

INSTRUCTIONAL RESOURCES
LIBRARY MATERIALS

5.6.2
(LOCAL)

Definitions

For purposes of this policy, library materials, whether held in a formal school library or in a classroom, are defined as electronic, print, and nonprint resources, excluding textbooks and other instructional materials covered by policy 5.6.1, for independent use by students and faculty outside of the District's core educational program.

Objectives

Since school and classroom libraries are viewed as places for voluntary inquiry, library materials must be treated differently from instructional materials used in classroom instruction. This policy provides criteria for the selection, removal, and replacement of library materials, focused on maximizing transparency with parents and community members while meeting student needs to provide supplemental enrichment in their learning with appropriate materials. Through the provision of these library materials, the District shall recognize that parents hold an essential role in the education of their children and have the right to guide what their children read.

The District shall apply the standards, dimensions, and expectations as defined by rule 13 Administrative Code 4.1 [see any related guidance including the Texas State Library and Archives Commission's (TSLAC's) [Guidance for School Libraries on Collection Development](#),¹ as well as the [School Library Programs: Standards and Guidelines for Texas](#),² to evaluate and set goals for the school library collection in alignment with Board-approved policies and procedures.

Avoiding Inappropriate Material

In addition to the above criteria for selection, all material should be appropriate for students. Penal Code 43.24(a)(2) describes harmful material as material whose dominant theme taken as a whole:

1. Appeals to the prurient interest of a minor, in sex, nudity, or excretion;
2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and

¹ TSLAC's Guidance for School Libraries on Collection Development: https://www.tsl.texas.gov/sites/default/files/public/tslac/agency/exec/TSLAC_Guidelines_for_SL_Collection_Development_2022.pdf

² School Library Programs: Standards and Guidelines for Texas: <https://www.tsl.texas.gov/ldn/schoollibrarystandards>

INSTRUCTIONAL RESOURCES
LIBRARY MATERIALS

5.6.2
(LOCAL)

3. Is utterly without redeeming social value for minors.

It is an offense in Texas to distribute this material in violation of Penal Code 43.24(b). No library material shall be used if it contains content that can meet the harmful material standard. Finally, collection development policies must demonstrate a commitment to compliance with the Children's Internet Protection Act (CIPA) as specified in 47 U.S.C. 254(h)(5), including technology protection measures. [See 3.17]

Responsibility for Selection

The legal responsibility for the purchase of all library materials is vested in the Board. The Board shall provide final approval for all new materials added to the library. Recommendations for new material and reorders of existing materials shall be made by the District-level library supervisor or similar administrator designated by the Superintendent. This individual, with the assistance of other school personnel, shall discharge this obligation consistent with the Board's adopted selection criteria and procedures.

Criteria for Selection

Professional staff shall ensure that library materials:

4. Enrich and support the curriculum consistent with the general educational goals of the state and District, the aims and objectives of individual schools and specific courses, consistent with the District and campus improvement plans, as well as the District strategic plan.
5. Are appropriate for the subject area and for the age, ability level, learning styles, interests, and development of the students for whom they are selected.
6. Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives. [See also policy 5.13.2 regarding instruction about controversial issues.]
7. Promote literacy.
8. Meet high standards in presentation, format, readability, content, accuracy, artistic or literary quality, and educational significance.
9. Do not contain excessive or gratuitous sexuality, excessive or gratuitous profanity, or excessive or gratuitous graphic violence.

INSTRUCTIONAL RESOURCES
LIBRARY MATERIALS

5.6.2
(LOCAL)

10. Are not masked, clipped, or altered in any manner inconsistent with the author's intent.

Administrators, teachers, library media specialists, other District personnel, parents, and community members, as appropriate, may recommend instructional resources for selection.

Selection of library materials is an ongoing process that includes the removal of materials no longer appropriate and the periodic replacement or repair of materials that still have educational value.

In addition to the above criteria, fiction, narrative nonfiction (memoirs and biographies), and graphic novels must each meet the following selection criteria, with the District determining that such materials:

11. Are integral to the instructional program;
12. Reflect the interests and needs of the students and faculty;
13. Are appropriate for the reading levels and understanding of students;
14. Are included because of their literary or artistic value and merit; and
15. If narrative nonfiction, present information with the greatest degree of accuracy and clarity.

Acquisition Procedures

Orders for school library materials shall be approved by the District-level library supervisor or designee in consultation with the executive director of curriculum and instruction, for both orders at the District and campus level.

When acquiring new library materials, the District-level librarian or designee in consultation with the executive director of curriculum and instruction shall submit a list to the Superintendent for inclusion in a Board agenda. The Board shall be provided the list at least 30 days prior to action.

Individual Board Member Review

If any Board member questions or desires further information on any library materials, he or she shall contact the Superintendent at least 15 days before Board action. The Superintendent shall then contact the executive director of curriculum and instruction to obtain copies of professional reviews of any library material in question. If so desired, the Board member can obtain a copy of the library material from another source.

INSTRUCTIONAL RESOURCES
LIBRARY MATERIALS

5.6.2
(LOCAL)

Board Action

The order for library materials in its entirety, including any materials in question by individual Board members, shall be presented to the Board following the 30-day review period.

Prior to voting, individual Board members shall have an opportunity to present their rationale for desiring to exclude certain library materials from the order, with amendments to the proposed list considered either as a group or individually, depending on Board action. After Board approval, the final list shall be processed for order. As the new materials are received, they shall be checked against a master list of materials ordered. If additional items are received that are not found on the master list of materials ordered, they shall be returned or destroyed.

The selection and acquisition of the digital library collection shall follow the same policies and procedures as the physical library collection. The District shall ensure that the method by which students access the digital library will allow students to only access age-/grade-appropriate content. The curator shall apply access levels by consulting the peer-reviewed recommended age group, District librarians, and educators. Access levels shall be applied as follows:

Grade Span	Content Access Level
Prekindergarten–grade 3	Primary
Grade 4	Primary
Grades 5–6	Primary
Grades 7–8	Secondary
Grades 9–10	Secondary
Grades 11–12	Secondary

TexQuest Digital Resources

[TexQuest](#)³ is TSLAC's electronic instructional resources program for public schools. District participation in TexQuest is voluntary. TexQuest is supported by the Texas Legislature and by participation fees paid by school districts and open enrollment charter schools. TSLAC administers all aspects of the TexQuest program and coordinates with districts on the implementation and

³ TexQuest: <https://texquest.net/welcome/program>

INSTRUCTIONAL RESOURCES
LIBRARY MATERIALS

5.6.2
(LOCAL)

management of any TexQuest resources the District or school system selects to make available for its students.

TSLAC licenses resources for the TexQuest program following state procurement practices and with opportunities for community input. Professional librarians evaluate resources for inclusion in the program based on the TexQuest Collection Development Policy and actively manage the resulting contracts. Use of any or all TexQuest digital resources and e-books remains a Board decision.

As noted above, TSLAC administers all aspects of the TexQuest program and has adopted policies for the selection and management of TexQuest resources. Challenges to material provided through the program would follow the TSLAC TexQuest Content review process.

Challenge Procedures

A parent of a District student, any District employee, or any District resident may formally challenge library materials on the basis of appropriateness and that the library material fails to meet the standards set forth in this policy.

Formal Reconsideration

A complainant shall make any formal objection to library materials using the form provided on the District's website. Upon receipt of the challenge, the Superintendent shall appoint a reconsideration committee within ten District business days.

The reconsideration committee shall include five members: one District representative, one campus representative, two parents, and a District-level representative who will serve as chair of the committee.

All members of the committee shall review the challenged library material in its entirety. As soon as reasonably possible, the committee shall meet and determine whether the challenged library material conforms to the principles of selection set out in this policy. The committee shall determine by majority vote whether or not the challenged library material shall remain in use. The committee shall prepare a written report of its findings and provide copies to the campus principal, the executive director of curriculum and instruction, the Superintendent, and the complainant within 30 District business days after receiving the objection.

If multiple objections to the same library material are received by the District, all objections shall be consolidated, and a single reconsideration committee appointed. The decision made by the committee shall be upheld at all campuses.

INSTRUCTIONAL RESOURCES
LIBRARY MATERIALS

5.6.2
(LOCAL)

The major criterion for the final decision on challenged library material is the appropriateness of the resource for its intended educational use. The plurality opinion in *Board of Education v. Pico* uses the standard that no challenged instructional resource shall be removed solely because of the ideas expressed therein. The opinion allows the removal of materials because they are pervasively vulgar or based upon the lack of educational suitability of the library material. Further, making a determination of appropriateness shall include a review of and compliance with 47 U.S.C. 254(h)(5) and Penal Code 43.24(a)(2) and (b).

Opportunity for Review

A specific library material that was reviewed under the formal challenge process and remains in the library shall not be reconsidered within one year of final determination, and any material removed shall not be eligible for consideration to be added again for at least five years. The District shall verify previous decisions prior to convening a reconsideration committee.

The complainant may appeal the decision of the reconsideration committee by filing the appropriate District grievance form. [See 6.14.7 and 7.6]

Appeal

The complainant may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting at the appropriate level. [See 4.6.6.2, 6.14.7, and 7.6]

Parent Review

In recognizing that parents hold an essential role in the education of their children and have the right to guide what their children read, each library shall maintain a printed list of materials onsite and on the school library website that shows what has been selected as well as what is slated for acquisition. The Superintendent or designated District-level administrator shall offer a "Parent Preview" at least ten days before books are to be placed on the shelves, once in the fall and once in the spring. Audio-visual materials are to be made available to parents for in-person review, upon request, on the same basis as printed materials.

Other Parental Considerations

In school libraries, students are afforded the opportunity to self-select texts as part of literacy development. While librarians are trained in selecting materials in accordance with Board policy and the outlined selection criteria and may provide guidance to students in selecting texts, the ultimate determination of appropriateness lies with the student and parent.

INSTRUCTIONAL RESOURCES
LIBRARY MATERIALS

5.6.2
(LOCAL)

School librarians or designated campus administrators are to encourage parents to share any considerations regarding their students' book selections. Parents may contact the campus librarian and their child's teacher directly for library book opt-out decisions. School librarians shall accommodate individual requests by parents, within reason, which may include restricting specific titles or books.

Criteria for Gifts and Donations

Gifts and donations to school libraries or classroom libraries are accepted with the understanding that the decision for use and disposition of the materials and/or funds will be determined using the same selection criteria, acquisition procedures, and process for approval as purchased materials. Gifts of library materials are subject to the provisions of policy 3.4.3. All gifts must be approved by the Board and go through the Parent Preview. All library materials should support the curriculum and needs of library users. Gifts and donations, such as purchased resources, shall be removed from the collection at the end of their useful life.

Routine Review and Removal of Materials

Biannually, the District-level library supervisor shall collaborate with campus library personnel and administration to conduct an inventory of the school library collection and equipment. The inventory can be used to determine losses and remove damaged or worn materials that can then be considered for replacement. The inventory can also be used to deselect and remove materials that are no longer relevant to the curriculum or of interest to students. Additionally, the District-level library supervisor shall develop a collection maintenance plan that includes systematic inspection of materials that would result in removing outdated, damaged, or irrelevant materials from the collection. All materials removed from the collection shall be disposed of in accordance with the District's property disposal procedures. [See policy 3.9] Incorporated into this routine review and removal of existing inventory, the District shall create an ongoing cycle to review content existing in circulation.

Annual Review

The campus principal shall annually review, in their entirety, this policy and the corresponding policy on instructional materials [see 5.6.1(LOCAL)] with all teaching and library staff.