

**CONNECTICUT BAR FOUNDATION  
JAMES W. COOPER FELLOWS  
QUINTIN JOHNSTONE  
2022-2023 ESSAY CONTEST TOPIC**

**“Out with the Books”**

Ms. Murphy is a brilliant young woman who starts her day with a cup of coffee and the morning news. She is a librarian at a high school with a diverse student body. More and more often, she is seeing news segments regarding the banning of books in her state. She worries that “her” kids won’t have access to books that address issues that teenagers deal with every day. In addition to classics such as *The Catcher in the Rye*, *The Great Gatsby*, and *Lord of the Flies*, other books about racial inequality, marriage equality, and gender acceptance are all at risk of being banned.

Students from different races, ethnicities, and socioeconomic strata attend the high school as well as students who are gay, lesbian, bisexual, nonbinary, or who are questioning their sexuality or gender identity. They all know that they can go to Ms. Murphy for a kind ear, strong shoulder, and maybe a different perspective to help them with whatever problem they are experiencing.

Ms. Murphy strives to provide books in the library that reflect the diversity of the student population, ensuring that students have books in which they see people like themselves. When students come to her with an issue, she suggests books that mirror her students’ experiences. She believes that her students need to know that if they feel alone, there are many others experiencing similar struggles. The library should be a place where books help teens learn about themselves and others.

Gary is a young man who consistently shows up late to school, disheveled and resistant to authority. After a particularly difficult morning, he often slinked into the library to hide in the stacks, out of sight. Ms. Murphy would always greet Gary with a kind word and it didn’t take long for a sort of friendship to develop between the two. Ms. Murphy was different from other people, Gary thought – especially other school staff members. She didn’t assume, she didn’t judge, she just listened. One afternoon, Gary revealed to her that he was struggling with his sexual orientation and lives in a strict, conservative, Christian family. His father insists that he will “pray the gay out of him.” Filled with self-loathing, Gary told her that he wished the prayers would work. Ms. Murphy is the first adult in his life who didn’t recoil at his disclosure. She even suggested a book or two that Gary found helpful.

As time went on, Gary noticed that a small group often gathered in the library to talk. Ms. Murphy suggested that Gary consider joining the group, which was a book club. Gary had never thought of joining a book club but decided to give it a try. He discovered that the club was a diverse group of smart but marginalized kids who read books about recent issues and discussed them. Gary was surprised to discover that he fit right in. He thought that he had nothing in common with the other members of the group except that they, like he, felt like they didn’t fit in at their high school.

As she watched the news one morning, Ms. Murphy heard a report that the Board of Education had acted to ban a number of books. Most of them sat on her shelves at the school library. Shaking her head, Ms. Murphy quickly dressed and headed to school. She had to get there before someone removed the books. After she arrived at the library, she located and stowed away a small pile of books –

books that she knew her book club kids would benefit from, that would help them to understand themselves better and, she hoped, accept themselves as they are.

School opened, and Gary and the others came to the library for their weekly book club. When no one else was around, Ms. Murphy provided Gary with a book entitled “Jack of Hearts (and other parts)” by L. C. Rosen, a book about a gay teen’s self-acceptance. She gave the other students in the book club books as well. Each book addressed specific issues, offered coping skills, and encouraged tolerance and self-acceptance. Ms. Murphy hoped that the students would read these books and use the lessons in them to bring peace to their own lives. She cautioned the group about bringing these books to school and explained that they had just appeared on the list of banned books.

Gary loved the book; he devoured it in one sitting in a bathroom stall during lunch (he doesn’t spend much time in the cafeteria and does his best to avoid the bullies lurking in the halls). When the lunch bell rang, Gary shoved the book in a binder and headed to his locker. On his way, he was “bumped” by an upperclassman. He dropped the binder and the book fell to the floor. The Assistant Principal, Mr. Gold, was standing nearby, spied the book, and picked it up. Seeing the title, he suggested that Gary accompany him to the principal’s office.

Gary admitted to Principal Clark that the book was his. He denied knowing that the book was on any list of banned books and insisted that he purchased the book himself. It was readily apparent, however, that the book belonged to the library. He didn’t know what he was in for at home but knew his father would be furious with him. The principal told Gary that she knew he did not buy this book but had a good suspicion of who gave it to him. As he departed the office, Gary passed Ms. Murphy heading in.

Ms. Murphy explained to Principal Clark that she had provided the book to Gary to read at home because she knew he was struggling and she had hoped the book could help. She explained that, although the book banning decision had been made, she honestly thought it would be okay for Gary to have the book off the school premises. Principal Clark reminded her that an all-employee email had been sent to teachers stating that the ban took effect immediately and included the book Ms. Murphy had provided to Gary. Ms. Murphy confirmed that she did know the ban was immediate, and that this book was on the banned book list but reiterated that she did not believe providing the book to Gary with the instruction to take it off school premises violated the ban.

Before leaving school for the day, Gary stopped in to say goodbye to Ms. Murphy. He was shocked and saddened to see her packing her things. Ms. Murphy had been fired for violating the book ban by providing a student with one of the banned books. She has requested a public hearing before the Board of Education to appeal her termination, asserting that the Board of Education was violating the First Amendment by banning the book she gave to Gary and that prohibiting school employees from providing this book to a student to have off school premises is beyond the reach of the Board’s authority.

**You are the attorney for the Board of Education. Advise the Board on the merits of Ms. Murphy’s appeal.**