



FIRE

Foundation for Individual
Rights and Expression

May 22, 2023

Debra Pace, Superintendent
School District of Osceola County
817 Bill Beck Boulevard
Kissimmee, Florida 34744

Sent via U.S. Mail and Electronic Mail (Debra.Pace@osceolaschools.net)

Dear Dr. Pace:

FIRE writes to you again today concerning the School District of Osceola County's removal of several books from its libraries for review in response to public comments at an April 2022 school board meeting. FIRE has learned that the district made a final decision to remove the books from its inventory.¹ This decision and the process leading up to it cannot be squared with Osceola County's policies or its First Amendment obligations.

As explained in FIRE's letter of December 22, 2022—to which Osceola County never sent its promised response—the review process was tainted from the start: Nobody filed a formal challenge to any of the books as required by district policy. Nevertheless, you formed an *ad hoc* committee to review the books. After the committee voted in September 2022 to *retain* the books in at least some school libraries, the books nevertheless remained off *all* library shelves. The school board assumed the authority to decide whether to restore the books—despite Chair Terry Castillo admitting the board was violating district policy by doing so, as “not one single parent” appealed the committee's decision.²

One year after Osceola County removed the books from its libraries, it has now—without any public explanation—rejected the committee's decision and officially removed the books from the district's inventory. Compounding the violations, Osceola County continues to direct its librarians to remove additional books without providing any justification, including, most recently, all copies of the “Assassination Classroom” series.

While Osceola County has discretion to determine the content of its school libraries, the First Amendment prohibits the district from removing books for narrowly political reasons or for

¹ The factual recitation here reflects our understanding of the pertinent facts. We appreciate that you may have additional information to offer and invite you to share it with us.

² SDOC - Board Meetings, *Sept 6, 2022 Board Meeting | Osceola School District*, YouTube (Sept. 6, 2022), <https://www.youtube.com/watch?v=jo-KSG-eIVQ&t=7963s>.

the purpose of restricting students' access to certain ideas or perspectives.³ Osceola County must guard against such outcomes by adhering to established, regular, and unbiased procedures when reviewing library book challenges.⁴ It has failed to do so, instead removing one book after another without any transparency or accountability. Osceola County owes its students, its staff, and the public an explanation for the district's failure to adhere to its own policies and constitutional obligations.

FIRE calls on Osceola County to return the removed books to the libraries where the books were available before their removal, and to cease its ongoing violations of the First Amendment and district policy. We request a response to this letter no later than June 5, 2023.

Sincerely,



Aaron Terr
Director of Public Advocacy

Cc: Terry Castillo, Chair, Osceola County School Board
Julius Melendez, Member, Osceola County School Board
John Arguello, Member, Osceola County School Board
Heather Kahoun, Member, Osceola County School Board
Erika Booth, Member, Osceola County School Board
Frank Kruppenbacher, General Counsel, School District of Osceola County

³ *Board of Educ., Island Trees Union Free Sch. Distr. No. 26 v. Pico*, 457 U.S. 853, 870 (1982); *id.* at 879–80 (Blackmun, J., concurring in part and concurring in the judgment).

⁴ *Id.* at 874.