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H250

School Library Material Removal Request Procedure

The school libraries housed within the Franklin Community School Corporation support and enrich the curriculum, students' personal interests, and learning. Despite the careful selection of materials and the qualification of those involved in the selection process, objections to school library materials may occur.

A parent or guardian of a student enrolled in the Corporation or a community member who resides within the geographic boundaries of the Corporation ("Requester") may submit a request to remove material from a school library on the grounds that the material is obscene or harmful to minors as those terms are defined by the Indiana criminal code:

35-49-2-1 Obscene matter or performance
A matter or performance is obscene for purposes of this article if:
(1) the average person, applying contemporary community standards, finds that the dominant theme of the matter or performance, taken as a whole, appeals to the prurient interest in sex;
(2) the matter or performance depicts or describes, in a patently offensive way, sexual conduct; and
(3) the matter or performance, taken as a whole, lacks serious literary, artistic, political, or scientific value.

35-49-2-2 Matter or performance harmful to minors
A matter or performance is harmful to minors for purposes of this article if:
(1) it describes or represents, in any form, nudity, sexual conduct, sexual excitement, or sado-masochistic abuse;
(2) considered as a whole, it appeals to the prurient interest in sex of minors;
(3) it is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable matter for or performance before minors; and
(4) considered as a whole, it lacks serious literary, artistic, political, or scientific value for minors.

The Requester should first discuss the item of concern with the district media specialist and building administration. If the concern still exists after communicating with the district media specialist and building administration, the Requester can make a request to remove the material by completing a Removal Request Form to the Superintendent within 10 days of the discussion with the school librarian. Such Form must explain why the requester believes the material is obscene or harmful to minors and submitting the same to Superintendent or designee.

A request for removal of school library material will be treated as a request to remove the material from all school libraries. Notwithstanding, material subject to a request for removal will remain on library shelves and in circulation until a final decision is made.

Upon receipt of a completed Removal Request Form the Superintendent will convene a review committee ("Committee") to review the request for removal and the subject material. The Committee will include at a minimum: a district level administrator, a district media specialist, a teacher, a building level administrator, and a school employee who lives within the geographic boundaries of the Corporation (if not already fulfilled by another Committee member).

When considering the request for removal, all Committee members should fully review the material (read or view the entire work), so that the Committee may consider the material in its entirety. The Committee shall consider both whether the material subject to the request is obscene and whether it is harmful to minors regardless of whether the request is based on just one or the other ground for removal. Upon completion of its review, usually within thirty (30) school days, the Committee will provide the Requester and the Board of School Trustees with a written recommendation. If material is subject to removal under this Policy, the material will be removed from all School Corporation buildings/locations where such material was available.

If the Requester is not satisfied with the recommendation of the Committee, a written appeal may be made within ten (10) school days to the Board of School Trustees. The appeal should be sent to the Board President. The Board will review the recommendation and appeal at the next public meeting.

If the Requester submits no appeal, the Board will make its decision based on the recommendation of the Committee. The request for removal, Committee recommendation, and any appeal will be reviewed by the Board at the next public meeting following the recommendation.

The Corporation will not process requests regarding school library material previously subject to this procedure absent extenuating circumstances.

Franklin Community School Corporation

Adopted: 12-11-23
Revised:

References:
IC 20-26-5.5 *et seq*.
IC 35-49-2-1 – Definition of "obscene"
IC 35-49-2-2 – Definition of "harmful to minors"