

Summary

Board of Education; policy on sexually explicit and graphic instructional material. Requires the Board of Education to establish a policy to define and rate the readings materials in the library and the classrooms of public elementary or secondary school to be implemented statewide. R-rated books are inappropriate for minors under the age of 18 for the following reasons:

- 1) Whereas, video games, audio recordings, and movies have ratings.
Thus reading materials distributed to minors ought to have ratings.
- 2) Whereas, there are numerous studies that illustrate that explicit materials psychologically negatively affect teenagers.
- 3) Whereas, The U.S. federal government and every state has strict laws against obscenity and child pornography. The intent of these federal laws, state laws, and Supreme Court case law is to protect children from inappropriate content. In *Roth v. U.S.* (1957) the legislature does not need to show actual harm to ban materials in order to protect “the social interest in order and morality.”

Whereas, the distribution of R-rated books is inconsistent with directives of law. The Supreme Court has stated there is a “duty to inculcate community values in school.” And “[t]he importance of public schools in the preparation of individuals for participation as citizens, and in the preservation of the values on which our society rests, long has been recognized by our decisions.” The Code of Virginia emphasizes moral and character education.

- 4) Whereas, R-Rated materials betray the stated goals of teachers to their students: to enhance the holistic intellectual being, to shape the moral character and ethical value systems, and to have the objective of student mental health well-being. Studies that illustrate we have a vulnerable teen population.

1) [Whereas, video games, audio recordings, and movies have ratings.](#)

Fairfax County Public Schools requires permission to watch R-rated movies. [Regulation 3007.3](#), page 4, (4) states, “In grades 9 through 12, the committee may approve excerpts from TV-MA or R-rated programs. The following additional guidelines shall be followed.” Section (a) requires “Local School Approval”; “(b) Written notification to parents ...”; and “(c) Written permission must be received from students’ parents before viewing.” So there is no parental permission required from parents for their children reading essentially what are R-rated books, but there is for movies?

2) Whereas, there are numerous studies that illustrate that explicit materials psychologically negatively affect teenagers.

Impact of Exposure to Sexually Explicit and Exploitative Materials [source](#)

How Pornography Harms Children: The Advocate's Role: [Source](#)

Overexposed and Under-Prepared: The Effects of Early Exposure to Sexual Content: [Source](#)

Associations Between Young Adults' Use of Sexually Explicit Material and Their Sexual Preferences, Behaviors, and Satisfaction. [Source](#)

Exposure to Sexual Content in Popular Movies Predicts Sexual Behavior in Adolescence. [Source](#)

Sexual Risk Behaviors Can Lead to HIV, STDs, & Teen Pregnancy. [Source](#)

2) Whereas, the U.S. federal government and every state has strict laws against obscenity and child pornography. The intent of these federal laws, state laws, and Supreme Court case law is to protect children from inappropriate content. Virginia Code has a chapter devoted to "Crimes Involving Morals and Decency," and underneath it is Article 5 (28 sections) related to "Obscenity and Related Offenses."

Child pornography - depicts sexual conduct of children - even when not obscene is NOT protected by the First Amendment.

In 2003, Congress enacted Title V of the PROTECT Act, P.L. 108-21 prohibiting any "digital image, computer image, or computer-generated image that is, or is indistinguishable from, that of a minor engaging in sexually explicit conduct." It also prohibits "a visual depiction of any kind, including a drawing, cartoon, sculpture, or painting, that ... depicts a minor engaging in sexually explicit conduct."

The Supreme Court has ruled in [Reno v. ACLU](#) (1997) that, "transmitting obscenity and child pornography, whether via the Internet or other means, is... illegal under federal law for both adults and juveniles."

Supreme Court Case [Roth v. U.S.](#) (1957) defined “obscene speech” as that being “utterly without redeeming social importance” in which “to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest.”

[Miller v. California](#) (1973) established the standard and determined that obscene materials are not protected by the First Amendment in which a three-part test is applied to define obscenity - “appeals to the prurient interest”; “work depicts ... sexual conduct specifically defined by the applicable state law”; and “whether the work, taken as a whole, lacks serious literary, artistic, political or scientific value.”

New York v. Ferber concluded that child pornography falls outside First Amendment protections as it harms children physically and psychologically (exploitation) in the creation and circulation of such materials.

4) Whereas, R-Rated materials betray the stated goals of teachers to their students: to enhance the holistic intellectual being, to shape the moral character and ethical value systems, and to have the objective of student mental health well-being. Studies that illustrate we have a vulnerable teen population.

- In April 2018, the [Centers for Disease Control \(CDC\)](#) reported that the suicide rate among U.S. youth, ages 10 to 17, had increased by *70 percent* between 2006 and 2016. [Source](#)
- Addressing mental health needs in school is critically important because 1 in 5 children and youth have a diagnosable emotional, behavioral or mental health disorder and 1 in 10 young people have a mental health challenge that is severe enough to impair how they function at home, school or in the community. [Source](#)
- Hundreds of thousands of vulnerable U.S. children could face a heightened risk of abuse and neglect as coronavirus-related school closures keep them at home and away from the nation’s biggest group of hotline tipsters: educators. [Source](#)
- Younger adults, racial/ethnic minorities, essential workers, and unpaid adult caregivers reported having experienced disproportionately worse mental health outcomes, increased substance use, and elevated suicidal ideation. [Source](#)
- Gender, cultural background, and type of life event might mediate the relationship between life events and adolescent depression. [Source](#)

- A federal emergency hotline for people in emotional distress registered a more than [1,000 percent increase](#) in April compared with the same time last year. [Source](#) [Source](#)
- In March, the helpline saw a 338% increase in call volume compared with February, according to spokesperson with the agency. And compared to last year for the month of March, they had an 891% increase of calls. [Source](#)
- These readers' perception may be altered, and books that would otherwise provide comfort may exacerbate their feelings of sadness, anger, or hopelessness. Adverse reactions to reading matter -- fear, obsession, guilt -- may be amplified, and readers may become more susceptible to emulating negative behaviors. Reading may serendipitously help these individuals but it may conceivably make them feel worse. And this is something that readers' advisors should be aware of at all times. [Source](#)
- Research shows time and time again that repeated exposure to violence can lead to increased aggressive behavior. Whether through movies, television, video games or the Internet, teens who constantly view violence may become numb to the images, and in turn, they may not be able to think about death and killing in the context of real life. **Mental health risk factors:** Teens who struggle with things like anxiety, depression or mental health issues are particularly vulnerable. Some teens find comfort in online fantasy worlds as an escape from normal life, yet they become so engrossed that they have trouble separating the two. [Source](#)
- Many of our insights have come from analyzing the violent fantasies of adolescent shooters. These imaginings take root in a desperate mind that yearns for recognition. Often these young assassins are inspired by examples set by previous shooters. The fantasies typically intensify over a number of years before they are acted on. With time, the mental images become more detailed, and they often become buttressed by a distorted sense of what is just or moral, such as the need to avenge a perceived offense or the belief in a divine right to decide the fate of others. [Source](#)
- Given the high prevalence of exposure to violence that youth experience in both real-life and media and frequently voiced concerns about youth becoming desensitized to violence [Source](#)
- Hundreds of studies of the effects of TV violence on children and teenagers have found that children may:
 - become "immune" or numb to the horror of violence
 - begin to accept violence as a way to solve problems
 - [imitate the violence they observe on television](#); and
 - identify with certain characters, victims and/or victimizers [Source](#)