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School Board of Hillsborough County
901 East Kennedy Boulevard
Tampa, Florida 33602

Dear Chair Vaughn, Vice Chair Perez, and School Board Members Combs, Gray, Hahn, Rendon, and Washington:

As Florida's chief legal officer, I write to request immediate removal of certain materials available in school libraries in Hillsborough County. Consistent with Commissioner Manny Diaz's May 9, 2025 letter to Superintendent Van Ayres, a book titled *Call Me By Your Name* was recently available in three of your high school libraries and a book titled *Jack of Hearts (And Other Parts)* was available in two high school libraries in the Hillsborough County School District. These materials are patently pornographic in nature. Your district's provision of them to minors is harmful and violative of parental rights and your obligations under Florida law.

The State of Florida and its school boards bear the "paramount" duty to make adequate provision for the "safe, secure" education of children.¹ For school officials, this duty includes governing in a manner "consistent and in harmony with state laws and with rules and minimum standards of the state board."² This applies to school boards' selection and provision of adequate instructional materials for all students.³ Section 847.012(3)(b), Florida Statutes (2024), prohibits the provision of material that contains any matter defined in section 847.001—explicit, detailed verbal or narrative depictions of sexual excitement, or sexual conduct and that is harmful to minors.⁴ A failure to affirmatively remove any such materials from student access shirks a school board's responsibility to keep kids safe and disregards applicable statutory obligations. Unfortunately, several materials available to

¹ Art. IX, § 1(a), Fla. Const.

² § 1001.32(1), Fla. Stat. (2024).

³ § 1006.28(2), Fla. Stat. (2024).

⁴ Section 847.001(7), Florida Statutes, defines material harmful to minors as any reproduction, imitation, characterization, description, exhibition, presentation, or representation, of whatever kind or form, depicting nudity, sexual conduct, or sexual excitement when it:

(a) Predominantly appeals to a prurient, shameful, or morbid interest;
(b) Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors; and
(c) Taken as a whole, is without serious literary, artistic, political, or scientific value for minors.

The definition excludes a mother's breastfeeding of her baby.

minors in your district's schools contain harmful, sexually explicit content that obviously meets the prohibitory standard in section 847.012. As discussed below, these materials expose students to harm and lack any legitimate academic purpose. You must act immediately to rectify this problem. Only then can you adequately protect students and respect the fundamental rights of parents.

Commissioner Diaz recently wrote to you about two sexually explicit books that are beyond the pale. Those two publications—*Call Me By Your Name* and *Jack of Hearts (And Other Parts)*—appear to now be “under review” by the district, but troublingly, your schools make available many more materials that run afoul of the prohibitions of section 847.012. Some of these materials are even available in *middle school* libraries.

A few poignant examples demonstrate the point. Seven of your schools' libraries make available *What Girls Are Made Of*, by Elana K. Arnold, which includes the following:

... and don't restart the vibrator until it's muffled underneath the blankets I let my knees splay open and find my slit with my fingers, the soft hooded nub at it's apex, and I guide the red rubber ball against it My back arches and I hiss in a breath at its first wonderful, terrible contact. A jolt of pleasure shoots through me and I yank the vibrator away before placing it back against me, this time very gently . . . It almost hurts, the hum, the buzz, the stroke of it, so different from the jet of warm water that pours from the showerhead, so different from the press of my own hand, so different from the wet lapping of Seth's tongue. It's remembering Seth's tongue that pushes me into the first orgasm, the sweet way he'd press it just there, right where I'm holding the rubber tip of the vibrator, the anxious, ineffective, hopeful lapping of his tongue. And I squeeze my eyes shut and my hips buck up against the vibrator, and my neck gets tight and my toes are stuck in a weird curled spasm, and I can't tell and don't care which way is up and which way is down.

Your students can read on to find this additional excerpt:

Seth thrusts forward onto the bed and between my legs and against the thin barrier that separates us. The hard nose of my teddy bear pokes against my back and I twist to reach it, grab it by the arm or leg, and toss it to the ground. My thong gets twisted as Seth takes it off, and I hear it rip when he grows impatient and yanks too hard ... and then Seth rises above me like a wave and smiles, and I smile back and then he pushes into me, hard and fast and it hurts and feels good all mixed together.

There's *Beautiful* by Amy Reed, which is available in five of your high schools:

The walls are dripping because I am on acid. He is not yet on acid. The tab is still on his tongue, dissolving, tasting like spit wad. I'm thirteen and I'm on acid. He's fifteen and he will be on acid soon ... Then his tongue goes in my mouth and this is nothing like a first kiss is supposed to be ... He knows what it feels like to be on top of me, that I don't move, but I am small and thin and pliable, that my breasts are the perfect size for his hand. I am thinking, this is supposed to be special ... I wonder why I can hardly feel anything else, how I

can know that it hurts but not even feel it, how I don't even have to be here, how I can drift away to somewhere else, float up to the ceiling and watch how ridiculous we look: him thrusting into me like his life depends on it; me lying there looking like I'm wood, something hard and unbendable, when really I'm nothing, when really I'm just skin wrapped around fog. "Does it hurt?" He asks me. "It's okay," I say. "Does it feel good?" he asks me. "Yeah," I say. I am lying. It feels like nothing. I wish he would stop talking. I wish he would stop making me speak, ... feel his weight on top of me, feel him hard inside me, punching my insides "Oh, shit, I'm gonna come," he says, and I hear him and my ears bring me back to the bed just in time to feel him shutter, hear him groan. He holds his breath in the world pauses and I feel like I'm holding the whole thing up with my skinny arms and bent knees, my legs spread wide open, then everything lets go and he falls on top of me and I sink into the mattress until I am nothing ... I would not be traumatized if he died on top of me, his shrinking, shriveling dick still inside of me.

Or *Breathless* by Jennifer Niven—currently available in 12 high schools in your district:

He groans a little and then he's pulling off my dress, the red-and-white one I bought last July 4. I'm braless, in underwear, and he's still in his shorts. I reach for these next, and when I can't get them off him, he helps, and he's not wearing underwear at all, so he's completely naked, and now I can really look at him ... Instead I let him kiss my breasts, and while I've technically gone this far with a boy, right now it feels so much further. Next my panties come off, all at once, both legs at the same time, and he's looking at my body, ... I let him look at me, but not for long, because I'm kissing him, and his hands are in what's left of my hair, and then he's rolling on his side and fishing around in the pocket of his shorts for something. He's getting a condom. ... I kiss the dimples on either side of his mouth, and then he's kissing my throat, and just when I think my body might explode like a firework, it happens Now he's opening the condom packet. Now he's putting the condom on Now you can feel him. Now he's putting the condom in Now you can feel him—all of him. And there's the surprise again. Not pain, necessarily, but the surprise of my body registering something entirely new. I actually suck in air Before he can ask what the hell that was or change his mind about ever wanting to have sex with me, I kiss him. I wonder if I'm bleeding all over his couch, if my mythical hymen has actually broken Now he's moving on top of you. And you are moving with him even though you don't know how But then, suddenly, we're done. Which means he's done.

And don't forget *Choke* by Chuck Palahniuk, which students at two of your high schools can access:

Our special morning in the smokehouse, Miss Lacey was bobbing on my dog with a good mouthful of spit. Then we were sucking tongues, sweating hard and trading drool, and she pulled back for a good look at me. In the dim smoky light, those big fake plastic hams were hanging all around us. She's just swamped and riding my hand, hard, and breathing between each word. She wipes her mouth and asks me if I have any protection. "It's cool," I tell her. "It's 1734,

remember? Fifty percent of all children died at birth." She puffs a limp strand of hair off her face and says, "That's not what I mean."

I lick her right up the middle of her chest, up her throat, and then stretch my mouth around her ear. Still jacking her with my swamped fingers, I say, "So, you have any evil afflictions I should know about?" She's pulling me apart behind and wets a finger in her mouth, and says, "I believe in protecting myself." And I go, "That's cool." I say, "I could get canned for this," and roll a rubber down my dog.

She worms her wet finger up my pucker and slaps my ass with her other hand and says, "How do you think I feel?" To keep from triggering, I'm thinking of dead rats and rotten cabbage and pit toilets, and I say, "What I mean is, latex won't be invented for another century."

It's shocking that the district is making these materials available to its students. They are unquestionably pornographic in nature, they depict explicit sexual conduct, they aren't necessary to help students comprehend actual instructional material, and they are inappropriate for minors of any age.⁵ And irrespective of any separate parental objection process available in statute, the school board bears the affirmative obligation to remove these materials—and others like them—from its classrooms and libraries.⁶ Commissioner Diaz made you aware of two of these books in his letter. But as this letter demonstrates, there are many more materials that contain harmful sexual content. You must act to protect your students from these gratuitously pornographic materials. Any delay in remedying this situation only exacerbates the current failure to ensure that students are safe and receiving materials and instruction in alignment with state laws. Parents have the right to a school board that doesn't introduce explicit, sexual harmful content bereft of any educational benefit to their children.⁷

Your provision of these materials also appears to violate your own policies. The Hillsborough County Public Schools Library Media Services Handbook (Section III, "Collection Management") states that each Library Media Center must enhance and support the District's education mission; requires training for staff who select materials; and sets forth criteria for selection of materials that stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards. Per the Handbook, media specialists

⁵ § 1006.28(2), Fla. Stat. (2024).

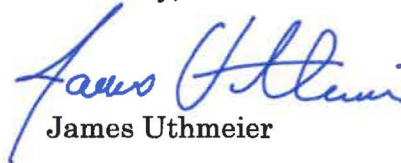
⁶ *Id.*; see also § 847.012(3)(b), Fla. Stat. (2024) (incorporating by reference the definition of "harmful to minors" codified at § 847.001(7), Fla. Stat. (2024)).

⁷ Section 1014.03, Florida Statutes (2024), prohibits the state, any of its political subdivisions, any other governmental entity, or any other institution from infringing on the fundamental rights of a parent to direct the upbringing, education, health care, and mental health of his or her minor child. Section 1014.04 similarly states all parental rights are reserved to the parent of a minor child, including, among others, the right to direct the education and care of his or her minor child and the right to direct the upbringing and the moral and religious training of his or her minor child. Section 1014.04(4) further emphasizes that "[a] parent of a minor child in this state has inalienable rights that are more comprehensive than those listed in this section," and that "[u]nless required by law, the rights of a parent of a minor child in this state may not be limited or denied." Other sections also refer to the fundamental right of parents to make decisions regarding the upbringing and control of their children. See § 1001.42(7)(c)1., Fla. Stat. (2024).

must select materials that meet the school community's needs and support state academic standards in alignment with curriculum. And perhaps most importantly, the Handbook sets forth standards for evaluating existing materials and removing items that misalign with state academic standards or are irrelevant to the curriculum. Your own Handbook therefore necessitates removal of the materials listed above. At the very least, parents in your district should be able to rely on your adherence to your own published policies.

The materials listed above should immediately be removed. And you should undertake an immediate review of your current collection to remove any additional harmful, sexualized content that has errantly been presented to students. Your obligations under the constitution, state statutes, and your own policies demand it. And so do I. I will monitor your actions to determine whether formal legal action by my office is warranted. Florida's students and parents deserve better. Here, schools must focus on education, not indoctrination—and certainly not rollicking forays into underage sexual adventurism.

Sincerely,



James Uthmeier

cc: Commissioner Manny Diaz, Jr.
Florida Department of Education

Ben Gibson
Chair, State Board of Education

Superintendent Van Ayres
Hillsborough County School District