Note: For information related to the selection of instructional materials, see EF(LEGAL) and EFA.

The District shall provide a wide range of library materials for students and faculty that support student achievement and present varying levels of difficulty, diversity of appeal, and a variety of points of view.

The following individuals may serve as the superintendent's designee(s):

- District library coordinator(s),
- Campus library media specialist(s),
- Curriculum coordinator(s), and
- Technology manager(s) of internet and online resources.

Although the Superintendent or designee shall ensure that librarians and other designated professional staff select library materials in accordance with District policy and administrative regulations, the ultimate authority for reviewing and removing library materials lies with the Board.

Objectives

In this policy, "library materials" may include printed and electronic library acquisitions and other ancillary or supplementary materials maintained in a campus library. In accordance with state and local guidelines, library collections should enrich and support the state and local curriculum. Collections should also provide materials of high interest to encourage student reading and learning for pleasure.

Library materials may be used to enhance the instructional program, for formal or informal teaching and learning purposes, and for voluntary inquiry or self-selected reading.

In accordance with state and local standards, school libraries are essential interactive collaborative learning environments, ever evolving to provide equal physical and virtual access to ideas, information, and learning tools for the entire school community.

The District recognizes there is a vast array of material with rich educational content. It is the District's objective to choose material that meets high standards in literary, artistic, and aesthetic qualities, technical aspects, and physical format that is appropriate to students over material that may provide similar content but with elements that are pervasively vulgar or educationally unsuitable for minors in school.

Protection from Inappropriate Material

Library materials shall not include “harmful material” as defined by Penal Code 43.24(a)(2) or “obscene” material as defined by Penal Code 43.21(a)(1) or “sexually explicit material” as defined by Education Code 33.021. In all cases, library materials shall be consistent with the requirements outlined in Education Code Chapters 33 and 35.

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 (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.

Penal Code 43.21(a)(1) describes "obscene material” that: (A) the average person, applying contemporary community standards, would find that taken as a whole appeals to the prurient interest in sex; (B) depicts or describes: (i) patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, sodomy, and sexual bestiality; or (ii) patently offensive representations or descriptions of masturbation, excretory functions, sadism, masochism, lewd exhibition of the genitals, the male or female genitals in a state of sexual stimulation or arousal, covered male genitals in a discernibly turgid state or a device designed and marketed as useful primarily for stimulation of the human genital organs; and (C) taken as a whole, lacks serious literary, artistic, political, and scientific value. No library material shall be used if it contains content that can meet the obscene material standard.

Education Code 33.021(a) describes “sexually explicit material” as any communication, language, or material, including a written description, illustration, photographic image, video image, or audio file, other than library material directly related to the curriculum required under Section 28.002(a), that describes, depicts, or portrays sexual conduct, as defined by Section 43.25, Penal Code, in a way that is patently offensive, as defined by Section 43.21, Penal Code. No library material shall be used if it contains content that can meet the sexually explicit material standard.

Among other items, Education Code 33.021(d)(A) also states that the standards for school library collection development must include a collection development policy that (A) prohibits the possession, acquisition, and purchase of: (i) harmful material, as defined by Section 43.24, Penal Code; (ii) library material rated sexually

explicit material by the selling library material vendor; or (iii) library material that is pervasively vulgar or educationally unsuitable as referenced in *Pico v. Board of Education, 457 U.S. 853 (1982);* and (B) recognizes that obscene content is not protected by the First Amendment to the United States Constitution.

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 CQ]

Elementary Schools

No materials in elementary school libraries shall contain depictions of sexual acts or simulations of such acts, implied or otherwise. This includes explicit or non-explicit written descriptions, depictions, or illustrations of sexual acts, except for the purposes of teaching students (as may be approved by parents) to avoid and report molestation. See Texas Education Code 33.021. No materials in elementary school libraries shall include visual depictions or illustrations of explicit frontal nudity.

Gender Fluidity

No materials in elementary and junior high libraries shall contain material adopting, supporting, or promoting gender fluidity as defined in Local Policy FA. Material in any high school library collection that adopts, supports, or promotes gender fluidity requires parental opt in for student access.

Selection

Library materials shall be chosen in accordance with guidelines adopted by the Texas State Library and Archives Commission, as required by law. In the selection of library materials, librarians and other professional staff shall ensure that the materials:

1. Enrich and support the curriculum, taking into consideration students' varied interests, abilities, learning styles, and maturity levels.
2. Stimulate growth in factual knowledge, enjoyment of reading, literary appreciation, aesthetic values, and societal standards.
3. Develop a balanced collection presenting multiple viewpoints related to controversial issues to foster critical thinking skills and encourage discussion based on rational analysis [see EMB regarding instruction about controversial issues].
4. Be appropriate for the subject area and for the age, intellectual development, and ability level of the students for whom the materials are selected.
5. Represent many ethnic, religious, and cultural groups and their contributions to the national heritage and world community.

6. Demonstrate literary merit, quality, value, and significance.
7. For non-fiction resources, Include accurate and authentic factual content from authoritative sources.
8. Balance cost with need.

Review sites can be used to assist in the selection of materials, but such review site's conclusions as to the appropriateness of the material shall not be deemed conclusive.

Responsibility for Selection

The oversight for the purchase and acquisition of all library materials shall be vested in the Board. Recommendations for new materials and reorders of existing materials shall be made by 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.

Parental Involvement

The District recognizes that parents hold an essential role in the education of their children and have the right to guide what their children read as set forth in Education Code Chapter 26. 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 parent.

The District shall focus on maximizing transparency with parents and community members while meeting student needs and providing enrichment opportunities with library materials. Parental involvement in library acquisition, maintenance, and campus activities is encouraged.

To support transparency and access for the school community, the District shall establish means for parents and the public to review holdings, including information about titles and how materials are assessed.

The District shall post on the website a list of recommended library materials for purchase that are not currently in circulation. This list shall be available for public comment for 30 days prior to the Board vote at the next open meeting. The list shall be in a user-friendly format that is easily searchable by the public.

Parents are encouraged to communicate with the campus librarian and their child's teacher about special considerations regarding library materials self-selected by their student. In accordance with state law and administrative regulations, parents may select alternative library materials for their student. [For information on

parental rights regarding instructional materials and other instructional resources see EF(LEGAL).]

Parent Request for Library Restriction

Parents may restrict their student(s) from accessing campus print and digital library books by following the procedures on the District website.

Library Book Notifications

The District shall email all parents/guardians on file each time the student checks out a library book. A parent/guardian may opt out of the library notifications.

Secondary ELAR Classroom Library Authorization

Books are available for secondary students to check out through their English Language Arts and Reading (ELAR) classroom library. Secondary parents or guardians must provide authorization for their secondary student to access ELAR classroom library. The classroom library authorization form is available on the District's website.

Acquisition Procedure

The District-level library supervisor or designated administrator shall select material based on this policy. Recommendations for library acquisitions shall involve librarians, administrators, teachers, other District personnel, parents, and community representatives, as appropriate.

Selection of materials is an ongoing process that includes the removal of collections deemed by the Board to be no longer appropriate and the periodic replacement or repair of materials still of educational value.

Library materials shall not include links or QR codes to content prohibited websites and/or services.

School library materials orders shall be approved by the District level library supervisor or designee, for both orders at the District and campus level.

When acquiring new library material content not previously acquired, the District-level librarian or designee shall submit a new library material order list to the Superintendent. The Board shall be provided the list at least thirty days prior to the Board vote. After the Board receives the list, the Board shall vote on the submitted new acquisitions at the next open Board meeting.

Individual Board Member Review

If any Board member questions or desires further information on any title or author on the new library material order list, he or she shall contact the Superintendent.

Board Action

The Board shall vote on the submitted and posted new library acquisitions at the first open Board meeting after the materials have posted for 30 days. Prior to the Board vote on the approval of sub-

mitted and posted new library acquisitions, any individual Board member may request the Board to review for removal any material on the submitted and posted new library material order list by notifying the Superintendent and the Board President. The purchase of such material(s) identified shall be placed on hold. The Board members shall present their rationale for desiring to remove certain material(s) from the list, and the entire Board shall vote whether to permanently remove the material(s) from the new library material order list.

Digital Content

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 only to 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:

Recommended Ages	Grade Span	Content Access Level
4-10	Prekindergarden-5	Juvenile
11-13	6-8	Middle School
14+	9-12	High School
Adult	9-12	High School

Challenged Resources

A parent of a District student, a student who is 18 years of age or older, an individual employee, or any District resident may challenge a library material maintained in the District's library program on the basis that the library material fails to meet the standards set forth in this policy.

The major criterion for the final decision on challenged library materials is the appropriateness of the material for its intended use by minor students. No challenged library material shall be removed based solely on the ideas contained in the material or the personal background of the author of the material or characters in the material [*Bd. Of Educ. V. Pico,* 457 U.S. 853 (1982)]; 13 T.A.C § 14.3(c)(7)(G). The *Pico* opinion allows the removal of materials because they are pervasively vulgar or based upon the lack of educational suitability of the material. All decisions for removal shall be made consistent with applicable legal requirements including those that require the protection of minors from harmful, obscene, or sexually explicit material. [47 U.S.C. 254(h)(5), Penal Code Chapter 43, and Education Code Chapters 33 and 35]

Informal Reconsideration

When the District or a campus receives an objection to the appropriateness of a library material, the appropriate librarian or administrator shall try to resolve the matter informally within ten business days. The librarian or administrator shall explain the selection process and discuss the intended purpose for the library material. If appropriate, the librarian or administrator may offer a concerned parent an alternative library material to be used by that parent's child in place of the challenged material.

If the complainant wishes to make a formal challenge, the administrator shall provide the complainant a copy of this policy and a form to request a formal reconsideration of the library material.

Formal Reconsideration

A complainant shall make any formal challenge to a library material resource by submitting a reconsideration of instructional resource form available on the District's website. Upon receipt of the form, the Board shall begin reviewing the formal reconsideration and make a determination in an open Board meeting within 90 days of the filing of the formal reconsideration.

Library materials under formal review shall be removed during the reconsideration process pending the outcome of the decision.

Frequency of Review

After a library material has been reviewed through formal reconsideration, it shall not be reviewed again within two calendar years of the date of the Board decision. [See Maintenance of Library Materials, below.]

Appeal

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

Additionally, any individual Board member may request the Board to review the final decision of a Reconsideration Committee and present their rationale to the Board. The Board shall vote whether to uphold, modify, or reject the Reconsideration Committee's decision to either retain, relocate, or remove a material.

The oversight responsibility for the review, inclusion, and removal of library materials is vested in the Board.

Gifts and Donations

The District shall accept gifts and donations to a campus library with the understanding that the use and disposition of the materials and monies shall be in accordance with District acquisition policy and the selection criteria noted above. [See CDC]

Maintenance of Library Materials

In accordance with state and local guidelines, collections shall be evaluated and updated regularly based on the collections' age, relevance, and variety. The Superintendent shall ensure administrative procedures are established for regular maintenance of the li-

brary collection on each campus. Standard maintenance procedures for any library collection include repair, replacement, and removal of materials as necessary. Regular maintenance shall also include scheduled inventories of the collection. Disposal of any District-owned library materials shall be in accordance with District policy and procedures. [See CI]

Individual Board Member Review

If any Board member questions or desires further information on any library material, the Board member shall contact the Superintendent.

Board Action

Any two individual Board members may request the Board to review for removal any library material(s) by notifying the Superintendent and the Board President. The Board members shall present their rationale for desiring to remove certain library material(s), and the entire Board shall vote to permanently retain, relocate, or remove the library material(s).

Book Fairs and Other Vendors

All vendors selected by the District shall adhere to the District's library guidelines and Board Policy regarding library materials. This includes vendors and fundraisers selected for book fairs or the distribution of literature.