



Book	Policy Manual
Section	100 Programs
Title	Library Materials
Code	109 - ADOPT
Status	Second Reading
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## **Purpose**

The Board adopts this policy for the following purposes:

1. To promote literacy and critical thinking of its students by providing them access to an array of library materials intended to supplement the learning activities occurring in our classrooms and promote recreational reading interests.
2. To establish reasonable criteria and systems for the selection of high-quality library materials for inclusion in our school libraries by means of purchase or the acceptance of donations.

3. To establish reasonable, non-content-based criteria for the removal and discarding of library materials to ensure school library collections remain viable, up-to-date and of interest to the students they serve.
4. To empower each parent/guardian to decide which library materials their children may access in the school library system.
5. To allow for a meaningful review of library materials based upon legitimate parent/guardian concerns without undermining the role of the school library to encourage freedom of inquiry and each student's right to read.

## **Definitions**

**Challenge** - a written submission seeking the removal of specific library material from a school library made in compliance with this policy.

**Excessive or gratuitous profanity** - the pervasive use of profane, vulgar or other language that offends good taste or propriety contained within material, such that the material taken as a whole does not offer serious literary, artistic, political or scientific value for the intended student audience.

**Excessive or gratuitous sexuality** - the description or depiction of human genitals in a sexual manner or the fondling or touching of human genitals, buttocks or breasts in a sexual manner contained within material, such that the material when taken as a whole appeals to prurient interests in sex and does not offer serious literary, artistic, political or scientific value for the intended student audience.

**Excessive or gratuitous graphic violence** - the pervasive description or depiction of violence in a vivid, brutal or realistic manner contained within material, such that the material, when

taken as a whole, does not offer serious literary, artistic, political or scientific value for the intended student audience.

**Library material** or **Material** - means an audio recording, book, periodical, reference material, subscription database or other such material either made available for circulation to students within the school library or material being considered for such purposes. This term does not apply to a textbook and/or other instructional materials used within the school curriculum which are covered by Policy 108: Adoption of Textbooks.

**Opt-out** - the voluntary decision made by a parent/guardian for his/her own child to restrict the student's access to certain library material contained within the school library.

**Parent or Guardian** - an adult who has physical and legal custody of a school-aged child attending one of the district's schools.

**School library** - a library within a district school where all students and school staff of that school have access to library materials.

**Selection** - the systematic selection of materials, through either the purchase or the acceptance of a donation, for inclusion in a school library in compliance with the selection criteria contained in this policy.

**Weeding** - the systematic removal and disposal of library materials from a school library based on the weeding criteria contained in this policy.

## **Guidelines**

### **Library Selection Criteria**

All purchased or donated library materials selected for inclusion in school libraries shall satisfy the following criteria:

1. Enrich and support the curriculum consistent with the general educational goals of the district, and the objectives of individual schools and specific courses.
2. Are appropriate for the subject area and for the age, ability level, learning styles, interests and educational development of students served by the school library.
3. Present various sides of controversial issues so that students have an opportunity to develop, under the appropriate guidance of school staff, skills in critical analysis and in making informed judgments in their daily lives.
4. Promote literacy.
5. Meet high standards in the presentation, format, readability, content, accuracy, artistic or literary quality and educational significance.
6. Do not contain excessive or gratuitous sexuality, excessive or gratuitous profanity, or excessive or gratuitous graphic violence.
7. Are not altered, edited, or formatted in any manner inconsistent with the author's intent.

All the above selection criteria shall be given appropriate weight when assessing the suitability of library materials for inclusion within a school library. Administrative regulations may be developed to further assist how the selection criteria shall be applied at different school libraries (elementary, middle and high schools) when selecting library materials for those student populations.

## Donations and Gifts

The district appreciates financial donations and gifts intended to sustain and support its school library system. Individuals or organizations wishing to make financial donations to support the district's libraries shall follow the procedures outlined in Policy 702 (Gift, Grants, Donations).

The district shall not accept unsolicited donations or gifts of library materials for inclusion in school libraries. Individuals or organizations that wish to make gifts or donations of library material to the district may do so by selecting materials identified on the district's school library donation list. This donation list shall be created by the school librarians, and the library materials contained therein must be approved by the Education Committee (Committee) for inclusion on that list. The donation list shall be publicized and periodically updated as needed. Donations or gifts of library materials contained on the district's donation list may be accepted, and appropriate acknowledgement of such donations shall be made. The district reserves the right to accept or decline any donation or gift of library materials, even if it appears on the district's donation list.

## Weeding and Replacement

The district shall take reasonable measures to ensure that school library collections of materials remain current, viable and useful to the students they serve. An active and continuous weeding program, where obsolete or damaged library materials may be removed from the collection, is essential for maintaining school library collections.

The school librarian shall be responsible for weeding the school library collection in their school building at least once each school year, subject to the criteria specified below. The school

librarian shall maintain a list of library materials weeded from the collection, which identifies by title the library material being removed, the reasons for removal and the date of removal. This weeding list shall be submitted to the Superintendent or designee and made available to the Board for informational purposes upon request.

Library materials shall be subject to weeding for one (1) or more of the following reasons:

1. The materials are lost, physically damaged, worn or mutilated.
2. Duplicate copies of the same material that are seldom used or checked out by students.
3. Materials that contain outdated or inaccurate information.
4. Materials that have been superseded by later editions of the same title.
5. Materials that have been replaced by similar or comparable library materials addressing the same subject matter.
6. Materials no longer of interest to students as evidenced by three (3) or fewer students checking out the material over the past three (3) school years.

When discarding weeded library materials, the school librarian shall:

1. Remove all district and/or school identification marks.
2. Remove the bar code or pocket and check-out card, if applicable.
3. Stamp the material "Discard."

4. Remove the material from the library circulation system.
5. Include the material on the weeding list of discarded materials in compliance with this policy.

Before discarding weeded materials in good condition, a school library with the prior permission of the Board may offer such materials to the local library, another school library or an institution or organization that promotes reading among school-aged children.

The weeding criteria shall not apply to archival or historical materials stored in a school library that relate directly to the district's history. For example, copies of high school yearbooks, graduation ceremony programs, school newspapers or other similar materials that are maintained to preserve a school's history or local history would be exempt from weeding criteria.

#### Parents/Guardians Opt-Out for Library Materials

Pennsylvania law respects the rights of parents/guardians to direct the upbringing of their children, which includes the right to make certain decisions regarding the education of their children. Consistent with these parental/guardian rights, the Board creates an opt-out procedure to allow parents/guardians to restrict their child's access to certain library materials.

Parents/Guardians shall be afforded the opportunity to review the library materials available in the school library through the Southern York County School District's Destiny Catalog or other electronic databases identifying the contents of school library collections.

To respect parent/guardian wishes, while at the same time respecting the diversity of materials within school libraries, the Board directs the administration to implement the following

program to allow parents/guardians to opt-out their children from being able to check out certain library materials from the school library as follows:

1. If material is contained within the school library where the child attends school, the parent/guardian may email the school's librarian an opt-out request explaining their wish to restrict their child's ability to access specific material. Parent/Guardian opt-out requests cannot be made for general subject matters or categories of library material.
2. Upon receipt of a valid parent/guardian opt-out request, the school librarian shall place this restriction in the child's Destiny Account within one (1) week of the date of the request, subject to the number of similar requests for restrictions made at that school library at a given time. The processing of opt-out requests may be delayed slightly when a large number are received within a short period of time.
3. This parent/guardian opt-out request shall remain in place throughout their child's enrollment in the district, unless and until the parent/guardian makes an affirmative request to end the opt-out.

Parents/Guardians are strongly encouraged to communicate with their children about any opt-out requests they make to minimize potential confusion about what library materials a child may or may not access. Such parental communications will ensure that school librarians will not be the first person to alert a child to any restriction upon their ability to select library materials.

If multiple households are involved in a child's education, parents/guardians are responsible to facilitate any decision on opt-out requests and to communicate with each other about any restrictions on the ability of a child to access library materials.

Parents'/Guardians' opt-out requests shall not be used to substantially impair a child's participation in assigned curricular activities.

### Library Material Challenge Procedures

Five (5) or more parents/guardians of district students may formally challenge library materials in their students' school library on the basis of appropriateness and that the library material fails to meet the selection criteria in this policy.

In making any challenge, the group shall submit their challenge in writing, which shall address each of these requirements:

1. Verify that each of the parents/guardians identified as a party to the challenge reviewed the entirety of the library material being challenged, as opposed to exclusively relying upon a third-party summary of the contents of the challenged library material.
2. Explain why the parent/guardian opt-out procedures offered under this policy are inadequate to restrict their own child's access to the challenged library material in the school library.
3. Explain why the parents/guardians believe the inclusion of the challenged library materials was not selected in compliance with the selection criteria outlined in the policy or its related administrative regulations.
4. Identify alternative materials that address the subject matter of the challenged library material from a similar viewpoint that the parents/guardians believe is more suitable for inclusion in the school library.
5. Provide any other information the parents/guardians believe is relevant to support their position that the challenged library materials should be removed from the school library.

The district shall not be required to consider any challenge that does not meaningfully address each of the above requirements for filing a challenge. The district shall not be required to consider more than one (1) challenge at a time, and each challenge will be processed in the order in which they are received. When multiple challenges exist, a challenge is not considered received per the deadlines below until its processing has begun.

Challenged library materials shall remain in circulation at the school library during any challenge review.

Any challenge shall be submitted to the Superintendent's designee for review and to make an initial determination. The Superintendent's designee may consult with district staff members to gather information to make an initial determination on the challenge. The initial determination shall be made within forty-five (45) days of the receipt of a challenge unless additional time is necessary. The initial determination shall be made in writing and explain why the challenge is either granted or denied. A copy of the initial determination shall be provided to the parents/guardians listed in the challenge.

#### Challenge Review Committee

Parents/Guardians may appeal an initial determination within ten (10) days of their receipt to the Challenge Review Committee. The Challenge Review Committee shall be comprised of:

1. One (1) teacher;
2. A supervisor/lead teacher/head teacher;
3. A school counselor/facilitator;

4. The school librarian;
5. The building principal;
6. One (1) district-wide administrator; and
7. Assistant Superintendent.

Any appeal shall respond to reasons articulated in the initial determination. The Challenge Review Committee, in its sole discretion, may convene a meeting to ask questions and receive information from the initial decision maker and parents/guardians regarding the appeal. In the absence of such a meeting, the Challenge Review Committee shall evaluate the challenged library material, the challenge and the initial determination in making its collective decision whether to grant or deny the appeal. The Challenge Review Committee shall render its decision on the appeal within sixty (60) days of its filing or the date of any meeting, whichever is later. The Challenge Review Committee's decision shall be in writing and explain the reasons for its conclusions. The Challenge Review Committee's decision shall be final.

The same library material may not be challenged for at least three (3) years after a final decision is made regarding a challenge.

#### Compliance with the Policy

The Board expects district staff members to comply with this policy when fulfilling their respective responsibilities in reviewing or selecting library materials; creating content advisory lists; weeding library materials; or processing or responding to parent/guardian opt-out requests or library material challenges.

In the event the Board determines substantial noncompliance with this policy in either the selection of library materials for inclusion in a school library or the granting or denial of a library material challenge, the Board by a two-thirds (2/3) vote at a public meeting may reverse that decision; provided, however, a reasonable opportunity is provided for the Superintendent and the Board to gather and review the facts surrounding the contested decision before any such action is scheduled or taken. The Board shall not be required to have a two-thirds (2/3) vote in order to approve a settlement of a civil action filed in a court of competent jurisdiction that challenges the lawfulness of a decision or action made under this policy.

For purposes of this policy, substantial noncompliance with this policy does not include discretionary decisions made in good faith by district staff members, which someone may disagree with, if those decisions reasonably fall within the scope of the applicable definitions and/or requirements of this policy.

### Severability

If any portion of this policy is determined by a court of competent jurisdiction to either be unlawful or unconstitutional, that portion of the policy shall be rendered void and no longer enforceable without impacting the remaining portions of this policy that are deemed to be lawful or constitutional.

### **Purpose**

~~The Board shall provide instructional and evaluative materials to implement and support the Southern York County School District's educational goals and academic standards.~~

## Objectives

The district's libraries strive for continuity from elementary through senior high school to provide materials, which implement, enrich, and support the educational program of each school. It is the duty of the libraries to provide a wide range of materials on all levels of difficulty, with diversity of appeal and presentation of differing points of view. The school library will contribute to the development of reading skills, literary tastes, and discrimination in choosing materials through a wide variety of available media. District libraries will also provide an avenue for individual growth academically, aesthetically, and developmentally. The libraries of the district endorse and adopt the School Library Bill of Rights as an integral part of this policy.

## Delegation of Responsibility

The legal responsibility for the purchase of all resource materials is vested in the Board. The decision for purchasing library materials will rest with the Superintendent and professionally trained librarians. Selections shall be made in accordance with the guidelines of this policy.

## Guidelines

### Criteria for Selection

Needs of the individual school based on knowledge of the curriculum and of the existing collection are given first consideration. Materials for purchase are considered on the basis of:

1. Support of the general educational goals of the state and district and the objectives of individual schools and specific courses.

2. Reputation and significance of author or producer.
3. Meeting high standards of quality in factual content and presentation.
4. Value commensurate with cost and/or need.
5. Clarity and objectivity of the text or audiovisual presentation.
6. Currency of information in the text or audiovisual presentation.
7. Appropriateness of text or audiovisual presentation, for the subject area and for the age, emotional development, ability level, learning styles, and social development of the students for whom the materials are selected.
8. Helping students to gain an awareness of our pluralistic society and representing various points of view on topics.

### Media Selection Procedure

Administrators, teachers and students are encouraged to suggest materials to be added to the library collection. The librarian will consult reputable, professionally prepared selection tools such as *Booklist*, *VOYA* and *School Library Journal* as guides for purchasing materials. Gifts shall be judged by basic selection standards and accepted or rejected by these standards.

### Collection Maintenance

Outdated, useless, and severely damaged materials are withdrawn periodically from the collection. Worn or missing standard items, which are of value to the curriculum, are

replaced.

## Challenges to Library Materials

Any resident or employee of the school district may formally challenge library materials on the basis of appropriateness. This procedure is for the purpose of considering the opinions of those persons in the school and the community who are not directly involved in the selection process.

### Request for Reconsideration

1. The school receiving the complaint against a library material shall try to resolve the issue informally. The principal or other appropriate staff member shall explain the school's selection procedure, criteria and qualifications of the persons selecting the resource.
2. If the questioner wishes to file a formal challenge, a copy of the district Library Materials Selection policy and a *Request for Reconsideration of School Library Materials* form shall be given to the concerned party by the principal.
3. Upon receipt of a written, signed complaint, the building principal will acknowledge it and promptly notify the Assistant Superintendent that a complaint has been received. Access to the challenged material will not be restricted during the reconsideration process.
4. Upon receiving the written *Request for Reconsideration of School Library Materials* form, the principal will appoint a Reconsideration Committee comprised of the building principal, school librarian, and two (2) teachers. The Committee will meet within ten (10) working days of receiving the formal complaint.

5. The Committee will review the challenged material and determine whether it conforms to the principles of selection outlined in the district Library Materials Selection policy and prepare a written report.
6. A written report from the Committee containing their evaluation and recommendation will be forwarded to the Assistant Superintendent, who will chair a conference held between the Reconsideration Committee and the complainant, in an attempt to resolve the challenge. The recommendation of this conference will be sent to the Superintendent.
7. If the challenge has not been resolved, a conference will be held between the complainant, the Assistant Superintendent, and the Superintendent.
8. The Board shall be informed by the Superintendent of the challenge and the recommendation of the Reconsideration Committee, the Assistant Superintendent, and the Superintendent.
9. If the challenge still has not been resolved, a committee of Board members, the Superintendent, and the Assistant Superintendent will meet with the complainant to discuss and make a final recommendation on the material in question. The recommendation will be presented to the Board, for a decision to be made at the next regularly scheduled Board meeting. The decision of the Board will be final and the decision will be communicated by the Superintendent to all involved parties.



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