

Nassau County school books settlement reached

By [Jim Saunders - News Service of Florida](#)

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Authors of the children's book *And Tango Makes Three* and parents of students have reached a settlement with the Nassau County school district that will lead to 36 books returning to school libraries after being removed last year, according to court documents filed this week.

The settlement came in a federal lawsuit filed in May amid widespread controversy about removing books from school libraries in Florida and other states. Two federal lawsuits are pending, for example, about the Escambia County School Board's removal of books.

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And Tango Makes Three, which tells the story of two male penguins who raised a penguin chick at New York's Central Park Zoo, has become a prominent part of the debate in Florida. Lawsuits allege it has been targeted for depicting same-sex parents raising a child.

Nassau County officials said they removed *And Tango Makes Three* and two other books last year because of a lack of circulation, according to the settlement. District officials said they removed 33 other books because of alleged "obscene" material that would violate state law.

But the lawsuit contended *And Tango Makes Three* was removed because of anti-LGBTQ bias, and the settlement includes a statement that district officials "agree that *And Tango Makes Three* contains no 'obscene' material in violation of the obscenity statute, is appropriate for students of all ages, and has pedagogical value."

The settlement lists 22 other books that are slated to be returned to libraries by Friday. Examples include *The Bluest Eye* by Toni Morrison and *The Clan of the Cave Bear* by Jean Auel.

Also, the settlement calls for the book *The Perks of Being a Wallflower*, by Stephen Chbosky to be made available to students in grades 9 through 12.

In addition, 12 books will be made available to students ages 18 or older or who have parental consent. Examples are *Extremely Loud and Incredibly Close* by Jonathan Safran Foer and *The Kite Runner* by Khaled Hosseini. The settlement also calls for the district to form a review committee to consider the 12 books.

The law firm Selendy Gay PLLC, which represents *And Tango Makes Three* authors Peter Parnell and Justin Richardson and the parents, issued a news release Thursday that described the settlement as "major."

“This settlement — a watershed moment in the ongoing battle against book censorship in the United States — significantly restores access to important works that were unlawfully removed from the shelves of Nassau County, Florida’s public school libraries,” Lauren Zimmerman, one of the firm’s attorneys, said in a prepared statement. “Students will once again have access to books from well-known and highly-lauded authors representing a broad range of viewpoints and ideas.”

Parnell and Richardson also are plaintiffs in a lawsuit against the Escambia County school district over the removal of “And Tango Makes Three.” That case, however, does not appear near settlement.

U.S. District Judge Allen Winsor issued an order last week saying mediation was not necessary after the two sides filed a joint document saying the “distance between the parties’ acceptable resolutions of this case renders mediation futile.”

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