



**DOVER SCHOOL
DISTRICT**

DOVER SCHOOL BOARD – AGENDA

Meeting Type: Special Meeting Session
Meeting Location: McConnell Center, Room 306
Meeting Date: Wednesday, November 1, 2023
Meeting Time: 6:00 p.m.

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. PLEDGE OF ALLEGIANCE**
- D. AGENDA APPROVAL**
- E. CITIZENS' FORUM** (Limited to agenda items only)
- F. HEARING**
- G. BOARD QUESTIONS**
- H. BOARD DELIBERATIONS**
- I. BOARD DECISION ON THE BOOK BOY TOY**
- J. ADJOURNMENT**

Citizens, residents of the City of Dover, property owners in the City of Dover, and/or designated representatives of recognized civic organizations or businesses located in the City of Dover and/or residents of sending school districts, are invited to all public meetings, and shall be given an opportunity to speak. Time shall be set aside for citizen statements, Citizen's Forum, at all public meetings, unless a vote to the contrary is taken by the School Board.

Citizens shall identify themselves by name and address for the record, address comments to the presiding officer and the Board as a body and not individual members. Citizen's Forum will ensure citizens have the opportunity to speak to all other items on a meeting agenda and/or matters pertaining to the business of the School Board. At workshop meetings and special sessions, Citizens' Forum will be restricted to items on the meeting agenda. Statements shall be limited to five (5) minutes unless otherwise extended by the chairperson, with the approval of the School Board.

All citizens are permitted to place items on the agenda through written application to the Superintendent at least one week prior to the meeting date. Citizen items will require a formal motion and a second by seated members to bring the item to the floor for debate.

FORM FOR RECONSIDERATION OF INSTRUCTIONAL MATERIALS

Request Initiated by JULIE P
Address WARD S
E-Mail Address [REDACTED]
Telephone [REDACTED]

Complainant represents:

✓Themselves

Name of Group _____

Resource on which you are commenting: Book Newspaper Website
Magazine Digital/Electronic Other
Resource

Author/Producer BARRY L YGA
Title Box 10x
Publisher _____
Date of Publication _____

Please answer the following questions either in the space provided, or on additional pages.

1. Have you been able to discuss this resource with the teacher or librarian who ordered it or who used it? ☐ Yes ☒ No
2. Did you read the entire book, or view the entire material? ☒ Yes ☐ No
3. What do you believe is the theme or purpose of this work?
PEDOPHILIA
4. To what particular contents do you object? Please be specific; cite pages, or passages.

— see ex corp TS —

SEXUAL RELATIONS BETWEEN
TEACHER & 1340 BOY

DOVER SCHOOL DISTRICT	KEC-R
DATE OF ADOPTION: SEPTEMBER 9, 2019	PAGE 2 OF 2

5. What is good about this book/material?

N/A

6. What do you feel might be the result of reading this book or using this material?

~~GOOD~~ ABSOLUTE NOTHING GOOD

7. For what age group would you recommend this work?

18 & UP

8. Are you aware of the professional reviews of this work?

Yes

9. Are you aware of the instructional purpose for using this work?

NO

10. What would you prefer the school do about this work?

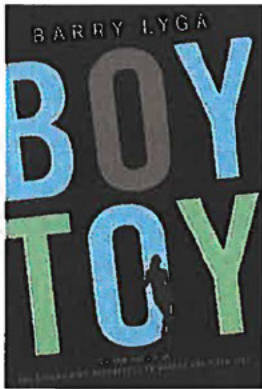
☐ Do not assign or recommend it to my child.
☒ Withdraw it from all students.
☐ Reevaluate it.

11. What work of equal value would you recommend to replace the one you question?


 Signature of Complainant

See policy KEC

BOOK CHALLENGE, DOVER HIGH SCHOOL, 5/6/2023



BOY TOY, by Barry Lyga, (51yo male) Published by; HarperCollins Publishers, for readers 16 years and up. "Astonishing adventures of fan boy and goth girl"
Rating – 4-5 (aberrant content). **RAPE** between a 12-year-old boy and a 24yo married teacher/woman. See attached rating chart.

Available in the Dover High School library

CHALLENGE DISCLAIMERS:

Child or children refers to the laws definition of a person under **18 year of age**

This is in **NO WAY AN ATTACK ON THE LBGTQ** community

This is **NOT A BOOK BAN**, it is what is **AGE & DEVELOPMENTALLY APPROPRIATE FOR CHILDREN UNDER 18**

INTRODUCTION:

This book was written in 2007. It is unknown when it found its way into school libraries and public library CHILDREN/teen sections. This book is recommended for readers 16 years and up. Yet, the material in the book is clearly adult content for 18 and up and not developmentally/age appropriate for children. See excerpts and laws below **This book encourages/promotes sexual abuse, underage alcohol use, pedophilia and rape.** The fact it's about a 12yo middle school boy, is not an ethical/moral example for children. And if it stays in the library, the possibility a child will believe it is acceptable behavior and acts on it, because it's in the school library, is criminal, at best. The fact the High School has children under 18, should be enough to remove this book. This book will cause early childhood adverse events. The name and contents of the book, in of itself, is a reflection of a sick individual and confusing to unsuspecting minor children.

Over and over this teacher/adult, 24yo woman Eve, **sexually assaults a 12 year old Josh**, and introduces him to alcohol, abuses this child and tells the child to not tell anyone, over and over and over again. (See letter from NH therapist, Betsi Harrington, on the harms of pornography to children by adults). The guilt trip the teacher causes this boy, destroys his life in adverse ways. This boy is mentally ruined. Destroyed by this experience and cannot manage in society as a productive citizen. He attempts to rape a 13 yo girl thinking it's ok because that's what his teacher, Eve, did to him. Although Eve goes to jail for 5 years, the boy, Josh is damaged and lost throughout high school.

Outcome of this book is a study for mental health professionals and adults with child fetishes. Not children. The example and theme of the book is distorted and subject matter written by a warped adult, not from a child's perspective, at all. The only "boy" behavior exhibited in this story, is Josh plays baseball. You would no more put Penthouse or Hustler in the library as you would this book. This book enables child pornography not prevents it. Its placement in the path of children will confuse them and cause them to be sexually aroused in school. That can lead to a host of problems.

The school codes in Dover are clear on alcohol use and abuse. This book goes against the city code and law on alcohol use by promoting a minor to drink. Therefore, by making this book available to minors, defies code and the law on underage drinking. See codes below...

This is one of over 100 sexually explicit books in Dover School Libraries, see list. The books on the list are teens engaging in sex trafficking, drugs, alcohol, pedophilia, and other behaviors the school sets out to prevent through the codes! This is sending a mixed message, a double standard and has to be addressed.

This book breaks local, state and federal laws on **sexually explicit adult content**, see laws below...In the city guidelines for book challenges you require the challenger read the book, yet the librarians do not read them and rely on third party reviews that are paid to promote the book to make money, tax money. The school needs to address and rectify this matter, as there are too many of these books available in school libraries.

MAIN ARGUMENTS TO KEEP BOOK IN SCHOOL and COUNTER ARGUMENTS:

1. It's the journey and outcome that matters. Book/story taken as a whole.

- It has been well established, see attached, that children do not have the mental capacity as an adult has. For example, Drinking, smoking, working hours, driving, gun ownership, movies, porn shops, and more, all require ids and age limits of 18 and up. When presented with adult "journeys" written by adults for adults, **most children cannot process the outcome** for the under age reader, the "journey" can be life altering, even cause criminal activity. Hyper sexualize fiction is neither healthy or sex education for a child. Children will have trouble distinguishing between rape and healthy sexual activity by reading this material. It can scare them into not wanting sexual relationships when they are older or cause sexual addiction and adverse behaviors. Just because this is fiction, does not excuse the developmentally inappropriate material in this book.

2. Its important for children going through difficult times to have these books available in school as self help guides.

- Self help books are **NOT a substitute for psychiatry**, period. This author does not hold a degree in psychiatry or psychology. Nor did he use a professionals input on this book. He did use baseball experts though... See attached letter from Dover city Attorney regarding the number of Teacher/student rape in Dover in the past 5 years. -0- No rape of a minor in the past five years. If this is the argument, it is moot, as there are no children in Dover, according to the City, in the past 5 years that have gone through such an experience.

3. Children will find pornography on the internet anyway

- This argument does not reflect the wishes of the taxpayers who fund public schools or libraries OR SHOULD IT. If a child finds pornography, it's a parents responsibility not the schools. If a parent wants their child to read 'Boy Toy' then they should buy it. The harms of pornography to children has been documented, for years. There is no good outcome for children exposed to porn. I'll refer to the case studies and articles written by Dr. Sharon Cooper, a developmental and forensic pediatrician, Dr. Cooper has carefully studied the harmful impact adult pornography has on children's development throughout her years of medical practice. The American Bar Association has many case studies and articles, too.

4. Children have first amendment rights to read what ever they want

- This is the most vague of all the arguments. The law states children have limited first amendment rights. In fact, the schools ethics guidelines, see below, are limiting a child to first amendment rights as listed by the Dover schools. Legally, a child does not have the right to adult sexually explicit content as described in federal, state and local law, see below. This description has to be followed by everyone, including librarians and schools. Morally and ethically this book does not belong in a school library.

5. Librarian screens the books children want to take out This is impossible.

- One; the DHS librarian has gone on record in Concord denying any sexually explicit books exist. Two; one person cannot screen every book taken out. Three; Not all children take books out. Many take books off the shelf and read in the library. Imagine a child reaches for Boy Toy thinking it's about "Toys"...

QUESTIONS:

1. How/when did this book end up in DHS?
2. Why do you think this book offers any literary ethical or morally acceptable material for High School students?
3. Does DHS have a screening process for books? What are the criteria for sexually explicit books? Is every book written reviewed and read?
4. To date, over 100, see list, sexually explicit books have been identified in DHS library. Why were these books allowed into the school? Who is responsible?
5. Why does the school promote a book with pedophilia and alcohol abuse of a minor and also warn against the harms? Why have codes and ethics when you allow this material in the school.
6. Explain why this book is developmentally age appropriate for children? Why the school wants to promote a teacher who preys upon children?

Boy Toy, notable ethical problems for children and sexual assault ABUSE, why this book is not developmentally age appropriate for minors. (SEXUAL EXCERPTS BELOW...)

Profanity, which is not acceptable behavior for students, per school rules and code. There are other variations of the following words, not listed:

Profanity	Count
Ass	43
Bitch	2
Cock	1
Dick	14
Fuck	65
Goddamn	19
Piss	13
Prick	2
Pussy	1
Shit	61
Tit	2

“Astonishing adventures of fan boy and goth girl” subtitle of book:

This is absolutely wrong and misleading. Josh is not a “fan boy”

Fan Boy, a male fan, especially one who is obsessive about comics, music, movies, or science fiction. Josh, the “boy” is not obsessive about any of these things. He plays video games and baseball and is not obsessive. Rachel, Josh’s friend, is not “goth”, nor is Eve or any other girl mention is this story.

PAGE 6-7: The way Josh describes Rachel does not reflect a typical/normal behavior of a 12 yo boy. It’s a man’s sexual description of a woman. 6, She was my size, in a loose sleeveless top and a skirt worn low on her frame. Too skinny, to tell the truth; her skirt was tight enough to emphasize the lack of hips, low enough to expose her concave belly. 7, She wiggled on my lap. I wasn’t worried about the chair. I couldn’t let this continue. I struggled to move her off me, our bodies chafing against each other. Her butt slipped and ground against my pelvis in a way that was almost pleasant, almost painful. ...Like so many girls,

she emphasized the positive, though, with tight jeans and skirts designed to show off the legs and ass toned over months of beating the throw to first. Up top, she favored the loose blouses and shirts that hinted that maybe, maybe, something was starting to sprout under there.

PAGE 28- clearly this child is mentally damaged to the point of attacking peers and his coach. The therapist, Kennedy, although he does bring up the anger, does little to help Josh. The continued sessions, which the author leaves off in later years, are only making Josh’s anxiety worse. The author does not consult a psychologist for this story.

PAGE 67- paragraph 3, New Age woman said he was not “violated”??? and if he ‘thought’ that than he wouldn’t be... This is strange as throughout the book Josh claims to have “violated” Eve when it was guilt by Eve, but here he is admitting to being violated? Clearly mixed message from the author and to a child reading this...

PAGE 68 –“mischanneled erotic feelings into rage...” Josh is most likely guilty of this but rather than the therapist actually doing his job, his messaging is confusing to a child, abused or otherwise... Josh is so damaged from the raping by his teacher, he cannot even look at girls.

PAGE 106 – begins his infatuation of Eve. His descriptions of her are of an adult, except for the “cookies”

PAGE 140- The first of many “Just don’t tell your parents, OK, our secret” this is a typical line of an abuser and is dangerous. This line is repeated at least a dozen times throughout the story. Rather than the author exploring the harm and path this book takes, he doubles down. Again, not developmentally age appropriate for children

PAGE 148-149- again the line “promise you wont tell your parents” As the abuse heightens Eve introduces alcohol to Josh.

PAGE 154-155- An adult supplying a minor, not a family member, alcohol is abuse and enabling

PAGE 158- intro of pornography movies in plot

PAGE 172- 12 yo Josh’s voice is still changing and he I now a wine, porn and female anatomy expert

PAGE 178- 'I could go to jail'""-you cant tell anyone what we talked about or what we did OK?" "promise me"
Again and again this line appears, this time with a threat!

PAGE173-206 excerpts below are how Eve sexually/rapes and abuses Josh...

PAGE 208- 209- Josh, 12years old, guiltling over his desire for Eve and guilt over her HUSBAND George and sexual abuse begins... RAPE of Josh

PAGE 216 – The birthday card to Josh that implicates Eve. And he implicates himself using a burner phone. Days later he believes he is with Eve and tries to rape Rachel.

PAGE 262- more non therapy. Josh cannot look at girls or date them at 17 years old

PAGE 291- The attempted rape of Rachel, his friend that Josh dreams its Eve and her violent sex games. Josh attempt with Rachel, according to book, he was not aware of his actions.

PAGE 323- The pressure from the cops to confess. Josh is so brainwashed into believing he will hurt Eve, he refuses to tell what happened to authorities.

PAGE 333-324- After watching a child, Josh suffering in court, Eve confesses to sexually abuse. Changes her plea to guilty. Goes to jail for 5 years.

PAGE 335- Josh still doesn't think he is a victim...

PAGE 337- 343 The husband of Eve, George, an adult, physically attacks Josh a 13 yo child. More guilt .

PAGE 347- Josh still cannot resume a "normal" teen relationship with Rachel Now Eve is getting out of jail, but Josh is still dealing with the trauma -- he's not only afraid to pursue girls, he also has bouts of violence and moments where he zones out uncontrollably. Additionally, Josh begins to worry that he will run into Eve in public.

Page 396-397- Conclusion; Josh seeks Eve out and of Eve telling Josh it was not his fault. His infatuation just disappears??!!! Josh and Rachel go to college...end

SEXUALLY EXPLICIT EXCERPTS- highlights, not all of them...:

173 "Do you want to kiss me, Josh?" Is that it? ..."I can't-I can't'-you're my teacher." I wanted to kill myself right then and there. After all this talk of me being so grown up and so not a kid! ..."I'm your friend, too. And friends tell each other things."

176 "Listen to me very carefully," she said on the way. "What we did was fine. We care about each other, and when people care about each other, they kiss. You know that, right? ...I was a little annoyed. I wasn't a baby. "Yes."..."But you know I could get in trouble for it, right? I mean, I could lose my job. I could go to jail." Her fingers strummed on the steering wheel. ..."I know." ..."So-and I know I've said this before-you can't tell anyone what we talked about or what we did. OK?" ..."Uh-huh." ..."Promise me, Josh. Promise me you'll never tell anyone." ...I promised. Why would I tell anyone? If I told anyone, they would know what I had thought and seen..."It's so selfish of me," she whispered, and her hand moved farther south. When she touched my belt, I hitched up a breath and jerked involuntarily. "Shh! Shh! she said. "It's OK." ..."I'm sorr-" I started to say, but then her hand went lower, touching me through my jeans. Oh, God! She knew! She knew I had an erection! I wanted to melt away from embarrassment then and there."..."Don't be sorry. What are you sorry for?" It had to be a rhetorical question, because she shoved her tongue into my mouth just then and I was helpless as she found my zipper and pulled it down. ...If I'd thought that the feel of her tongue on my ear or her nails on my naked chest were phenomenal, then I had absolutely no ides what to expect and no way to be prepared when her hand slipped into my fly. There was nothing tentative about it-her fingers didn't brush against me gently, they sought me out and grabbed. I groaned into Eve's mouth, was greeted with a groan in return. ...It only took a few seconds for her to navigate the fly of my boxers and then her fingers were on me directly. I saw explosions of light against my eyelids as my eyes squeezed tightly shut. Before I knew it, she had me out in the open and broke our kiss. ...I looked at her as she looked down into my lap. "Well," she said. "Well." ...And started to do to me what I had been doing to myself two, sometimes three, times a day. Only it was so much

better. ... "Can you..." She stopped. Stopped talking, that is. ... "What?" I was shocked I could even speak.... "Never mind," she whispered. "I want to be surprised." ... I didn't understand, but seconds later I didn't even understand how to breathe as a kaleidoscope of stars exploded behind my eyes, leaving fire trails like bottle rockets. ... Eve giggled a little and murmured something that sounded like, "That answers that."
191 The next day, on her sofa, she did something different. She fished me out of my fly and then, to my astonishment and complete disbelief, leaned down and took me into her mouth. I thought my eyes would melt out of their sockets.

194 On the side where she had bared her shoulder, her robe was still slipping down, until she was exposed on that side from her throat to midbelly, a perfect triangle of naked flesh that included one breasts. I started. I'd seen Zik's magazines, of course, and I'd seen the Happy Trio, and I'd seen R-rated movies at Zil's house, but I'd never in my life been within arm's reach like this.... "And this?" she asked in a husky voice. "So you like this?" ... There was only one answer, but I had no voice with which to give it. "Come here," she said, putting her arms around me again, her hands at my neck, pulling me toward her, pulling my head down, pulling my mouth to her.

204 I knocked at Eve's door. She opened the door in her slinky robe, her hair falling around her face and down to her shoulders.... She pulled me into the apartment and slammed the door, pressing herself against me, slippery and soft in the robe. She nibbled at my ear, breathing into it, gasping out her words. "Oh baby, I missed you. I missed you so much. I need you so bad." ... "Me, too." ... She dropped to her knees and unbuckled my belt, then skinned down my pants and underpants. I was ready for her already, and she dived down, darting her head like a starving bird. I hissed out my breath and clenched my fists and leaned my head back against the door. ... She stopped.

"Watched me," she groaned. "Watch." And she took my hands and put them on her head. I gripped her hair and looked down. She looked up at me, our eyes locked as she descended again.... And she did. From then on, we moved our sessions from the sofa to the bedroom... I learned every curve, nook, and niche of her body, every inch of smooth skin, every bump and turn. I learned what to touch, when to touch it, how to touch it, and for how long. I learned; I watched. ... I never, ever stopped thrilling to the sight each time I saw her naked. Every time, it was new. Never boring. Never old. ... She taught me how to make love and she taught me how to fuck and she taught me the difference. We ended up doing more of the latter than the former. ... One time, in the panting aftermath of our afternoon session, she lay on the bed in unconscious imitation of that Playmate from Zik's Playboy an eternity ago. ... "What are your numbers?" I asked her. ... She looked at me sleepily over her shoulder. "My what?" ... "Your numbers." I gestured at her chest, her waist. ... "Oh." She laughed. "Why do you care all of a sudden?" ... "Numbers are important." ... She relented at the seriousness in my expression. She took my hand and made me touch breast, waist, hip as she recited "Twenty-four, twenty-six, thirty-five." ... "Are those good numbers?" ... Her eyebrows shot up. "Well, I like to think so! What do you think?" And she sprawled out on the bed, unashamed... Later, we lay intertwined on the sofa while I played video games. She dozed, her robe open from throat to waist, her chest warm against my naked thigh.

206 That afternoon, after our usual session (she called it "petting," and she was letting me touch her freely now a stand-up triple, easy), she snuggled up to me on the sofa and let me copy her notes into my notebook so that I wouldn't fall behind. ... "Why don't you let me make you feel good, too?" ... "Do you want to, Josh?" ... "It just doesn't seem fair. You do all these things for me and I don't-" ... "But do you want to, Josh?" ... I got frustrated. Why didn't she understand? I wasn't talking about what I wanted to do or didn't want to do. I was talking about what was fair. About me always getting and never giving anything back. Feeling guilty for that. ... "Yes. I want to." ... That afternoon and for the rest of the week, she taught me her body. She was a very good teacher, and I suppose I was a good student ... A week or so later, she asked me if I wanted to see the Happy Trio again. ... "I want to do that," I whispered. ... Eve sat upright. "Are you sure?"

... I kept staring at the screen. Eve paused the DVD and made me look at her. "Are you sure that's what you want?" ... I swallowed. Was she saying that we could... She was married... "Yes," I whispered. I realized I was shaking. I had something else to say, something I could barely bring myself to say. I wanted to tell her that I wanted to do it with her, but I knew that was too far. Too much. She was married. Married people have sex with each other. I knew that much. ... "Yes," I said again. "But I don't know how." ... There were tears in her eyes. She held me tight to her and kissed me deep and long. "That's OK." Her tongue flicked at my ear. "I'll teach you." ... And she did. From then on, we moved our sessions from the sofa to the bedroom... I learned every curve, nook, and niche of her body, every inch of smooth skin, every bump and turn. I learned what to touch, when to touch it, how to touch it, and for how long. I learned; I watched. ... I never, ever stopped thrilling to the sight each time I saw her naked. Every time, it was new. Never boring. Never old. ... She taught me how to make love and she taught me how to fuck and she taught me the difference. We ended up doing more of the

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209 "Are you OK, Josh?" she asked me as we put fresh sheets on the bed. I was being quieter than usual, I guess. "Yeah." "Are you all right with what we're doing?" Her eyes and her voice were filled with concern "Yes. I'm fine with it." "Because if you want to stop—" "No. I don't want to stop." I couldn't tell her the truth: that I felt terrible for what I was doing. Guilty for making her do what I wanted. Guilty for making her do it my way. Guilty for making her cheat on her husband. She came to me and hugged me, our bodies still slightly sticky with sweat. She was a few inches taller than I, and my head nestled—perfectly, as if designed that way, she always said—in the hollow of her throat, just above her breasts. "I've been lying to you and I've been kissing Eve and I've been having sex and I've been FUCKING." I don't know how they could have missed it. They must have been complete idiots.

216 My thirteenth birthday was a Friday. Mom and Dad said I was too old for a big party with lots of people, so I invited Zik to spend the night instead. Of course, I went home with Eve first, and we celebrated in our own way. She gave me a card that said "I love you," but didn't sign it. I read it as we lay in bed together.

228 I sit on my bed for a minute, still feeling Rachel's kiss on my lips, my teeth, my tongue. I'm hard. I want to beat off, but I'm dead tired, exhausted mentally and physically. ...Forgiveness happens while you're asleep, while you're dreaming, while you're in line at the coffee shop, while you're showering, eating, farting, jerking off.

264 What Evelyn Sherman did to you wasn't about intimacy. There may have been times that she made you feel like it was, but it was all about satisfying her needs. You were a means to that end. You've had a lot of experience in the physical actions that comprise sex and sexuality, but you have next to no experience in the emotional component.

273 Honestly, as boner-inducing as Michelle is, it's still Rachel I can't stop looking at. I've secretly lusted after Michelle almost as long as I've understood what a penis is for, so her appearance tonight is nothing new.

283 If anything, we're the South Brook nightmare couple, the star softball pitcher and her freak boyfriend, the kid who fucked a teacher in seventh grade and has kept his head down ever since, the kid who beats the shit out of anyone who looks at him cross-eyed.

287 The TV is still going, playing some HBO special on sex, so there's a constant parade of naked fat people on the screen.

292 That it's not her fault, that she's beautiful and warm and sexy and that any man with a brain and a working cock would be an idiot not to yearn for her, not to worship every last inch of her.

300 "Mom, it wasn't Zik's fault. Me and Rachel were just playing." "Playing? Playing? You ripped her underwear off. You grabbed—I don't even want to say what you did, and you call it playing? Who taught you that? Where did you learn that? I know it was from Zik. His parents are letting you watch adult cable, aren't they?" "No, Mom! It wasn't Zik! I didn't know it was wrong. I was just playing like with E—" I stopped myself midsyllable, but it was too late.

342 "He fucked my wife!" George wailed

398 "When did you decide? How far along did things get before you decided you were going to have sex with me, Eve?" There's a thousand years before her answer: "The day we met, Josh. The first time I laid eyes on you."

399 I was molested. When I was twelve.

Dover School conduct and rules:

Policy Code

JIC excerpts that this book does not follow:

A. General Policy

The School Board is committed to promoting a safe, healthy, orderly and supportive school and learning environment. To achieve that for all, it is important for students to conduct themselves in a manner fitting to their age level and maturity, and with respect and consideration of other students, District personnel and other members of the community. Students are expected and required to maintain appropriate behavior that allows teachers and staff to perform their professional duties effectively and without disruption while on School District property or on property within the jurisdiction of the School District (including vehicles); and/or while attending or engaged in school activities.

B. Student Code of Conduct

The School Board delegates to the Superintendent, in consultation with the appropriate building Principal and counselors, the responsibility of adopting and implementing a Student Code of Conduct with such age-appropriate rules and regulations for each school as he/she deems necessary to implement the objectives of this policy, school-wide approaches; targeted supports for at-risk students; and individualized services for highest-needs students.

Code ACA A excerpts that this book does not follow:

A. Harassment

Harassment includes, but is not limited to, verbal abuse and other offensive conduct based on age, sex, gender identity, sexual orientation, race, creed, color, ancestry or national origin, marital status, familial status, physical or mental disability, religion or economic status. Harassment that rises to the level of physical assault, battery and/or abuse and bullying behavior

B. Sexual Harassment

Sexual harassment is addressed under federal and state laws/regulations. The scope and definitions of sexual harassment under these laws differ, as described below.

1. Title IX Sexual Harassment

Under the federal Title IX regulations, sexual harassment includes the following conduct on the basis of sex which takes place within the context of the school district's educational programs and activities:

- a. "Quid pro quo" sexual harassment by a school employee: Conditioning a school aid, benefit or service (such as a better grade or a college recommendation) on an individual's participation in unwelcome sexual conduct;
- b. "Hostile environment" sexual harassment: Unwelcome conduct based on sex that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies an individual's equal access to the school unit's educational programs and activities; or
- c. Sexual assault, dating violence, domestic violence and stalking as these terms are defined in federal laws.

2. Other Forms of Sexual Harassment

Some forms of sexual harassment may not meet the definition under Title IX (see paragraph 1, above) but is still prohibited under New Hampshire law.

The District defines other forms of sexual harassment as unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature in the following situations:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of a student's educational benefits;
- b. Submission to or rejection of such conduct by a student is used as the basis for decisions on educational benefits; or
- c. Such conduct has the purpose and effect of substantially interfering with a student's academic performance or creates an intimidating, hostile or offensive environment.

Does Dover School Code follow only laws they deem to fit a narrative or not? Yet the school allows them to see and read about such exemptions...

Code JICA excerpts that this book does not follow IN FACT PROMOTES:

4. Students CANNOT WEAR:

- Clothing with violent language or images.

- Clothing with images or language depicting or suggesting drugs, alcohol, vaping or paraphernalia (or any illegal item or activity).

- Clothing with hate speech, profanity or pornography.
- Clothing that reveals undergarments.

Code JIC excerpts that this book does not follow IN FACT PROMOTES:

A. General Policy

The School Board is committed to promoting a safe, healthy, orderly and supportive school and learning environment. To achieve that for all, it is important for students to conduct themselves in a manner fitting to their age level and maturity, and with respect and consideration of other students, District personnel and other members of the community. Students are expected and required to maintain appropriate behavior that allows teachers and staff to perform their professional duties effectively and without disruption while on School District property or on property within the jurisdiction of the School District (including vehicles); and/or while attending or engaged in school activities.

Code IHAMA excerpts that this book does not follow, IN FACT PROMOTES:

District personnel shall provide students, parents, and legal guardians with information and resources relative to existing drug and alcohol counseling and treatment for students. The Superintendent shall oversee the development, distribution, and maintenance of a comprehensive list of local, regional, statewide drug and alcohol counseling, and treatment resources which are available to district students. This information may be published in student/parent handbooks, posted on district websites, distributed along with other course material during drug and alcohol education, and shall be available through the principal's office, school nurses' office, athletic program offices, guidance offices and other locations deemed appropriate by the principal in each school. As part of the health education program for grades K – 12, the District shall provide aged and developmentally appropriate education based upon the needs of pupils and the community regarding the effects of alcohol and other drugs, abuse thereof, the hazards of using tobacco products, e-cigarettes, liquid nicotine and like suspensions, as well as the state laws and related penalties for prohibiting minors using or possessing such products. The Superintendent shall be responsible to establish and periodically review the District's guidelines for staff members providing such health education or education on such topics. An evidence-based prevention program, approved by the Superintendent, may be used for this purpose.

STATE CODE:

Section Ed 306.08 - Instructional Resources(a) The local school board shall require that each school:(1) Provides a developmentally appropriate collection of instructional resources, including online and print materials, equipment, and instructional technologies, that shall be current, comprehensive, and necessary to support the curriculum as well as the instructional needs of the total school population;

Laws this book breaks, below and other references:

Federal, NH State and Dover City laws

Federal

[https://www.justice.gov/criminal-ceos/citizens-guide-us-federal-law-child-pornography#:~:text=Section%202256%20of%20Title%2018,under%2018%20years%20of%20age\).](https://www.justice.gov/criminal-ceos/citizens-guide-us-federal-law-child-pornography#:~:text=Section%202256%20of%20Title%2018,under%2018%20years%20of%20age).)

18 U.S. Code § 2256 (3)

“producing” means producing, directing, manufacturing, issuing, publishing, or advertising;

Images of child pornography are not protected under First Amendment rights, and are illegal contraband under federal law. Section 2256 of Title 18, United States Code, defines child pornography as any visual depiction of sexually explicit conduct involving a minor (someone under 18 years of age). Visual depictions include photographs, videos, digital or computer generated images indistinguishable from an actual minor, and images created, adapted, or modified, but appear to depict an identifiable, actual minor. Undeveloped film, undeveloped videotape, and electronically stored data that can be converted into a visual image of child pornography are also deemed illegal visual depictions under federal law.

Notably, the legal definition of sexually explicit conduct does not require that an image depict a child engaging in sexual activity. A picture of a naked child may constitute illegal child pornography if it is sufficiently

sexually suggestive. Additionally, the age of consent for sexual activity in a given state is irrelevant; any depiction of a minor under 18 years of age engaging in sexually explicit conduct is illegal.

NH State Title LXII - CRIMINAL CODE

Chapter 649-A - CHILD PORNOGRAPHY

Section 649-A:1 - Declaration of Findings and Purposes.

I. "Child" means any person under the age of 18 years.

II. "Disseminate" means to import, publish, produce, print, manufacture, distribute, sell, lease, exhibit, or display.

III. "Sexually explicit conduct" means human masturbation, the touching of the actor's or other person's sexual organs in the context of a sexual relationship, sexual intercourse actual or simulated, normal or perverted, whether alone or between members of the same or opposite sex or between humans and animals, or any lewd exhibitions of the buttocks, genitals, flagellation, bondage, or torture. Sexual intercourse is simulated when it depicts explicit sexual intercourse that gives the appearance of the consummation of sexual intercourse, normal or perverted.

IV. "Visual representation" means any visual depiction, including any photograph, film, video, digital image, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where:

(a) The production of such visual depiction involves the use of a child engaging in or being engaged in sexually explicit conduct;

City of Dover law is as follows. The full description is in the link [below:https://ecode360.com/32591354](https://ecode360.com/32591354)

A. Predominantly appeals to the prurient interest of minors in sex, that is, an interest in lewdness or lascivious thoughts;

SEXUAL CONDUCT

Human masturbation, sexual intercourse, actual or simulated, normal or perverted, or any touching of the genitals, pubic areas or buttocks of the human male or female or the breasts of the female, whether alone or between members of the same or opposite sex or between humans and animals, any depiction or representation of excretory functions, any lewd exhibitions of the genitals, flagellation or torture in the context of a sexual relationship. Sexual intercourse is simulated when it depicts sexual intercourse which gives the appearance of the consummation of sexual intercourse, normal or perverted.

NEA CODE OF ETHICS broken by this book:

4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.

5. Shall not intentionally expose the student to embarrassment or disparagement.

7. Shall not use professional relationships with students for private advantage.

MORE STATE DEFINITIONS:

• ****"Abused child"** means any child who has been:

- Sexually abused;
- Intentionally physically injured;
- Psychologically injured so that said child exhibits symptoms of emotional problems generally recognized to result from consistent mistreatment or neglect;
- Physically injured by other than accidental means;
- Subjected, by any person, to human trafficking; or
- Subjected to female genital mutilation.

- **"Child"** means a person who has not reached his 18th birthday.
- **"Neglected child"** means a child:
 - Who has been abandoned by his parents, guardian, or custodian;
 - Who is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, when it is established that his health has suffered or is very likely to suffer serious impairment; and the deprivation is not due primarily to the lack of financial means of the parents, guardian or custodian; or
 - Whose parents, guardian or custodian are unable to discharge their responsibilities to and for the child because of incarceration, hospitalization or other physical or mental incapacity; provided, that no child who is, in good faith, under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof shall, for that reason alone, be considered to be a neglected child.
- **"Serious Impairment"** means a substantial weakening or diminishment of a child's emotional, physical, or mental health or of a child's safety and general well-being. The following circumstances shall be considered in determining the likelihood that a child may suffer serious impairment:
 - The age and developmental level of the child;
 - Any recognized mental, emotional, or physical disabilities;
 - School attendance and performance;
 - The child's illegal use of controlled substances, or the child's contact with other persons involved in the illegal use or sale of controlled substances or the abuse of alcohol;
 - Exposure to incidents of domestic or sexual violence;
 - Any documented failure to thrive;
 - Any history of frequent illness or injury;
 - Findings in other proceedings;
 - The condition of the child's place of residence;
 - Assessments or evaluations of the child conducted by qualified professionals; and
 - Such other factors that may be determined to be appropriate or relevant.
- **"Sexual abuse"** means the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual depiction of such conduct; or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children. With respect to the definition of sexual abuse, the term "child" or "children" means any individual who is under the age of 18 years.
- *N.H. Rev. Stat. Ann. §§ 169-C:3, 169-C:29, 169-C:30, 169-C:31, 169-C:32, 169-C:37, 169-C:39.

PEDOPHILIA AND NH:

A. Statutory Rape - Criminal Offenses

A child under 16 years of age is unable to consent to sexual intercourse with anyone other than his or her spouse.^[495]

REFERENCE DEFINITIONS:

Pedophile: The deriving of sexual gratification from sexual fantasies or acts involving a child.

Rape is a type of sexual assault involving sexual intercourse or other forms of sexual penetration carried out against a person without their consent. **(age of consent is 16 in NH, with exceptions)**

Pornography has been defined as sexual subject material "such as a picture, video, or text," that is considered sexually arousing.



DOVER SCHOOL DISTRICT

SAU 11

McConnell Center | 61 Locust Street, Suite 409 | Dover, NH 03820-4132
Phone: 603-516-6800 | Fax: 603-516-6809

Empowering all Learners

To: William Harbron, SAU11 Superintendent of Schools
From: Christine Boston, Chair, Book Reconsideration Committee
Re: Reconsideration Recommendation of *Boy Toy*
Date: 9/6/2023

I. Introduction

On Wednesday, July 26, 2023, the Book Reconsideration Committee was convened pursuant to Policy KEC to reconsider the book *Boy Toy* by Barry Lyga. The committee is comprised of the Assistant Superintendent, School Principal, Curriculum Administrator, Librarian, a teacher, and two community members. The challenger was notified of the committee meeting and invited to speak for 30 minutes to the committee regarding their challenge. This meeting was adjourned due to disruption and rescheduled for 8/16/2023. The challenger was notified of the date and time and did not attend the second meeting.

II. Challenger Standing

The challenger has standing on the grounds of Section II as the individual is a taxpayer residing in the City of Dover. Challenger alleges that the challenged material was acquired with public funds in violation of the law. Specifically, she alleges that the book promotes pedophilia and sexual assault of a minor, which in and of itself is a violation of the law.

III. Review Procedure and Analysis

The reconsideration process was conducted in accordance with Dover School Board Policies KEC and KEC-R. Each member of the committee read the book in its entirety. *Boy Toy*, which is housed in the Dover High School Library, was challenged for the following reasons, which were provided in the Citizen's request for Reconsideration of Instructional Materials form from procedure KEC-R as well as a written statement:

- Pedophilia
- Profanity
- Sexual Assault of Minor by a Teacher

This letter shall serve as our written report in accordance with procedure KEC-R.

This book was placed into the DHS Library consistent with past practices of library book adoption under the previous school librarian in 2008.

A. Book Summary

The book is a coming-of-age story about Josh Mendel, who was groomed and sexually assaulted by his teacher when he was 12 years old. The book chronicles Josh's journey to understanding the nature of what happened to him, the discrimination and harassment he faces from school staff after the abuse is adjudicated and how he handles his abuser being released from prison during his senior year of high school.

The book's author, Barry Lyga, has been recognized for this title by having it placed on the YALSA Best Books for Young Adults in 2008 and was also the recipient of a Cybil Award in 2007. The New York Times in a review written in 2008 notes that "*Boy Toy* is an unsettling read, but that is exactly what it ought to be" as it demonstrates the "collateral damage caused by child abuse".

B. Analysis

Boy Toy is reflective of materials "which reflect the cultural diversity and pluralistic nature of the American Society" as stated in Dover School District Policy IJ. Unfortunately, there are students in the Dover School System who are victims of sexual abuse. This story is a fictional account of one child's experience. It does not glorify sexual abuse of minors and it does not condone it: it merely reflects the sad reality that it happens in our society. In New Hampshire, the current list of Revoked Educator Credentials from the NH Department of Education includes 87 actions for inappropriate conduct with a student. *Boy Toy* reflects the experiences of some students who have been victimized by adult behavior. This District has experienced multiple incidents of students being sexually assaulted and groomed by adult authority figures, including one highly publicized incident in the past 18 months.

The Committee found literary value in the book. The book is classified as Young Adult Fiction and deals with contemporary themes of the protagonist experiencing moral and psychological growth. The book is written for young adult readers and uses contemporary context to deal with a very serious and unfortunately real subject matter. The story line shows the protagonist's growth as he matures and comes to terms with the impact of the abuse and the public nature of a trial involving a teacher in a community.

The book does include strong language and reference to sexual activity; however, the author and storyline do not promote sexual activity and the reference is necessary for the reader to understand Josh's confusion and self-blame around the grooming and assaults. These references are framed as "flash backs" to the assaults and grooming and are not pornographic or obscene by being gratuitous or patently offensive. This also provides the reader with the opportunity to examine the boundaries of appropriate and inappropriate relationships between youth and adults, and especially adults in authority positions. The relationship between Josh and Rachel also allows the reader to appreciate the importance and protective factors of strong friendships and bystander support/interference.

IV. Recommendation

The committee agrees that removing this book would prevent access to ideas, viewpoints, and opinions for all students based on the opinions of some. As stated in Dover School District Policy IJ, the library must "provide materials...which reflect the cultural diversity and pluralistic nature of the American Society." While the topic is uncomfortable, it cannot be ignored that this type of grooming and abuse does happen to students and young adults in our community. The committee agrees that this book is not appropriate for all DHS students; however, this book is not required reading. School libraries are responsible for circulating books which reach a wide range of appeal, viewpoints, and abilities. While *Boy Toy* has mature content, the words and descriptions are familiar to the majority of students at DHS, and the book contains sufficient literary value to merit its continued inclusion in the DHS Library.

The committee thoroughly reviewed *Boy Toy*, SAU 11 Policies, as well as the challenger's written request for removal. The recommendation of the committee is to not remove *Boy Toy* by Barry Lyga from the Dover High School Library.



DOVER SCHOOL DISTRICT SAU 11

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Empowering all Learners

October 3, 2023

VIA EMAIL

Julie Porter
[REDACTED]

Dover, NH 03820

Re: Request for Reconsideration of Boy Toy by Barry Lyga

Dear Ms. Porter:

I am writing to provide you with the final, staff-level determination concerning your request to reconsider Boy Toy by Barry Lyga, which is currently part of the Dover High School library collection.

I have now had a chance to read Boy Toy, consider the materials you submitted, and review the written findings and recommendation of the staff advisory committee. I enclose with this letter a copy of that committee's recent written findings and recommendation, which I am hereby adopting in full. For the reasons outlined therein and below, I have decided against removing Boy Toy from the Dover High School collection. My determination is based on the literary and social value of the book as compared to the age-appropriateness concerns you have outlined.

Boy Toy has significant literary value and cultural relevance. Boy Toy tells the story of a high school student who is a past victim of teacher-student sexual misconduct (molestation), and who is seeking to come to terms with it. As we all know, many maturing high school students frequently have to confront the topic of sex. Unfortunately, sexual molestation remains a reality in today's society. Stories such as Boy Toy can help students gain insight and understanding about themselves and others. It is not uncommon for books read by high school students to contain some adult themes.

I understand and acknowledge your personal concerns over Boy Toy. I do not mean to minimize or criticize your personal views or what you believe is best for your family, but I cannot conclude the sex-related content in Boy Toy is inappropriate or warrants removing the book. Boy Toy does not condone or encourage molestation of students by teachers. While no doubt some readers may find portions of the book uncomfortable and distasteful, Boy Toy is not mandatory reading and those who may be offended can opt not to read it.

This letter constitutes the final staff-level determination concerning Boy Toy. I know this is not the outcome you hoped for, but rest assured the Dover School District takes all book acquisitions and requests for reconsideration very seriously. Staff members and others have devoted many hours to reading and evaluating Boy Toy. I also feel compelled to observe that the Dover School District is fortunate to have highly experienced, well-qualified professional librarians to curate library content.

If you wish to appeal, then Dover School District policy KEC enable you to appeal my determination to the Dover School Board. To pursue an appeal, KEC requires that you notify me of your intent to appeal no later than 20 calendar days of the date of this letter.

Very truly yours,

William Harbron, Ed.D.
Superintendent

Enclosure
cc: File

Joshua M. Wyatt
City Attorney
j.wyatt@dover.nh.gov

Jennifer R. Perez
Deputy City Attorney
j.perez@dover.nh.gov



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City of Dover, New Hampshire
OFFICE OF CITY ATTORNEY

April 27, 2023

VIA ELECTRONIC MAIL
[REDACTED]

Julie P.

Re: **91-A Request of April 19, 2023**

Dear Julie:

We are in receipt of your request seeking the following documents pursuant to RSA 91-A described as:

"I am in the process of preparing for the book I challenged in the DHS library, Boy Toy about a 12 yo boy repeatedly raped by his teacher, a woman.

My request needed is the supporting data to support my challenge.

- 1. All instances of teacher /student rape in the past 5 years. No names just date, age and gender**
- 2. All instances of rape of a minor, under 18 in Dover in the past 5 years. No names, just date, age and gender.**
- 3. Reference to city/state law on pedophilia."**

As an initial matter pursuant to RSA 91-A:4 the City is not required to "compile, cross-reference, or assemble information into a form in which it is not already kept." The City has conducted a search of its records and does not have records in the format you requested. However, in response to your first request the City has no records or reports of the sexual assault of a student by a teacher. For request number two the City has the following number of sexual assaults reports in which the alleged victim was under the age of 18: 34 in 2018, 40 in 2019, 29 in 2020, 35 in 2021, 35 in 2022, and 9 in 2023 to date. This is simply the number of reports per year related to an offense that would be covered under NH RSA 632 in which the alleged victim was under the age of 18. Many of these are determined not to be crimes or are unfounded.

Finally, in response to your third request, there are various laws that you may have in mind. For example, RSA 649-A (Child Sexual Abuse Images), RSA 651-B (Registration of Criminal Offenders), RSA 632-A (Sexual Assault and Related Offenses), and RSA 135-E (Involuntary Commitment of Sexually

Violent Predators) may be of interest to you. Also, be aware that the term "rape" is not used in these statutes because "sexual assault" is the term that New Hampshire uses for this category of crime. If you are interested in further legal research on this matter the NH Law Library in Concord could be helpful.

Thank you.

Sincerely,

/s/ Jennifer R Perez
Jennifer R Perez
City Attorney

JRP/pm

cc: J. Michael Joyal, Jr., City Manager
Joshua M. Wyatt, City Attorney

A letter to address Boy Toy and other adult content.

My name is Betsy Harrington and I am a therapist. I received my Masters Degree in social work from UNH in 2000. I have worked as a sex offender counselor at the NH State Prison in Concord. I also have two children in high school. I have professional experience in sex education and mental illnesses related to sex abuse and gender identity.

My son told me about what he found in his own school library, so I started to look. I have read the book Boy Toy. I found it to be developmentally and age INAPPROPRIATE for a K-12 school environment. I would suggest that an unprepared child could be legitimately harmed by this content. Normalizing the crossing of sexual boundaries IS the grooming of children. They are not fully mature and don't process explicit sexual information the same way as adults. They can be traumatized and turned off by sex altogether or they can be entranced and become porn addicts quite quickly.

I suggest Boy Toy, and similar books with clear adult content, be vetted to its proper place, the adult section. We don't provide "Penthouse Stories" for good reason. This IS a "Penthouse Story". Think of the title and what the book is about. It's about a teacher sexually abusing a child. A boy toy.

We literally create an early childhood adverse event for some kids reading this. These adverse events add up to a serious mental illness. Schools shouldn't be providing age inappropriate content. It is honestly adding to our existing mental health crisis. Parents expect schools and their libraries to be a safe place with educational learning materials available, not pornographic stories and pictures.

There is also an added unnecessary liability on the school. You are knowingly providing damaging materials to children. As someone who worked as a sex offender counselor, I can tell you that almost all of my clients had exposure to sexual content early in childhood. There is no inherent value in keeping such explicit content in a student library. I urge you to read the book and consider the age group it's truly appropriate for. Boy Toy is adult content only.

Betsy Harrington, MSW
Deering, NH