



For Immediate Release

March 16, 2023

Teachers, Librarians and Parents Challenge DeSantis Administration's Unlawful Censorship Agenda

A broad coalition is mobilizing, lawyering up and fighting back

Florida Education Association, Florida Freedom To Read Project and Families for Strong Public Schools Seek to Stop DeSantis Administration's Policies That Shutter Classroom Libraries, Undermine Public Education, Silence Parents and Harm Hundreds of Thousands of Floridians

Tallahassee, FL – Today, the Florida Education Association, the Florida Freedom to Read Project and Families for Strong Public Schools (“petitioners”) [filed a petition](#) challenging the DeSantis administration’s actions that shutter classroom libraries and undermine public education. On behalf of teachers, librarians, students and families, the petitioners are seeking an order holding the rules unlawful and directing the Florida Department of Education (“FLDOE”) to halt enforcement of these rules and to notify Florida schools that the rules exceed the FLDOE’s authority and will not be enforced. The petitioners’ challenge seeks to alleviate the burden on teachers and library staff, mitigate the harm on students and parents, and enable the reopening of classroom libraries across the state.

Backed by the right-wing movement in Florida, Governor Ron DeSantis and Education Commissioner Manny Diaz Jr. have ushered in a new era of censorship – unlawfully attacking the freedom to read and public education and harming parents, students, educators and librarians.

“Throughout Florida, teachers have been told to pack up books that were not provided by the school,” said **Andrew Spar, president of the Florida Education Association**. “In so many classrooms, most of the books have been purchased by the teacher. Teachers have hundreds or even thousands of books in their classroom library that are age appropriate, academically appropriate and content appropriate. With 50 percent of third graders not reading on grade level, we should expand access to books, not limit it. We are faced with no option other than to seek action on a wrongfully adopted rule that increases the work of teachers and limits access to reading for kids.”

The petition challenges two DeSantis administration policies, the [Training Rule](#) and the [Elementary School Rule](#), that purport to implement H.B. 1467, passed by the Florida Legislature last year. Among the first steps in the DeSantis administration’s censorship agenda, H.B. 1467 provided that the FLDOE could 1) prescribe how certain lists of books are formatted, and 2) develop a specific training program for educators. Yet, the FLDOE, led by DeSantis appointee

Manny Diaz Jr., has rewritten the law and expanded its censorship efforts through its promulgation of the Training and Elementary School Rules, both of which the petition argues unlawfully exceed the FLDOE's authority.

"Parents want their children to have access to a wide variety of books in school libraries and in the classroom, and they have been forced to make a difficult choice between the schools they love and access to books," **said Damaris Allen, Executive director for Families for Strong Public Schools.** "Public school parents should not be forced to leave their local public school in order to have access to classroom libraries. The Department of Education's overreach is limiting parental choice and forcing parents to make difficult decisions ranging from leaving public school to moving out of the state in order to ensure their children have access to a wide variety of books in their classrooms."

Like the rest of DeSantis' radical censorship agenda, these unlawful rules make it very costly and nearly impossible for teachers and librarians to do their jobs. These burdens obstruct a teacher's ability to maintain materials to promote learning in their classroom libraries and impose burdens on library staff that may take years to overcome. As a result of the rules, teachers and school librarians or library media specialists have been compelled to self-censor out of fear of losing their job – or worse, being subjected to criminal allegations – simply for trying to provide a safe learning environment for all students. Classroom and school library shelves have been left barren, students are unable to find books reflective of a diverse range of interests and from an inclusive list of voices, and parents have been silenced.

"Parents have the right to direct the education of their children, and this includes giving them the space to collaborate with their educators to provide additional reading materials in the classroom library," **said the Florida Freedom to Read Project.** "The agency's actions have attempted to create a divide between parents and educators. These new rules have removed our parental rights to allow our children to self-select their reading materials and created an unnecessary barrier to young, emerging readers. Parents, having not been heard in the board room, must now look to the law to get their power back."

The DeSantis administration's unlawful censoring of educators in Florida is part of the tsunami of anti-democratic book bans and attacks on public education happening in states and communities around the country.

"When state officials unlawfully attack teachers and librarians, ban books, and try to cancel history – endangering the ability of students in America to receive a quality education – we will use all legal tools at our disposal to fight back," **said Skye Perryman, president and CEO of Democracy Forward.** "That's exactly what we've done here in Florida. And it's a battle we will fight in every state where lawmakers seek to suspend the freedom to read and silence and intimidate those who fight back."

The petition was submitted to the State of Florida's Division of Administrative Hearings. Petitioners are represented on the filing by Brooke Menschel and JoAnn Kintz of Democracy

Forward, Colin Roopnarine of Grossman, Furlow & Bayo, LLC, and, as to the Florida Education Association, Kimberly Menchion, its general counsel.

“The basis of the case is very straightforward,” said **Colin Roopnarine of Grossman, Furlow & Bayo**. “The Department of Education has exceeded its grant of rulemaking authority because the language promulgated in the challenged administrative rule does not comport with the statutory language the rule is intended to implement and goes beyond the authority delegated by the legislature to the Department of Education. The rule inappropriately expands specific provisions of the implementing law, is arbitrary and capricious, and is unnecessarily vague. In addition, the Department of Education failed to prepare a statement of estimated regulatory costs (“SERC”) as required by statute. Therefore, the challenged rule is an unlawful exercise of the legislative authority granted to the Department of Education by the Florida Legislature.”

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