

STATE OF SOUTH CAROLINA
BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

INSTRUCTIONAL MATERIAL
REVIEW COMMITTEE

IN RE: THE HOUSE ON MANGO
STREET BY SANDRA CISNEROS

REPORT AND RECOMMENDATION

This is a matter in which Instructional Material is being addressed by the Instructional Material Review Committee (“IMRC”) of the S.C. State Board of Education (“State Board”) pursuant to S.C. Code Reg. 43-170. The Committee held an initial hearing of this matter via Webex on November 21, 2024 at 1:00 PM. The Committee requested more evidence from the Complainant and held a second hearing on the additional excerpts submitted by the Complainant which occurred via Microsoft Teams on January 9th, 2025 at 1:00 PM.

Title of Instructional Material:
Author:

The House on Mango Street
Sandra Cisneros

BACKGROUND AND PROCEDURAL HISTORY

The “Subject Material” listed above has been reviewed by the IMRC pursuant to the criteria established in Regulation 43-170. As further described below, this Regulation authorizes the STATE BOARD to take certain actions related to Instructional Material. The Complainant requested that the State Board remove the Subject Material entirely from South Carolina’s public schools.

The Department notified the public of this matter via posting hearing information and the hearing agenda on its website on November 14, 2024. The Committee held its initial hearing on the Subject Material on November 21, 2024. After the Committee requested additional information from the Complainant, the Department notified the public by posting the additional excerpts and the hearing agenda on its website on January 3rd, 2025. Consistent with governing requirements, the public was invited to sign up in advance of both hearings in order to provide comment regarding the Subject Material. The Hearing was conducted in accordance with Procedures for Review of Instructional Material, State Board Rule of Governance IFC, last revised October 1, 2024, and the South Carolina Administrative Procedures Act, S. C. Code Section 1-23-310 et. Seq. The State Board’s Rule of Governance was designed and adopted to provide a full and fair process for Instructional Material reviews under Reg. 43-170.

Based on a review of all public comments (in person and written), the Subject Material, all documentation provided by the Complainant and interested parties, the IMRC makes the following findings of fact and conclusions of law.

APPEARANCES

November 21, 2024 Hearing

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Complainant providing testimony in favor of removing the Subject Material:
Emily Clement

Providing public comment in favor of retaining the Subject Material:
Robin Liebenberg

On Behalf of South Carolina Department of Education:
Robert D. Cathcart, III, Esq., Policy and Legal Advisor

January 9th, 2025 Hearing

Providing public comment in favor of retaining the Subject Material:
Heather Hillis
Laura Haverkamp
Rebecca Ervin

On Behalf of South Carolina Department of Education:
Robert D. Cathcart, III, Esq., Policy and Legal Advisor

FINDINGS OF FACT

1. The Subject Material was challenged by the Complainant in the Fort Mill School District on September 18th, 2024.
2. Fort Mill School District Officials requested that the State Board take up the appeal in its original jurisdiction because the Subject Material was challenged due to its status as a recommended “long read” in the State Board Approved *HMH Into Literature 8th Grade* textbook.
3. The Subject Material is available to students in the Fort Mill School District.
4. The Subject Material contains the content listed and described in Exhibits A and B.¹

APPLICABLE LAW

1. Regulation 43-170 authorizes the State Board to take certain actions related to Instructional Material. The State Board can (1) remove the Subject Material entirely, (2) discontinue use of the Subject Material for any grade level or age group for which such use is inappropriate or unsuitable, (3) limit the Subject Material’s availability to a student where the school district has received the consent of the student’s parent, or (4) permit the continued use of the Subject Material for all grade levels or age groups.
2. Regulation 43-170 defines “Instructional Material(s)”:

“Instructional Material(s)” means materials used in a South Carolina K-12 public school classroom, made available in a public school library/media center, or included

¹ Exhibit A contains excerpts which are representative of questionable or violative material contained in the Subject Material. The IMRC’s review, report, and recommendation is not limited to the excerpts listed on Exhibit A.

on a public school’s reading list, whether adopted and/or purchased from the state-adopted instructional materials list, adopted and/or purchased through a district instructional materials program, or otherwise purchased, donated to the school, or made available to students through other means, including but not limited to digital platforms. See S.C. Code Ann. Section 59–19–10. The term “Instructional Materials” as used herein includes any collection of books or materials purchased, acquired, or kept on public school grounds by any teacher or other public-school employee and made available to students, regardless of how or by whom such materials are acquired or purchased. Reg. 43-170(I)(A).

3. Regulation 43-170 defines “Age and Developmentally Appropriate”:

“Age and Developmentally Appropriate” means topics, messages, materials, and teaching methods suitable to particular ages or age groups of children and adolescents, based on developing cognitive, emotional, and behavioral capacity typical for the age or age group. Instructional Material is not “Age and Developmentally Appropriate” for any age or age group of children if it includes descriptions or visual depictions of “sexual conduct,” as that term is defined by Section 16–15–305(C)(1).

4. Regulation 43-170 authorizes the State Board to establish “a committee comprised of at least five of the State Board’s members... [and to] conduct a public meeting” consistent with the Regulation’s requirements. Reg. 43-170(IV)(E). Furthermore, it requires the committee to “provide a report and recommendation to the full State Board to be considered and either adopted or rejected by the State Board at its next regularly scheduled meeting.” *Id.*
5. Regulation 43-170 authorizes the State Board to review material “of its own volition and on its own initiative” in order to “make determinations regarding the educational suitability or the Age or Developmental Appropriateness of specific Instructional Materials pursuant to the criteria and requirements of” Reg. 43-170(VI)(B).

RECOMMENDATION

The Constitution, South Carolina law, and precedent uniformly permit the State Board to review and determine the appropriateness of books and other instructional materials for use or availability in public schools. See SBE Final Order and Opinion No. 2024-0001 (In re: *Damsel* by Elena Arnold) at page 3 (collecting and citing statutes and cases). That authority arises, at least in part, from the fact that the selection, curation, purchase, use, and management of public-school curricula and library materials is government speech that the Free Speech Clause does not regulate. See *id.* at 3-4 (citing cases). The state’s authority in this context is particularly robust when, as here, the state seeks to shield minors from access to or use of inappropriate sexual content. See *id.* at 3-4 (citing *United States v. Am. Library Ass’n*, 539 U.S. 194 (2003)).

“A description of someone or something is an account which ***explains*** what they are or what they look like.” *Description*, Collins Dictionary, <https://www.collinsdictionary.com/> (last visited Nov. 25, 2024) (emphasis added). Merriam-Webster agrees: a description is a “discourse intended to give a mental image of something experienced.” *Description*, Merriam-Webster Dictionary, <https://www.merriam-webster.com/> (last visited Nov. 25, 2024) (emphasis added). So too the Cambridge Dictionary recognizes that a “description” requires a portrayal of an event or occurrence. See *Description*, Cambridge Dictionary, <https://dictionary.cambridge.org> (last visited Nov. 26, 2024)

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(defining “description” as “something that tells you what something or someone *is like*”) (emphasis added).

Common usage of the term “description” likewise understands that a description involves a degree of explanatory detail. For example, when it is announced that “the police have released a description of the gunman,” that means more than just a statement that there is a criminal with a gun. A “description” of the gunman means the police have provided some explanatory details about him: his height, weight, age, build, hair color, what he’s wearing, his characteristics, any tattoos, the vehicle he may be driving, and any other specific identifying features. The description helps those who read it form a mental image of the gunman.

In sum, a “description” of something is more than merely mentioning it or acknowledging that it exists or that an event happened. Rather, a description of something necessarily includes some degree of *detail and explanation* about it that is expressly and squarely set before the reader. The thing described is occurring “on-stage” plainly before the audience, not “off-stage” or in a prequel the reader has not been provided.

Having carefully considered the Subject Material, all public comments (in person and written), all documentation provided by the Department and interested parties, the Department’s report, and excerpts from the Subject Material, we find that the Subject Material *does not* rise to the level of including descriptions of “sexual conduct” as that term is defined by S.C. Code § 16-15-305(C)(1).

Passages raised in the Complainant’s initial complaint (Exhibit A) and supplemental submitted passages (Exhibit B) contain language that may reference sexual conduct, but do not contain a level of explanatory detail necessary to describe sexual conduct.

In the Complainant’s first submitted Uniform Parent Complaint Form (Exhibit A), the Complainant filled out the portion of the form that asks for a description of why the material is being contested with a paragraph alleging that the material depicted “controversial topics such as domestic violence, sexuality, racism, and suicide.” Complainant further alleged that other schools had removed this book because it contain “sexual content” and “profane language.” However, the Complainant did not include any specific passages from the material that could potentially be violative. Regulation 43-170 requires the Board to apply its own definition of “age and developmentally appropriate,” so the allegation that the material was removed in other school districts is not dispositive in this case, rather, the IMRC must apply the standards laid out in the State Board’s regulation. In response to this initial complaint form, the IMRC requested that the Complainant submit any allegedly violative passages in a supplemental submission (Exhibit B).

For instance, this passage references sexual assault:

Sally, make him stop. I couldn’t make them go away. I couldn’t do anything but cry. I don’t remember. Please don’t make me tell it all. Why did you leave me all alone? I waited my whole life. You’re a liar. They all lied. All the books and magazines, everything told was wrong. Only his dirty fingernails against my skin, only his sour smell again. The moon watched. The tilt-a-whirl. The red clowns laughing their thick tongue laugh. Then the colors began to whirl. Sky tipped. Their high black gym shoes ran. Sally, you lied, you lied. He wouldn’t let go of me. He said I love you, I love you Spanish girl.

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However, the passage does not go into the degree of detail and explanation that sets the scene explicitly for the reader. It does not allow the reader to form a mental image of the assault itself, rather makes reference to the surrounding circumstances.

Having carefully considered all public comments (in person and written), the Subject Material and/or excerpts in question from the Subject Material, all documentation provided by the Department, and all comments made by those appearing before the IMRC, we unanimously find that the Subject Material includes does not include descriptions of “sexual conduct” as that term is defined by S.C. Code § 16-15-305(C)(1). We further find that the Subject Material is not Age and Developmentally Inappropriate. Therefore, the Subject Material may be retained in South Carolina public schools.

The IMRC recommends that, considering all the circumstances, The House on Mango Street by Sandra Cisneros be retained in South Carolina public schools.

Christian T. Hanley, Jr.
Chairman
Instructional Material Review Committee
February 3, 2025



South Carolina Instructional Materials Uniform Parent Complaint Form

Your Name: Emily Clement

Title & Author of Contested Material (*one per form*): The House on Mango Street by Sandra Cisneros

School Where Contested Material is Located: Forest Creek Middle School

Location of Contested Material (*library, classroom, etc...*): Classroom

Contested Material is (*select one*): ☒ **Printed** ☒ **Audio/Visual** ☒ **Online Resource**
☐ **Other** (*please describe*): _____

I request that this Contested Material be (*choose one of the following*):

- ☒ Removed from all schools/facilities in this District.
☐ Restricted to the following grade levels in this District: _____
☐ Restricted to a student whose parent/legal guardian provides consent and is enrolled in the following grade levels in this District: _____

Describe Your Reason for Contesting This Material (*attach additional pages as needed*):

The House on Mango Street by Sandra Cisneros was given to the GT ELA students to read, it is listed as a long read in their textbook. It has been banned from the curriculum in various schools because it depicts controversial topics such as domestic violence, sexuality, racism, and suicide, many school boards have seen it as inappropriate for students. This book was banned in N.C. schools in 2023 when parents challenged its sexual content and profane language. Does the Fort Mill School Board see this as inappropriate for the students of Fort Mill Schools?

I, Emily Clement (insert your name), hereby certify that:

- I am a parent or legal guardian of a student who attends a school within this District.
- I have read, watched, or otherwise reviewed the material I am contesting.
- I have made a good faith effort to address my concerns with School or District staff.
- I have not filed more than five (5) instructional material complaints (including this complaint) in this calendar month.
- I believe that this Contested Material is not suitable for use, availability, and/or unrestricted access in this District, pursuant to the requirements and definitions in Regulation 43-170, which are summarized on the following instruction page.

Signature:  **Date:** 9/18/24

Exhibit B

Please see the additional complaint information as requested by the South Carolina Instructional Review Committee on November 21, 2024 and the State Board on December 3, 2024.

House on Mango Street by Sandra Cisneros

Pages 30-32

Marin's boyfriend is in Puerto Rico. She shows us letters and makes us promise not to tell anyone they're getting married when she goes back to P.R. She says he didn't get a job yet, but she's saving the money she gets from selling Avon and taking care of her cousins.

Marin says that if she stays here next year, she's going to get a real job downtown because that's where the best jobs are, since you always get to look beautiful and get to wear nice clothes and can meet someone in the subway who might marry you and take you to live in a house far away.

But next year Louie's parents are going to send her back to her mother with a letter saying she's too much trouble, and that is too bad because I like Marin. She is older and knows lots of things. She is the one who told us how Davey the Baby's sister got pregnant and what cream is best for taking off moustache hair and if you count the white flecks on your fingernails you can know how many boys are thinking of you and lots of other things I can't remember now.

We never see Marin until her aunt comes home from work, and even then she can only stay out in front. She is there every night with the radio. Marin lights a cigarette and it doesn't matter if it is cold out or if the radio doesn't work or if we've got nothing to say to each other. What matters, Marin says, is for the boys to see us and for us to see them. And since Marin's skirts are shorter and since her eyes are pretty, and since Marin is already older than us in many ways, the boys who pass by say stupid things like I am in love with those two green apples you call eyes, give them to me why don't you. And Marin just looks at them without even blinking and is not afraid.

Marin under the streetlight, dancing by herself, is singing the same song somewhere. I know. Is waiting for a car to stop, a star to fall, someone to change her life.

Pages 48-50

Then Lucy screams to take our socks off and ues, it's true. We have legs. Skinny and spotted with satin scars where scabs were picked, but legs, all our own, good to look at, and long.

It's Rachel who learns to walk the best all strutted in those magic high heels. She teaches us to cross and uncross our legs, and to run like a double-dutch rope, and how to walk down to the corner so that the shoes talk back to you with every step. Lucy, Rachel, me tee tottering like so. Down to the corner where the men can't take their eyes off us. We must be Christmas.

Mr. Benny at the corner grocery puts down his important cigar: Your mother know you got shoes like that? Who gave you those?

Nobody.

Them are dangerous, he says. You girls too young to be wearing shoes like that. Take them shoes off before I call the cops, but we just run.

On the avenue a boy on a homemade bicycle calls out: Ladies lead me to heaven.
But there is nobody around but us.

Do you like these shoes? Rachel says yes and Lucy says yes, and yes I say, these are the best shoes. We will never go back to wearing the other kind again. Do you like these shoes?

In front of the laundromat six girls with the same fat face pretend we are invisible. They are the cousins, Lucy says, and always jealous. We just keep strutting.

Across the street in front of the tavern bum man on the stoop.

Do you like these shoes?

Bum man says, Yes, little girl. Your little lemon shoes are so beautiful. But come closer. I can't see very well. Come closer. Please.

You are a pretty girl, bum man continues. What's your name, pretty girl?

And Rachel says, Rachel, just like that.

Now you know to talk to drunks is crazy and tell them your name is even worse, but who can blame her. She is young and dizzy to hear so many sweet things in one day, even if it is a bum man's whiskey words saying them.

Rachel you are prettier than a yellow taxi cab. You know that?

But we don't like it. We got to go, Lucy says.

If I give you a dollar will you kiss me? How about a dollar. I give you a dollar, and he looks in his pocket for wrinkled money.

We have to go right now, Lucy says, taking Rachel's hand because she looks like she is thinking about that dollar.

Page 62

My mother and your mother were washing clothes. My mother punched your mother right in the nose. What color was her blood?

Page 67

Then he asked if I knew what day it was, and when I said I didn't, he said it was his birthday and would I please give him a birthday kiss. I thought I would because he was so old and just as I was about to put my lips on his cheek, he grabbed my face with both hands and kisses me hard on the mouth and doesn't let go.

Page 70

Most likely I will go to hell and most likely I deserve to be there. My mother says I was born on an evil day and prays for me.

Page 81

Just another brazer who didn't speak English. Just another wetback. You know the kind. The ones who always look ashamed. And what was she doing out at three a.m. anyway?

Page 92

Mama said those kinds of girls, those girls are the ones that go into alleys. Lois who can't tie her shoes. Where does he take her? Everything is holding its breath inside me. Everything is

waiting to explode like Christmas. I want to be all new and shiny. I was to sit out bad at night, a boy around my neck and the wind under my skirt.

Page 106

One day she is through and lets him know enough is enough. Out the door he goes. Clothes, records, shoes, Out the window and the door locked. But that night he comes back and sends a big rock through the window. Then he is sorry and she opens the doors again, Same Story.

Next week she comes over back and blue and asks what she can do? Minerva. I don't know which way she'll go. There is nothing I can do.

Page 109

I am an ugly daughter. I am the one nobody comes for.

Nenny says she won't wait her whole life for a husband to come and get her, that Minerva's sister left her mother's house by having a baby, but she doesn't want to go that way either. She wants things all on her own, to pick and choose. Nenny has pretty eyes and it's easy to talk that way if you are pretty.

Pages 113 & 114

He never hits me hard. She said her mama rubs lard on all the places where it hurts. THEN at school she'd say she fell. That's where all the blue places come from. THAT's why her skin is always scarred.

But who believes her. A girl that big, a girl comes in with her pretty face all beaten and black can't be falling off the stairs. He never hits me hard.

But Sally doesn't tell about that time he hit her with his hands just like a dog, she said, like if I was an animal. He thinks I'm going to run away like his sisters who made the family ashamed. Just because I'm a daughter, and then she doesn't say.

Sally was going to get permission to stay with us a little and one Thursday she came finally with a sack full of clothes and a paper bag of sweetbread her mama sent. And would've stayed too except when the dark came her father, whose eyes were little from crying, knocked on the door and said please come back, this is the last time. And she said Daddy and went home.

Then we didn't need to worry. Until one day Sally's father catches her talking to a boy and the next day she doesn't come to school. And the next. Until the way Sally tells it, he just went crazy, he just forgot he was her father between the bucks and the belt.

You're not my daughter, you're not my daughter. And then he broke into his hands.

Page 118

This is where I wanted to die and where I tried one day but not even the monkey garden would have me.

Page 120

I read somewhere that in India there are priests who can will their heart to stop beating. I wanted to will my blood to stop, my heart quit its pumping. I wanted to be dead, to turn into rain, my eyes melt into the ground like two black snails. I wished and I wished. I closed my eyes and willed it.

Pages 122 & 123

Sally, you lied. It wasn't what you said at all. What he did. Where he touched me. I didn't want it. Sally. The way they said it, the way it's supposed to be, all the storybooks and movies, why did you lie to me?

I was waiting by the red clowns. I was standing by the tilt-a-whirl where you said. And anyways I don't like carnivals. I went to be with you because you laugh on a tilt-a-whirl, you throw your head back and laugh. I hold your change, wave, count how many times you go by. Those boys that look at you because you're pretty. I like to be with you, Sally. You're my friend. But that big boy, where did he take you? I waited such a long time. I waited by the red clowns, just like you said, but you never came, you never came for me.

Sally Sally a hundred times. Why didn't you hear me when I called? Why didn't you tell them to leave me alone? The one who grabbed me by the arm, he wouldn't let me go. He said I love you, Spanish girl. I love you, and pressed his sour mouth to mine.

Sally, make him stop. I couldn't make them go away. I couldn't do anything but cry. I don't remember. Please don't make me tell it all.

Why did you leave me all alone? I waited my whole life. You're a liar. They all lied. All the books and magazines, everything told was wrong. Only his dirty fingernails against my skin, only his sour smell again. The moon watched. The tilt-a-whirl. The red clowns laughing their thick tongue laugh.

Then the colors began to whirl. Sky tipped. Their high black gym shoes ran. Sally, you lied, you lied. He wouldn't let go of me. He said I love you, I love you Spanish girl.

Pages 124 & 125

Sally got married like we knew she would, young and not ready but married just the same. She met a marshmallow salesman at a school bazaar, and she married him in another state where it's legal to get married before eighth grade. She has her husband and her house now, her pillowcases and her plates. She says she is in love, but I think she did it to escape.

Sally says she likes being married because now she gets to buy her own things when her husband gives her money. She is happy, except sometimes her husband gets angry and once he broke the door where his foot went through, though most days he is okay. Except he won't let her talk on the telephone. And he doesn't let her look out the window. And he doesn't like her friends, so nobody gets to visit her unless he is working.

She sits at home because she is afraid to go outside without his permission. She looks at all the things they own: the towels and the toaster, the alarm clock and the drapes. She likes looking at the walls, at how neatly their corners meet, the linoleum roses on the floor, the ceiling smooth as wedding cake.