

The Community's Role in Dealing with Censorship

*Responses to complaints about books
should rely on due process, the basis for our
judicial system.*



Robert Foley

Conservative, fundamentalist, and nationalistic groups with organized local and national efforts to remove library books and to affect textbook selection have put educators on the defensive. Unfortunately, our response—reaction might be a better characterization—has merely reinforced these critics in their belief that the schools need monitoring. In case after case, the stridency of educators' reactions, especially an eagerness to attribute ulterior and disreputable motives to the "censors of the right," has resulted in confrontation. An adversarial relationship has been firmly established and additional confrontations will inevitably complete the polarization. Unless responsible action is taken by educators, there is little basis for optimism.

My purpose here is twofold: to present a possible explanation for the current state of affairs and to suggest an alternative method for dealing with censorship. I offer this explanation and alternative as a result of ten years experience in re-

sponding to challenges to instructional materials in a school setting. During that time, we received and adjudicated over 100 complaints without fuss, acrimony, or polarization.¹

The Phenomenon of Censorship

The current community-school conflicts have several major causes. First, the schools seem unwilling to recognize and to accept the possibility that *the community has a legitimate role* in selection of library books and instructional materials. Under the aegis of intellectual freedom, the schools have reserved for their professional personnel the right to determine what shall be purchased with the community's money for use

with the community's children, but in the process have left no opportunity for members of the community to participate. It is clear now that this "secular priesthood," uniquely authorized to select instructional material, does not have the community acceptance it once had.

Second, educators have a problem *defining a community role* in the material selection process. Even when school districts concede that members of the community have certain rights and deserve an opportunity to participate, educators have difficulty fitting external opinions into their decision-making apparatus. This difficulty is largely the result of the schools' general unpreparedness to receive and systematically process community input, which typically takes the form of complaints. Because most school districts do not include a routine mechanism for handling complaints, staff members typically react rather than respond, defend rather than discuss. The libraries and English

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departments form a circle and draw battle lines. Current practice when faced with community unrest is to offer a prayer to the gods of intellectual freedom, who apparently are either callous to the point of indifference or have split assignments, since they never seem to respond with support sufficient to save the day. More about intellectual freedom later.

Finally, there is good reason to accept, even welcome, the critical interest of citizens in materials used in the schools. By expressing their concern, citizens confront the schools in an apparent contradiction. Would-be censors fear possible negative effects of books and their potential for harm. Yet, when they come to us with these concerns, we educators tell them not to worry—books will not and cannot have adverse effects on their children. But at the same time that we negate or minimize the *harmful* aspects of books, we continue to stress their *positive* potential. Clearly, this is inconsistent. Either books cause change or they don't. We can't have it both ways.

Consider, instead, a continuum of possible effects. If, as we claim, books can be elevating or ennobling (the educators' end of the continuum), then logically they (at least some of them) can be demeaning or damaging (the censors' end of the continuum). Just as it is possible to find the right book for the right person at the right time, then we must concede the possibility of providing the wrong book for the wrong person at the wrong time. Educators and censors share an important belief in books as change agents, regardless of their point of view. Where either falls on the continuum is not as important as both conceding that the instruments under discussion—books—are indeed powerful agents for change.

It seems natural that school-community interaction should be based on this element of agreement or commonality and not on differences of opinion about any specific book. When parents say, "We don't want our son/daughter to read *The Fixer* or *Mom, The Wolfman and Me*," they are saying, "We believe books can affect our child's behavior and values." And of course they are right. That's why we buy them. *Failure to recognize this common ground* between educator and censor is the third major cause of school-community confronta-

tions. That's part of the reason members of the community want to have a say.

Interpreting the First Amendment

Let's consider the community's right to have some say in instructional materials. At this point we must discuss the concept of intellectual freedom, since that is usually the basis for the community's being excluded from offering an opinion. Intellectual freedom is that inalienable right conferred on all by the First Amendment. It is used to defend the judgment of the few who are suitably trained, free of bias, and otherwise ordained to act on behalf of nonprofessionals—the community. Intellectual freedom is a concept perceived differently by different people; it is a concept fraught with possible abuses; and it is a concept (I believe) that does not have overpowering support among most of the population.

Intellectual freedom in the schools, however laudable in principle, is in practice difficult to support without the common safeguards and restraints to which all other public activities are subjected in this country. Ironically, the people who so fervently espouse the First Amendment's protection of intellectual freedom rarely read the whole amendment. Its last words are "and to petition the government for a redress of grievances." The framers of the Constitution, acutely aware that constraints on individual freedom are a necessary part of any form of government, detailed how and under what circumstances freedoms and rights might be curtailed, and detailed as well the mechanisms for reconciling individual freedoms with the common good. The result was "due process."

Due process is the basis of our judicial system. It is minutely spelled out in statute and case law and has the support of a vast majority of Americans. A citizen's right to petition for "a redress of grievances" is basic to our democratic paraphernalia. Because of this early and continuing commitment to due process, I believe *due process*, not *intellectual freedom*, should be the basis of our efforts to deal with censorship.

Using Community Judgment

If we concede that members of the community do in fact have certain rights in the selection and/or retention of instructional materials, how can we

incorporate their judgment into our decision-making process and still retain our professional integrity and intellectual freedom? One solution is to recognize the citizens' right to due process, incorporate this right into formal procedures for dealing with challenges to library and instructional materials, and encourage the community to participate on a "quality control" basis. "Quality control" is my term for community feedback on selection decisions that could interfere with deeply held, family-transmitted beliefs. How can members of the community intervene when a sensitive area is addressed by the schools?

After we recognize community interest and concern as legitimate, the next step is to establish a formal statement of policy regarding the selection of library and instructional materials. This statement should (1) delegate authority for selection to designated staff members, (2) specify the objectives of the instructional unit or educational agency for which the materials are selected, (3) contain specific selection criteria, (4) enumerate the principles that will guide the selection process, (5) outline the conditions under which gifts may be accepted (the opposite side of the censorship coin), and (6) specify procedures for challenging specific titles (see Figure 1 for sample procedures for a policy statement). Also, it is often helpful to indicate the district's position on sexism, racism, ageism, treatment of the handicapped, ideologies, profanity, sex, and religion.

Informal Guidelines

In addition to the formal policy statement, I would like to make suggestions that, while not appropriate for the formal statement, will ensure a smooth challenge procedure:

- "Front-line" staff—librarians, teachers, and especially principals—must be fully aware of the challenge procedure and of their role in it. Their role is (1) to offer information to complainants as to how the item in question was used and why it was selected but *not* cross the line between explanation and defense; (2) to urge complainants to follow through with a formal challenge if they are not satisfied with the building-level explanation; and (3) to provide complainants with the proper forms in either case.

Figure 1. Sample Procedures for Inclusion in a Policy Statement.

Reconsideration of Library and Instructional Materials

Notes

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| 1. A committee, referred to as the <i>(name of committee)</i> , shall deal with formal requests for reconsideration of library and instructional material. | 1. "Reconsideration" should probably appear in the title of the committee in order to reinforce the idea that its function is exactly that. |
| 2. This committee shall provide a context in which differences of opinion and possible selection errors may be examined calmly and openly. | 2. This statement indicates that we recognize that these kinds of deliberations are usually conducted under adversarial conditions and that we do not propose to allow that to happen. |
| 3. The <i>(name of committee)</i> shall be formed each year by September 15, and shall consist of: | |
| 3a. One teacher designated by the Superintendent of Schools; | 3a,b. Most policies of this type call for several teachers and/or librarians. One of each is sufficient to provide the information the committee needs in its deliberations. |
| 3b. One librarian, designated by the Superintendent of Schools; | |
| 3c. <i>(title of central office administrator)</i> | 3c. This person serves as "secretary" or staff to the committee and receives requests for reconsideration at the district level. |
| 3d. Five members, including a designated chairperson, appointed by <i>(the executive board of the city PTA or similar districtwide organization)</i> ; | 3d. The appointment of a majority (not counting student representation) of committee members by the most representative body available provides a genuine "due process" basis for the committee. Properly constituted, this make-up represents "the consent, expressed or implied, of the intended or prospective audience" referred to in the definition of censorship. |
| 3e. One student from each senior high school, selected by the student government in each school. | 3e. My experience is that senior high school students are often the catalyst to trigger a lively discussion, and they usually articulate the liberal side of the discussion. As the year progresses, they typically become more conservative, especially with regard to elementary material. |
| 4. Citizens of the school community may register a criticism of material with the building librarian or principal, from whom they may obtain the "Request for Reconsideration" form. | 4. Frequently, a complaint about library or instructional materials is first registered with the superintendent or a board member. Complaints should be courteously referred to the building staff, with a follow-up call from the superintendent or board member to the complainant to ensure that the parties have met and talked. |
| 5. All criticism shall be on the "Request for Reconsideration" form, and the complainant must be specific as to author, title, publisher, date of publication, and when relevant, page numbers of items to which objection is being made. The statement shall be signed and filed with the <i>(central office administrator)</i> . | 5a. A detailed written complaint is absolutely necessary. The written complaint requirement discourages casual challenges. The complainant needs the discipline it imposed in order to carefully think through his/her concern. Committee members need as much information as possible about the complainant's objections. 5b. The complainant should be assured that his or her identity will not go beyond the members of the committee. |
| 6. Within 30 days of the filing of a complaint, the <i>(title of office administrator)</i> shall bring the material in question to the <i>(name of committee)</i> for re-evaluation. The committee shall arrive at a decision regarding the request for reconsideration by secret ballot and submit a recommendation regarding district use of the materials to the superintendent of schools. | 6a. A scheduled, timely resolution prevents complainants from feeling thwarted by what they likely consider an unmovable bureaucracy. As Charlie Brown so wisely observed, "Whenever it's one person against an institution, there's always a tendency for the institution to win." 6b. The recommendation is a crucial element in the overall process. Someone, usually the central office committee member, must take great pains to accurately reflect and summarize the substance and spirit of the discussion. The written recommendation, especially when it does not support the complainant, must be articulate, compelling, and convincing. |
| 7. In order to expedite the processing of challenges in case of severe overload, the committee may appoint a subcommittee of members or nonmembers to screen, consolidate, and refer complaints to the <i>(name of committee)</i> . The composition of this subcommittee shall approximate the representation of the <i>(name of committee)</i> . | 7. A concerted effort by an organization or consortium of organizations could overpower the committee by sheer numbers of complaints. A mechanism to deal with this eventuality is desirable. |
| 8. Generally, student access to challenged material shall not be restricted during the reconsideration process, but the superintendent may limit access in cases of clear and imminent danger. | 8. Another example of constitutional due process. When a book is potentially dangerous beyond the point of opinion or judgment—for example, a book containing unsafe chemical, electrical, or physical experiments—it should be withdrawn immediately pending reconsideration. |

- The designated central office staff member, upon receipt of the challenge at the district level, should respond in writing to the complainants within three days, explaining procedures and timeline. Thank the complainants for their interest and concern and offer assurance that the complaint will be taken seriously. Then invite them to attend the meeting of the reconsideration committee.

- If complainants attend the reconsideration committee meetings, welcome them warmly. Don't underestimate the importance of this simple act of courtesy.

- Encourage complainants to amplify and to expand upon their written complaint at the meeting. Allow them to talk as long as they wish. This is their day in court, the manifestation of the right to due process. Nothing they want to say should go unsaid, even if they wish to say it more than once.

Of importance, but also not appropriate for inclusion in the policy statement, are operational guidelines that should be explained to the committee:

- Assure committee members that the school (unlike a public library) must take responsibility for the material it makes available to students.

- Explain to committee members that they are part of the selection process, a quality control mechanism at the end of the sequence of steps.

- Make certain committee members are "concession-oriented," that is, psychologically ready to admit that a school can make a mistake. (Librarians, for example, read literally thousands of book reviews each year in order to select a few hundred books, which are then purchased without having been read. Mistakes can be made.) The committee's function is to reconsider, not defend.

- Stress to committee members that complainants are merely exercising their constitutional rights, under due process, when they file a complaint. Complainants have a legitimate role in selection/retention decisions.

- Explain to committee members that they are to deal essentially with "appropriateness," not literary quality or social significance. The latter are professional judgments, but "appropriateness," in the proper context, is a legitimate community judgment.

- Explain that they will be dealing with *specific* books, films, nonprint material and their content. The larger issues of intellectual freedom, the student's right to read, and other constitutional and philosophical matters have already been dealt with through policy formulation and through establishment of the committee.

Because the public schools have been less than forthcoming and reluctant to respond to criticism of instructional materials, confrontation and tension have developed between educators and parents. The resulting suspicion and polarization have caused both sides to dig in. Our alternative: recognize both the citizen's reasons for concern and right to intervene, prepare for community intervention, accept it, and respond. Verbal battles will continue, but strong selection policies with formal reconsideration procedures offer a wise compromise. □

¹For an analysis of these challenges, see Stahl Schmidt, "Workable Strategies For Dealing With Censorship," *Phi Delta Kappan* 64, 2 (October 1982): 99-101.

Viewpoints expressed in this article are those of the author. We welcome readers' comments on this important issue. Send to: Editor, *Educational Leadership*, ASCD, 225 N. Washington St., Alexandria, VA 22314.

ASCD Statement on Censorship

Conflicts over schools in general and curriculum and materials in particular have increased in recent years. A contributing factor is that organized groups, determined to reform society by imposing their values on others, insist that textbooks and other educational materials reflect their views.

Whether educators agree or disagree with concerns expressed by critics, they must act responsibly. When challenges arise, school officials should bear in mind that education is governed by the public because it fulfills an important public purpose. They should recognize the value of citizen participation and respect the right of parents to shape their children's schooling.

At the same time, educators should insist that, as in other fields, professional judgment must not be completely subservient to the popular will. Educators' primary allegiance must be to the integrity of knowledge and the welfare of students.

The Association for Supervision and Curriculum Development affirms that:

- Parents and other citizens have the right and the responsibility to express their views about the merits and appropriateness of public school curriculum and materials.

- School systems should have well-defined procedures by which concerns can be communicated to school officials and responded to promptly, thoughtfully, and courteously.

- Adoption of such procedures is based on the presumption that some complaints may be valid; that decisions about choice or use of materials are properly subject to reconsideration.

- The best hope for a sound decision when materials are questioned is through use of a predetermined process that ensures thorough consideration of the issues by an objective group. Actions by individuals—whether citizens or educators—that circumvent such deliberations are a threat to individual liberty and democratic process.

- Materials should always be evaluated in reference to educational criteria formulated in advance of any particular controversy.

- As stated by the United States Supreme Court in *Pico vs. Island Trees*, materials must never be removed or restricted for the purpose of suppressing ideas.—Approved by ASCD Executive Council, October 1982.

ASCD Joins Coalition Against Censorship

ASCD has joined some 40 other national organizations as a member of the National Coalition Against Censorship. The action to contribute \$1000 and join with other groups including the American Association of School Administrators, the National Education Association, and the American Federation of Teachers was recommended by a committee chaired by LaBarbara Gragg of Michigan and approved

by the ASCD Executive Council in October 1982.

The National Coalition Against Censorship is an alliance of national organizations, including religious, educational, professional, artistic, labor, and civil rights groups. United by a conviction that freedom of thought, inquiry, and expression must be defended, they work to educate their own members about the dangers of censor-

ship and how to oppose it, thereby creating in the broader community a climate of opinion hospitable to First Amendment freedoms.

For further information, ASCD members may write:

National Coalition Against Censorship
132 West 43rd Street
New York, NY 10036
(212) 944-9899

Statement of Concern

Freedom of communication is the indispensable condition of a healthy democracy. In a pluralistic society it would be impossible for all people at all times to agree on the value of all ideas; and fatal to moral, artistic and intellectual growth if they did.

Some of the Coalition's participating organizations reject all barriers abridging access to any materi-

al, however controversial or even abhorrent to some. Others reject barriers for adults, so long as their individual right of choice is not infringed. All of us are united in the conviction that censorship of what we see and hear and read constitutes an unacceptable dictatorship over our minds and a dangerous opening to religious, political, artistic, and intellectual repression.

—NATIONAL COALITION AGAINST
CENSORSHIP

Videotape Examines Censorship

A 22-member panel presents a variety of views on censorship in a videotape produced by the Association of American Publishers, Administrators, teachers, students, librarians, writers, editors, Moral Majority officials, and others discuss selection of required texts, selection and possible removal of library books, and inclusion of "scientific creationism" in the public school curriculum.

Price of the one hour tape is \$150. Make checks payable to Columbia University, indicate tape format, give appropriate shipping information, and state that payment is for "Censorship or Selection: Choosing Books for Public Schools." Send orders to Barbara Eddings, Media and Society Seminars, 204 Journalism, Columbia University, New York, NY 10027.

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