

ISSUE FACT SHEET

INAPPROPRIATE EDUCATIONAL MATERIALS IN PUBLIC SCHOOLS

CONSERVATIVE ARGUMENT: Pervasively vulgar, sexually explicit, educationally unsuitable and/or other obscene materials have no place in public schools and must be removed.

FACTS:

- Obscenity is not protected under First Amendment rights to free speech, and violations of federal obscenity laws are criminal offenses.
 - Reference: <https://www.justice.gov/criminal-ceos/obscenity>
- Over the last year, concerned parents and citizens of Gillespie County and across the nation began finding these types of materials in school libraries and classrooms and started to speak out at school board meetings against them.
 - Reference: <https://youtu.be/3Bm63LMkoqg> (link to 3/21/22 FISD board meeting video)
- These materials number in the hundreds in the elementary, middle school, and high school grades. The “Matt Krause List” records over 800 books that are potentially harmful for children.
 - Reference: <https://makeschoolssafeagain.com/library-books>
- FISD agreed that 10 books submitted by parents are indeed pervasively vulgar and not educationally suitable for children. These challenged books are not a 1st Amendment right, but they are an attack on children and our moral decency as human beings. This massive library search is just beginning here in Fredericksburg.
 - Reference: www.MakeSchoolsSafeAgain.com.
- The efforts by the liberal left to keep this obscene material in the education system is a continuation of their destructive agenda to break down the moral values of our children, remove our traditional Judeo-Christian culture from this nation, and to ultimately put the government in place of the nuclear family “with the state as the primary influence in the child’s life, in terms of passing on values, in terms of passing on morals, in terms of passing on culture.”
 - Reference: https://www.theepochtimes.com/the-teaching-of-sex-and-gender-to-young-children-has-sinister-motive-alex-newman_4453564.html?utm_source=ref_share&utm_campaign=copy&rs=SHRMHGDZ&
- There are existing laws within the state of Texas to protect children and parental rights, such as the Texas Family Code 151 and the TEC Chapter 26, but these rights are being largely ignored by school board trustees, school district administration, and some left-leaning schoolteachers and librarians.
 - References:
 - <https://statutes.capitol.texas.gov/Docs/FA/htm/FA.151.htm>;
 - <https://statutes.capitol.texas.gov/Docs/ED/htm/ED.26.htm>;
 - <https://www.tpr.org/podcast/the-source/2022-02-15/the-controversy-over-parental-rights-in-schools-is-heating-up-in-texas>
- One such law, Texas Penal Code 43.24, **Sale, Distribution or Display of Harmful Material to Minors**, prohibits the dissemination of materials deemed harmful to minors, which is defined as material whose dominant theme taken as a whole: (A) appeals to the prurient interests of a minor in sex, nudity, or excretion; (B) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and (C) is utterly without redeeming social value for minors, **but** it also includes an affirmative defense to prosecution if the sale, distribution, or exhibition was by a person having scientific, educational, governmental, or other similar justification. The leftists are using this loop-hole in

the law claiming that these inappropriate materials are “educational to the students” and therefore, the obscenity exemption for educational purposes **MUST BE REMOVED**.

- Reference: https://texas.public.law/statutes/tex_penal_code_section_43.24
- In March 2022, Fisd Superintendent, Dr. Rodriguez, introduced local school board policy concerning instructional materials at Fisd schools: “Materials that are determined to be factually inaccurate, pervasively vulgar, not educationally suitable, or inappropriate in light of the age, maturity, and impressionability of the student audience may be removed prior to the reconsideration committee’s completed review.” The Fisd School Board approved these policies in a vote 7 to zero.
 - Reference: <https://youtu.be/3Bm63LMkoqg> (minute 34:00) (same video showing vote)
- However, the recently formed Fisd volunteer secondary school book committee is made up of a majority of outspoken, liberal leftist citizens from the community that do not want ANY boundaries on materials in the education system making the removal of these materials more difficult. Many of these volunteers have made their opinion publicly known that sexually explicit books should not be “banned” from Fisd schools: speaking at school board meetings, speaking at local events, creating & signing an online petition demanding all obscene books to stay in Fisd libraries, posting on his/her social media, etc...
 - Reference: https://docs.google.com/document/d/11RftgUqqNpUmvVAo-c3XOYgqWvAaQMUzCGNf_uEt5Kk/edit

ACTION ITEMS:

- Support Fisd Superintendent, Dr. Rodriguez and other Fisd administration, in efforts to not take sides, but to do what is right for the children. joer@fisd.org
- Let the Fisd board members know that you support their vote for making the removal of pervasively vulgar materials easier for Fisd staff. School board members and Fisd have always had legal protection to remove educationally unsuitable library books under school board law EF Legal.
 - Fisd Board Member Email Addresses:

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judge@coachstx.com	kdicuffa@fisd.org
kherber@fisd.org	brian@lehneconstruction.com
mseidenberger@fisd.org	
- Write letters to the Editor of the Fredericksburg Standard newspaper voicing your support for the removal of materials deemed inappropriate for children in Fisd.
 - Link: <https://www.fredericksburgstandard.com/form/letter-to-the-editor>
- Attend monthly Fisd board meetings and volunteer to speak to show your support for the Fisd board members, Dr. Rodriguez and against the liberal leftist agenda attacking our children, family values and culture.
 - Subscribe to Board Book at the bottom of this webpage: <https://meetings.boardbook.org/Public/Organization/825>
- Donate to the MakeSchoolsSafeAgain.com to help them continue to spread the word on what is happening in this community.
 - Link: <https://makeschoolssafeagain.com/donate-a-gift>
- **And above all: Talk to your friends and educate them about the issue, arm them with the TRUTH and PRAY TO GOD ALMIGHTY FOR HIS FAVOR IN STOPPING THIS ASSAULT ON THE CHILDREN!**