

**Summary of “R.43-170. Uniform Procedure for Selection or Reconsideration of Instructional Materials” ([full text here](#)).**

*Written comments should be submitted to Lisa Widener, Assistant Director of Governmental Affairs, 1429 Senate Street, Columbia, SC 29201 or by email to [sclreg@ed.sc.gov](mailto:sclreg@ed.sc.gov), on or before January 22, 2024. This [email template](#) also contains contact information for State Board members.*

1. Bans from schools any instructional materials that contain “sexual content” (very broadly defined in the law to include acts that appear in many texts, including Shakespeare, The Bible, and many others) or language that can’t be broadcast on daytime television (meaning many works normally read in high school would be prohibited). This a very broad standard, and also very vague. Other states have banned a huge range of texts even with more specific language. ([See spreadsheet of examples from across the country, and from SC.](#))
2. Claims that there will be no “increased costs to school districts”. However, book challenges involving similar procedures have already cost local school districts significant funding. (Example: [Berkeley Schools has spent \\$6,000](#) on copies of challenged books for review, alone.)
3. Allow district and the State Board to prohibit materials, whether those materials are bought by the state, the district, teachers, librarians, or members of the public.
4. Banned materials may not be used in any school-related activity, including student-led clubs and groups. (This may conflict with the federal [Equal Access Act](#).)
5. Gives anyone living in a district the ability to formally challenge any book, in school libraries, classrooms, or anywhere else in the school building.
6. Requires the State Board to rule on appeals. If the Board rules a book is inappropriate, it is removed for the whole state.
7. There is no limit on how many challenges individuals can make.
8. Anyone in the district may appeal a decision by the district to *not* remove a book, by going to the State Board.
9. Gives districts a short window (60 days) to decide on any number of book bans introduced at once, and allows the State Board an even shorter one (the next board meeting after an appeal is made) to decide appeals. (This could cause a very large number of challenges and not enough time to actually read the books before ruling on them.)
10. Moves local decisions about books to the State Board, which is made up primarily of working school administrators and already has trouble with its current duties. This will add a major bureaucratic burden, and remove state control.
11. Requires districts/ librarians/ teachers to review every book/ “instructional material” in the district. (Districts generally maintain catalogs of thousands of physical books and many more online resources; it is logistically impossible to specifically review all of these materials, which were selected according to existing state and district policies, again if this regulation passes.)

12. Requires classroom teachers to catalog every book/ “instructional material” used in the classroom.
13. While the regulations technically prohibit districts and the State Board from violating students’ Constitutional rights by making selections based on political bias, in practice individuals can make these challenges based on any biases they choose. [In the most recent State Board meeting, a supporter of the regulations said](#) she planned to challenge *The Odyssey* because it contained “witchcraft”. Under the current language, she would be allowed to do so, and might be successful because of “sexual content” contained in the text.