

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

IN RE: HALF OF A YELLOW SUN BY
CHIMAMANDA NGOZI ADICHIE

**FINAL ORDER AND
OPINION REGARDING
INSTRUCTIONAL MATERIAL**

No. 2025-0009

SUMMARY OF ACTION REQUIRED

This Order of the South Carolina State Board of Education (“State Board”) is the final agency decision regarding the following Instructional Material (the “Subject Material”).

Title of Instructional Material:
Author:

Half of a Yellow Sun
Chimamanda Ngozi Adichie

As explained more fully below, the Subject Material includes descriptions of “sexual conduct” as that term is defined in Regulation 43-170 and South Carolina Code Section 16-15-305(C)(1). Accordingly, the Subject Material is not Age and Developmentally Appropriate and must be removed from all public-school classrooms, libraries, media centers, programs, reading lists, and school-controlled extracurricular activities in South Carolina. **All public schools, public school districts, public-school employees, and district boards in this State shall take immediate action to comply with this Order by removing the Subject Material. Additionally, public schools, public school districts, and district boards shall not acquire, obtain, or purchase the Subject Material, nor shall any public-school employee acquire, obtain, or purchase the Subject Material for use in or with any public-school program, classroom, activity, or instruction.**

BACKGROUND AND PROCEDURAL HISTORY

This matter was addressed in the first instance by the State Board’s Instructional Material Review Committee (“IMRC”) and later by the full State Board. The Subject Material was reviewed by the IMRC “of its own volition and on its own initiative” to “make determinations regarding the educational suitability or the Age or Developmental Appropriateness of specific Instructional Materials pursuant to the criteria and requirements of” Regulation 43-170(VI)(B). The IMRC took this step because a Complainant filed a Complaint Form with the Beaufort County School District Board of Education (“District”) on December 13, 2024. (Exhibit A). Subsequently, the Chairman of the District submitted a letter requesting that the State Board take these materials up for consideration because the District’s board had previously reviewed this material in 2023, prior to the enactment of Regulation 43-170. (Exhibit B). Accordingly, the IMRC and, later, the State Board, exercised its authority to review the Subject Material in the first instance consistent with the District’s request and the State Board’s authority.

On March 6, 2025, the South Carolina Department of Education (Department) notified the public of its upcoming review of the Subject Material by posting the IMRC hearing information and hearing agenda on its website. Consistent with governing requirements, the public was invited to sign up in advance of the hearing to provide comment regarding the Subject Material. At 1:00 PM on March 13, 2025, the IMRC's hearing of this matter occurred via Microsoft Teams and 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 Sec. 1-23-310, et seq. During this hearing, the IMRC received public comment regarding the Subject Material and the Department provided analysis and recommended removing the Subject Material entirely from South Carolina's public schools.

The IMRC reviewed and considered the Subject Material, excerpts from same, all public comments (written and in-person), and all documentation and testimony provided by the Department. Based on that review and consideration, the IMRC unanimously found that the Subject Material includes descriptions of "sexual conduct" as that term is defined by S.C. Code § 16-15-305(C)(1). Therefore, the IMRC found the Subject Material is not Age and Developmentally Appropriate as defined by S.C. Code Reg. 43-170 and recommended it be removed entirely from all public schools in South Carolina. On January 31, 2025, the IMRC issued a Report and Recommendation (attached as Exhibit C and incorporated by reference herein), which was provided to all members of the State Board and subsequently placed on State Board's website and made available to the public.

On March 25, 2025, the Department notified the public that this matter would come before the full State Board by posting the State Board's agenda and hearing information on its website. At 1:00 PM on April 1, 2025, the State Board held its regularly scheduled meeting, received public comment, and received reports from its various committees, including the IMRC.

At its April 2025 meeting, the State Board postponed consideration of this matter and nine others from the IMRC.¹ On March 25, 2025, the Department notified the public that this matter would come before the full State Board by posting the State Board's agenda and hearing information on its website. At 1:00 PM on May 6, 2025, the State Board held its regularly scheduled meeting, received public comment, and received reports from its various committees, including the IMRC. This matter is properly before the State Board pursuant to S.C. Code Reg. § 43-170.

Based on a review of all public comments (in person and written), the Subject Material, all documentation provided by the Department and interested parties, the IMRC's written Report and Recommendation, the IMRC Chair's Report, and the Department's report, we make the following findings of fact and conclusions of law.²

¹ The April State Board agenda contained ten items from the IMRC for consideration. All ten were postponed to allow for the State Board to receive legal counsel on implementation of Regulation 43-170. The ten items were placed on the State Board's May agenda. The State Board received legal counsel on implementation of Regulation 43-170. Subsequently, during its May meeting, the State Board considered all ten items.

² Excerpts from and an explanation of the applicable sections and definitions of Regulation 43-170 are found in the IMRC's Report and Recommendation, which is attached as Exhibit C, and, for the sake of space, will not be duplicated herein.

FINDINGS OF FACT

1. The Subject Material was challenged by a parent or legal guardian of a student in the District. The Chairman of the District board submitted a letter requesting that the State Board take these materials up for consideration.
2. The Subject Material is available to students in public schools in South Carolina.
3. The Subject Material contains the content listed and described in Exhibit A of the IMRC's Report and Recommendation.³

CONCLUSIONS OF LAW

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)).

Under Regulation 43-170, "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)." S.C. Code Reg. 43-170(I)(A).

The IMRC's Report and Recommendation includes passages from the Subject Material. The excerpts from the Subject Material, which are included in Exhibit C, constitute clear violations of Regulation 43-170 by presenting plainly before the reader express, detailed descriptions of "sexual conduct" as specifically defined in Code sections 16-15-305 (C)(1).

Having carefully considered the Subject Material, all public comments (in person and written), all documentation provided by the Department and interested parties, the IMRC's written Report and Recommendation, the IMRC Chair's Report, and the Department's report, we find that the Subject Material includes descriptions of "sexual conduct" as that term is defined by S.C. Code § 16-15-305(C)(1). While our review of the Subject Material is not limited to the excerpts provided by the Department, those excerpts establish a clear violation of the regulation. Therefore, the Subject Material is not Age and Developmentally Appropriate as defined by S.C. Code Reg. 43-170 and must be removed immediately from all public-school classrooms, libraries, media centers, programs, reading lists, and school-controlled extracurricular activities in South Carolina.

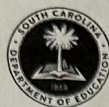
(Signature on following page)

³ Exhibit A to the Report and Recommendation, which is attached to this Final Order and Opinion for ease of reference, contains excerpts which are representative of questionable or violative material contained in the Subject Material. The State Board's review and Order is not limited to the excerpts contained therein.

In Re: *Half of a Yellow Sun* by Chimamanda Ngozi Adichie
Order No. 2025-0009
May 30, 2025

s/Rita Allison
Rita Allison
Chair
South Carolina State Board of Education
May 30, 2025

Half of a Yellow Sun by Chimamanda Ngozi Adichie



South Carolina Instructional Materials Uniform Parent Complaint Form

Your Name: Elizabeth Szalai
Title & Author of Contested Material (one per form): Half of a Yellow Sun by Chimamanda Ngozi Adichie
School Where Contested Material is Located: Battens Creek High School
Location of Contested Material (library, classroom, etc.): Library, possibly classrooms,
Contested Material is (select one): ☐ Printed ☐ Audio/Visual ☐ Online Resource Discs
☐ 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):

Half of a Yellow Sun is in violation of Regulation 43-170 because it contains kissing of breast, masturbation, and vaginal intercourse. Please see below excerpts from the book.

December 4/5

I, Elizabeth Szalai (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: Elizabeth Szalai

Date: 12/14/24

Page 10

He often wondered wished that Anulika wasn't so flat-chested- he wondered what was taking her so long anyway, since she and Nnesinachi were about the same age- so that he could feel her breasts. Anulika would slap his hand away, of course, and perhaps even slap his face as well, but he would do it quickly- squeeze and run- and that way he at least have an idea and know what to expect when he finally touched Nnesinachi's.

But he worried that he might never get to touch them,...

...He feared, though, that one of the pot-bellied traders in the North would take one look at her, and the next thing he knew somebody would be palm wine to her father and he would never get to touch those breasts- were the images he saved for last on the many nights when he touched himself, slowly at first and then vigorously until a muffled moan escaped him. He always started with her face, the fullness of her cheeks and the ivory tone of her teeth, and then he imagined her arms around him, her body molded to his. Finally, he let her breasts form, sometimes they felt hard, tempting to bite into them, and other times they were so soft he was afraid his imaginary squeezing caused her pain.

Page 32

Porters surrounded the car and called out, "Sah? Madam? You get luggage?" but Olanna hardly heard them because he had pulled her to him.

"I can't wait, nkem," he said, his lips pressed to hers. He tasted of marmalade. She wanted to tell him that she couldn't wait to move to Nsukka either, but he knew anyway, and his tongue was in her mouth, and she felt a new warmth between her legs.

Page 36

"I'm Olanna," she said and later, she would tell him that there had been a crackling magic in the air and he would tell her that his desire at that moment was so intense that his groin ached.

Page 43

She was almost asleep when Kainene knocked. "So will you be spreading your legs for that elephant in exchange for Daddy's contract?" Kainene asked.

Page 44

"The benefit of being the ugly daughter is that nobody uses you as sex bait."

"They're not using me as sex bait."

Page 49

A fight broke out under the kuka tree, and Olanna heard a child scream at another in Igbo, “Your mother’s pussy!”

Page 61

“That’s the smell of villagers. I used to smell like that until I left Abba to go to secondary school. But you wouldn’t know about things like that.” His tone was gently teasing. But his hands were not gentle. They were unbuttoning her blouse, freeing her breast from a bra cup. She was not sure how much time had passed, but she was tangled in bed with Odenigbo, warm and naked, when Ugwu knocked to say they had visitors.

“Can’t they leave?” she murmured.

“Come, nkem, ” Odenigbo said. “I can’t wait for them to meet you.”

“Let’s stay here just a little longer.” She ran her hand over the curly hair on his chest, but he kissed her and got up to look for his underwear.

Page 62

After Ugwu served drinks, Olanna watched Odenigbo raise his glass to his lips and all she could think of was how those lips had fastened around her nipple only minutes ago. She surreptitiously moved so that her inner arm brushed against her breast and closed her eyes at the needles of delicious pain. Sometimes Odenigbo bit too hard. She wanted the guests to leave.

Page 78

He had not been unfaithful to her, of course, but fidelity could not just be about sex. His laughing with Kainene, telling Kainene about Aunt Elizabeth, watching Kainene smoke, surely had to be infidelities; they felt so. His quickened heartbeat when Kainene kissed him goodbye was an infidelity. Her hand clasped in his on the table was an infidelity. And so the day Kainene did not give him the usual goodbye kiss and instead pressed her mouth to his, lips parted, he was surprised. He had not permitted himself to hope for too much. Perhaps it was why an erection eluded him: the gelding mix of surprise and desire. They undressed quickly. His naked body was pressed to hers and yet he was limp. He explored the angles of her collarbones and her hips, all the time willing his body and his mind to work better together, willing his desire to bypass his anxiety. But he did not become hard. He could feel the flaccid weight between his legs. She sat up in bed and lit a cigarette.

Page 80

He could not bring himself to act. Days passed before she finally asked if he wanted to inside, and he felt like an understudy who hoped the actor would not show up and then, when the actor finally did fail to come, became crippled by the

awkwardness, not quite as ready as he had thought he was for the stage lights. She led the way inside. When he began to pull her dress up above her thighs, she pushed him away calmly, as if she knew his frenzy was simply armor for his fear. She hung her dress over the chair. He was so terrified of failing her again that seeing himself erect made him deliriously grateful, so grateful that he was only just inside her before he felt that involuntary tremble that he could not stop. They lay there, he on top of her, for a while, and then he rolled off. He wanted to tell her that this had never happened to him before. His sex life with Susan was satisfactory, through perfunctory. "I'm so sorry," he said.

Page 82

She was mostly inscrutable, watching, drinking, smoking. He ached to know what she was thinking. He felt similar physical pain when he desired her, and he would dream about being inside her, thrusting as deep as he could, to try and discover something that he knew he never would.

Page 136

"Good. Because we have work to do." She closed her eyes because he was straddling her now and as he moved, languorously at first and then forcefully, he whispered, "We will have a brilliant child, nkem, a brilliant child," and she said, Yes, yes. Afterward, she felt happy knowing that some of the sweat on her body was his and some of the sweat on his body was hers. Each time, after he slipped out of her, she pressed her legs together, crossed them at her ankles, and took deep breaths, as if the movement of her lungs would urge conception on. But they did not conceive a child, she knew. The student thought that something might be wrong with her body wrapped itself around her, dampened her.

Page 151

She walked over to get a bag in the rafters and Ugwu noticed, again, the new suspicious roundness to her body: the breasts that filled her blouse, the buttocks that rolled with each step. Onyeka must have touched her. Ugwu could not bear to think of the man's ugly body thrusting into his sister's.

Page 161

The light was off, and in the thin stream that came from the security bulb outside he saw the cone-shaped rise of her breasts as she pulled her blouse off, untied the wrapper around her waist, and lay on her back. There was something moist about the darkness, about their bodies close together, and he imagined that she was Nnesinachi and that the taut legs

encircling him were Nnesinachi's. She was silent at first and then, hips thrashing, her hands tight around his back, she called out the same thing she said every time. It sounded like a name—Abonyi, Abonyi—but he wasn't sure. Perhaps she imagined that he was someone else too, someone back in her village. She got up and left as silently as she came. When he saw her the next day across the hedge, hanging out clothes on the line, she said "Ugwu" and nothing else; she did not smile.

Page 278

It was only days ago, but even the memory of Olanna's fat was hazy: he had fallen asleep afterward, on her living room floor, and woken up with a dry headache and a keenly uncomfortable sense of his own nudity. She was sitting on the sofa, dressed and silent. He felt awkward, not sure whether they were supposed to talk about what had happened. Finally he turned to leave without saying a word because he did not want what he imagined to be regret on her face to turn into dislike. He had not been chosen; it would have been many. He had sensed this even while holding her naked, but it had not marred the pleasure he found in her curvy body, her moving with him, her taking as much as she gave. He had never been so firm, never lasted so long as he had with her.

Page 293

But she knew he would not leave and that when she stretched out on the bristly carpet he would lie next to her. She kissed his lips. He pulled her forcefully close, and then, just as quickly, he let go and moved his face away. She could hear his rapid breathing. She unbuckled his trousers and moved back to pull them down and laughed because they got stuck at his shoes. She took her dress off. He was on top of her, and the carpet pricked her naked back and she felt his mouth limply enclose her nipple. It was nothing like Odenigbo's bites and sucks, nothing like those shocks of pleasure. Richard did not run his tongue over her in that flicking way that made her forget everything; rather, when he kissed her belly, she was aware that he was kissing her belly.

Everything changed when he was inside her. She raised her hips, moving with him, watching his thrusts, and it was as if she was throwing shackles off her wrists, extracting pins from her skin, freeing herself with the loud, loud cries that burst out of her mouth. Afterward, she felt filled with a sense of well-being, with something close to grace.

Page 308

His defenselessness moved her. She knelt down before him and unbuttoned his shirt to suck the soft-firm flesh of his belly. She felt his intake of breath when she touched his trousers zipper. In her mouth, he was swollen stiff. The faint ache in

her lower jaw, the pressure his widespread hands on her head, excited her, and afterward she said, "Goodness, Ugwu must have seen us."
He led her to the bedroom. They undressed silently and showered together, pressing against each other in the narrow bathroom and then clinging together in bed, their bodies still wet and their movements slow. She marveled at the comforting compactness of his weight on top of her. His breath smelled of brandy and she wanted to tell him how it was almost like old times again, but she didn't because she was sure he felt the same way and she did not want to ruin the silence that united them.

Page 349

"That his brother is a criminal. They say he gave army exemption passes to all his male relatives, everyone in his umunna. And you need to hear what he does with those young-young girls that crawl around looking for sugar daddies. They say he takes up to five of them into his bedroom at the same time. Tufia! It is people like him who must be executed when the state of Biafra is fully established."

Page 354

She liked the way he said that, in a free Biafra, and she stood up and squashed her lips against his. "Yes, but we can have a wartime party."

"We hardly have enough for ourselves."

"We have more than enough for ourselves." Her lips were still against his and her words suddenly took on a different meaning and she moved back and pulled her dress over her head in one fluid gesture. She unbuckled his trousers. She did not let him take them off. She turned her back and leaned on the wall and guided him into her, excited by his surprise, by his firm hands on her hips. She knew she should lower her voice because of Ugwu and Baby in the next room and yet she had no control over her own moans, over the raw primal pleasure she felt in wave after wave that ended with both of them leaning against the wall, gasping and Giggling.

Page 358

"They are even looting toilet seats! Toilet seats! A man who escaped from Udi told me. And they choose the best houses and force people's wives and daughters to spread their legs for them and cook for them."

Page 446

Eberechi visited often, and her smile, a brush of her hand, or her pinching his neck became exquisite joys. The afternoon he first kissed her, Baby was asleep. They were inside, sitting on the bench and playing Biafran whot and she had just said "Check up!" and placed down her last card when he leaned closer and tasted the

tart dirt behind her ear. Then he kissed her neck, her jaw, her lips; under the pressure of his tongue, she opened her mouth and the gushing warmth of it overwhelmed him. His hand moved to her chest and enclosed her small breast. She pushed it away. He lowered it to her belly and kissed her mouth again before quickly slipping his hand under her skirt.

"Just let me see," he said, before she could stop him. "Just see."

She stood up. She did not hold him back as he raised her skirt and pulled down the cotton underwear with a small tear at the waistband and looked at the large rounded lobes of her buttocks. He pulled the underwear back up and let go of her skirt. He loved her. He wanted to tell her that he loved her.

Page 457

When he finally went back inside, he stopped at the door. The bar girl was lying on her back on the floor, her wrapper bunched up at her waist, her shoulders held down by a soldier, her legs wide, wide ajar. She was sobbing, "Please, please, biko." Her blouse was still on. Between her legs, High-Tech was moving. His thrusts were jerky, his small buttocks darker-colored than his legs. The soldiers were cheering.

"High-Tech, enough! Discharge and retire!"

High-Tech groaned before he collapsed on top of her. A soldier pulled him off and was fumbling at his own trousers when somebody said, "No! Target Destroyer is next!"

Ugwu backed away from the door.

"Ujo abiala o! Target Destroyer is afraid!"

Ugwu shrugged and moved forward. "Who is afraid?" he said disdainfully. "I just like to eat before others, that is all."

"The food is still fresh!"

"Target Destroyer, aren't you a man? I bukwa nwoke?"

On the floor, the girl was still. Ugwu pulled his trousers down, surprised at the swiftness of his erection. She was dry and tense when he entered her. He did not look at her face, or at the man pinning her down, or at anything at all as he moved quickly and felt his own climax, the rush of fluids to the tips of himself: a selfloathing release. He zipped up his trousers while some soldiers clapped. Finally he looked at the girl. She stared back at him with a calm hate.

Page 463

"I hear there's a lot of free sex here. But the girls have some kind of sexually transmitted disease? The Bonny disease? You guys have to be careful so you don't take anything back home."

..."Niggers are never choosy about what they eat," the redhead muttered.

Page 499

“How could you stay here and let him spread the legs of starving girls? How will you account for this to your God? You both are leaving now, right now. I will take this to Ojukwu myself if I have to!”

Profanity/Derogatory Term	Count
Fuck	10
Nigger	1
Piss	3
Pussy	1

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

INSTRUCTIONAL MATERIAL
REVIEW COMMITTEE

IN RE: HALF OF A YELLOW SUN BY
CHIMAMANDA NGOZI ADICHIE

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 hearing of this matter occurred via Microsoft Teams on March 13th, 2025 at 1:00 PM.

Title of Instructional Material:
Author:

Half of a Yellow Sun
Chimamanda Ngozi Adichie

BACKGROUND AND PROCEDURAL HISTORY

The “Subject Material” listed above is reviewed by the IMRC pursuant to its authority to review materials that have been appealed from a local district board. In this case, Complainant filed the South Carolina Instructional Materials Uniform Parent Complaint Form (Exhibit A) with the Beaufort School District Board of Education on December 13th, 2024. The Chairman of the Beaufort Board requested that the State Board of Education take these materials up for consideration, pursuant to Regulation 43-170 VI.C., as the Beaufort Board had previously reviewed this material in 2023, prior to the enactment of 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 March 6, 2025. Consistent with governing requirements, the public was invited to sign up in advance of the hearing 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

*Report and Recommendation
Half of a Yellow Sun*

Complainant providing testimony in favor of removing the Subject Material:

Elizabeth “Ivie” Szalai

Providing public comment in favor of retaining the Subject Material:

Mary Foster

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 Beaufort County School District on December 13, 2024.
2. Beaufort County School District Officials informed Complainant that the Board had previously considered the Subject Material and returned the material to its shelves. The Chairman of the Beaufort County School District Board of Education requested the State Board of Education to review the material without the Beaufort Board reviewing the Subject Material under the Regulation.
3. The Subject Material is available to students in the Beaufort County School District.
4. The Subject Material contains the content listed and described in Exhibit A¹.

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 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. S.C. Code Reg. 43-170(I)(A).

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.

Report and Recommendation
Half of a Yellow Sun

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 S.C. Code Ann. § 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.*

RECOMMENDATION

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 descriptions of “sexual conduct” as that term is defined by S.C. Code Ann. § 16-15-305(C)(1). While the IMRC’s review of the Subject Material is not limited to Exhibit A, the excerpts contained therein establish a clear violation of the regulation.

Some may argue that the passages contained in Exhibit A are more akin to the passages the State Board deliberated over in *In Re: 1984 by George Orwell* Final Order No. 2024-0003. In that decision, the State Board of Education laid out a clear standard as to whether passages in a material contain enough “explanatory detail” to be considered “descriptions” of “sexual conduct.” The Board found that a description requires a level of *detail and explanation* such that the action occurring in the passage is set expressly and squarely before the reader. The passage must further occur “on-stage” before the reader, and not “off stage.” The passages raised in 1984 were too “brief, too generic, and too non-specific to constitute ‘descriptions’ of sexual conduct.”

On the other hand, the sexual conduct that occurs in passages raised in the Subject Material, including the passages contained in Exhibit A are set squarely before the reader, “on-stage” rather than “off-stage.” The passages contain a degree of detail not present in the short, off-handed oblique references present in 1984. The passages fully set the scene and contain enough detail that the reader knows what type of conduct is occurring. The passages are not just “descriptions,” the passages are descriptions of “sexual conduct,” as defined in S.C. Code Ann. § 16-15-305(C)(1).

Therefore, the Subject Material is not “Age and Developmentally Appropriate” as defined in S.C. Code Reg. 43-170 and must be removed entirely from all public schools in South Carolina.

The IMRC recommends that, considering all the circumstances *Half of a Yellow Sun* by Chimamanda Ngozi Adichie be removed entirely from all public schools in South Carolina, beginning on the date of the signing any Final Order issued by the South Carolina State Board of Education.

Report and Recommendation
Half of a Yellow Sun

/s/Dr. Christian T. Hanley, Jr.

Christian T. Hanley, Jr.

Chairman

Instructional Material Review Committee

January 25, 2025