

November 4, 2005

Superintendent Ralph Malafronte
Barrington School Department
283 County Road
Barrington, RI 02806

Dear Superintendent Malafronte:

I am writing to express our organization's extreme disappointment with the school district's decision, as described in today's *Providence Journal*, to completely ban the film "Dirty Deeds" from being shown at any time in any classroom in Barrington. We believe this decision sets a dangerous precedent that does damage to the mission of the public schools in Barrington and seriously erodes the principles underlying the district's instructional material selection policy.

Let me begin by noting that the ACLU respects the notion of a review procedure, such as what is in place in the school district, in order to consider complaints about curriculum material in a professional manner. However, questions and concerns necessarily arise from the overwhelming secrecy surrounding the school's decision-making process on this matter. As we understand it, the complaint prompting the review of the film is private, the deliberations of the review committee were done in secret, and the rationale for the decision and documents explaining the decision are not subject to public scrutiny either.

It is also important to stress a few facts, of which you are, of course, aware, regarding the background of this particular complaint. This PG-13 movie was shown in an eighth grade classroom only to students who had received parental permission to watch the film. The film's showing had also been approved by all appropriate school officials. The film was shown to students as part of a screenwriting portion of a language arts class. At least one scene in the film deemed "lewd" was deliberately not shown, though the complaint itself apparently refers to it and a handful of other scenes in the film as being inappropriate. And the film itself is based on a script that was written by a Barrington High School student as part of his senior project.

Under these circumstances, a decision to completely ban the film – "in part or in whole" – strikes us as seriously undermining the district's instructional review policy, making it so malleable as to be meaningless as a defense against community pressure to censor controversial material. As mentioned above, we are somewhat hampered in trying to discern the rationale underlying the judgment in light of the complete secrecy surrounding the decision-making, but it is very hard to square with the school district's instructional review policy itself, despite your claim that the film "does not align" with the policy.

The policy cites eight "general criteria" for evaluating materials. Those criteria are: (1) overall purpose; (2) timeliness or permanence; (3) importance of subject matter; (4) quality of the writing/production; (5) readability and popular appeal; (6) authoritativeness; (7) format and price; and (8) significance of the sources: author, etc. It is difficult to comprehend how those criteria could justify the complete ban that has been imposed on the film. Indeed, some, such as the "popular

Page Two

Supt. Ralph Malafronte
November 4, 2005

appeal” of the material and the “significance of the source” would seem to strongly favor use of the film in certain contexts. The same is true for the “overall purpose,” which, as explained for its showing in June, is not only reasonable but also rather compelling.

We therefore have to assume that the rationale for the ban is based on the one “specific” criterion in the policy that could be relevant: “Language Use (Sex, profanity, violence).” Once again, other than as a blatant response to community pressure, nothing in that criterion supports the ban that has been imposed. That criterion requires materials that present “accents on sex and violence” to be “subjected to stern tests of literary and artistic merit and reality by the professionals *who take into consideration the age and grade level of their students.*” (emphasis added) The policy goes on to note that “sexual incidents, profanity or violence does not automatically disqualify material for use. Rather the decision should be made on the basis of whether the material is of literary and artistic value.”

The ban, we submit, appears to fly in the face of this carefully crafted criterion. First, the policy makes the important, if obvious, point that material with profanity or sexual content should take into consideration the age of the students. A decision to completely ban any classroom – whether in sixth grade or twelfth grade – from screening a PG-13 movie clearly fails to undertake the more nuanced consideration that this policy envisions. As for “literary and artistic value,” people can obviously disagree about how good this film is, but for the Barrington School District to conclude that *a film co-written by a Barrington High School graduate based on that student’s high school senior project* has no literary or artistic value for any classroom is extraordinary.*

As I mentioned at the beginning, we, of course, have not been privy to the deliberations that led to this decision. And we do not question the right of parents to raise questions about instructional material being shown in the classroom. But when a far-reaching decision to completely ban a film from the school system is made without any obvious support from the school policy’s criteria, one can only assume that the decision has been guided, at least in part, by inappropriate criteria. This is a truly regrettable outcome, for both the educational mission in general and Barrington schools in particular. We can only hope that this will not unleash more attempts to inappropriately censor materials in the classroom. We fear otherwise, however, for the message that this decision sends is one that hardly supports robust academic freedom in Barrington’s schools.

Sincerely,

Steven Brown
Executive Director

cc: Barrington School Committee

* We further note that at least some of the formal objections made about the film (such as concerns about depictions of underage drinking) do not appear to form a basis for a finding of inappropriateness under any of the policy’s specific criteria.