

POLICY 4017

Evaluation and Selection of Library Material

A. Definitions

1. In addition to the definitions in [Policy 4016 Evaluation and Selection of Instructional Material](#), the following definitions apply in this policy:
 - a. “Library material” means any instructional material digital media (including audio or visual media) or physical text contained within a school library’s collection.
 - b. “School library” means the location, both physical and virtual, where library materials are housed and administered by professional staff hired to oversee the selection, maintenance, and access to school library materials.
 - c. “Self-selection” means the right and responsibility of individual students and the student’s parent or legal guardian to select materials from a school library.
 - d. ~~“School library material review committee” means a committee formed at the school level, appointed as needed and consisting of a school administrator or administrators, at least one educator with a master’s degree or endorsement in library science, at least one other educator from the school, and at least two parents with students enrolled in and attending the school. An administrator member of the committee shall serve as the committee chair. Parents appointed to a library material review committee shall be reflective of the members of the relevant school community. The school library material review committee considering a particular request may not include either an individual who originally selected the material for inclusion in the library or the individual who has made the request or a family member of the individual making the request.~~
- e. “~~District I~~Library material review committee” means a committee formed at the District level, appointed as needed and consisting of a District administrator or administrators, at least two educators with a master’s degree or endorsement in library science, educators from at least two other schools of the same level (high school, middle or junior high, or elementary) as the school where the request

~~Utah Code § 53G-10-103(3) (2022)~~

arises, and at least three parents with students enrolled in and attending other District schools of the same level. An administrator member of the committee shall serve as the committee chair. Parents appointed to a ~~District~~ Library material review committee shall be reflective of the members of the District community. The ~~District~~ Library material review committee considering a particular request may not include a member of the school library material review committee who considered the original request, nor may it include either an individual **who originally selected responsible for the procurement of** the material for inclusion in the library or the individual who has made the request or a family member of the individual making the request.

[Utah Code § 53G-10-103\(4\)\(c\)\(i\) \(2024\)](#)
[Utah Admin. Rules R277-628-3\(1\)\(a\)\(vi\), \(c\) \(August 7, 2024\)](#)

B. Policy Regarding Selection of Library Material

1. The Board of Education recognizes that it has broad discretion in managing and operating the schools of the District, including in selecting library material, and that it has delegated authority to District and school administration in this matter. The Board of Education also recognizes the importance of freedom of inquiry and study, the constitutional and First Amendment restrictions on the suppression of ideas, and that school libraries offer a place and opportunity for the exercise of intellectual freedom and the right to read, inquire, study, and evaluate outside of the setting of formal instruction. The Board of Education further recognizes that school libraries are different from public libraries in that they are not open to the public, primarily serve the school's students (who are minors), and are part of the instructional resources of the school. The Board has adopted this policy to serve and balance these interests while taking into account the values of the community.

C. Selection and Deselection of Library Materials

1. The school librarian, subject to the oversight of the principal and working in cooperation with school staff, shall select new library material taking into consideration the following criteria and subject to the overall requirements that the material is age appropriate and does not **include pornographic or indecent constitute sensitive** material as defined in [Policy 4016](#):
 - a. Overall purpose and educational significance
 - b. Contribution and relevance to core standards

- c. Teacher, parent, or student request
 - d. Validity, currency and appropriateness
 - e. Accuracy, timeliness and permanence
 - f. Favorable reviews, recommendations and/or award nominees found in standard selection sources or from professional personnel
 - g. Contributes to a balanced perspective
 - h. Potential appeal and interest
 - i. Recreational reading needs of students
 - j. Artistic quality and literary style
 - k. Reputation and significance of author, producer, or publisher
 - l. Value commensurate with cost and/or need
 - m. Uniqueness, diversity, and/or heritage of the state, region, or group
 - n. Support of second language learners
 - o. Support of special needs students
 - p. Merit of the work as a whole
2. The school librarian shall periodically review the library collection to determine what material should be removed or replaced (deselected). Criteria may include any of the considerations relating to initial section stated above and may also include:
- a. Poor physical condition
 - b. Superseded by more current information or contains subject matter no longer needed to support the core standards

- c. Encourages stereotypes or biases
- d. Receiving little use
- e. Provides wrong, inaccurate, or dated information

D. Access to Library Material

1. Student access to library material is based primarily on self-selection. Library staff are available to consult with students and with the parent or guardian of students to find appropriate material but are not responsible for final selections of the student. If a student's parent or guardian wishes to restrict that student's access to any particular library item (a specific work or title), the parent or guardian may make a written request to the library staff and the student will then not be allowed to check out that item.

E. Review of Library Material ~~in Response to Request for Sensitive Material~~

1. Requests for review of library materials ~~for sensitive material~~ are limited as follows:
 - a. Personal interest requirement
 - 1) A student ~~currently enrolled in and attending a District school may request review of a particular library item in the library of the school where their student is currently enrolled and attending.~~
 - 2) A parent or guardian ~~of a student currently enrolled in and attending a District school may request review of a particular library item in the library of any school where a child of the parent or guardian is currently enrolled and attending.~~
 - 3) A District employee; ~~may request review of a particular library item in the library of a school where the employee has professional responsibilities.~~
 - 4) A member of the Board of Education; ~~may request review of a particular library item in the library of a school within the local school board district the Board member represents.~~

[Utah Code § 53G-10-103\(3\)\(a\) \(2024\)](#)

b. Limits on ~~request after unsuccessful challenges frequency~~

- 1) An “unsuccessful challenge” means that an instructional material (including but not limited to library material) is determined not to be sensitive material and is retained after an allegation that it contains sensitive material ~~Each individual is limited to three requests to review library materials per school year.~~
- 2) After an individual has made three unsuccessful challenges in a given school year, the individual may not request sensitive material review for the remainder of that school year ~~Any item which has been subject to review, reviewed under this policy, and retained may not be subject to another request for review for at least three years within the scope of the review conducted (school or District).~~

[Utah Code § 53G-10-103\(3\)\(b\) \(2024\)](#)

~~c. Preconditions to request for review~~

- ~~1) Any adult who wishes to file a request for review must first read or review the library item as a whole before filing the request (students are not to be required, requested, or encouraged to complete reading or reviewing library material in which they have discovered content they believe is pornographic or indecent).~~
- ~~2) Before filing a request for review regarding a library item, the individual shall first meet with the school librarian, who shall if able explain the intended purpose and use of the item in question.~~
- ~~3) If the librarian is unable to provide this information or if the individual is not satisfied with the information provided, the individual shall then meet with the principal (or a school administrator designated by the principal) regarding the concern.~~

- d. ~~If after meeting with the administrator the~~ An individual who desires ~~wishes to request~~ review of library material for sensitive material ~~must the item, the individual shall~~ complete the Request for School Review of Library Material form and provide it to the ~~Superintendent or Superintendent’s designee principal of the~~

~~school where the library with the item is located. The Superintendent or designee shall make an initial determination whether the form has been fully completed and the person is eligible to request review. principal or principal's designee shall make an initial determination whether the form has been fully completed and the requirements for request review have been met. If so, the principal or designee shall establish a school library materials review committee to conduct the review.~~

- e. Upon receipt of a request for sensitive materials review from an eligible individual, the Superintendent or designee **and another District administrator who has responsibility regarding curriculum** will make an initial determination as to whether the request presents a plausible claim that the library material constitutes sensitive material, including whether the request includes excerpts and other evidence to support the allegation. **If those two individuals determine that** the request presents a plausible claim that the library material constitutes sensitive material, the District shall proceed with review of the material and shall immediately remove the library material from any school setting that provides student access to the material until the review process is complete.

[Utah Code § 53G-10-103\(4\)\(a\) \(2024\)](#)

[Utah Admin. Rules R277-628-3\(1\)\(a\)\(iv\) \(August 7, 2024\)](#)

- f. The Superintendent or designee shall **assign one or more administrators designate two District employees and one parent** to evaluate the request and the challenged material and determine if the challenged material constitutes objective sensitive material. **The individuals designated may not include anyone responsible for procurement of the materials or the individual who requested the review but may include the District employees who performed the initial review.** If the challenged material is determined to be objective sensitive material, then the District shall ensure that the material remains inaccessible to students in any school setting.

[Utah Code § 53G-10-103\(4\)\(b\) \(2024\)](#)

[Utah Admin. Rules R277-628-3\(1\)\(a\)\(v\), \(vi\) \(August 7, 2024\)](#)

- g. If the material is determined to not be objective sensitive material, the Superintendent or designee shall establish a library material review committee to review the material to determine whether it constitutes subjective sensitive material. During review by the library material review committee, the District shall allow access to the challenged material to any student whose parent gives consent for the student to access the challenged material.

[Utah Code § 53G-10-103\(4\)\(c\)\(i\), \(ii\) \(2024\)](#)

- h. ~~An item may not be removed from the library while the review process is pending, though a parent may restrict their student's access to the item by written request to the librarian.~~
- i. The sole purpose of the ~~school~~ library material review committee shall be to determine whether the item ~~contains pornographic or indecent constitutes subjective sensitive~~ material as defined in [Policy 4016](#) and shall prioritize protecting children from the harmful effects of illicit pornography over other considerations. An item may not be removed because of disagreement with the item's content relating to politics, religion, nationalism, or other matters of opinion. The committee's determination shall be made by majority vote of the members of the committee. Prior to engaging in any discussions with other committee members or participating in any decision making, each committee member shall read the item in its entirety (for written items) or review the item as a whole (for non-written items).

[Utah Code § 53G-10-103\(2\)\(c\) \(2024\)](#)

[Utah Admin. Rules R277-628-3\(1\)\(a\)\(iii\) \(August 7, 2024\)](#)

- j. After the chair of the library material review committee has confirmed that all members of the committee have reviewed the item, the chair shall schedule such meetings as necessary for the committee to discuss the item and determine whether it ~~contains pornographic or indecent constitutes subjective sensitive~~ material.
- k. In determining whether the item ~~contains pornographic or indecent constitutes subjective sensitive~~ material, the committee shall determine whether the material meets any of the ~~four~~ three tests for ~~contains pornographic or indecent subjective sensitive~~ set out in the definition in [Policy 4016](#).
- l. After the committee has made its determination, it shall prepare a written report which explains its findings and the grounds for its findings. A copy of the report shall be provided to the person who requested the review.
- m. If the committee determines that the item ~~contains pornographic or indecent constitutes subjective sensitive~~ material, then the item shall be removed from

student access in the school setting (regardless of whether the student's parent has consented to the student having access to the material) ~~the library permanently or pending the outcome of an appeal from the school library materials review committee to a District library materials review committee.~~ **If an item is determined to be sensitive material and removed from use, all copies of the material shall be physically removed and as applicable deleted from electronic storage. The District shall inform vendors and publishers regarding the decision. Sensitive materials removed from student access may not be sold or distributed but shall be legally disposed of.**

[Utah Code § 53G-10-103\(4\)\(c\)\(iii\) \(2024\)](#)

[Utah Admin. Rules R277-628-3\(1\)\(a\)\(vii\) \(August 7, 2024\)](#)

- n. If the committee determines that the item does not ~~contains pornographic or indecent~~ constitute subjective sensitive material, then the item shall be retained. A reviewed item which is retained after review for pornographic or indecent material may nevertheless be deselected by the school librarian if the librarian determines that it meets other criteria for deselection.

- o. ~~If no District Appeal review is requested as described below,~~ **The chair of the school library material review committee shall report the results of the review to the Utah State Board of Education using the reporting tool provided by the State Board at [this website](#).**

[Utah Code § 53G-10-103\(4\)\(d\) \(2024\)](#)

~~F. Review by District Library Material Review Committee~~

- ~~1. An individual who obtained review of an item by a school library material review committee and who is dissatisfied with the school committee's determination or wishes to have a determination that the item contains pornographic or indecent material applied to all schools in the District may request review by a District library review committee. The chair of~~

- ~~2. An individual who obtained review by a District library material review committee shall complete the Request for District Review of Library Material form and provide it to the Superintendent or designee. The form must be submitted within 30 days of the report from the school library material review committee. The Superintendent or designee shall make an initial determination whether the form has been fully~~

~~completed and the requirements for requesting review have been met. If so, the Superintendent or designee shall establish a District library material review committee to conduct the review.~~

- ~~3. The status of the item as determined by the school library material review committee (retained or removed) shall remain in place during review by the District library material review committee.~~
- ~~4. The sole purpose of the District LMRC shall be to determine whether the item contains pornographic or indecent material. However, where the item being reviewed is located in a school serving younger students (an elementary school or middle school or junior high school) and the concern relates to nudity, the District library material review committee may consider whether the item constitutes pornographic or indecent material for older students (students in middle school or junior high or high school as applicable). An item may not be removed because of disagreement with the item's content relating to politics, religion, nationalism, or other matters of opinion. The committee's determinations shall be made by majority vote of the members of the committee. Prior to engaging in any discussions with other committee members or participating in any decision making, each committee member shall read the item in its entirety (for written items) or review the item as a whole (for non-written items).~~
- ~~5. After the chair of the District library material review committee has confirmed that all members of the committee have reviewed the item in question, the chair shall schedule such meetings as necessary for the committee to discuss the item and determine whether it contains pornographic or indecent material.~~
- ~~6. In determining whether the item contains pornographic or indecent material, the committee shall determine whether the material meets any of the four tests for pornographic or indecent material set out in the definition in Policy 4016 (including as appropriate standards relating to nudity with respect to older students). The committee may consider the report of the school library material review committee but is not bound by that report and is to conduct an independent review and assessment of the item.~~
- ~~7. After the committee has made its determination, it shall prepare a written report which explains its findings and the grounds for its findings. A copy of the report shall be provided to the person who requested the review.~~

8. ~~If the committee determines that the item contains pornographic or indecent material, then the committee shall either direct that the item be removed from all school libraries within the District or, if the committee determines that an item with nudity is not pornographic or indecent material with regard to older students, may limit the removal to school libraries serving elementary and/or middle or junior high schools, according to the committee's determination. If the committee determines that the item does not contain pornographic or indecent material, then the item shall be retained and that determination shall apply to all school libraries within the District. A reviewed item which is retained after review for pornographic or indecent material may nevertheless be deselected by a school librarian if the librarian determines that it meets other criteria for deselection.~~
9. ~~After the District library material review committee issues its report, the chair of the committee shall report the results of the review to the Utah State Board of Education using the reporting tool provided by the State Board at [this website](#).~~
10. Any individual who is eligible to request a review for sensitive material may appeal a determination to the Board of Education. An appeal can be made regarding an objective sensitive material determination or a subjective sensitive material and can be made whether the decision was to remove or retain the material. The appeal shall be in writing, shall be submitted to the Board of Education within 30 days of the determination, and shall explain why the individual believes the determination was incorrect. In considering the appeal, the Board of Education may make use of whatever information it finds appropriate, including the committee report. The Board of Education's decision on the appeal shall be made by vote in public meeting. In making the decision, the Board of Education shall clearly identify the rationale for its decision and the determination on each component of the standards used in deciding the appeal (including the statutory standards and any additional policy standards the Board of Education may use). The District shall report the results of the appeal to the Utah State Board of Education using the website identified above **promptly following conclusion of the appeal.**

[Utah Code § 53G-10-103\(5\) \(2024\)](#)

[Utah Admin. Rules R277-628-4\(3\) \(August 7, 2024\)](#)

11. ~~The determination of the District library material review committee is final and may not be further appealed.~~

G. Compensation for additional employee time

Policy 4017
Amended
February 14, 2024
First Reading
November 13, 2024
Second Reading
December 11, 2024

1. If a District employee participating in sensitive materials review is required to do so outside of contract hours, the District shall compensate the employee for the additional time spent participating in the review.

[Utah Admin. Rules R277-628-3\(1\)\(e\) \(August 7, 2024\)](#)

Request for ~~School~~ Review of Library Material

1. Requester: _____ School: _____
Address: _____ City: _____ Zip: _____
Email: _____ Phone: _____

~~2. Qualifying personal interest category or categories: _____~~

3. Brief statement explaining the request: _____

4. Type of material: Book (Print) E-Book (Digital) Audio Book Movie Magazine
 Other Audio Recording Library Digital Resource Game Newspaper Other

5. Title: _____

6. Author or Producer: _____

~~7. Are you a student? Yes No (If yes, do not finish reviewing the material)~~

~~8. Have you read or reviewed the entire material? Yes No (Not required of students)~~

9. Library material may only be removed because it ~~contains pornographic or indecent~~ constitutes sensitive material as defined in District [Policy 4016](#) and governing law. Library material may not be removed because it contains ideas that individuals disagree with based upon politics, nationalism, religion, or other matters of opinion. I acknowledge and understand that the scope of review will be limited to whether the material ~~contains pornographic or indecent~~ constitutes sensitive material.
Initial: _____

10. ~~The pornographic or indecent~~ Sensitive material can be found at the following location or locations (page, chapter, link, timestamp, etc.)

~~11. I understand that I must meet the personal interest requirement set out in Policy EEEA in order to obtain review. Initial: _____~~

~~12. I have met with the school librarian to discuss the item as required by Policy EEEA. Initial: _____~~

~~13. I have made _____ other requests for review of library materials during the current school year.~~

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

Signed on the _____ day of _____, _____ at _____
(Day) (Month) (Year) (City or other location and
state/country)
Printed Name _____
Signature _____

Request for District Review of Library Material

1. ~~Requester: _____ School: _____
Address: _____ City: _____ Zip: _____
Email: _____ Phone: _____~~
2. ~~Qualifying personal interest category or categories: _____~~
3. ~~Purpose of review: ___ Challenge school review result ___ Extend school review result to all schools~~
4. ~~Date of school library material review committee report: _____~~
5. ~~Type of material: ___ Book (Print) ___ E-Book (Digital) ___ Audio Book ___ Movie ___ Magazine
___ Other Audio Recording ___ Library Digital Resource ___ Game ___ Newspaper ___ Other~~
6. ~~Title: _____~~
7. ~~Author or Producer: _____~~
8. ~~Are you a student? ___ Yes ___ No (If yes, do not finish reviewing the material)~~
9. ~~Have you read or reviewed the entire material? ___ Yes ___ No (Not required of students)~~
10. ~~Library material may only be removed because it contains pornographic or indecent material as defined in District Policy EEE and governing law. Library material may not be removed because it contains ideas that individuals disagree with based upon politics, nationalism, religion, or other matters of opinion. I acknowledge and understand that the scope of review will be limited to whether the material contains pornographic or indecent material. Initial: _____~~
11. ~~The pornographic or indecent material can be found at the following location or locations (page, chapter, link, timestamp, etc.) _____~~
12. ~~I understand that I must meet the personal interest requirement set out in Policy EEEA in order to obtain review. Initial: _____~~
13. ~~I have made _____ other requests for review of library material during the current school year.~~

Policy 4017
Amended
February 14, 2024
First Reading
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~~I declare under criminal penalty under the law of Utah that the foregoing is true and correct.~~

Signed on the _____ day of _____, _____ at _____

(Day) (Month) (Year) (City or other location and
state/country)

Printed Name _____

Signature _____