

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

IN RE: HOPELESS BY COLLEEN
HOOVER

**FINAL ORDER AND
OPINION REGARDING
INSTRUCTIONAL MATERIAL**

No. 2025-0010

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:

Hopeless
Colleen Hoover

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: *Hopeless* by Colleen Hoover
Order No. 2025-0010
May 30, 2025

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

Hopeless by Colleen Hoover



South Carolina Instructional Materials Uniform Parent Complaint Form

Your Name: Elizabeth Szalai
Title & Author of Contested Material (one per form):
Hopeless by Colleen Hoover
School Where Contested Material is Located: Hilton Head Island HS
Location of Contested Material (library, classroom, etc.): Library, possibly classrooms
Contested Material is (select one): ☒ Printed ☐ Audio/Visual ☐ Online Resource DISCUS
☐ 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):

Hopeless is in violation of Regulation 43.170 because it contains incest, rape by brother, fondling, and vaginal intercourse. Please see below excerpts from the book.

December 3/5

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: [Signature] Date: 12/13/24

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When we were fifteen, we started sneaking boys in to eat ice cream and watch movies with us. By the time we were sixteen, the ice cream and movies took a backseat to the boys. Now, at seventeen, we don't even bother leaving our respective bedrooms until after the boys go home.

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He's been here less than three minutes and he's already got his hand up my shirt. I think it's safe to say he's not here for my stimulating conversation. His lips move from my mouth in favor of my neck, so I use the moment of respite to inhale deeply and try again to feel something.

Anything.

I fix my eyes on the plastic glow-in-the-dark stars adhered to the ceiling above my bed, vaguely aware of the lips that have inched their way to my chest. There are seventy-six of them. Stars, that is. I know this because for the last few weeks I've had ample time to count them while I've been in this same predicament. Me, lying unnoticeably unresponsive, while Grayson explores my face and neck, and sometimes my chest, with his curious, overexcited lips.

Why, if I'm not into this, do I let him do it?

I've never had any emotional connection to the guys I make out with. Or rather, the guys that make out with me. It's unfortunately mostly one-sided.

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For a while she suspected I might be gay. After a very brief and awkward "theorytesting" kiss between us when we were sixteen, we both concluded that wasn't the case. It's not that I don't enjoy making out with guys. I do enjoy it- otherwise, I wouldn't do it. I just don't enjoy it for the same reasons as other girls.

...Grayson's hands have ventured further than I've allowed them to in the past and I quickly become aware of the fact that he has unbuttoned my jeans and his fingers are working their way around the cotton edge of my panties.

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Did I mention I'm immune to his panty-dropping grin?

"How much longer are you gonna keep this up?" He slides his hand over my stomach and inches his fingertips into my jeans again.

...I've never had sex with any of the boys I've made out with, including the currently pouting Grayson. I'm aware that my lack of sexual response would probably make it easier on an emotional level to have sex with random people. However, I'm also aware that it might be the very reason I shouldn't have sex. I know that once I cross that line, the rumors about me will no longer be rumors.

They'll be fact. The last thing I want is for the things people say about me to be validated. I guess I can chalk my almost eighteen years of virginity up to sheer stubbornness.

For the first time in the ten minutes he's been here, I notice the smell of alcohol reeking from him. "You're drunk." I push against his chest. "I told you not to come over here drunk again." He rolls off me and I stand up and button my pants and pull my shirt back into place. I'm relieved he's drunk. I'm beyond ready for him to leave.

He sits up on the edge of the bed and grabs my waist, pulling me toward him. He wraps his arms around me and rests his head against my stomach. "I'm sorry," he says. "It's just that I want you so bad I don't think I can take coming over here again if you don't let me have you." He lowers his hands and cups my butt, then presses his lips against the area of skin where my shirt meets my jeans.

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I have a feeling if he smiles at me like Grayson tries to smile at me, my panties will be on the ground in record time.

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The guys that, all they have to do is flash a crooked smile or a dimple and ask a girl her name and she melts until she's on her knees in front of him? The guys who spend their Saturday nights climbing through windows?

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Like the hand that just planted itself on my outer thigh and is working its way up to my waist. He slides his hand under my T-shirt until his fingers barely graze the edge of my pants, and he leaves his hand there, slowly moving his thumb back and forth across my stomach.

...When he reaches my ear again, he doesn't speak this time. Instead, he kisses it and there isn't a nerve ending in my body that doesn't feel it. From my head all the way down to my toes, my entire body is screaming for his mouth.

I place my hand on his neck and when I do, chills break out on his skin.

Apparently, that one simple move momentarily melts his resolve and for a second, his tongue meets my neck. I moan and the sound completely sends him into a frenzy.

He moves his hand from my waist to the side of my head and he pulls my neck against his mouth, holding nothing back.

...He kisses and licks and teases every inch of my neck, only gasping for air when it's absolutely necessary. As soon as I see the stars above my head, there isn't even enough time to count one of them before my eyes roll back in my head and I'm holding back sounds that I'm too embarrassed to utter.

He moves his lips farther from my neck and closer to my chest. If we didn't have such a limited supply of firsts, I'd tear my shirt off and make him keep going. Instead, he doesn't even give me this option. He kisses his way back up my neck, up my chin, and trails soft kisses around my entire mouth, careful not to once touch my lips. My eyes are closed, but I can feel his breath against my mouth, and I know he's struggling not to kiss me. I open my eyes and look at him and he's staring at my lips again.

...I don't know what it is about him staring at my lips like he is, but it's definitely the hottest thing about this whole situation right now. I do something I probably shouldn't do. I lick them. Slowly.

He groans again and presses his forehead to mine. His arm gives way beneath him and he drops his weight on me, pressing himself against me. Everywhere. All of him. We moan simultaneously once our bodies find that perfect connection, and suddenly it's game on. I'm tearing off his shirt and he's on his knees, helping me pull it over his head. After it's completely off, I wrap my legs around his waist and lock him against me, because there could be nothing more detrimental than if he were to pull away right now.

He brings his forehead back to mine and our bodies reunite and fuse together like the last two pieces of a puzzle. He's slowly rocking against me and every time he does it, his lips come closer and closer, until they brush lightly against mine. He doesn't close the gap between our mouths, even though I absolutely need him to. Our lips are simply resting together, not kissing. Every time he moves against me, he lets out a breath that seeps into my mouth and I try to take them all in, because it feels like I need them if I want to survive this moment.

We remain in this rhythm for several minutes, neither of us wanting to be the first to initiate the kiss. It's obvious we both want to, but it's also obvious that I may have just met my match when it comes to stubbornness.

He holds the side of my head in place and keeps his forehead pressed against mine, but pulls his lips back far enough so he can lick them. When he lets them fall back into place, the wetness of his lips sliding against mine drags me completely under, and I doubt I'll ever be able to come up for air.

He shifts his weight, and I don't know what happens when he does this, but somehow it causes my head to roll back and the words, "Oh, God," to come out of my mouth. I didn't mean to pull away from his mouth when I tilted head back, because I really liked it being there, but I like where I'm going even more. I wrap my arms around his back and tuck my head against his neck for some semblance of stability, because it feels like the entire earth has been shifted off its axis and Holder is the core.

...I try to calm my breaths and minimize the sounds escaping my lips, but I've lost any form of self-control. It's obvious my body is enjoying this nonkissing friction a little too much and I can't find it in me to stop.

...He continues kissing my neck and moving his body against mine in a way that boys have done to me before, but this time it's different.

...He pulls back and looks down into my eye, still barely moving his body against mine.

..."...I need to watch you and in need to hear you because the fact that I know you're actually feeling this right now is so fucking amazing. You feel incredible and this feels incredible and please. Just...please."

He lowers his mouth to mine and gives me the softest peck imaginable. It's enough to preview of what his real kiss will feel like and just the thought of it makes me shudder. He stops moving against me and pushes himself up on his hands, waiting for me to decide.

..."Thank you," he breathes, gently easing himself onto me again, recreating the connection between us. He kisses the edge of my mouth several times, trailing close to my lips and down my chin and across my neck. The faster he breathes, the faster I breathe. The faster I breathe, the faster he plants kisses all over my neck. The faster he plants kisses all over my neck, the faster we move together creating a tantalizing rhythm between us that, according to my pulse, isn't going to last much longer.

I dig my heels into the bed and my nails into his back. He stops kissing my neck and down at me with heated eyes, watching me. He focuses on my mouth again, and as much as I want to watch him stare at me like he does, I can't keep my eyes open. They close involuntarily as soon as the first wave of chills washes over my body like a warning shot of what's about to come.

...As hard as it is to do in the moment, I keep my eyes locked on his as I drop my arms, clench the sheets with both fists and thank Karma for bringing this hopeless boy into my life.

...I begin to shudder beneath him and he never once breaks our stare. I can no longer keep my eyes open no matter how hard I try, so I let them fall shut. I feel his lips slide delicately back to mine, but he still doesn't kiss me. Our mouths are stubbornly resting together as he holds his rhythm, allowing the last of my moans and a rush of my breaths and maybe even part of my heart to slip out of me and into him. I slowly and blissfully slide back down to earth and he eventually holds still, allowing me to recover from an experience that he somehow made not at all embarrassing for me.

When I'm completely spent and emotionally drained and my whole body is shaking, he continues to kiss my neck and shoulders and everywhere else in the vicinity of the one place I want kissed the most- my mouth.

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His mouth collides with mine and for this moment, he really is all I need.

He's propped up on his hands and knees, kissing me fiercely, but I need him to

drop himself on top of me. My hands are still locked above my head and my mouth is useless to form words when he's teasing it like he is. The only thing I can do is lift my foot up and kick his knee out from under him, so that's what I do. The second his body falls against mine, I gasp. Loudly. I hadn't taken into consideration that when I lifted my leg, it would also push the hem of my dress up. Way up. Couple that with the hard denim of his jeans and you have a pretty gasp-worthy combination.

"Holy shit, Sky," he says between breathless moments of completely ravishing my mouth with his. He's winded already and we haven't even been at it more than a minute. "God, you feel incredible. Thank you for wearing this dress." He's kissing me, sporadically muttering into my mouth. "I really..." He kisses my mouth, then runs his lips down my chin and halfway down my neck. "I really like it. Your dress." He's breathing so heavily now, I can barely make out the mumbling coming from him.

He scoots slightly farther down on the bed until his lips are kissing the base of my throat. I tilt my head back to give him plenty of access, because his lips are more than welcome anywhere on me right now. He releases his grip on my hands so he can lower his mouth closer to my chest. One of his hands drops to my thigh, and he slowly runs it upward, pushing away what's left of the dress covering my legs. When he reaches the top of my thigh, he stills his hand and squeezes tightly, as if he's silently demanding his fingers not venture any further.

I twist my body beneath his, hoping he'll get the hint that I'm attempting to direct his hand to keep going wherever it wants to go. I don't want him to second-guess himself or think for a second that I'm hesitant to go any further. I just want him to do whatever it is he wants to do, because I need him to. I need him to conquer as many firsts as he can tonight, because I'm suddenly feeling greedy and I want us to pass them all.

He takes my physical cues and inches his hand closer to my inner thigh. The anticipation of him touching me alone is enough to cause every muscle from the waist down to clench. His lips have finally made their way past the base of my throat and down to the rise of my chest. I feel like the next step is for him to remove the dress completely so he can get to what's underneath it, but that would require his other hand, and I really like it where it is. I'd like it a little more if it were a few inches further, but I absolutely don't want it further away.

I bring my hands to his face and force him to kiss me harder, then drop my hands to his back.

...I reach around to his stomach and pull his shirt up over his head, but I don't realize that when I do, it also causes him to move his hand off my thigh. I may have whimpered a little, because he grins and kisses the corner of my mouth.

...He never looks away and he keeps his locked on mine, even when he dips his head to plant kisses around the edges of my lips.

..."Holder," I breathe. He slides his hands up my waist and moves closer to me. His mouth reaches my lips and he slips his tongue inside. It's sweet and warm and I know it hasn't been very long since I last tasted it, but I've missed it.

..."Holder," I mumble, pulling away. I bring my hand to his cheek. "I want to. Tonight. Right now."

..."This isn't me saying yes, Holder. This is me saying please."

With that, his lips crashed to mine and he groans. Hearing that sound come from deep within his chest further solidifies my decision. I need him and I need him now.

"We're really doing this?" he says into my mouth, still kissing me frantically.

"Yes. We're really doing this. I've never been more positive of anything in my life."

His hand slides up my thigh and he slips his hand between my hip and my panties, then begins to slide them down.

"I just need you to promise me one thing first," I say.

He kisses me softly, then pulls his hand away from my underwear (dammit) and nods. "Anything."

I grab his hand and put it right back where it was on my hip. "I want to do this, but only if you promise we'll break the record for the best first time in the history of first times."

He grins down at me. "When it's you and me, Sky...it'll never be anything less."

He snakes his arm underneath my back and pulls me up with him. His hands move to my arms and he hooks his fingers underneath the thin straps of my dress, sliding them off my shoulders. I close my eyes tightly and press my cheek to his, fisting my hands in his hair. I can feel his breath meet my shoulder before his lips do. He barely kisses it, but it's as if he touches and ignites every part of me from the inside out with that one kiss.

"I'm taking it off," he says.

My eyes are still closed and I'm not sure if he's telling me or asking my permission to remove the dress, but I nod anyway. He lifts my dress up and over my head—my bare skin prickling beneath his touch. He gently lays me back against my pillow and I open my eyes, looking up at him, admiring just how incredibly beautiful he really is. After regarding me intensely for several seconds, he drops his gaze to his hand that's curved around my waist.

He slowly moves his eyes up and down my body. "Holy shit, Sky." He runs his hand over my stomach, then leans down and kisses it softly. "You're incredible."

I've never been this exposed in front of someone before, but the way he's admiring me only makes me want to be this exposed. He slides his hand up to my bra and grazes his thumb just underneath it—causing my lips to part and my eyes to close again.

Oh, my God, I want him. Really, really bad.

I grab his face and pull it to mine, locking my legs around his hips. He groans and

slips his hand away from my bra and down to my waist again. He slides my panties down my thighs, forcing me to unlock my legs and let him take them off completely. My bra is quick to follow and once all of my clothes have been removed, he scoots his legs off the bed and halfway stands up, leaning over me. I've still got hold of his face and we're still frantically kissing while he removes his pants, then climbs back onto the bed with me, lowering himself on top of me. We're skin to skin now for the first time, so close that air couldn't even pass between us, yet it still feels like we aren't near close enough. He reaches across the mattress and his hand fumbles over the nightstand. He removes a condom from the drawer, then lays it down on the bed, lowering himself on top of me again. The hardness and weight of him forces my legs farther apart. I wince when I realize the anticipation in my stomach is suddenly turning into dread.

And nausea.

And fear.

My heart is racing and my breaths begin to come in short gasps. Tears sting at my eyes as his hand moves around beside us on the bed, searching for the condom. He finds it and I hear him open it, but I'm squeezing my eyes shut. I can feel him pull back and lift up onto his knees. I know he's putting it on and I know what comes next. I know how it feels and I know how much it hurts and I know how it'll make me cry when it's over.

But how do I know? How do I know I've never done this before?

My lips begin to tremble when he positions himself between my legs again. I try to think of something to take away the fear, so I visualize the sky and the stars and how beautiful it all is, attempting to ease my panic. If I remind myself that the sky is beautiful no matter what, I can think about that and forget how ugly this is. I don't want to open my eyes, so I just count silently inside my head. I visualize the stars above my bed and I start from the bottom of the cluster, working my way up.

...I want him to be done already. I just want him off me.

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Daddy also says that mommy would be sad if I stopped taking his presents because she's not here to take his presents anymore.

...Then when my daddy finally stops making me thank him, he pulls my nightgown back down and whispers, "Goodnight, Princess."

...I hate getting presents.

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He walks back to the bed and sinks to his knees on the floor in front of me, bringing himself to my eye level. He grabs my waist and scoots me to the edge of the bed, then slides his hands behind my knees and wraps my legs around him. He

pulls my shirt over my head, never once looking away from my eyes. When my shirt is off, he pulls his own shirt off. He wraps his arms around me and stands up, picking me up with him and walking to the side of the bed. He lays me down gently and lowers himself on top of me, then places his palms against the mattress on either side of my head, looking down at me with uncertainty. ...He lifts up onto his knees and reaches to his wallet on the nightstand. He takes a condom out, then removes his pants, never once taking his eyes off mine. ...Holder's fingers grasp the button on my jeans and he unbuttons them, then slides them off me. ...He lowers his lips to mine and kisses me while he removes my bra and underwear. I'm glad he's kissing me, because it gives me an excuse to close my eyes. I don't like the way he's looking at me...like he wishes he were anywhere else right now than here with me. I keep my eyes closed when his lips separate from mine in order for him to put on the condom. When he's back on top of me, I pull him against me, wanting him to do this before he changes his mind. ...He positions himself against me, kisses me on the side of the head, then slowly enters me. I don't make a sound, despite the pain. I don't even breathe, despite my need for air. ...I'm successfully able to keep myself separated from what he's doing until he abruptly stills himself on top of me, his head still buried tightly against my neck. He's breathing heavily and, after a moment, he sighs and separates himself from me completely.

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"I want to make love to you, Sky. And I think you want it, too..."
..."...When I'm kissing you, I'm kissing you because you have the most incredible mouth I've ever seen and you know I can't not kiss it. And when I make love to you- I'm doing exactly that. I'm making love to you because I'm in love with you..."
...I respond by completely dissolving into him, allowing his lips to follow his, my hands to intertwine with his, my rhythm to match his.
...The entire time he's touching me, exploring me with his hands and his lips and his eyes, he continues to tell me over and over how much he loves me. And for once, I remain completely in the moment, wanting to feel every single thing he's doing and saying to me. When he finally tosses the wrapper aside and readies himself against me, he looks down at me and smiles, then strokes the side of my face with his fingertips.
...He immediately covers my mouth with his and the familiar, sweet mixture of him seeps into my mouth at the same moment he pushes inside me, filling me with so much more than just himself.
...I grasp his shoulders and move with him, feeling everything.

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I kiss the side of his head, my hands gripping his neck. Each time my lips touch him, he holds me just a little bit tighter. His mouth grazes my shoulder and soon we're both attempting to kiss away every ounce of the heartache that neither one of us deserves. His lips become adamant as he kisses my neck harder and faster, desperately trying to find an escape. He pulls back and looks into my eyes, his shoulders rising and falling with every breath he's struggling to find.

In one swift movement, he crashes his lips to mine with an intense urgency, gripping my hair and my back with his trembling hands. He pushes my back against the shower wall as he slides his hands down behind my thighs. I can feel the despair pouring out of him as he lifts me up and wraps my legs around his waist.

...I wrap my arms around his neck, pulling him against me, allowing him to consume me for a break from his heartache. I let him, because I need a break just as badly as he does right now. I want to forget about everything else.

...With his body pressing me into the wall of the shower, he uses his hands to grip the sides of my face, holding me still as our mouths anxiously search each other's for any semblance of relief from our reality. I'm grasping his upper back with my arms as his mouth moves frenziedly down my neck.

"Tell me this is okay," he says breathlessly against my skin. He lifts his face back to mine, nervously searching my eyes as he speaks. "Tell me it's okay to want to be inside you right now . . . because after everything we've been through today, it feels wrong to need you like I do."

I grip his hair and pull him closer, covering his mouth with mine, kissing him with such conviction that my words aren't even needed. He groans and separates me from the shower wall, then walks out of the bathroom to the bed with me still wrapped around him. He's not being gentle at all with the way he rips off the last two items of clothing between us and ravishes my mouth with his, but I honestly don't know if my heart could take gentle right now.

He's standing at the edge of the bed leaning over me, his mouth meshed to mine. He breaks apart momentarily to put on a condom, then he grabs my waist and pulls me to the edge of the bed with him. He lifts my leg behind the knee and brings it up to his side, then slides his hand underneath my arm and grips my shoulder. The moment his eyes fall back to mine, he pushes himself into me without hesitation. I gasp from the sudden force of him, shocked by the intense pleasure that takes over the momentary flash of pain. I wrap my arms around him and move with him as he grips my leg tighter, then covers my mouth with his. I close my eyes and let my head sink deeper into the mattress as we use our love to temporarily ease the anguish.

His hands move to my waist and he pulls me against him, digging his fingers

deeper into my hips with each frantic, rhythmic movement against me. I grab hold of his arms and relax my body, allowing him to guide me in whatever way can help him right now. His mouth breaks away and he opens his eyes at the same time open mine.

...He continues looking at me, but he turns his head and kisses the inside of my palm, then drops himself on top of me, stopping suddenly.

We're both panting for air and I can feel him inside me, still needing me. He keeps his eyes locked with mine as he slides his arms underneath my back and pulls me to him, lifting us both up. We never separate as he turns us around and slides himself down to the floor with his back against the bed, me straddling his lap. He slowly pulls me in for a kiss. A gentle kiss this time.

The way he's holding me against him protectively now, trailing kisses along my lips and jaw—it's almost as if he's a different Holder than the one I had just thirty seconds ago, yet still wholly passionate. One minute he's frantic and heated . . . the next minute he's gentle and coaxing. I'm beginning to appreciate and love the unexpectedness in him.

I can feel him wanting me to take control now, but I'm nervous. I'm not sure that I even know how. He senses my unease and he moves his hands to my waist, slowly guiding me, barely moving me on top of him. He's watching me earnestly, making sure I'm still here with him.

...He brings one of his hands to my face, still guiding me with his other hand on my waist. "You know how I feel about you," he says. "You know how much I love you. You know I would do whatever I could to take away your pain, right?"

I nod, because I do know. And looking into his eyes right now, seeing the raw honesty in them, I know he's felt this way about me long before this moment.

"I need that from you so fucking bad right now, Sky. I need to know you love me like that."

Everything about him, from his voice to the look on his face, becomes tortured. I would do whatever it took to take that away from him. I lace our fingers together and cover both our hearts with our hands, working up the courage to show him how incredibly much I love him. I stare him straight in the eyes as I lift up slightly, then slowly lower myself back down on top of him.

He groans heavily, then closes his eyes and leans his head back, letting it fall against the mattress behind him.

"Open your eyes," I whisper. "I want you to watch me." He raises his head, looking at me through hooded eyes. I continue to slowly take control, wanting nothing more than for him to hear and feel and see just how much he means to me. Being in control is a completely different sensation, but it's a good one. The way he's watching me makes me feel needed like no one's ever been able to make me feel.

..."Don't look away again," I say, easing myself up. When I lower myself back onto

him, his head sways slightly from the intensity of the sensation and a moan escapes my throat, but he keeps his tortured eyes locked firmly on mine. I'm no longer in need of his guidance, and my body becomes a rhythmic reflection of his. "The first time you kissed me?" I say. "That moment when your lips touched mine? You stole a piece of my heart that night." I continue my rhythm as he watches me fervently. The first time you to me you lived me because you weren't ready to tell me you loved me yet?" I press my hand harder against his chest and move myself in closer to him, wanting him to feel every part of me. "Those words stole another piece of my heart."

He opens his hand that I have pressed over my heart until his palm is flat against my skin. I do the same to him.

...I lower my mouth to his and kiss him softly. He closes his eyes and begins to ease his head against the bed again. "Keep them open," I whisper, pulling away from his lips. He opens them, regarding me with an intensity that penetrates straight to my core. "I want you to keep them open . . . because I need you to watch me give you the very last piece of my heart."

He releases a vast breath and it's almost as if I can see the pain literally escaping him. His hands tighten around mine as the look in his eyes instantly changes from an intense hopelessness to a fiery need. He begins moving with me as we hold each other's gaze. The two of us gradually become one as we silently express with our bodies and our hands and our eyes what our words are unable to convey. We remain in a connected cadence until the very last moment, when his eyes grow heavy. He drops his head back, consumed by the shudders that are taking over his release. When his heart rate begins to calm against my palm and he's able to connect with my eyes again, he pulls his hands from mine and grips the back of my head, kissing me with an unforgiving passion. He leans forward as he lowers my back to the floor, trading dominance with me, kissing me with Abandon.

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"...His behavior the previous few months as a result of his alcohol abuse already had me scared of him..."

"...My brother raped me that night. No only did he do it that night, but it continued almost every night after that for two solid years."

Profanity	Count
Ass	30
Bitch	6
Fuck	23
Goddamn	1
Piss	11
Pussy	2
Shit	26

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

INSTRUCTIONAL MATERIAL
REVIEW COMMITTEE

IN RE: HOPELESS BY COLLEEN
HOOVER

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:

Hopeless
Colleen Hoover

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

Complainant providing testimony in favor of removing the Subject Material:

Elizabeth “Ivie” Szalai

Providing public comment in favor of retaining the Subject Material:

Laura Haverkamp

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 it first going through local board review.
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).
3. Regulation 43-170 defines “Age and Developmentally Appropriate”:

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
Hopeless

“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.*

RECOMMENDATION

The State Board has established that, when Instructional Material “present[s] plainly before the reader express, detailed... descriptions of ‘sexual conduct’ as specifically defined in S.C. Code Ann. § 16-15-305 (C)(1)(b), (d), and (e),” it is a clear violation of Regulation 43-170 and the Subject Material must be removed entirely from all public school in South Carolina. *See* SBE Final Order and Opinion No. 2024-0001 (In re: Damsel by Elena Arnold) at page 3. 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 § 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. Therefore, the Subject Material is not Age and Developmentally Appropriate as defined by 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 *Hopeless* by Colleen Hoover be removed entirely from all public schools in South Carolina, beginning on the date of the signing of any Final Order issued by the South Carolina State Board of Education.

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

Christian T. Hanley, Jr.

Chairman

Instructional Material Review Committee

January 25, 2025