice - President, Jennifer Sullivan	YES
2nd Vice-President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	ABSENT

EXECUTIVE SESSION

- a. Matters, which will imperil the public safety if disclosed.
- b. Any matter, which may disclose the identity of a law enforcement agent or informer.
- c. Information relating to current or future investigation or prosecution of a criminal offense which would imperil effective law enforcement if disclosed.
- d. Discussions involving proposed, pending, or current litigation.
- e. Collective negotiations pursuant to article 14 of the Civil Service Law.
- f. The medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment or removal of a particular person or corporation.
- g. The preparation, grading, or administration of exams.
- h. The proposed acquisition, sale or lease of real property or the proposed acquisition, sale, or exchange of securities, but only when publicity would substantially affect the value of these things (Pub. Off. Law§ 105 (a-h)).

Action: B. Exit Executive Session

Recommended Action: At 7:36 PM a motion to exit Executive Session and reconvene into regular session.

MOTION by Nicole Malbone

SECONDED by John Sloan

VOTE	8-0
President, Pamela Anstee	YES
1st Vice - President, Jennifer Sullivan	YES
2nd Vice - President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES

EXHIBIT I

Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	ABSENT

CLERK'S REPORT: Jennifer Sullivan was sworn in as the 1st Vice-President to the Board of Education for the 2023-2024 school year. Please be advised that Consent Agenda Item 14. C was pulled for further review. Also, Consent Addendum Item 15. A was pulled.

At this time the District Clerk advised the Board of Education that the student who wished to speak at public comment withdrew their request. The District Clerk informed the Board of Education with a reminder that the Policy 1510, which was adopted this past June, requires that persons wishing to address the Board during the public comment session of a regular Board meeting need to submit their concerns in writing (along with their name, address, and phone number) to the the District Clerk no later than 10 business days before the next Board meeting. Besides the student that followed that requirement, the District Clerk had not received any additional requests that met that requirement.

APPROVAL OF AGENDA

Recommended Action: Motion to approve the agenda with the addition of the addendum items.

MOTION by Nicole Malbone
 SECONDED by John Sloan

VOTE	8-0
President, Pamela Anstee	YES
1st Vice - President, Jennifer Sullivan	YES
2nd Vice - President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	ABSENT

APPROVAL OF THE MINUTES

Recommended Action: Motion to approve the Minutes of August 9, 2023 Regular Meeting Minutes

MOTION by Jennifer Sullivan
 SECONDED by Nicole Malbone

VOTE	8-0
President, Pamela Anstee	Yes
1st Vice - President, Jennifer Sullivan	Yes
2nd Vice - President, Nicholas Dapolito	Yes
Veronica Dapolito	Yes
John Ellwood	Yes
Debbie Large	Yes
Nicole Malbone	Yes
John Sloan	Yes
Timothy VanDuyne	ABSENT

PRESENTATIONS

LaBella Architectural Firm and Campus Construction Management Firm presented to the Board an initial overview and scope of the upcoming capital project proposal. Overall project costs and conceptual renderings of renovations were shared. A referendum vote is scheduled for Decemeber 12, 2023. More specific information will be shared in the upcoming weeks as well as a date for a public hearing regarding the project.

REPORTS AND CORRESPONDENCE

Central Administration

- Superintendent Hayden thanked LaBella and Campus for their presentation and for getting the scope of the project down to a zero impact to taxes. He praised the architects for their ability to come up with solutions that will meet the needs of

our outdated performing arts spaces, address the safety of pick up and drop off at the elementary school and overdue renovations of the fieldhouse.

- Superintendent Hayden shared with the Board that he received a correspondence from Town Supervisor Steven Groat regarding the former "School Huse" located at 1970 Stokes Road in Lock Berlin, Town of Galen. Mr. Hayden explained that in 1973, the District deeded the old school house to the Town of Galen with intentions that it may become a useful structure for public purposes. Due to deed stipulations, ownership of the old school house could revert back to the District. The District will explore options and work with the Town of Galen on future disposition of the parcel.
- Susan Gray, shared her excitement about the Capital Project and the zero impact on the district.
- Student Representative was introduced. Great start to the new school year.

Building Administration

- Building Administration reports were sent to the Board of Education, no questions at this time

Student Representative

- The year is off to a great start, with the back to school bash on August 22 at the elementary school to welcome families and students
- Sports are off to a great start, with our football team gaining a few wins.
- Discussion is in process about this years Sr. Trip.
- The Community Festival is taking place on Friday, September 15, 2023

Board Member Comments: NONE

At this time Superintendent Hayden introduced to the Board of Education, Rebecca Vermeulen, our new Director of Technology

Board Committee Reports

- President Anstee reminded the Board of Education about the upcoming NYSSBA Conference in October
- Policy Committee will meet on September 21, 2023
- Audit Committee will meet in November

PUBLIC FORUM: NONE

Discussion, Information: A. Public Comments to the Board In the interest of meeting efficiency, public comments should be kept within the Board of Education’s three-minute guideline and not to exceed thirty minutes total.”The Board of Education has set aside a period not to exceed 30 minutes as an opportunity for District residents to address the Board regarding school-related matters. We ask that you stand, state your name, and share your information with the Board. We welcome comments or concerns about agenda items that you may want to bring to the attention of the Board. Issues related to specific personnel or students are not appropriate for public comment and should be brought to the attention of the Superintendent of Schools privately. The Board reserves the right to end a speaker’s time if his or her comments are not appropriate for discussion in a public forum, including but not limited to obscene language, libelous statements, threats of violence advocating racial, religious, or other forms of prejudice. Generally, the Board does not respond to public comments. The Superintendent or Board President may provide a response where is it warranted. We appreciate and thank you for your comments.”

At 7:53 PM President Anstee asked for a motion to take a 15 minute recess

MOTION by Veronica Dapolito

SECONDED by John Sloan

VOTE	8-0
President, Pamela Anstee	YES
1st Vice - President, Jennifer Sullivan	YES
2nd Vice - President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	ABSENT

At 8:02 PM the meeting reconvened

CONSENT AGENDA APPROVAL

Approval of Consent Agenda with added Addendum Items

Recommended Action: Motion to Approve the Consent Agenda with added Addendum Items

MOTION by Veronica Dapolito

SECONDED by John Sloan

VOTE	8-0
President, Pamela Anstee	YES
1st Vice - President, Jennifer Sullivan	YES
2nd Vice - President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	ABSENT

CONSENT AGENDA - APPROVAL OF FINANCIAL REPORTS

Action: A. Treasurers Reports

Action: B. Budget Transfers

Action: C. Activity Accounts

Action: D. Budget Status Report

CONSENT AGENDA - REVIEW WARRANTS

Action: A. Warrants Presented to BOE on September 13, 2023

CONSENT AGENDA - CPSE AND CSE RECOMMENDATIONS

Action: A. Approval of CPSE and CSE Recommendations as presented

12. CONSENT AGENDA - PERSONNEL - CERTIFIED STAFF

Action: A. Acceptance of the following Resolution: BE IT RESOLVED that the Clyde-Savannah Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the four year probationary appointment of Angela Reed, ELA Teacher, conditional upon a criminal history record check according to Commissioners Regulation 80 1.11 and Part 87 as follows: Certification: English (Language Arts) Grades 7 - 12 Tenure Area: English Language Arts Teacher 7 - 12 Probationary Period: September 11, 2023 - September 11, 2027 Salary: \$54,000. Start Date: August 31, 2023. This expiration date is tentative and conditional only. Except to the extent required by the applicable provisions of Section 3012 of the Education Law, in order to be granted tenure the teacher must receive composite or overall annual professional performance review ratings pursuant to Section 3012-c and/or 3012-d of the Education Law, Fingerprint clearance satisfied.

Action: B. Acceptance of letter of resignation from Meagan Bechard as Math Teacher, effective August 25, 2023.

Action: C. Acceptance of the following Resolution: BE IT RESOLVED that the Clyde-Savannah Board of Education, upon recommendation of the Superintendent of Schools and pursuant to Education Law, approves the four year probationary appointment of Devin Younglove, Elementary Teacher, conditional upon a criminal history record check according to Commissioners Regulation 80 1.11 and Part 87 as follows: Certification: Childhood Education (Grades 1 - 6) Tenure Area: Elementary Teacher: Probationary Period: August 31, 2023 - August 31, 2027 Salary: \$58,000. Start Date: August 31, 2023. This expiration date is tentative and conditional only. Except to the extent required by the applicable provisions of Section 3012 of the Education Law, in order to be granted tenure the teacher must receive composite or overall annual professional performance review ratings pursuant to Section 3012-c and/or 3012-d of the Education Law, Fingerprint clearance satisfied.

Action: D. Acceptance of letter of resignation from Emilie Bastian as Senior High School Student Council Co-Advisor, effective August 18, 2023.

Action: E. Acceptance of recommendation of Shawn Kanaley as Varsity Girls Basketball Head Coach for the 2023 - 2024 school year (1st yr.) effective September 14, 2023, at a stipend of \$4,314 (\$4,200 per Schedule C +2 Asst. Coach \$57). Fingerprint clearance satisfied.

Action: F. Acceptance of letter of resignation from Amber Humbert as Teacher Assistant, effective August 10, 2023.

Action: G. Acceptance of recommendation to amend Agenda Item 12. S on the July 12, 2023 meeting minutes to read: Acceptance of recommendation of Stephanie Becker as Department Chair, 7 - 12 Science and Technology for the 2023 - 2024 school year effective July 13, 2023 (4th yr.) at a stipend of \$1,700 per Schedule B. Fingerprint clearance satisfied.

Action: H. Acceptance of recommendation of Stacey Granito as Elementary Spelling Bee Advisor for the 2023 - 2024 school year effective September 14, 2023 (1st yr.) at a stipend of \$600 per Schedule B. Fingerprint clearance satisfied.

Action: I. Acceptance of recommendation of Matthew Drahms as STEADY Work/After School Program Teacher, effective September 14, 2023 at \$35 hr. Fingerprint clearance satisfied.

Action: J. Acceptance of recommendation of Andrew Pirrello as 6th Gr. Grade Level Leader for the 2023 - 2024 school year (1st yr.) effective September 14, 2023 at a stipend of \$1,100 per Schedule B. Fingerprint clearance satisfied.

13. CONSENT AGENDA - NON-CERTIFIED STAFF

Action: A. Acceptance of recommendation to amend the August 9, 2023 meeting minutes to read: Action J. Acceptance of recommendation of Donna Riviello as Whole Foods Plant Based Coordinator for the 2023 - 2024 school year (1st yr.), at a stipend of \$400 per Schedule B (this stipend is determined and funded by FLASHP. Stipend may be subject to change based on FLASHP allocations.)

Action: B. Acceptance of letter of resignation from Mary Ann Rivers, Teacher Aide, effective September 1, 2023.

Action: C. Acceptance of recommendation of James Hammer as a substitute Bus Driver, effective September 14, 2023, at an hourly rate as per substitute pay schedule. Fingerprint clearance satisfied.

Action: D. Acceptance of recommendation of Zachary Stark to a probationary position as Bus Driver, effective September 6, 2023, at the hourly rate of \$25.00 per hour. Fingerprint clearance satisfied.

Action: E. Acceptance of recommendation of Alena Premo to a probationary position as Bus Driver, effective September 6, 2023, at the hourly rate of \$25.00 per hour. Fingerprint clearance satisfied.

Action: F. Acceptance of recommendation of Sierra Trickler to a probationary position as Bus Driver, effective September 6, 2023, at the hourly rate of \$25.00 per hour. Fingerprint clearance satisfied.

Action: G. Acceptance of recommendation of Julie Buettner to a probationary position as Bus Monitor effective September 6, 2023, at the hourly rate of \$15.50. Fingerprint clearance satisfied.

Action: H. Acceptance of recommendation of Michelle Tavano to a probationary position as Bus Monitor effective September 6, 2023, at the hourly rate of \$15.50. Fingerprint clearance satisfied.

Action: I. Acceptance of recommendation to approve a 6 month leave of absence for Casandra DeRenzo as Teacher Aide, from August 29, 2023 - February 29, 2023

Action: J. Acceptance of recommendation of Casandra DeRenzo to a provisional position as Clerk Typist effective August 29, 2023, at the hourly rate of \$18.00. Fingerprint clearance satisfied.

Action: K. Acceptance of letter of resignation from Marcie Norcott, Bus Monitor, effective September 4, 2023.

Action: L. Acceptance of recommendation of Maisie Powers as a Substitute Teacher for the 2023-2024 school year, at an hourly rate per substitute pay schedule. Fingerprint clearance pending.

Action: M. Acceptance of recommendation of David Ochs to a probationary position as a Teacher Aide, effective October 2, 2023, at the hourly rate \$14.20. Fingerprint clearance pending.

Action: N. Acceptance of recommendation of Emma Ibbotson as Lifeguard effective September 14, 2023 at \$20.00 per hour. Fingerprint clearance exempt.

Action: O. Acceptance of recommendation of Emma Ibbotson as Community Recreation Supervisor, effective September 14, 2023 at \$20 hr. Fingerprint clearance exempt.

Action: P. Acceptance of recommendation of Peggy Vantassell as a substitute Bus Monitor, effective September 14, 2023, at an hourly rate as per substitute pay schedule. Fingerprint clearance pending.

Action: Q. Acceptance of recommendation of Marlene Perkins as a substitute Bus Driver, effective September 14, 2023, at an hourly rate as per substitute pay schedule. Fingerprint clearance satisfied.

Action: R. Acceptance of recommendation of Donna Riviello as Lift Project Coordinator for the 2023 - 2024 school year (1st yr.), at a stipend of \$400 per Schedule B. Fingerprint clearance satisfied.

Action: S. Acceptance of recommendation of Michael Kanaley as Varsity Boys Basketball Head Coach for the 2023 - 2024 school year (1st yr.) effective September 14, 2023, at a stipend of \$4,314 (\$4,200 per Schedule C +2 Asst. Coach \$57). Fingerprint clearance satisfied.

Action: T. Approval of recommendation of the following resolution: BE IT RESOLVED that the Board of Education of the Clyde-Savannah Central School District, upon the recommendation of Michael Hayden, Superintendent of Schools, does hereby terminate Genie O'Sullivan effective September 5, 2023.

Action: U. Acceptance of recommendation of Sarah Large to a probationary position as a Universal Aide, effective September 14, 2023, at the hourly rate of \$14.20. Fingerprint clearance pending.

Action: V. Acceptance of letter of resignation from Ciera Perkins, Bus Driver, effective end of day August 31, 2023.

14. CONSENT AGENDA - GENERAL

- Action: A. Acceptance of recommendation of review of Policy #1210 Board of Education Members: Nomination and Election
- Action: B. Acceptance of recommendation of revision and adoption of Policy #1320 Nomination and Election of Board Officers and Duties of the President and Vice President
- ~~PULLED from Agenda for further review Action: C. Acceptance of recommendation of review of Policy #1511 Agenda Format~~
- Action: D. Acceptance of recommendation of review of Policy #1610 Annual District Meeting and Election/Budget Vote
- Action: E. Acceptance of recommendation of revision and adoption of Policy #3420 Non-Discrimination and Anti-Harassment in the School District
- Action: F. Acceptance of recommendation of revision and adoption of Policy #5140 Administration of the Budget
- Action: G. Acceptance of recommendation for review of Policy #5510 Accounting of Funds
- Action: H. Acceptance of recommendation of revision and adoption of Policy #5710 Transportation Program
- Action: I. Acceptance of recommendation of review of Policy #6410 Staff Use of Computerized Information Resources
- Action: J. Acceptance of recommendation of review of Policy #7130 Entitlement to Attend -- Age and Residency
- Action: K. Acceptance of recommendation for revision and adoption of Policy #7554 Bullying: Peer Abuse in the Schools
- Action: L. Acceptance of recommendation of review of Policy #7617 Declassification of Students with Disabilities

15. CONSENT AGENDA - ADDENDUM ITEMS CERTIFIED

~~PULLED from Agenda Action: A. Acceptance of recommendation of Brian Poerio as Senior High School Student Council Co-Advisor for the 2023-2024 school year effective September 14, 2023 (1st yr.) at a stipend of \$750 per Schedule B. Fingerprint clearance satisfied.~~

Action: B. Acceptance of recommendation of Kim Record as Volunteer JV Girls Volleyball Coach for the 2023-2024 school year, effective September 14, 2023. Fingerprint clearance satisfied.

16. CONSENT AGENDA - ADDENDUM ITEMS NON-CERTIFIED

Action: A. Acceptance of recommendation of Katherine Thoms as Community Recreation Supervisor, effective September 14, 2023 at \$20 hr. Fingerprint clearance satisfied.

Action: B. Acceptance of recommendation of Katherine Thoms as Lifeguard effective September 14, 2023 at \$20.00 per hour. Fingerprint clearance satisfied.

Action: C. Acceptance of recommendation for a medical leave of absence for Patti Doyle, Bus Monitor from September 6, 2023 returning on or around October 30, 2023.

Action: D. Acceptance of recommendation of Kristin Foote to a probationary position as Bus Monitor effective September 14, 2023, at the hourly rate of \$15.50. Fingerprint clearance satisfied.

Action: E. Acceptance of recommendation for a medical leave of absence for Margaret Barber, Bus Driver from September 5, 2023 returning on or around October 5, 2023.

Action: F. Acceptance of recommendation of Andrew Banas as Football Scorekeeper, effective September 14, 2023 at \$70 per event per Schedule C. Fingerprint clearance satisfied.

17. CONSENT AGENDA - ADDENDUM ITEMS GENERAL

Action: A. Pamela Anstee, has given notice that at the September 13, 2023 meeting she will move to Rescind the resolution from the August 9, 2023 Board of Education meeting related to the Library Materials Review Committee's decision to retain books in the Jr./Sr. High Library that were objected to by community member Jacob Marchitell. At the August 9, 2023 meeting, the Board of Education voted not to uphold the Library Materials Review Committee's Decision, and not to retain the challenged books in the Jr.Sr. High Library.

Board of Education President Pamela Anstee read Consent Agenda - Addendum Item 17. to the Board of Education members and asked for a Motion for a Roll Call Vote.

Motion by John Sloan
Seconded by Debbie Large

ROLL - CALL VOTE	6-2
Mrs. Dapolito	YES
Mr. Dapolito	YES
Mr. Ellwood	NO
Mrs. Large	YES

Mrs. Malbone	YES
Mr. Sloan	YES
Mrs. Sullivan	YES
Mr. VanDuyne	ABSENT
President Anstee	NO

The following Resolution became a walk-on Consent Agenda Addendum Item and President Pamela Anstee read the Resolution:

RESOLUTION

WHEREAS, the Junior-Senior High School library (the "Library") is accessible to students and contains various multimedia for student use; and

WHEREAS, amongst other works of fiction, the following novels are available in the library: *All Boys Aren't Blue* by George M. Johnson, *Red Hood*, by Elana K. Arnold, *It Ends With Us* by Colleen Hoover, *Jesus Land* by Julia Scheeres, and *People Kill People* by Ellen Hopkins (hereinafter the "Challenged Materials"); and

WHEREAS, the District received an objection and request for review from a resident regarding the content and nature of these Challenged Materials, and a request that they be removed from the Library; and

WHEREAS, the Superintendent of Schools formed a Library Materials Review Committee (hereinafter the "Committee") as required under Board Policy 8330, to review the Challenged Materials that were the subject of criticism; and

WHEREAS, the Committee reviewed the Challenged Materials and prepared a written report recommending the Challenged Materials remain in the Library; and

WHEREAS, the District resident commenced an appeal of the Committee's decision to the Board pursuant to Board Policy 8330; and

WHEREAS, the Board initially considered this appeal at its August 9, 2023 Board meeting and voted against a motion to retain the Challenged Materials and, in practice, voted to remove such Challenged Materials from the Library; and

WHEREAS, after further consideration of the Committee's written report, the basis for the prior vote and upon advice of legal counsel, the Board rescinds the prior vote to remove the Challenged Materials; and

NOW, THEREFORE, after review and due consideration of the Committee's written report, it is resolved:

1. The Board's decision following consideration of the appeal of the Challenged Materials on August 9, 2023 is rescinded.
2. The Board finds the procedures set forth in Board Policy 8330 regarding objections to instructional materials were followed by the Superintendent of Schools and the Committee.
3. The Committee's report indicates a review of the material in accordance with the standards articulated by the Board in Policy 8320, and the Board finds no basis to disturb the Committee's consensus to retain the Challenged Materials in the Library.
4. The Board upholds the Library Materials Review Committee's decision to retain the Challenged Materials in the Library that were objected to by community member Jacob Marchitell, and accepts the stipulations placed on each book by the Committee regarding appropriate shelving and labeling, which are as follows:
 - a. All Boys Aren't Blue: Title will be appropriately shelved as a Young Adult (YA) novel, which will be indicated on the outside cover of the book.
 - b. Red Hood: Title will be appropriately shelved as a Young Adult (YA) novel, which will be indicated on the outside cover of the book.
 - c. It Ends With Us: Title will be appropriately shelved as an Adult novel, which will be indicated on the outside cover of the book.
 - d. Jesus Land: Title will be appropriately shelved as an Adult novel, which will be indicated on the outside cover of the book.
 - e. People Kill People: Title will be appropriately shelved as a Young Adult (YA) novel, which will be indicated on the outside cover of the book.

This Resolution shall take effect immediately.

Board of Education President Pamela Anstee asked the Board of Education members for a motion for a Roll Call Vote:

Recommended Action: A motion was made for a Roll Call Vote as follows:

MOTION by Veronica Dapolito
SECONDED by John Sloan

EXHIBIT I

ROLL - CALL VOTE	6 YES - 2 NO
Mrs. Dapolito	YES
Mr. Dapolito	YES
Mr. Ellwood	NO
Mrs. Large	YES
Mrs. Malbone	NO
Mr. Sloan	YES
Mrs. Sullivan	YES
Mr. VanDuyne	ABSENT
President Anstee	YES

Action: B. Acceptance of recommendation to approve the following Volunteer: Phyllis Foster

Action: C. Acceptance of the Following resolution:BE IT RESOLVED that the Clyde-Savannah Central School Board of Education approve an 11-week/46 Hours (2-3 times per week) student field placement for Christina Albrecht. This student's field placement experience will be credited towards her course of study at Roberts Wesleyan College. The unpaid field placement will begin September 14, 2023, and conclude on December 1, 2023. Fingerprint clearance pending.

Action: D. Acceptance of recommendation to approve the following Volleyball Volunteer: Reese Carr

QUESTIONS FROM THE AUDIENCE: NONE

ADJOURNMENT

Recommended Action: At 8:17 PM a motion was made to adjourn the meeting.

MOTION by John Sloan

SECONDED by Debbie Large

VOTE	8-0
President, Pamela Anstee	YES
1st Vice - President, Jennifer Sullivan	YES
2nd Vice - President, Nicholas Dapolito	YES
Veronica Dapolito	YES
John Ellwood	YES
Debbie Large	YES
Nicole Malbone	YES
John Sloan	YES
Timothy VanDuyne	ABSENT

Respectfully submitted by Doreen A. Patchen, District Clerk



No. 18402

The University of the State of New York
The State Education Department
Before the Commissioner

Appeal of MOMS FOR LIBERTY OF WAYNE COUNTY and REV. JACOB MARCHITELL from action of the Board of Education of the Clyde-Savannah Central School District regarding challenged library materials.

American Center for Law & Justice, attorneys for petitioners, Jeff Ballabon and Abigail A. Southerland, Esqs., of counsel

Ferrara Fiorenza PC, attorneys for respondent, Lindsay A.G. Plantholt, Esq., of counsel

Robert T. Reilly, Esq., attorneys for *amicus curiae* New York State United Teachers, Christina M. French, Esq., of counsel

The Law Office of Stephanie Adams, PLLC, attorneys for *amicus curiae* New York State Library Association, Stephanie A. Adams, Esq.

Petitioners appeal the determination of the Board of Education of the Clyde-Savannah Central School District ("respondent") to retain five challenged books within its library collection. The appeal must be dismissed.

Respondent has, through board policy, "delegate[d] its authority to designate library materials to be used in the [d]istrict to the school library media specialist(s)." The materials at issue herein were acquired under that authority.

Respondent's policy entitled "Objection to Instructional Materials and Controversial Issues" encourages community members to raise concerns about library materials to district staff. Under this policy, community members may submit a formal complaint to the superintendent. Upon receipt, the

superintendent convenes a review committee, which then has 60 days to review the challenged materials and submit a report to the superintendent. The committee's findings may then be appealed to the board.

In two separate requests in spring 2023, petitioner Marchitell challenged five books within respondent's junior/senior school library collection: (1) *People Kill People* by Ellen Hopkins; (2) *It Ends With Us* by Colleen Hoover; (3) *All Boys Aren't Blue* by George M. Johnson; (4) *Jesus Land: A Memoir* by Julia Scheeres; and (5) *Red Hood* by Elana K. Arnold. Petitioner Marchitell generally alleged that the books contained sexually explicit material inappropriate for school-age students.

In accordance with its policy, the district convened a committee to review the books. The committee was composed of the director of curriculum, instruction, and educational services; high school principal; junior high school principal; library media specialist; chair of the English department; and a "[p]rocess [c]onsultant." Each member of the committee read and discussed the challenged books. After completing evaluation forms for each book, the committee unanimously recommended that each book be retained in the school library, designated as either Young Adult (*People Kill People*, *All Boys Aren't Blue*, and *Red Hood*) or Adult (*Jesus Land* and *It Ends With Us*). Petitioner Marchitell appealed this determination to respondent.

At a board meeting on August 9, 2023, respondent sustained petitioner Marchitell's appeal. This determination was the subject of an appeal to the Commissioner, commenced on September 8, 2023 (the "prior appeal").

During the pendency of the prior appeal, respondent reconsidered its determination and received legal advice in connection therewith. At a board meeting on September 13, 2023, respondent rescinded its previous resolution and voted, 6-2, to deny petitioner Marchitell's appeal (the "September vote").¹ As a result, the challenged books remained in respondent's collection. This appeal ensued. Petitioners' request for interim relief was denied on October 27, 2023.

Petitioners seek annulment of the September vote, arguing that respondent abused its discretion by voting to retain the challenged books. Petitioners assert that the books are *per se* inappropriate as they are "pornographic," "serve[] no educational purpose," and are "potentially illegal obscenity." Petitioners further argue that the board "fail[ed] to apply proper pedagogical and ethical standards" and "relied on a mischaracterization of the First Amendment" in voting to retain the materials in its library collection.

¹ The prior appeal was withdrawn shortly after the September vote.

Respondent argues that the board acted reasonably in following its policy for review of challenged materials.²

First, I must address two preliminary matters. The New York State United Teachers (NYSUT) and the New York Library Association (NYLA) have submitted proposed *amicus curiae* memoranda for consideration. Section 275.17 of the Commissioner's regulations permits interested persons to submit memoranda *amicus curiae* upon written application to, and approval by, the Commissioner. In considering whether to grant such applications, the Commissioner has historically applied the standard adopted by the Court of Appeals, which requires satisfaction of at least one of the following criteria: (1) that the parties are not capable of a full and adequate presentation and that the interested non-party could remedy this deficiency; (2) that the interested non-party could identify law or arguments that might otherwise escape consideration; or (3) that the proposed *amicus curiae* brief would otherwise be of assistance (*see* 22 NYCRR 500.23 [a] [4] [i]).

I find that both NYSUT and NYLA possess unique perspectives that are of assistance in resolving the issues in this appeal. NYSUT's local affiliates represent library media specialists, who staff school libraries throughout New York State. NYLA is a not-for-profit corporation formed to lead, educate, and advocate for the advancement of New York State's library community; it also includes a Section of School Librarians. Given the crucial role that librarians play in collection development and responding to challenged books, I have accepted both *amicus* briefs into the record.

Next, following the commencement of this appeal, petitioners submitted a video recording of the September vote that they obtained via a Freedom of Information Law request. The Commissioner may accept additional evidence "upon good cause shown and such terms and conditions as the commissioner may specify" (8 NYCRR 276.5). Petitioners argue that the recording relates to its claim that respondent based its decision on a "misunderstanding of the law." Respondent does not object to its admission. In my discretion, I have accepted this recording into the record.

² Respondent also argues that petitioners lack standing to maintain this appeal. However, respondent's "Objection to Instructional Materials and Controversial Issues" policy allows "[d]istrict community members" to submit objections to the district. Given petitioner Marchitell's status as a district resident and taxpayer, I find that he has standing to challenge the denial of his objection. As such, I decline to dismiss the appeal on this basis (*Appeal of McMillan, et al.*, 61 Ed Dept Rep, Decision No. 18,058).

Turning to the merits, a board of education has broad authority to prescribe the course of study in the schools of the district (Education Law § 1709 [3]; *Appeal of McLoughlin and Carusi*, 44 Ed Dept Rep 336, Decision No. 15,191; *Appeal of Murphy, et al.*, 39 *id.* 562, Decision No. 14,311; *Appeal of Smith, Jr.*, 34 *id.* 346, Decision No. 13,335). This includes the ability to manage its library collection. A school district's discretion to remove material from its collection, however, must be exercised within "fundamental constitutional safeguards" (*Campbell v St. Tammany Parish Sch. Bd.*, 64 F3d 184, 188 [5th Cir 1995], *citing Tinker v Des Moines Indep. Community Sch. Dist.*, 393 US 503, 505-07 [1969]). "[L]ocal school boards may not remove books from school library shelves simply because they dislike the ideas contained [there]in ..." (*Board of Ed., Island Trees Union Free School Dist. No. 26 v Pico*, 457 US 853, 872 [1982]).

A board's decision to retain a challenged book or other library material in its collection will only be reversed if the board has acted in an arbitrary, capricious, or unreasonable manner (*Appeal of Bradshaw*, 62 Ed Dept Rep, Decision No. 18,197).³ In an appeal to the Commissioner, a petitioner has the burden of demonstrating a clear legal right to the relief requested and establishing the facts upon which he or she seeks relief (8 NYCRR 275.10; *Appeal of P.C. and K.C.*, 57 Ed Dept Rep, Decision No. 17,337; *Appeal of Aversa*, 48 *id.* 523, Decision No. 15,936; *Appeal of Hansen*, 48 *id.* 354, Decision No. 15,884).

Petitioners have failed to demonstrate that respondent's determination was unlawful on the basis that the challenged books are *per se* inappropriate. "Obscenity" is one of a few categories of speech that may be regulated by states consistent with the First Amendment (*see* Penal Law § 235.00).⁴ The U.S. Supreme Court has imposed a three-part test to determine whether a work is obscene:

- (1) the average person ... would find that the work, taken as a whole, appeals to the prurient interest;
- (2) the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; and

³ While boards of education have greater discretion to prescribe curricula than to select library materials, the standards of review in an appeal to the Commissioner are the same (*compare Appeal of Munch*, 47 Ed Dept Rep 199, Decision No. 15,667; *see generally Pico*, 457 US at 868-69).

⁴ *Paris Adult Theatre I v Slaton*, 413 US 49, 64 (1973) ("The States, of course, may follow ... a 'laissez-faire' policy and drop all controls on commercialized obscenity, if that is what they prefer ...").

(3) the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.⁵

The purpose of the third requirement is, as the Court explained in *Jacobellis v Ohio*,

... the portrayal of sex, e.g., in art, literature and scientific works, is not itself sufficient reason to deny material the constitutional protection of freedom of speech and press ... [M]aterial dealing with sex in a manner that advocates ideas, or that has literary or scientific or artistic value or any other form of social importance, may not be branded as obscenity and denied ... constitutional protection.⁶

Petitioners' argument rests upon the assumption that fictional works describing or portraying human sexuality are *per se* objectionable and subject to exclusion from school libraries. Petitioners cite no authority for this contention.⁷ I acknowledge that each of the challenged books contain some vivid and detailed accounts of sexual interactions. But that alone is not enough to justify their censorship.

Petitioners have otherwise failed to demonstrate that the challenged books here lack "literary, artistic, political, or scientific value." Indeed, petitioners do not even allege that they have read the books in question. In his written challenges to the books, petitioner Marchitell merely asserted that he had read "[e]nough of each book to lodge a complaint." Petitioner Moms for Liberty makes no allegations concerning its familiarity with the works in question.

Respondent's determination, by contrast, was supported by the review committee's analysis of the educational, literary, and artistic values of each book. The committee completed evaluation forms for each book, identifying awards and distinctions as well as publisher and industry reviews that assessed the educational merit of the materials. In each evaluation, the committee outlined important themes and topics in the books, such as

⁵ *Miller v California*, 413 US 15, 24 (1973).

⁶ 378 US 184, 191 (1964) (citations omitted).

⁷ Petitioners also allege that the challenged books are "pornography." This term, however, carries no legal significance. It is not defined in the Penal Law and was only used, in the case cited by petitioners, for background purposes (*see People v Keyes*, 141 AD2d 227, 229 [3d Dept 1988] [referring generally to "eliminat(ion) of the child pornography industry" as a motivating factor in enacting Penal Law § 263.15, the crime of promoting a sexual performance by a child]).

homelessness, bullying, racial discrimination, gender identity, consent, religion, and feminism. In the September vote, respondent stated that it had “further consider[ed]” the committee’s report and determined that the review was conducted in accordance with board policy. Respondent’s deference to the views of the committee, which followed board policy and reached a reasoned conclusion, can hardly be considered arbitrary or capricious (*see generally Appeals of Manders*, 63 Ed Dept Rep, Decision No. 18,295; *Appeal of D.G.D. and J.D.*, 62 *id.*, Decision No. 18,270; *compare Case v Unified Sch. Dist. No. 233*, 908 F Supp 864, 876 [D Kan 1995]).

Additionally, while petitioners purport to object solely to the sexual content of the challenged books, they object to several passages of *All Boys Aren’t Blue* that have nothing to do with sexuality. Below are three such passages:

...It’s as if the more visible LGBTQIAP+ people become, the harder the heterosexual community attempts to apply new norms. I think the majority fear becoming the minority, and so they will do anything and everything to protect their power.

... [E]arly in 2012, Trayvon Martin was killed by George Zimmerman—and my entire perspective shifted on being a Black person in this society ... My eyes were opened by seeing the shooting of Black people at the hands of police. Seeing the killing of Black children like Tamir Rice at the hands of police. Seeing that it didn’t matter whether you were an affluent Black, a poor Black, a child, or an adult. In the eyes of society, I was still a n****.

When I say I’m not blue, I’m referring to the blue on the police uniform my father wore. How I’ve watched too many in that same blue harm Black and brown people. I know for myself that although I respect my father with all my heart, it is my duty to fight against how that institution has harmed us.

Petitioners’ objection to these passages can only be understood as an objection to author George M. Johnson’s personal and political views.⁸ I agree with NYLA that such objections are emblematic of a “dangerous nationwide trend

⁸ Additionally, while petitioners characterize the challenged books as “pornographic fiction,” both *All Boys Aren’t Blue* and *Jesus Land* are non-fiction.

of accusations used to intimidate and threaten schools and librarians into denying access to books on the basis of their content and the identities of their authors.” The Office of the Attorney General and the State Education Department recently denounced this trend in joint guidance, indicating that school boards cannot

- “Ban [] books that highlight the diverse histories and perspectives of Black people;
- Us[e] a pretext of inappropriateness or lewdness to systemically remove diverse perspectives from the classroom; or
- Prohibit[] discussions related to lesbian, gay, bisexual, transgender, nonbinary and gender expansive people ... using a pretext of inappropriateness or obscenity.”⁹

School boards considering the censorship of library materials must carefully consider whose voices will be silenced thereby.

The case law cited by petitioners regarding a school board’s authority to limit speech is inapposite as respondent has not proposed any restriction on speech (*see e.g. Bethel Sch. Dist. No. 403 v Fraser*, 478 US 675, 685 [1986] [upholding disciplinary consequences for a student who delivered a “lewd and indecent” speech]; *R.O. ex rel. Ochshorn v Ithaca City Sch. Dist.*, 645 F3d 533, 541 [2d Cir 2011] [upholding school district’s prohibition on the publication of a drawing of “stick figures in sexual positions” in its school newspaper]). These cases do not, as petitioners suggest, impose an affirmative duty on boards of education to prohibit “vulgar” speech. They instead hold that school boards possess the authority to censor inappropriate student speech that would, in other settings, be protected by the First Amendment.¹⁰

⁹ New York State Office of the Attorney General and New York State Education Department, Guidance to Promote Diversity, Equity, and Inclusion in New York Public Schools (Aug. 9, 2023), *available at* <https://www.nysed.gov/sites/default/files/programs/diversity-equity-inclusion/oag-nysed-dei-guidance.pdf>. In this respect, petitioner Marchitell complained in his initial challenge that “[t]here is great value in keeping sexual deviancy away from underage children.” “Deviancy” has long been wielded as a pejorative to criminalize and delegitimize same-sex relationships. *See* Jordan Blair Woods, *LGBT Identity and Crime*, 105 CAL. L. REV. 667, 674 (2017) (arguing that “there was little space to view LGBT people in the criminal justice system other than as deviant sexual offenders” until the mid-1970s, when the decriminalization of sodomy enabled “scholars, advocates, and policymakers in the 1980s and 1990s to use antidiscrimination principles to move discussions about LGBT identity and crime away from viewing LGBT people as deviant sexual offenders ...”); *see also Mishkin v State of N.Y.*, 383 US 502, 505 (1966) (observing that books in obscenity prosecution depicted “deviations” such as “homosexuality”).

¹⁰ While a passage in *Pico* suggests that boards may remove books from their collections if it finds them “pervasively vulgar,” such considerations are not relevant here as respondent elected to maintain the books in its collection (457 US at 871).

Petitioners also argue that “early exposure to sexual content” is harmful to children, citing several academic studies.¹¹ While this argument was not raised below, I note that the studies have no bearing on the instant dispute; for example, one surveyed Swedish high school seniors and found that sexual experiences prior to age 14 were “associated with problematic behaviours during later adolescence”¹² while another surveyed eighth and ninth grade Finnish students regarding the “associations between pubertal timing, sexual activity and self-reported depression...”¹³ No academic study, in any event, could abrogate students’ “right to receive information and ideas” through school library materials (*Pico*, 457 US at 872).

Contrary to petitioners’ arguments, the right to academic, intellectual, and personal freedom lies at the very heart of this dispute. “The vocation of a librarian,” as a federal court recently put it, “requires a commitment to freedom of speech and the celebration of diverse viewpoints unlike that found in any other profession.”¹⁴ This is reflected in the fact that Intellectual Freedom is one of the six values of the State Education Department’s School Library Program Rubric, “a reflective self-assessment instrument that can be used to assess school library programs.”¹⁵ And school librarians, whose duties are educational in nature, enjoy academic freedom to the same extent as classroom teachers (8 NYCRR sections 30-1.1 [e], 30-1.8 [b], 80-2.8; see *Appeal of the Board of Educ. of the Malverne Union Free Sch. Dist.*, 29 Ed Dept Rep 363, Decision No. 12,320, *affd* 181 AD2d 371 [3d Dept 1992]).

The U.S. Supreme Court has held that boards of education lack authority, under the First Amendment, to “prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion” (*Pico*, 457 US at 854). This rule derives from the Court’s opinion in *West Virginia State Bd. of Educ. v Barnette*, which held that West Virginia’s state educational agency could not expel students for failing to salute the flag (319 US 624 [1943])

¹¹ Petitioners did not submit copies of these studies. However, I have obtained them with the assistance of the New York State Library and take official notice thereof (8 NYCRR 276.6).

¹² Asa A. Kastbom, et al., “Sexual debut before the age of 14 leads to poorer psychosocial health and risky behaviour in later life,” *Acta Paediatrica* (2015): 91-100.

¹³ Tiitakerttu Kaltiala-Heino, et al., “Pubertal timing, sexual behaviour, and self-reported depression in middle adolescence,” *Journal of Adolescence* 26 (2003): 531-45. The authors concluded that both the early onset of puberty as well as “the extent of young people’s reported intimate sexual experiences ... [were] associated with self-reported depression in middle adolescence in both sexes ...”

¹⁴ *Fayetteville Pub. Library et al. v Crawford County, Ark., et al.*, [WD Ark, July 29, 2023, 5:23 Civ 05086, Brooks, J.], at **12-14 (Mem Op and Order).

¹⁵ New York State Education Department, “School Library Program Rubric,” Fall 2020, available at <https://www.nysed.gov/curriculum-instruction/nysed-school-library-program-rubric> (last accessed Apr. 25, 2024).

[Jackson, JJ.]. *Barnette* affirmed the importance of intellectual diversity and its inextricable connection to freedom, stating that “educating the young for citizenship is reason for scrupulous protection of Constitutional freedoms of the individual ...” To do otherwise would “teach youth to discount important principles of our government as mere platitudes” (*Barnette*, 319 at 637).

I have considered petitioners’ remaining arguments and find them to be without merit.

THE APPEAL IS DISMISSED.



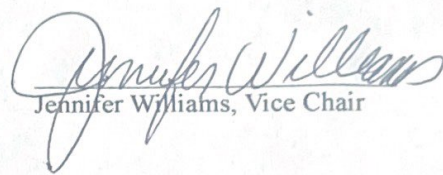
IN WITNESS WHEREOF, I, Betty A. Rosa, Commissioner of Education of the State of New York, for and on behalf of the State Education Department, do hereunto set my hand and affix the seal of the State Education Department, at the City of Albany, this 25th day of April 2024.

Betty A. Rosa
Commissioner of Education

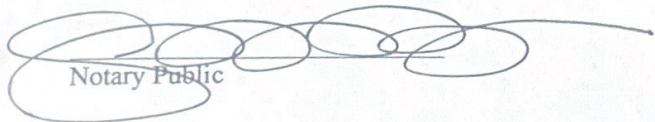
VERIFICATION

STATE OF NEW YORK)
) ss
COUNTY OF WAYNE)

I, JENNIFER WILLIAMS, VICE CHAIR FOR PETITIONER MOMS FOR LIBERTY, INC. in Wayne County, New York, hereby affirms under penalty of perjury that it is the Petitioner in the above-entitled action, that it has read the foregoing Petition, and knows the contents thereof; and that the same is true to its knowledge, except for those portions alleging matters of law, and that as to those matters, it believes them to be true.

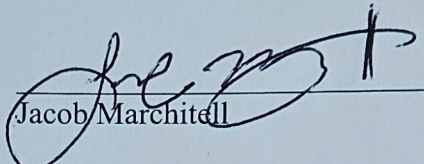

Jennifer Williams, Vice Chair

Signed and sworn before me this 23 day of August 2024.

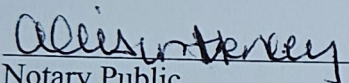

Notary Public

CYNDI D. VANKOUWENBERG
No. 01VA6194567
Notary Public, State of New York
Qualified in Wayne County
My Commission Expires Oct. 6, 2024

PETITIONER JACOB MARCHITELL hereby affirms under penalty of perjury that it is the Petitioner in the above-entitled action, that it has read the foregoing Petition, and knows the contents thereof; and that the same is true to its knowledge, except for those portions alleging matters of law, and that as to those matters, it believes them to be true.


Jacob Marchitell

Signed and sworn before me this 23rd day of August 2024.


Notary Public

ALLISON MAE VERKEY
Notary Public - State of New York
No. 01VE6396196
Qualified in Wayne County
My Commission Expires August 12, 27