

Book disputes land suburban Atlanta school district in court



Credit: Jason Getz / Jason.Getz@ajc.com

081522 Cumming, Ga.: Alison Hair, left, and Cindy Martin stand in front of the Forsyth County Schools building Monday, August 15, 2022, in Cumming, Ga. Hair and Martin are plaintiffs in a federal lawsuit that contends their constitutional free speech rights were violated when the Forsyth school board refused to allow them to read aloud from school library books during public meetings. Hair and Martin wore shirts that read, "Protect Our Kids! Education Not Indoctrination." (Jason Getz / Jason.Getz@ajc.com)

By [Ty Tagami](#)

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There she went again. After being admonished the month before for taking the podium at a Forsyth County school board meeting and reading from an explicit portion of a book, Alison Hair was back at the microphone, with passages from a young adult novel in her hands.

“We pushed back together, feeling the warmth and silk of each other’s skin. Our breaths are coming faster and harder,” she read. When she got to a sentence that included the words “arching up into her,” the gavel came down.

Tap. Tap. Tap. “Ms. Hair, Ms. Hair,” board chairman Wesley McCall interjected. Still, she kept going.

Hair didn’t stop until McCall interrupted to ask if the book had been formally challenged.

“It is in your library!” she screamed at him. She would later be barred from attending school board meetings.

Even as Hair and other parents in a new group called Mama Bears of Forsyth County were confronting their school board over books last spring, like-minded Georgians were pushing lawmakers to [streamline the process for removing books](#) from school libraries.

The effort resulted in a Republican-led law that gives school boards until Jan. 1 to adopt policies that expedite reviews of library book complaints.

Libraries have long been a front line in America’s [culture wars](#).

“The Grapes of Wrath” was banned in a number of places soon after its release in 1939. “The Catcher in the Rye,” published a dozen years later, would become a target, too.

“To Kill a Mockingbird” is on the [American Library Association’s list](#) of the hundred most frequently challenged books from 2010 through 2019. So are the Holy Bible, “1984,” “A Brave New World,” “Anne Frank: The Diary of a Young Girl,” “The Adventures of Huckleberry Finn” and the “Captain Underpants” series.

Lately, though, calls to remove books have soared. Deborah Caldwell-Stone of the American Library Association has been hearing about more challenges per day than she used to hear of in a week. It’s a continuation from last year, when the association tracked 729 challenges in U.S. schools and libraries, which was nearly double the number in 2019.

Objections have historically come from across the political spectrum, but conservatives have seized the issue in recent years.

Works exploring racial injustice and police brutality were frequent targets in 2020. Last year, books portraying sexual activity, sexual orientation and gender identity were.

Under the new Georgia law, school principals and their bosses have less than two months to review a library book challenge, make a decision and hear an appeal if parents disagree. Those parents must be given a chance to “provide input” at a school board meeting.

For decades, the practice was to have school-based committees — typically comprising administrators, teachers, librarians, parents and students — read the challenged works in their entirety before recommending whether to remove them from library shelves.

However, those committees have moved too slowly and been too protective of books in the view of some parents. Last March, when Hair was confronting her school board in Atlanta’s northern suburbs, parents in neighboring Cherokee County were [using the same tactic](#). Last year, parents in Coweta County on metro Atlanta’s south side [reportedly scoured schools](#) for inappropriate materials, too.

It’s part of a movement that has emerged in many states. Here, it’s driven by a patchwork of groups.

Holly Terei, the Gwinnett County leader of one of them, No Left Turn in Education, said her school board’s recent decision [to amend its public comment policy](#) came after she read aloud from books the district planned to acquire.

“When you go to a school board meeting and you address these issues in that manner, it does get the attention of everyone else in the district, and it does sound that alarm,” Terei said. “These boards know that and they want to shut that down as quickly as possible.”

Noelle Kahaian, director of another such group called Protect Student Health Georgia, lobbied state legislators last year for the bookchallenge bill that became law. To drive her point home, she [read senators a rape scene](#) from “The Handmaid’s Tale,” a dystopian classic that had been assigned in a Roswell High School class.

The senators didn’t stop Kahaian. But the Forsyth County school board banned Hair from attending meetings until she promises in writing to abide by rules they say she violated. [Those rules require](#) “civil” engagement and prohibit “profane,” “rude” or defamatory remarks and personal attacks.

Last month, Hair and her allies sued Forsyth schools in U.S. District Court in Gainesville. Their lawsuit argues that the school board effectively gagged them, violating their First Amendment right to petition the government for redress.

The outcome of that case and the new state law could draw more attention to the books on school library shelves, which is what groups like the Mama Bears want.

It’s why they’ve been reading the books out loud in public meetings.

“If you don’t know what’s in the book, you don’t understand the reason that it’s inappropriate,” said Cindy Martin, a Mama Bear who is a co-plaintiff in the suit with Hair. “I mean these books promote — they fantasize — sex.”

Some parents have tried to comply with Forsyth's policy by substituting rhymes or acronyms for some words. But the lawsuit says such artful dodges censor the message and should not be required.

The plaintiffs may have a case, said Clare Norins, an assistant clinical professor at the University of Georgia law school.

"I think they've raised some definitely legitimate claims," she said.

Norins, who leads the law college's First Amendment Clinic, said "their point is diluted" if they must substitute less explicit words when describing works they find objectionable.

The removal of books from schools touches on another First Amendment issue — one that was addressed by the U.S. Supreme Court in 1982. In [Board of Education v. Pico](#), the court said school boards have "significant" discretion over classroom content but less control over a library, where students should be free to browse.

Students have a right to receive information and ideas, and that right limits school officials' authority to remove books from their middle and high school libraries, the court said. Citizens need information to exercise their free speech rights, the justices said, and "such access prepares students for active and effective participation in the pluralistic, often contentious society in which they will soon be adult members."

The court said schools must weigh the literary, artistic, political or scientific value of each work against what each community thinks is appropriate for its minors.

Ernie Lee, a high school teacher in Savannah, sees parallels between the urge to censor literature and the surge of intolerance during one of the darkest periods in human history. Joseph Goebbels, Adolf Hitler's minister of propaganda, [exhorted Germans to burn](#) "un-German" books during the Nazi rise to power.

"Goebbels said 'No to decadence and moral corruption. Yes to decency and morality and family and state.' And look at how that turned out," said Lee, a former Georgia teacher of the year and a former president of the Georgia Council for the Social Studies.

But Caroline Andrews, a 2021 West Forsyth High graduate, said students are becoming desensitized to material she thinks is not age appropriate. She is still bothered by a teen sex scene she encountered in a library book in sixth grade. "I took it to the school librarian, and I was told there's nothing we can do about this," Andrews said.

Public efforts like those of the Mama Bears are intended to influence what a community thinks is appropriate.

Scores of emails obtained under state open records law indicate a pressure campaign to get Forsyth to remove books from libraries. The district [removed eight books](#) in January, including "The Bluest Eye," Toni Morrison's acclaimed debut novel.

"I do appreciate you, and other parents, bringing the titles of inappropriate books to our attention," Forsyth County Schools Superintendent Jeffrey Bearden wrote in an email to Martin at the time.

“While we serve ALL students and ALL families with varying opinions on this topic,” Bearden wrote, “I do believe there are some books that the vast majority of folks would agree should be pulled.”

For some, those eight books weren’t enough. Indeed, Martin had emailed Bearden in November saying her group had identified at least 100 objectionable titles.

Forsyth mother Latresha Jackson, who is Black, said she has noticed a common thread: Many of the works drawing the most outrage tend to be about race. Jackson is among parents who criticize Bearden for circumventing the normal committee book review process.

“Forsyth buckled,” she said.

Both Martin and Hair, who are white, said this isn’t about race for them. Both adopted children of color — Martin an African American boy and Hair a boy from Guatemala. “We are not horrible people,” Hair said.

Hair said her focus is explicit sex. She said the book that got her banished by the school board was in the middle school her son attended last spring.

Former school librarian Pat Wall thinks that by removing the books, Forsyth was trying to appease a “hysterical” noisy minority that is “cherry-picking” passages. She read a 455-page book that was pulled and said it had nine sentences involving sex.

A Forsyth schools spokeswoman said none of the books was permanently removed. Rather, they were taken from shelves while the state Legislature was considering that new law, then put through a committee review.

This week, more than half a year after the removal, the district announced the outcome: Seven of the books would remain, but only on high school shelves, and one would be removed completely.

Hair called the decision “irresponsible,” adding that the fight isn’t over.

“This is about a generation. This is about polluting the minds of children. It’s about oversexualizing our children, making them numb to decent, meaningful, in my personal opinion, Biblical relationships,” she said. “How do you give up when you love your children? You don’t.”
