

JANUARY 23, 2023

STATE OF TENNESSEE
Sumner County



Date

Board of County Commissioners
RESOLUTION

No. 2301-03

TITLE

A RESOLUTION REQUESTING TO STRONGLY ENCOURAGE THE HEAD LIBRARIANS, PRINCIPALS, DIRECTOR OF SCHOOLS, AND THE CHIEF ACADEMIC OFFICER TO ENSURE THE SUMNER COUNTY SCHOOL ENVIRONMENT IS FREE FROM OBSCENE AND PROVOCATIVE MATERIAL, IN ACCORDANCE WITH TENNESSEE CODE

WHEREAS T.C.A. § 39-17-91 1 states, "It is unlawful for any person to knowingly sell or loan for monetary consideration or otherwise exhibit or make available to a minor. . .(a) (1) Any picture, photograph, drawing, sculpture, motion picture film, video game, computer software game, or similar visual representation or image of a person or portion of the human body, that depicts nudity, sexual conduct, excess violence, or sado-masochistic abuse, and that is harmful to minors; or, (a)(2) Any book, pamphlet, magazine, printed matter, however reproduced, or sound recording, which contains any matter enumerated in subdivision 1), or that contains explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct, excess violence, or sado-masochistic abuse, and that is harmful to minors"; and

WHEREAS a violation of T.C.A. § 39-17-91 1 was found in the book Lawn Boy, by Jonathan Evison which was purchased and distributed in Sumner County schools, and text found in the book has a grown man thinking about graphically narrated sex between two small boys; and

WHEREAS a sampling of such unlawful passages as displayed on page 174 of the book Lawn Boy reads as follows: "He talked about all the times at the church but never mentioned our penises, or the fact that he never said ten words to me after our little foray in the bushes. Not a single reference to holding or tugging or sucking d**ks. All I could think about while he was chatting me up over the rim of his cappuccino was his little salamander between my fourth-grade fingers, rapidly engorging with blood."; and

WHEREAS violation of the above statute is a Class A misdemeanor in the State of Tennessee ; and

WHEREAS T.C.A. § 49-06-1019(a) establishes several concepts which shall not be included or promoted in curriculums and supplemental materials of primary and secondary schools within the State of Tennessee, such as:

- (1) One (1) race or sex is inherently superior to another race or sex;
- (2) An individual, by virtue of the individual's race or sex, is inherently privileged, racist, sexist, or oppressive, whether consciously or subconsciously;
- (3) An individual should be discriminated against or receive adverse treatment because of the individual's race or sex;
- (4) An individual's moral character is determined by the individual's race or sex;**
- (5) An individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;
- (6) An individual should feel discomfort, guilt, anguish, or another form of psychological distress solely because of the individual's race or sex;
- (7) A meritocracy is inherently racist or sexist, or designed by a particular race or sex to oppress members of another race or sex;
- (8) This state or the United States is fundamentally or irredeemably racist or sexist;
- (9) Promoting or advocating the violent overthrow of the United States government;
- (10) Promoting division between, or resentment of, a race, sex, religion, creed, nonviolent political affiliation, social class, or class of people;
- (11) Ascribing character traits, values, moral or ethical codes, privileges, or beliefs to a race or sex, or to an individual because of the individual's race or **sex;**
- (12) The rule of law does not exist, but instead is a series of power relationships and struggles among racial or other groups;
- (13) All Americans are not created equal and are not endowed by their Creator with certain unalienable rights, including, life, liberty, and the pursuit of happiness; or
- (14) Governments should deny to any person within the government's jurisdiction the equal protection of the law,

WHEREAS T.C.A. § 49-06-1019(b) does not prohibit an LEA or public charter school from including, as part of a course of instruction or in a curriculum or instructional program, or from allowing teachers or other employees of the LEA or public charter school to use supplemental instructional materials that include:

- (1) The history of an ethnic group, as described in textbooks and instructional materials adopted in accordance with part 22 of this chapter;
- (2) The impartial discussion of controversial aspects of history;
- (3) The impartial instruction on the historical oppression of a particular group of people based on race, ethnicity, class, nationality, religion, or geographic region; or
- (4) Historical documents relevant to subdivisions (b)(1)-(3) that are permitted under 49-6-101 1.

WHEREAS T.C.A. § 49-06-1019(c) states specifically, "If the commissioner of education finds that an LEA or public charter school knowingly violated this section, then the commissioner shall withhold state funds, in an amount determined by the commissioner, from the LEA or public charter school until the LEA or public charter school provides evidence to the commissioner that the LEA or public charter school is no longer in violation of this section",

WHEREAS violations of T.C.A. § 49-06-1019(a) were found in the books A Place Inside of Me, by Zetta Elliott, and Dragonwings by Laurence Yep, which were purchased and distributed in Sumner County schools, and text found in the books has examples of racism, foul language, underage drinking, violence, drugs, prostitution, alcohol, hatred of police, overthrow of the government, destruction of the nuclear family, and communism.

WHEREAS the Sumner County Commission is committed to supporting the just laws of the State of Tennessee by ensuring against violation against our laws by a single individual's opinion, judgment, or ideology; and,

WHEREAS the administration and Board of Education of Sumner County Schools have failed to comply with Tennessee law; and,

WHEREAS statements by some individual staff and administrative personnel indeed appear to argue for direct defiance of Tennessee law; and,

BE IT RESOLVED that the Sumner County Commission strongly encourages the formation of three material and curriculum review committees, one each for the elementary, middle, and high school levels, to review appropriate books for the school district.

BE IT RESOLVED by the Sumner County Board of County Commissioners meeting in regular session on this the 23rd day of January 2023, that this body does hereby request to strongly encourage the Head Librarians, Principals, Director of Schools, and the Chief Academic Officer to ensure that the Sumner County School environment is free from obscene and provocative material, in accordance with Tennessee Code.

BE IT FURTHER RESOLVED that this body directs the Office of the Law Director to send copies of this resolution to all members of the Sumner County School Board.

CERTIFICATION OF ACTION

COUNTY EXECUTIVE

COUNTY CLERK

DATE

Ayes _____ Nays _____ Abs _____

APPROVED:

REJECTED: