

# Davis School District Policy and Procedures

**Subject: 4I-202 School Library Media Centers**

**Index: Instructional Programs**

**Revised: September 6, 2023**

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## PURPOSE AND PHILOSOPHY

School library media centers in the Davis School District (District) exist to provide resources to enhance student learning. This policy specifies the process for selection and maintenance of library materials to provide balanced, relevant, age appropriate, and varied resources for students. The policy also outlines the process of identifying materials for removal from school libraries due to sensitive material which is not allowed by Utah Code Ann. §53G-10-103.

## 1. SELECTION OF MATERIALS

Selection of resources for the school library's collection is an ongoing process of creating a collection that reflects a diversity of ideas and adheres to the law. School library media centers shall provide a broad range of educational, informational, and recreational reading resources.

### 1.1 Responsibilities

- 1.1.1 The District Teaching and Learning Director shall establish procedures for the selection and acquisition of each school's library collection which includes guidance on process, criteria, donations, and inventory.
- 1.1.2 The School Library Media Professional (Librarian) will oversee selection of all library materials consistent with this policy.
- 1.1.3 Each school shall form a School Library Committee (School Committee) which includes an odd number of members not less than 5 people. The School Committee shall include:
  - [a] the Librarian who serves as chair of the School Committee;
  - [b] a school administrator; and
  - [c] a minimum of three parents with standing (see 4.2.1).
- 1.1.4 The School Committee works collaboratively with the librarian in selection and maintenance of school library materials. Sensitive Material Reviews are not conducted by the School Committee. The process for Sensitive Material Reviews is outlined in section 4 of this policy. This does not preclude a School Committee from removing a material for non-compliance with Utah law as part of regular collection maintenance processes outlined in section 2.
- 1.1.5 In consultation with the District Teaching and Learning Director, the school principal may determine if the School Committee should include additional members. If additional members are added, the number of parents on the School Committee must exceed the number of employees on the School Committee. No two members on the committee may be members of the same household.
- 1.1.6 One parent on the School Committee shall be a member or appointee of the school community council. One parent on the School Committee shall be a member or appointee of the school's PTA/PTO. One parent member shall be appointed by the school administrator. Any additional parents shall be selected by a lottery of applicants.

- 1.1.7 The Teaching and Learning Director will provide procedural guidance to Community Council, PTA/PTO, and school administrators for selecting parents. Parent members of the school committee will serve for 2 years, or until their standing (as defined in 4.2.1) expires in the school.

## 1.2 Selection Process

- 1.2.1 In selecting materials, the Librarian shall:
  - [a] seek approval from the School Committee;
  - [b] seek materials which reflect diversity of ideas and perspectives;
  - [c] include only materials which comply with Utah Code Ann. §53G-10-103; and
  - [d] consider materials suggested by students, parents, and faculty.
- 1.2.2 Electronic databases and other web-based content accessed via the District's network or a district-provided device, shall be filtered through the Davis School District's internet filtering system.
- 1.2.3 Gifts and donations will be reviewed then accepted or rejected using the same criteria as purchased materials.
- 1.2.4 The final decision for material selection rests with the School Committee and shall be based on the following criteria:
  - [a] overall purpose and educational significance;
  - [b] compliance with Utah Code Ann. §53G-10-103;
  - [c] age and developmental appropriateness;
  - [d] timeliness and/or permanence;
  - [e] readability and accessibility for intended audience;
  - [f] artistic or literary quality and style;
  - [g] quality and value in consideration of cost and/or need;
  - [h] materials which support the needs of English language learners;
  - [i] materials which strengthen students' sense of being part of a world community;
  - [j] materials which explore historical events and ethnic diversity;
  - [k] materials which promote a love of reading for life-long learning; or
  - [l] materials which include a variety of formats and genres and meets multiple reading purposes (enjoyment, acquisition of knowledge, answering questions, and personal growth).
- 1.2.5 The Teaching and Learning Director or designee will train librarians on procurement of materials and options for seeking committee approval. Committee approval should be sought in a way that facilitates procurement without cumbersome oversight or lengthy procedures.

## 1.3 Library Catalog

- 1.3.1 The District will provide an online catalog which gives public access to the following information about each school library's materials collection:
  - [a] the name of the school;
  - [b] the title and author of the materials in the library; and
  - [c] all available formats of the material (digital/hard copy/etc.)

## 2. MAINTENANCE OF LIBRARY COLLECTION

Maintenance of the library collection is essential to maintain high-quality, relevant, and up-to-date library material. Library materials will be maintained consistent with the criteria listed in 2.2.4, and state and federal laws.

### 2.1 Removal and Replacement

- 2.1.1 The District shall establish procedures for the deselection of each school's library collection.
- 2.1.2 In consultation with the School Committee, the Librarian should periodically review the collection to determine which materials should be removed or replaced as part of regular collection maintenance. This review should take place at least once per year.
- 2.1.3 In making determinations for removal and/or replacement, the Librarian, in consultation with the school committee, may consider whether the material:
  - [a] is in poor physical condition in consideration of replacement availability/cost;
  - [b] is outdated, inaccurate, or no longer relevant;
  - [c] has low student checkouts; or
  - [d] is not compliant with Utah Code Ann. §53G-10-103.

## 2.2 Parental Restriction of Individual Student Access

- 2.2.1 The librarian and the School Committee strive to have a library collection that all students and parents consider appropriate. Nevertheless, the District recognizes the right of parents under state law and District Policy *11IR-107 Recognizing Constitutional Freedoms in Public Schools*, to restrict their child's access to materials the parent deems inappropriate. However, parents do not have the right to make that determination on behalf of other parents and students. A parent desiring to restrict their own child's access to specific library materials shall submit the request in writing (or via email) to the Librarian at the school their child is currently attending. If the material is a required part of classroom curriculum activities, the parent must follow the procedures for waiver contained in *11IR-107 Section 14*.

## 3. SENSITIVE MATERIALS REVIEW PROCESS

If a parent, student, staff member, or board member feels that a specific library material contains sensitive material, they may request that the material be considered for removal. This section outlines the process for requesting and processing sensitive materials reviews and communicating and implementing decisions from the review process.

### 3.1 Responsibilities

- 3.1.1 The District Teaching and Learning Director or designee will oversee the processing of all Sensitive Materials Review Requests.
- 3.1.2 The District Teaching and Learning Director shall establish a Specialized Sensitive Materials Review Committee (Specialized Committee), and one or more Standard Sensitive Materials Review Committees (Standard Committees),
- 3.1.3 The Specialized Committee has 7 voting members. Each Specialized Committee includes:
  - [a] a facilitator appointed by the Superintendent who oversees and supports the committee's process and serves as a non-voting member of the committee.
  - [b] a District administrator appointed by the Superintendent;
  - [c] a licensed teacher who is teaching English Language Arts or other relevant subject in a District school;
  - [d] a librarian who works in a District school; and
  - [e] four parents with students enrolled in a District school.
- 3.1.4 Standard Committees have 7 voting members. Each Standard Committee includes:
  - [a] a facilitator who oversees and supports the committee's process and serves as a non-voting member of the committee.

- [b] at least one educator or administrator working in a District department or school;
  - [c] a licensed teacher who is teaching English Language Arts or other relevant subject in a District school;
  - [d] a Librarian who works in a District school; and
  - [e] four parents with students enrolled in a District school.
- 3.1.5 Except as noted in 3.1.3[a] and [b], employee members of committees will be selected by the District Teaching and Learning Director.
- 3.1.6 Each school community council will select a parent to be included in the Appointed Parent Pool each year.
- [a] Two parent members on the Specialized Committee and two parent members on each Standard Committee will be randomly selected from the Appointed Parent Pool.
  - [b] The Teaching and Learning Director will provide procedural guidance to community councils as they select a parent who represents the school community for inclusion in the Appointed Parent Pool.
  - [c] If there are insufficient applications to complete the random selection process, remaining parent positions will be selected from the Lottery Parent Pool.
- 3.1.7 Parents of students in the District may submit a form each year requesting inclusion in the Lottery Parent Pool.
- [a] Two parent members on the Specialized Committee and two parent members on each Standard Committee will be randomly selected from the Lottery Parent Pool;
  - [b] If there are insufficient applications to complete the random selection process, remaining parent positions will be selected from the Appointed Parent Pool.
- 3.1.8 Specialized Committees will meet monthly throughout the school year. As determined by the Teaching and Learning Director, Specialized Committees may continue their service for more than one school year, or they may be disbanded at the end of a school year.
- 3.1.9 The Teaching and Learning Director will determine the number of active Standard Committees needed. As determined by the Teaching and Learning Director, Standard Committees may convene and disband throughout the year to expedite the requested reviews. Standard Committees may continue their service for more than one review during a school year, or they may be disbanded at the conclusion of a review. Standard Committees are disbanded at the end of a school year.

### 3.2 Requests for Review

- 3.2.1 “Standing” means a requester’s right to request a Sensitive Materials Review for a library media resource at a school and is limited to the following:
- [a] Students have standing in schools where they are currently enrolled.
  - [b] Parents and guardians have standing in schools where their students are currently enrolled and attending.
  - [c] District employees have standing in the schools where they have professional responsibilities.
  - [d] School board members have standing for schools where their constituents are enrolled.
- 3.2.2 A person may submit a Sensitive Materials Review Request for a specific library material which is in the library of the school where the person has standing.
- [a] The request must be submitted using the District’s *Sensitive Materials Review Request Form*.
  - [b] Information provided on the form must reflect the person’s own words and perspectives. If a form is submitted with external links or incomplete information, the facilitator may return it as invalid until corrected and resubmitted.

- 3.2.3 If a specific library material is the subject of multiple Sensitive Materials Review Requests prior to the completion of the initial review process, the facilitator will share information from all requests with the Specialized or Standard Committee for consideration.

### 3.3 Timeline and Decisions

- 3.3.1 Specialized Committees will make a determination for a reviewed material as follows:
- [a] Retained: the determination to maintain access in a school setting to the reviewed material for all students.
  - [b] Removed: the determination to prohibit access in a school setting to the reviewed material for all students.
  - [c] Under Further Review: the determination to maintain access in a school setting while the material is reviewed in its entirety by a Standard.
- 3.3.2 Standard Committees will make a determination for a reviewed material as follows:
- [a] Retained: the determination to maintain access in a school setting to the reviewed material for all students.
  - [b] Removed: the determination to prohibit access in a school setting to the reviewed material for all students.
  - [c] Parental Permission Required: the determination to allow access in a school setting to the reviewed material for students with written parent permission.
- 3.3.3 Since library materials differ widely, the time required to complete the review process will differ depending on the material under review.
- [a] Specialized Committee reviews will ideally be completed within 30 days of the review request. If this timeframe is not possible, the facilitator will communicate the adjusted timeline to the person submitting the request.
  - [b] Standard Committee reviews require additional time. For these reviews, the committee's facilitator will establish an estimated timeline to allow for completion of the review and communicate the timeline to the person who submitted the request.
  - [c] If a review cannot be completed prior to the end of a school year, the review process will be suspended at the end of the school year and resume when the following school year begins.
- 3.3.4 Except in cases described in 3.4.5 of this policy, Specialized and Standard Committee determinations apply at the school level (elementary, jr. high, high school) for which the review request was submitted.
- [a] Determinations to restrict or remove a material apply to all schools at that level, and all schools at lower levels.
  - [b] Determinations to retain a material apply to all schools at that level and all schools at higher levels.
  - [c] Determinations to require parental permission for students to view a material apply to all schools at that level, and all schools at lower levels.
- 3.3.5 Specialized and Standard Committee members will vote using an anonymous ballot, and the decision will be determined by majority vote.
- 3.3.6 Specialized and Standard Committee members will be asked to offer an anonymous statement of rationale for their vote.
- 3.3.7 Specialized Committee determinations to remove a material will stand indefinitely or until changes in Utah code or this policy require reconsideration. Specialized Committee determinations to retain a material will stand for the three full school years following the decision; during which time the material may not be reviewed again.

- 3.3.8 Standard Committee determinations will stand for the three full school years following the decision; during which time the material may not be reviewed again. If after three years, a librarian wishes to add a material that was previously removed or to no longer require parental permission for student access, they will follow the selection process outlined in section 1.2 of this policy.
- 3.3.9 The Teaching and Learning Director or designee will communicate committee decisions and rationale to the requestor and all Librarians within 10 school days of the decision.
- 3.3.10 The Teaching and Learning Director or designee will maintain an online list of all materials that are reviewed and the associated determination with anonymous votes and statements of rationale from committee members within 10 school days of the decision.
- 3.3.11 The Teaching and Learning Director will establish procedures to facilitate the prompt resale, recycling, or disposal of materials which are identified for removal.

#### **3.4 Review Process and Considerations**

- 3.4.1 The Teaching and Learning Director or designee will acknowledge receipt of each review request to the requestor within 10 school days of submission.
- 3.4.2 The Teaching and Learning Director or designee will maintain an online list of materials under review which includes an invitation for patrons to submit written comment during the first 10 school days of the review process. Public comment will be accepted from any community member who lives within the geographic boundary of Davis School District or any employee of Davis School District.
- 3.4.3 At each monthly meeting, the Specialized Committee will consider new requests for which the comment period has ended. If the number of requests exceeds the number which can be reviewed during the meeting, the facilitator may determine to address some requests in the following meeting of the Specialized Committee.
- 3.4.4 The Specialized Committee conducts reviews for all requests to determine whether materials under review contain sensitive material as defined by Utah Code Ann. §76-10-1227(1)(a)(i),(ii), or (iii).
  - [a] If a material is determined to contain sensitive material as defined by Utah Code Ann. §76-10-1227(1)(a)(i),(ii), or (iii), the material will be removed from all school libraries.
  - [b] If a material is determined to not contain sensitive material as defined by Utah Code Ann. §76-10-1227(1)(a)(i),(ii), or (iii), the Specialized Committee will determine whether the material should be retained or, if the request warrants further review, by a Standard Committee.
- 3.4.5 If the Specialized Committee determines that a material contains sensitive materials defined by Utah Code Ann. §76-10-1227(1)(a)(i),(ii), or (iii), the removal decision is implemented immediately and applies at all schools in the district. If a Standard Committee determines that a material should be removed based on other criteria, the decision is implemented either;
  - [a] Upon expiration of the appeal window if no appeals are received; or
  - [b] Upon completion of the appeal process if appeals are received.
- 3.4.6 Standard Committees will convene as soon as possible after a material is advanced for further review by the Specialized Committee. The facilitator will schedule meetings as needed for the Standard Committee to review the material in its entirety, discuss the request, and make a determination.

- 3.4.7 Standard Committees will determine whether the material constitutes sensitive material consistent with Utah Code Ann. §53G-10-103, this policy, and the guidance letter provided by the Utah Attorney General's Office on June 1, 2022.
- 3.4.8 In deciding whether a reviewed material contains sensitive material, the Standard Committee shall consider all definitions of sensitive material defined in Utah Code Ann. §53G-10-103 which were not already considered by the Specialized Committee. The Standard Committee shall include consideration of any serious literary, artistic, political, or scientific value of the material as a whole for minors.
- 3.4.9 In determining whether a material has serious literary, artistic, political, or scientific value for minors, the Standard Committee shall use their own experience and background and an assessment of community standards as they consider:
  - [a] the work as a whole; and
  - [b] timeliness and/or permanence of the work in the community; and
  - [c] readability and accessibility for intended audience; and
  - [d] artistic or literary quality and style; and
  - [e] reliable reviews of the material from objective sources; and
  - [f] serious value does not mean any value; and
  - [g] materials in elementary schools may be more restricted than in jr. high or high schools.
- 3.4.10 Specialized and Standard Committee members will receive training from the Teaching and Learning Director, District Legal Counsel, and the Assistant Superintendent over Teaching & Learning on the requirements identified in this policy. Materials for this training will be published on the District library media website.
- 3.4.11 Specialized and Standard Committee members will receive materials needed to complete the review process including the following:
  - [a] the complete work which is being reviewed;
  - [b] a copy of the submitted Sensitive Materials Review Request Form;
  - [c] a copy of this policy;
  - [d] relevant information about the title compiled by the facilitator; and
  - [e] text of all comments provided during the comment period.
- 1.1.1 The facilitator of Specialized and Standard Committees will ensure that committee members' anonymous votes and statements of rationale are retained and submitted to the Teaching and Learning Director or designee along with the a statement of the committee's final determination.

### **3.5 Status of Materials While Under Review**

- 3.5.1 A material's access level will be consistent and equivalent to access level prior to review request in all schools until a determination is made regarding the material. If a Specialized Committee determines that a material does not contain sensitive material as defined by Utah Code Ann. §76-10-1227(1)(a)(i),(ii), or (iii), but that the request warrants further review by a Standard Committee, the material is given a status of "Parental Permission Required" while a Standard Committee conducts a review of the material and makes a designation.

### **3.6 Privacy of Individuals**

- 3.6.1 The identity of a person submitting a request for review or appeal will not be disclosed publicly or to members of the Specialized or Standard Committees. The facilitator will retain access to the name and contact information of the requestor in order to verify standing and communicate timelines and decisions.

- 3.6.2 The identity of Specialized and Standard Committee members will not be disclosed publicly or to the person who requested the review. The Committee member's role, vote and statements of rationale will be retained, but their identity will not be noted in the documentation of the Committee's work. Committee facilitators will receive instruction on their responsibilities related to documentation of the committee's work and open records laws.

### 3.7 Appeals

- 3.7.1 The original requestor or another individual with standing may appeal the determination of a Specialized or Standard Committee using the District's *Sensitive Material Appeal Request Form* according to the following guidelines:
- [a] An appeal may not be submitted by a member of the original Specialized or Standard Committee.
  - [b] A person may submit up to two appeal requests each academic year.
  - [c] An appeal must be submitted within 30 school days of the date when the Committee's original determination was posted to the website as required in section.
  - [d] An appeal request must state how the rationale or outcome of the review process violates policy or clearly articulate why a further review of the material in question is justified. If an appeal request is submitted with external links or incomplete information, the facilitator may return it as invalid until corrected and resubmitted.
- 3.7.2 If no appeal is submitted in accordance with 3.7.1, the determination is final for the reviewed material.
- 3.7.3 In accordance with Board Policy 1B-015, the President of the Davis School District Board of Education will appoint an Appeals Committee consisting of three board members.
- 3.7.4 The Assistant Superintendent over Teaching and Learning will provide all materials needed for the appeals process including the following:
- [a] a copy of the material;
  - [b] a copy of the original Sensitive Materials Review Request Form;
  - [c] a statement of Standard and Specialized Committee determinations;
  - [d] Standard and Specialized Committee member votes and statements of rationale; and
  - [e] text of all comments provided during the comment period.
- 3.7.5 In consultation with the Assistant Superintendent, the Appeals Committee will determine the timeline for completion of the appeal process. Ideally, the timeline will allow for completion of the appeal process within 60 school days of the conclusion of the appeal window. If a 60-day timeline will not be possible, the Assistant Superintendent will communicate the adjusted timeline to the person submitting the request.
- 3.7.6 The status of a material based on 3.4.5 of this policy will remain consistent during the appeal process.
- 3.7.7 The Appeals Committee will make a recommendation for an appealed material as follows:
- [a] Retained: the determination to maintain access in a school setting to the reviewed material for all students.
  - [b] Removed: the determination to prohibit access in a school setting to the reviewed material for all students. Parental Permission Required: the determination to allow access in a school setting to the reviewed material for students with written parent permission.
- 3.7.8 The recommendation of the Appeals Committee will be determined by majority vote.



- 3.7.9 The Appeals Committee will present their recommendation to the full board for approval during a board meeting where the final decision on the appeal will be determined by majority vote of the board.
- 3.7.10 The Director of Teaching and Learning or designee will inform the requestor and Librarians of the results of the appeal within 15 school days of the decision.
- 3.7.11 Appeal decisions to remove a material due to sensitive materials defined by Utah Code Ann. §76-10-1227(1)(a)(i),(ii), or (iii), will stand indefinitely or until changes in Utah code or this policy require reconsideration. For all other appeal decisions, the material may not be reviewed again for three full school years following the decision.

#### 4. COMMUNICATION AND TRAINING

##### 4.1 Communication

- 4.1.1 The District will maintain a library media website which contains the following information:
  - [a] The District's Sensitive Materials Review Request Form;
  - [b] The District's Sensitive Materials Appeal Request Form;
  - [c] Information on how to request membership on a Specialized or Standard Committee;
  - [d] This library policy and related procedures documents;
  - [e] A list of materials currently under review;
  - [f] A list of ongoing appeals;
  - [g] A list of all completed reviews and appeals with the date, decision, vote tallies, and anonymous rationale statements from committee members; and
  - [h] A link to an online catalog of library materials at each school.

##### 4.2 Training

- 4.2.1 The District Teaching and Learning Department shall ensure that all employees with responsibility for library media materials receive training on this policy and its supporting procedures.

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#### RELATED POLICIES AND MEMOS

[11IR-107 Recognizing Constitutional Freedoms in Public Schools](#)  
[Attorney General's Memo June 1 2022](#)  
[HB0374 - Sensitive Materials in Schools](#)  
[Utah Code Section 53G-10-103 - Sensitive Instructional Materials](#)  
[Utah Code R277-700 - The Elementary and Secondary School General Core](#)

#### GUIDANCE DOCUMENTS AND FORMS

[Request Review of Sensitive Library Materials Form](#)  
[Parent Lottery Sensitive Materials Form](#)  
[Appeal of Sensitive Materials Form](#)

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#### DOCUMENT HISTORY:

**Adopted: September 17, 2013**

**Revised: July 22, 2015** – Update references from “books” to “materials” and change DLC Supervisor to District Supervisor.

**Revised: November 4, 2020 (by consent)** – Five-year review. Non-substantive changes.

**Revised: September 6, 2022** – Complete policy revision to comply with HB 374 (2022), guidance from

the Utah Attorney General, and USBE Model Library Policy.

**Revised: September 6, 2023** – Revised to include needed changes noted after the first year of implementation since the September 6, 2022 revision.