

Office of School Board Attorney
JulieAnn Rico, School Board Attorney

SUBJECT: IN RE: BOOK CHALLENGE APPEALS FILED PURSUANT TO SCHOOL BOARD RULE 6Gx13-6A-1.26, (Instructional Materials and Resources)

This appeal hearing concerns a book challenge filed at an elementary school regarding the book *Discovering Cultures, Cuba*. The appeal was filed with the School Board Clerk on June 7, 2007, with respect to the book's availability in the school library at the Norma Butler Bossard Elementary School. Pursuant to School Board Rule 6Gx13-6A-1.26 (*Instructional Materials and Resources*), the final phase of this process is for the appeal to be presented for the Board's consideration.

However, as we previously advised, and in conformity with the Board's action on December 13, 2006 with regard to a similar pending book challenge appeal, the School Board Attorney recommends deferring taking any action on this appeal until such time as the Eleventh Circuit Court of Appeals renders an opinion in the case known as Miami-Dade County School Board and Rudolph F. Crew v. American Civil Liberties Union of Florida, Inc., Greater Miami Chapter, and Miami-Dade Student Government Association, U.S.D.C. Case No. 06-21577-CIV-GOLD, Court of Appeals Docket Number 06-14633-GG.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, defer hearing and taking any action in the matter of the book challenge appeal filed by the complainant regarding the book *Discovering Cultures, Cuba*, as indicated hereinabove, until said time as the pending federal appeal in the case of *Miami-Dade County School Board and Rudolph F. Crew v. American Civil Liberties Union of Florida, Inc., Greater Miami Chapter, and Miami-Dade Student Government Association*, U.S.D.C. Case No. 06-21577-CIV-GOLD, Court of Appeals Docket Number 06-14633-GG, is resolved.