

**RESOLUTION AGAINST BOOK BANS
SANTA CLARA COUNTY BOARD OF EDUCATION
RESOLUTION No. 2324-4**

WHEREAS, the First Amendment of the Constitution protects freedom of speech and the freedom to read and write; and

WHEREAS, reading is a foundational skill that is essential to learning and the development of critical thinking skills; and

WHEREAS, the sharing of ideas and the freedom to read are essential for a strong democracy; and

WHEREAS, books do not require readers to agree with topics or themes but instead allow readers to explore and engage with differing perspectives to form and inform their own views; and

WHEREAS, limiting young people's access to books does not protect them from life's complex and challenging issues; and

WHEREAS, PEN America has identified more than 1,600 unique books by 1,261 different authors that were banned in the United States during the last school year¹; and

WHEREAS, 41 percent of banned books address LGBTQ+ themes or have protagonists or prominent secondary characters who are LGBTQ+ and 40 percent of banned books contain protagonists or prominent secondary characters of color²; and

WHEREAS, nearly 140 school districts in 32 States issued more than 2,500 book bans, including repeated titles, affecting more than 5,000 individual schools enrolling nearly 4,000,000 students³; and

WHEREAS, book bans harm students by limiting their access to a diverse range of stories and perspectives and are particularly harmful to students from historically marginalized and underrepresented communities; and

WHEREAS, book bans “can contribute to the stigma and isolation that LGBTQI+ people and other communities face”⁴; and

WHEREAS, in 1982, the Supreme Court ruled in Board of Education v. Pico that schools may not remove books based on “narrowly partisan or political grounds”, as this kind of censorship will result in “official suppression of ideas”; and

WHEREAS, California state law requires that all students have equal access to proper instructional materials that provide pupils with comprehensive, culturally competent, and accurate instruction about the history, experiences, and viewpoints of people from different communities in California; and

¹ <https://pen.org/report/banned-usa-growing-movement-to-censor-books-in-schools/>

² Ibid.

³ <https://www.congress.gov/bill/117th-congress/house-resolution/1392/text>

⁴

<https://www.whitehouse.gov/briefing-room/statements-releases/2023/06/08/fact-sheet-biden-harris-administration-announces-new-actions-to-protect-lgbtqi-communities/#:~:text=Protecting%20Americans%20from%20book%20banning.&text=In%20fact%2C%202022%20saw%20the,people%20and%20other%20communities%20face.>

WHEREAS, California's FAIR Education Act, requires state curriculum to include references to contributions by people with disabilities and members of the LGBTQ community in history and social studies curriculum; and

WHEREAS, the FAIR Act also prohibits teachers from instructing, or a school district from sponsoring, any activity that promotes discriminatory bias on the basis of race or ethnicity, gender, religion, disability, nationality, or sexual orientation; and

WHEREAS, under the FAIR Act, *Education Code* section 51204.5 states that California public schools and the State Board of Education must adopt textbooks and instructional materials that accurately portray groups as identified; and

THEREFORE, BE IT RESOLVED that the Santa Clara County Board of Education and the County Superintendent of Schools note that book bans are a threat to democracy and freedom of expression; censor and suppress ideas and identities and disproportionately target historically marginalized and underrepresented communities. Schools should follow [best practices guidelines](#) when approaching challenges to books; and

THEREFORE, BE IT FURTHER RESOLVED that the Santa Clara County Board of Education and the County Superintendent of Schools call on educational institutions to protect the rights of students to learn and the ability of educators to teach including by way of providing students with the opportunity to read a wide array of books reflecting a multitude of viewpoints and perspectives.

PASSED AND ADOPTED by the County Board of Education at a meeting held on September 6, 2023, by the following vote:

AYES: President Chon and Trustees Berta, Di Salvo, Lari, Mah, and Rocha

NOES: none

ABSTAIN: none

ABSENT: Vice President Sreekrishnan



Victoria Chon, President
Santa Clara County Board of Education



Mary Ann Dewan, Ph.D.
County Superintendent of Schools