



## Censorship in Florida

How House Bill 1467 Harms Students and Staff

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Imagine searching for a book in your school library, either for coursework or personal use. You find a title in the card catalog that is a perfect match for your needs. Searching, you look where it should be on the shelves, but it's not there. Curiously, you approach the librarian for assistance and are told these materials are no longer available as they have been deemed inappropriate for school.

This scenario, unfortunately, is all too real in the state of Florida. With the passing of House Bill 1467 in March 2022, many materials are no longer considered suitable in a school setting. Through the stringent wording of this law, school librarians will be forced to close their libraries, comb through the materials, and assess each title for its suitability. Should any library materials circulated be construed as harmful to minors, the law “warns that violators face a third degree felony charge” (Sheridan 2023a). Many of these librarians cover and manage multiple school collections in their districts and will be responsible for thousands of books, magazines, and movies. They will also be forced to receive retraining in their field to comply with the new law.

According to the American Library Association (ALA) website, eight of the top ten most challenged books of 2021 pertained to Black, Indigenous, and people of color (BIPOC) and LGBTQ+ stories, both fiction and nonfiction, often depicting true stories of their authors' lives. Access to these titles can be life-saving for some teens, as LGBTQ+ youth are “more than four times as likely to attempt suicide than their peers,” according to The Trevor Project (2022). Through the purging of these titles in Florida, the state is not only laying

an undue burden on the staff of these schools but also disregarding the welfare of a large portion of their students. With grassroots efforts, support from the public, and student activists, new legislation must be instated to tamp down the rampant censorship of materials intended to bolster the student population's understanding and acceptance of marginalized communities.

House Bill 1467, signed into law by Governor Ron DeSantis on March 25, 2022, went into effect on July 1 of the same year. One aspect of this law restricts inappropriate material in the classrooms and libraries of public schools. Touted as “curriculum transparency” (Dailey 2023), this law requires the creation of a searchable database of all classroom materials but also layers on the burden of creating the same for all materials in elementary school libraries. This has led to empty library shelves, locked doors to media centers, and classroom shelves being covered. These media specialists must review each book title, comparing them to an approved list. If not on the list, the title must then be vetted according to the criteria of the law. Keri Clark, a Duval County school district media specialist, tells *The Independent*, “The books are sitting out on tables, they're being boxed up and discarded.



It's just it's a really sad sight. A lot of the kids keep looking through the window and it's just it's awful that I can't let them come in and get books" (Hall 2023). Clark is estimated to have to comb through 37,000 books, magazines, and other media in two separate schools to complete this task, a heavy responsibility for one media specialist. This also comes with little and conflicting information that often changes daily. "The Florida Department of Education has been very vague with our directives and the state statutes. Our district is doing the best they can to get it cleared up whenever they can, but even they're confused." This confusion, created by these ever-changing policies, lays even more of an onus on these educators and media specialists.

These strictures placed upon the state's media specialists come on the heels of the release of its mandated training for school librarians. This training covers the criteria for selecting materials, collection development policies, selection and maintenance of materials, and training to help reviewers (Florida Department of Education 2023). This is on top of the graduate degree and teacher certification required by the state of Florida to be a licensed media specialist in a public school. The master of library and information science (MLIS) degree already requires courses in these fields, with at least one dedicated explicitly to collection development. The training video, released on December 28, 2022, was implemented at the beginning of 2023. Despite this training, Duvall County still has designated hundreds of books as "potentially harmful content" (Hall 2023). Although many of these books will eventually be returned to circulation, school librarians "have to seek input from parents before buying books and have to defend their choices in case of objections" (Pendharkar 2023). As such, the overly cautious scrutiny of these materials is understandable. This training is mandatory and must be reported yearly to the state by superintendents.

Another aspect of HB 1467 is that any member of the public can file a complaint about objectionable materials. This information is compiled into a yearly report and sent to the Commissioner of Education. These reports are gathered and dispersed throughout the state in a list of "which instructional materials received an objection, the grounds for that objection, the grade levels implicated, and how the objection was ultimately resolved" (Trimel 2022). According to PEN America's Jonathan Friedman, this will create "a centralized list of every objection leveled against a book, film, article, handout, or instructional software program somewhere in the state, school districts will be under enormous pressure to skirt all controversy and adopt only the safest, most anodyne materials possible." This equates to the abolition of LGBTQ+ stories, BIPOC authors and their works,

and anything that does not maintain the current conservative status quo within the state.

As for community objections, these do not have to be from concerned parents, but rather, anyone is eligible to file a complaint about library materials: "In St. Lucie County, district officials have received 21 book challenges from a Port St. Lucie resident named Dale Galiano" (DaRos 2023). These challenges are the only ones the school district received in 2022. Galiano, who is not a parent, "spends countless hours researching books, filing challenge forms, speaking at school board meetings, and fighting for her beliefs." Her intercession has led to five book bans and five books restricted to higher grade levels, many of which are LGBTQ+ titles. The remaining eleven titles have passed the initial committee stage, but Galiano has appealed these decisions. Her appeal begins the scrutiny again, forcing a new committee to be formed, titles read cover-to-cover, and recommendations given to the superintendent of schools. She received these titles from a list compiled by the Florida Citizens Alliance, a conservative group aiming to influence educational policies in the state. This report, titled "2021 Objectionable Materials Report: Pornography and Age-Inappropriate Material in Florida Public Schools," names more than 50 books that contain information about sex and sexuality, transgender issues, LGBTQ+ relationships, violence, and more. More than half of the books on this list pertain to LGBTQ+ issues.

The ALA's "Top 13 Most Challenged Books of 2022" list cites *Gender Queer* by Maia Kobabe and *All Boys Aren't Blue* by George M. Johnson as the two most challenged books in the country (American Library Association 2023). Yet these are just two examples of the hundreds of titles opposed each year in both school and public library settings. Last year alone, *Gender Queer* was challenged 151 times across multiple states for its LGBTQ+ content and claims of sexual explicitness. In *Gender Queer*, Kobabe, who uses the Spivak pronouns *e/em/eir*, writes *eir* story about coming to terms with being nonbinary and asexual, and has become "a useful and touching guide on gender identity—what it means and how to think about it—for advocates, friends, and humans everywhere" (Kobabe 2019). Johnson's *All Boys Aren't Blue* was challenged 86 times in the United States in 2022. Again, like *Gender Queer*, these challenges stemmed from the book's LGBTQ+ content and the purported sexually explicit nature. Published in April 2020, Johnson's (*they/them*) memoir comprises essays depicting their coming of age in New Jersey, the sexual trauma inflicted upon them at a young age, and their first consensual sexual experience as a teen. Their work addresses other queer young men of color who may not have access to a support system of their own.



Both titles are challenged based on subject matter; however, school boards, parents, and the community cannot remove materials from school libraries based solely on content. In the *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, the Supreme Court ruled “that it is unconstitutional for a school board to remove a book based on the school board’s disagreement with the ideas expressed in that book” (Schroeder 2021). But this does not deter the banning of books in public schools. Under the guise of “educational suitability,” materials can still be removed. Though these books are challenged for their appropriateness, their removal is based on political motivations. House Bill 1467 states that school boards “must adopt a policy regarding an objection by a parent or resident of the county to the use of a specific material” (Florida Department of Education 2023). It further states that material that is “pornographic or prohibited . . . is not suited to student needs and their ability to comprehend the material presented, or is inappropriate for the grade level and age group for which the material is used.” By using the inflammatory language of “pornographic” in the House bill, lawmakers are rousing discord among their voter base.

In March 2023, the Florida Education Association, Florida’s most prominent teacher’s union, filed an administrative legal challenge against the state’s Department of Education. While not challenging HB 1467 directly, “the suit says the Department of Education expanded the scope of the law and went too far when it issued training for school librarians this year” (Sheridan 2023). By implementing both the training rule (stating media specialists are required to take yearly training for collection development) and the elementary school rule (wherein all classroom books are now subject to the same scrutiny as those in school libraries), the Florida Department of Education has essentially rewritten the law. Much like media specialists in the state, teachers have emptied their shelves of any but the most innocuous titles, sparking debates about empty shelves in both the school libraries and classrooms. The suit addresses the rules instated by the Department of Education, stating they “prevent most teachers from selecting materials for their own classrooms, foist uncompensated and time-consuming duties on teachers and librarians, effectively forbid parents from contributing books to their children’s classrooms, and impose a costly and burdensome requirement that schools catalog nearly every book, periodical, or other media on their premises” (Sheridan 2023). Governor Ron DeSantis has criticized proponents, stating that empty shelves in the classroom were a hoax, yet school districts are telling educators to regulate access to unapproved classroom materials.

A conservative group, Moms for Liberty, has had members appointed directly to the “council tasked with creating

restrictions for public school libraries” (Rahman 2022). Without prior teaching or experience, Moms for Liberty leader Michelle Beavers was chosen as a council member. She is also the Brevard County chapter of Moms for Liberty chairwoman, which has challenged multiple titles since the group’s inception in January 2021. The Brevard chapter “is targeting titles for ‘perceived obscenity’ according to a post on the Moms for Liberty website” (Dailey 2022). Another council member, Jennifer Pippin, chairs the Indian River County chapter. She “has submitted suggestions about what should be included in the librarian training, such as filtering books for certain keywords or phrases before they are purchased.” While the Moms for Liberty website cites “perceived obscenity” as its end goal for purging books from the school libraries, which is loosely allowed under *Board of Education v. Pico*, Pippin’s plans for targeting specific words and phrases are not. By doing so, the council would violate the students’ First Amendment rights.

New grassroots movements have sprung up to combat these conservative groups aiming to censor library materials in public schools. The Florida Freedom to Read Project, a progressive interest group opposing book bans, “has been tracking book challenges through public records requests and maintaining a database to keep tabs on which books are restricted, where” (DaRos 2023) and were co-plaintiffs in the Florida Education Association’s lawsuit. Out of the 600 calls for bans in Florida, “313 have been challenged by conservative special interest groups.” Stephana Ferrell, the co-founder of Florida Freedom to Read, stated that, according to their data, “Outside of that, there’s been only 20 titles with challenges brought by parents saying they were concerned after a child brought home a book from school.” The other 267 challenges “were initiated by leadership, who have seen the books challenged in other counties.” Red Wine & Blue, another community-led group dedicated to ceasing book bans in public schools, was founded in 2019 by Katie Paris “with the purpose of activating primarily left-leaning moms around local and school issues” (Yousef 2022). With Florida Freedom to Read, Red Wine & Blue created a campaign called Book Ban Busters, which hosts an online Banned Book Club and offers training for community organizations, speaking out at school board meetings, and assisting candidates running for the local school board. These groups are working toward agendas that set policies in the classroom. Throughout the pandemic, these parents have waged wars “over mask mandates, vaccines and inclusive education. Locally, conflicts over book bans are often framed simply as the next in that series of culture wars. But to some political science experts and historians, the book bans resemble censorship campaigns that could strike at the very heart of democracy”



(Yousef 2022). While the political climate in Florida lends itself to conservatism, these activist parents and community members are pushing back to fight for students' rights to access information.

Student advocates have also stepped up to oppose HB 1467. At a Pinellas County School Board meeting in February 2023, students rallied behind Toni Morrison's *The Bluest Eye* after it was pulled from the curriculum. Morrison's novel is cited as the number three most challenged book in the ALA's "Top 13 Most Challenged Books of 2022" for depictions of sexual abuse; equity, diversity, and inclusion (EDI) content; and claims of sexual explicitness (American Library Association 2023). The Pinellas County School Board's argument for removing the book from the course stems from two pages depicting a young character's rape by her father. Eliza Lane, a 16-year-old student, addressed the legal implications of taking *The Bluest Eye* off the shelves at her school:

For one, Florida law says a book's literary merit on the whole must be considered, she noted. "*The Bluest Eye* was banned, to my knowledge, for pornographic content. Pornography is defined in these guidelines as a depiction of erotic behavior intended to cause sexual excitement. That is not the purpose of those passages in *The Bluest Eye*. It is to shock and horrify readers into empathy for this character. And to help us to realize the flaws in our own society" (Sheridan 2023a).

These students are utilizing existing laws to critique the censorship of materials in their schools. Along with their parents and teachers, they also "questioned why the book challenge did not follow established procedures, and why the decision to pull the book from school shelves was made so hastily" (Sheridan 2023a). This calls back to the enforced training, which stipulates that media specialists and administration should err on the side of caution when circulating

materials and the felony charges that can be placed upon staff who distribute inappropriate content that is unsuitable and harmful to minors. The students, however, disagree with this sentiment, with remarks ranging from their capability to handle the material to the safety of a classroom setting when discussing such highly charged topics. While too young to vote, these student activists are the future of Florida and its laws.

House Bill 1467 was drafted and passed to prohibit educators from distributing inappropriate materials to students. By using inflammatory language, such as "pornographic," to describe these undesired works, the Florida House of Representatives has played to the fears of the public: indoctrination of their children. When analyzed, most works targeted on these collected lists are written by or about BIPOC or LGBTQ+ authors and characters. Targeting these specific marginalized groups shows a concerted effort to diminish these voices. By hindering the state's media specialists and teachers with bureaucratic procedures to inspect all of the materials in the school libraries with the threat of criminal charges laid upon them should they hand out anything deemed inappropriate, they are obstructing the students' education. The only way to combat this censorship is through policy change. Parent and community interest groups are leading this shift in Florida by educating the populace on their right to defend their children's education and ways to enact change. Through advocacy, support, and legal means, these parents assist others in fighting this threat to Florida students. The other leaders in this fight, the ones who have the most on the line, are the students. These student activists have stepped up to confront school boards over the diminishing caliber of their education through this censorship. As these students age into voters, they will be able to enact a fundamental transformation in Florida's government policies and the educational system.

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