



HENRY McMASTER
GOVERNOR

November 10, 2021

The Honorable Molly Spearman
Superintendent of Education
South Carolina Department of Education
1429 Senate Street
Columbia, South Carolina 29201

Dear Superintendent Spearman:

It has come to my attention that public schools in South Carolina may be providing students with access—whether in school libraries, electronic databases, or both—to completely inappropriate books and materials, including sexually explicit and obscene images or depictions. After learning of this issue from understandably outraged parents and reviewing the examples provided of such obscene and pornographic depictions, I was shocked and disappointed. Although my staff previously contacted the Department of Education regarding this issue, I write to bring this matter to your immediate attention and to request both a comprehensive investigation and a detailed explanation of how these materials were allowed to be introduced in our State's schools.

By way of example, it is my understanding that concerned parents were recently required to petition the Fort Mill School District to remove a book from a school's physical or digital library, titled *Gender Queer: A Memoir*, by Maia Kobabe. If school personnel had performed even a cursory review in this particular instance, it would have revealed that the book contains sexually explicit and pornographic depictions, which easily meet or exceed the statutory definition of obscenity. Thus, I am concerned that further examination may identify additional instances in which inappropriate materials have been introduced into our State's public schools.

For sexually explicit materials of this nature to have ever been introduced or allowed in South Carolina's schools, it is obvious that there is or was either a lack of, or a breakdown in, any existing oversight processes or the absence of appropriate screening standards. Therefore, I respectfully request that the Department of Education promptly investigate this matter, on a statewide basis, and identify whether any systemic policy or procedural deficiencies exist at the state or local levels, or both. Upon completion of this investigation, pursuant to article IV, section 17 of the South Carolina Constitution and sections 1-1-840 and 1-3-10 of the South Carolina Code of Laws, please provide me with a detailed explanation of how such materials were allowed to be

The Honorable Molly Spearman

Page 2

November 10, 2021

introduced into our State's schools and what measures the Department of Education intends to take to address this matter.

In the interim, I call on the Department of Education or the State Board of Education, as appropriate, to promulgate statewide standards and directives to prevent pornography and other obscene content from entering our State's public schools and libraries and to identify any such materials that may already be available to children. Additionally, the Department of Education should develop—or, if existing, obviously improve upon—a transparent statewide process and procedure to review and approve the books and other materials that are available to students. In doing so, the Department of Education should also advise parents of this process and ensure that they, as well as the public at large, have a formal mechanism by which to notify the Department of Education and local school districts in the event they identify obscene or otherwise inappropriate material in schools or school libraries.

I trust you agree that pornography and obscenity have no place in our State's public schools, much less in their libraries. Aside from being deeply disturbing and manifestly inappropriate, it is likely illegal under South Carolina law. Accordingly, by copy of this letter, I am notifying the South Carolina Law Enforcement Division of this matter for further evaluation.

Thank you in advance for your prompt attention to this important matter. I look forward to hearing from you.

Yours very truly,

A handwritten signature in blue ink, appearing to read "Henry McMaster", written in a cursive style.

Henry McMaster

cc: Chief Mark Keel
South Carolina Law Enforcement Division