



Text Selection Guidelines

(Includes Curriculum-Based Texts and Classroom Libraries)

The purpose of this document is to define Denton ISD's processes for selecting texts included in the written curriculum and to establish the guidelines and requirements that campuses and teachers must apply when selecting texts for instruction or classroom libraries.

Guiding Principles and Practice

- Providing or recommending a text for use in the curriculum suggests endorsement of the text and therefore requires the use of a selection process that is dependable, viable, thoughtful, and measured.
- Teachers participating in the decision-making process must read (or re-read) the text with the instructional purpose and audience in mind.
- Although there is value in students re-reading texts from year to year, the district's mission is to provide a broad and rich reading experience to students. Typically, required or recommended works should not be replicated in the curriculum across subject areas or grade levels.
- The selection process for curriculum-based texts considers many factors, including review of learning goals and standards, student needs, community standards and values, and overall and quality of the text.

Text Selection Processes

District-Level Process

(Defined as novels or other texts that are provided by the district for instructional use in book clubs, as whole class texts, as classroom read-alouds, or similar situations. The district facilitates this selection process.)

1. The subject area coordinator and/or a curriculum team reviews the goals of the unit where the text will be used and determines the criteria and characteristics required of the text(s).
2. The coordinator issues a call to all or some teachers (and librarians, when appropriate) for suggested titles aligned with the determined criteria and characteristics.
3. The curriculum team investigates the compiled list of suggested titles, confirms their appropriateness for the unit, and reviews all applicable laws to ensure compliance. The team also verifies that the titles are available in the district library catalog at the same level -- or, if not available, documents that the exclusion is not due to unsuitability. (See below for examples of why a suitable text may not be available in the district or campus library). Finally, the committee narrows the list of suggestions, as needed.

4. Each title on the narrowed list is read by several or all committee members who provide specific, written feedback and recommendations to the entire committee. (Committee members who have previously read the title must commit to re-reading the text with the particular characteristics, goals, audience, and purposes of the unit in mind.)
5. Feedback is reviewed and texts are selected. The final decision is made at the district level, and a record of the selection process is retained by the coordinator.

Campus-Level Process

(Defined as novels or other texts selected at the teacher- or campus-level for instructional use, including in book clubs, as whole class texts, in classroom libraries, or in similar situations. The campus facilitates this selection process.)

1. A campus teacher, team, or committee identifies 1 or more texts that they wish to include in the curriculum.
2. The teacher, team, or committee investigates the suggested title(s) and considers alignment to the unit's intended outcomes, whether the text is already used in another grade level or course, quality and merit of the text, age/grade appropriateness, and consideration of community standards.
3. The teacher, team, or committee also verifies the availability of the title(s) in the district library catalog at the same level -- or, if not available, documents that the exclusion is not due to unsuitability. (See below for examples of why a suitable text may not be available in the district or campus library).
4. Each title on the narrowed list is read by 2 or more teachers or committee members who provide specific, written feedback and recommendations to the entire committee. (Committee members who have previously read the title must commit to re-reading/reviewing the text with the particular characteristics, goals, audience, and purposes of the unit in mind.)
5. Feedback is reviewed by a campus administrator, and the final decision is made at the campus level. A record of the selection process and administrator review is retained by the department chair.

Classroom Library Texts

In general, classroom library texts should be titles that are either (a) also available in the district library catalog at the same level, (b) provided through district-provided foundational or supplemental course resources, or (c) available in district databases such as PebbleGo, Gale, and NatGeo Kids. If the text is not available in the district catalog, the teacher should document that the exclusion is not due to unsuitability. (See below for examples of why a suitable text may not be available in the district or campus library).

Before adding a title to the classroom library, the teacher confirms that the text aligns with the instructional goals of the course, including goals specific to units and skills as well as goals related to student independent reading and self-selection, and that the titles can be included under all applicable laws.

Understanding Catalog Availability of Texts

While most educationally suitable texts appear in the district or campus library catalog, no campus library could include every possible book. For this reason, there are valid cases for why a text may not be listed in the campus or district library catalog but can still be available for use. Examples include:

- The title is new and has not yet been purchased or processed by library services.
- The title is available in electronic format (eBook, audiobook, or in a database like PebbleGo, Gale, or NatGeo Kids) but not in print.
- The title is out of print or difficult to obtain.
- The title has had or would likely have low circulation.
- The title is included in a leveled library or literacy library collection designed for guided instruction, but otherwise is not suited for the campus library or independent student selection.

Teachers are encouraged to stay in communication with the campus librarian if they'd like to verify why a book is not available.

Important Note: Keep in mind that simply being part of the library collection does not automatically make a text appropriate for instructional purposes. Some instructional topics may require additional layers of review or approval before being used in the classroom. (See Education Code, Sec. 28.004.)

Parents' Rights

Texas law establishes specific rights for parents related to the instructional materials and texts their children may encounter in school. These rights are designed to ensure that parents are informed, have access to information about selected texts, and can engage in decisions regarding their child's educational experience.

- Parents of a child enrolled in the district or school must be permitted to access the catalog of available library materials at each school library in the district or school. (Note: When classroom libraries align with the campus and district library catalogs, parents' rights are met through the existing catalog system.)
- Parents of a child enrolled in the district must be permitted to submit a list of library materials that the parent's child may not be allowed to check out or otherwise access for use outside of the school library. Teachers will be notified if a student's parent has submitted a list of materials they do not want their child to access.
- Parents are the primary decision-makers regarding a student's access to library materials (including classroom libraries).

Laws Related to Instructional Materials

This section highlights the most important points to help Denton ISD teachers understand the laws and expectations, but it is not a substitute for the full legal text. For complete details, refer to the Texas Education Code, Texas Administrative Code, HB 900 (88th Legislature, 2023), SB 13 (89th Legislature, 2025), and other related statutes or codes. Because these laws use specific terminology, the section following this one defines and describes key terms.

- Teachers must ensure all books in their classroom libraries meet the district's board-approved library standards. Books containing content deemed harmful, sexually explicit, pervasively vulgar, indecent, or profane should be removed.
- **NEW** Classroom and library texts should not be included if they provide explicit instruction on health-related topics governed by Texas Education Code §28.004, including human sexuality, reproductive health, sexually transmitted diseases, dating violence prevention, and child abuse/family violence prevention. (Note: The presence of these topics within a text does not, by itself, constitute instruction. However, if a text's genre, tone, or format appears to suggest it can be used to teach, guide, or deliver lessons on these topics, it is considered instructional and should not be selected for use through counseling or health advisory processes.)
- If a book is removed from the district's approved catalog after a challenge, teachers will be notified and must immediately remove the same title from classroom libraries.
- If a book is challenged under applicable Texas law, teachers can no longer rely on the defense that a text is exempt because it was used for educational purposes. Teachers may face individual criminal liability for the content of texts made available to students.
- It is prohibited for an educator to possess, acquire, or purchase:
 - harmful material;
 - library (school or classroom) material that is pervasively vulgar or educationally unsuitable as referenced in Board of Education v. Pico, 457 U.S. 853 (1982);
 - library (school or classroom) material containing indecent content or profane content; or
 - library (school or classroom) material that refers a person to an Internet website containing content prohibited under this subsection.
- It is an offense for an educator to distribute text to a minor that is sexually explicit.
- It is a violation to distribute or promote material that includes sexual performance by a child.
- It is prohibited to require a teacher or library to remove material based solely on the ideas contained in the material, the personal background of the author, or the personal background of the characters in the material.

- It is prohibited to allow a student to check out or otherwise use outside the school library a library (school or classroom) material the student's parent has included in a submitted list of library materials that the parent's child may not be allowed to check out or otherwise access for use outside of the school library.
- Donated texts fall under the same laws and guidelines as purchased texts.
- It is required to recognize:
 - Obscene content is not protected by the First Amendment to the United States Constitution.
 - All listed rules apply to library materials available for use or display, including material contained in school libraries, classroom libraries, and library mobile applications, and any other library catalog a student may access.

Definitions

Because text selection in Texas is guided by state law and the Texas Education Code, some portions of this document include formal or even uncomfortable language. These terms come directly from the law, and we include them here to give teachers a clear and accurate understanding of state expectations.

Affirmative defense – A legal argument a defendant can use in court to try to avoid a conviction. Previously, Texas law (specifically under Texas Penal Code § 43.25) allowed an affirmative defense if a sexual performance involving a child was conducted for a bona fide educational purpose. However, Senate Bill 412 (S.B. 412), effective September 1, 2025, eliminates that defense.

Harmful material – material whose dominant theme taken as a whole appeals to the prurient interest of a minor, in sex, nudity, or excretion; is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and is utterly without redeeming social value for minors.

NEW Human Sexuality – refers to the physical, biological, emotional, social, and psychological aspects of human sexual development and reproductive health, including reproductive anatomy and physiology; puberty and sexual development; sexual behavior and decision-making; pregnancy and reproduction; prevention of sexually transmitted diseases; and consent and healthy relationships. orientation and gender identity.

Indecent content – content that portrays sexual or excretory organs or activities in a way that is patently offensive.

Library material – any book, record, file, or other instrument or document in a school district's library catalog. Excludes materials required by the TEKS. Includes materials in a classroom library.

Patently offensive – a legal standard meaning that the material is clearly or obviously offensive to prevailing community standards for what is appropriate, especially in how it depicts sexual or excretory organs or activities. "Patently offensive" is part of the legal criteria in the Miller Test (from Miller v. California, 1973). The determination is based on contemporary community standards, not an individual's personal reaction. It doesn't

require the material to be obscene (which has a stricter 3-part test), but it still marks it as inappropriate for certain audiences, especially minors.

Profane content – content that includes grossly offensive language that is considered a public nuisance. For the purposes of SB 13, this is defined by legal counsel as language the FCC would prohibit on television during the hours of 6 AM to 10 PM, or at any time when there is a reasonable risk that children would be in the audience.

Prurient – having or encouraging an excessive interest in sexual matters.

Sexually explicit material – any communication, language, or material, including a written description, illustration, photographic image, video image, or audio file, that describes, depicts, or portrays sexual conduct in a way that is patently offensive. Material that describes, depicts, or portrays sexual conduct in a way that is:

- Patently offensive, as judged by contemporary community standards, and
- Lacks serious literary, artistic, political, or scientific value for minors.
- Includes: sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal contact; deviate sexual intercourse; sexual bestiality; masturbation; sado-masochistic abuse; lewd exhibition of the genitals, the anus, or any portion of the female breast below the top of the areola; touching of the genitals, anus, or breast (either of the child or another person, including through clothing) if done with intent to arouse or gratify sexual desire. Excludes materials required by the TEKS. Mirrors the Miller test for obscenity and draws on Penal Code § 43.24's definition of "harmful material."

Sexual performance – Texas Penal Code § 43.25 makes it a felony to use, authorize, or induce a person under 18 to take part in a sexual performance. This is interpreted to mean that a teacher cannot require a student or induce a student to read a text or engage in a visual representation of sexual content or sexual conduct, defined as intercourse, masturbation, sadomasochistic acts, or lewd exhibition of the genitals or certain parts of the breast. "Promoting" such material is also a felony; stricter penalties apply when the child is under 14 years old. The law applies even if a parent gives permission, and it does not matter if the person providing the material knows the child's actual age.

Sexual conduct – any touching of the anus, breast, or any part of the genitals of another person, with intent to arouse or gratify the sexual desire of any person, including touching through clothing. Includes sexual intercourse (actual or simulated penetration of the female sex organ by the male sex organ), deviate sexual intercourse (oral, anal, or penetration using foreign objects outside of medical practice), sexual contact, masturbation, lewd exhibition of the genitals, or sadomasochistic abuse.

Pico v. Board of Education – Local school boards may not remove books from school library shelves simply because they dislike the ideas contained in those books, thereby prescribing what shall be orthodox in politics, nationalism, religion, or other matters of opinion (457 U.S. at 872); however, If the removal decision was based solely upon the "pervasive vulgarity" of the books or their lack of educational suitability, such action would not violate the First Amendment. (457 U.S. at 871)

Frequently Asked Questions

1. What if only part of a book or collection meets the guidelines?

You may use individual texts that comply with SB 13, HB 900, and district guidelines, even if other works in the same collection do not. Only distribute, assign, or make accessible the specific story, excerpt, or section that meets the requirements. Do not provide students with access to the entire work if it contains material that would be prohibited under the guidelines.

2. Can a parent give permission for a student to read a text that may be considered too mature?

No. Parental permission cannot override Texas state law. Districts and teachers must comply with SB 13 and HB 900, regardless of individual parental preferences. This means a parent cannot authorize a teacher to provide a text that is considered sexually explicit under HB 900 guidelines.

3. **NEW** Can I offer students access to texts that address topics such as suicide, mental health, abuse, or human sexuality?

Books that include these themes as part of a story may be appropriate depending on grade level and instructional purpose. However, if the text is used or designed to provide direct instruction on health-related topics governed by Texas Education Code §28.004 – such as human sexuality, suicide prevention, abuse prevention, or mental health instruction – the material should not be included unless recommended through counseling or the school health department. When in doubt, consult your campus administration before using the material that appears to be intended for instruction.

4. **NEW** How do I know if a text is “designed to provide instruction on health-related topics”?

Texts may be considered instructional when they present health or safety topics in an authoritative or informational format, including medical or clinical definitions, statistical data, symptom or warning-sign lists, prevention or safety guidance, treatment or coping strategies, expert commentary, or crisis and support resources. This includes materials addressing human sexuality, mental health, suicide prevention, abuse prevention, dating violence, or related health and safety topics. When in doubt, seek additional guidance from a librarian, your campus administrator, district-level leadership, or a campus counselor or health-provider.

5. Do these guidelines apply to AP courses?

Yes. SB 13 and HB 900 apply to all public school courses, including Advanced Placement (AP) and other advanced or college-level classes taught on a high school campus by district staff. All instructional materials—regardless of course level—must comply with state law and district text selection guidelines.

6. Do these guidelines apply to Dual Credit courses?

It depends on where and by whom the course is taught. If the Dual Credit course is taught on a high school campus by a school district employee (even if they are also employed by the college), all district text selection guidelines apply. If the course is taught by college faculty on a college campus, K-12 text selection laws generally do not apply, but the college's instructional material policies will.

7. What about video clips linked in the adopted resource for our course?

Any videos, articles, or other linked materials from any curriculum resource must also comply with SB 13, HB 900, and district text selection guidelines. As with all texts, teachers are responsible for previewing linked content in full before sharing it with students to ensure it meets all legal and district requirements. If a linked resource does not meet the guidelines, do not assign or display it to students.

8. What if I teach a specialized course with national standards that require certain novels, even if those novels might not meet state or district guidelines?

Even if a national organization identifies required or recommended texts, all instructional materials used in Texas public schools must still comply with state law and district policy.

9. Since the school board is approving new purchases for the school library, do they also need to approve new purchases for the classroom library?

No. Though HB 900 requires that the district's collection development policy apply to both school and classroom libraries, the portions of EFB policy related to acquisition and access apply only to school libraries. School board approval is required for new school library purchases under the district's collection development policy (as outlined in EFB), but classroom libraries follow the district's separate classroom library text guidelines, which do not require board approval. Classroom library titles should align with district standards and are titles also available in the campus or district library catalog or through district-provided resources. Teachers should continue following the district's classroom library guidelines when adding or updating books in their classrooms.

10. So when it comes to "profanity" - that feels vague to me. Do I just remove every book with a cuss word?

No. The guidelines don't require removing every book that contains a swear word, and there's no such thing as a "banned word" list. What matters is whether a text is pervasively vulgar or grossly offensive in its language. For example, a novel like *The Outsiders* includes a few mild curse words but is widely recognized for its literary and instructional value; that type of text would likely not be removed. By contrast, a book that contains pervasive and explicit profanity could not be included in a classroom library. Another way to think of it – If the book were adapted word-for-word into a TV show, could it be broadcast on daytime television without heavy editing or censorship?

11. What do I do now? Do I have to sit down and re-read every book in my classroom library?

You do not need to re-read every book you currently have in your classroom library, but you should (a) confirm your library aligns with the district catalog, (b) review any book not in the classroom library to confirm that it is not out of compliance, (c) re-read texts when formally selecting them for use in instruction, and (d) take reasonable steps to review and document decisions when adding new titles.

Reference Appendix

TEC § 26 — Parental Rights

Establishes parents' rights related to instructional materials, health-related services, and the ability to withhold consent or exempt a student from certain instruction or activities.

TEC § 28.004 — School Health Advisory Councils and Health Instruction

Governs instruction related to human sexuality, reproductive health, sexually transmitted diseases, HIV/AIDS, child abuse, family violence, dating violence, and related topics, including SHAC review and Board approval requirements.

TEC § 33.021 & Texas Penal Code § 43.24–43.26 — Harmful Material to Minors

Defines harmful material and establishes criminal penalties for distributing sexually explicit material to minors.

Texas Penal Code § 43.25 — Sexual Performance by a Child

Prohibits promoting or requiring minors to participate in or engage with sexual performance materials.

Senate Bill 412 (88th Texas Legislature, effective 2025)

Eliminates the affirmative defense previously allowed for educational use of sexual performance material involving minors.

House Bill 900 (88th Texas Legislature, 2023)

Requires school districts to adopt standards for library materials, prohibits harmful material, establishes vendor rating requirements, and expands oversight of library and classroom collections.

Senate Bill 13 (89th Texas Legislature, 2025)

Strengthens parental rights and local oversight related to school library materials and collection development policies.

Board of Education v. Pico, 457 U.S. 853 (1982)

Affirms that school boards may not remove books based solely on disagreement with ideas but may remove materials for pervasive vulgarity or lack of educational suitability.

Texas Education Agency (TEA) Model School Library Standards

Provides guidance for age appropriateness, suitability, and professional review of school library materials.

State Board of Education Instructional Materials Review and Approval (IMRA) Process & Standards

Establishes criteria for suitability, age appropriateness, and content limitations for instructional materials.

Denton ISD Board Policy EFB (Local) — Library Materials

Defines district standards for selection, acquisition, reconsideration, and removal of library materials.

State Board of Education Instructional Materials Review and Approval (IMRA) Rubric

Establishes standards for suitability, age appropriateness, and content limitations for instructional materials adopted or reviewed by the SBOE.