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Burnsville-Eagan-Savage School District Policy 606

606 TEXTBOOKS, INSTRUCTIONAL RESOURCES, AND LIBRARY MATERIALS

I. PURPOSE

The purpose of this policy is to provide direction for selection and reconsideration of instructional resources and library materials.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that selection of instructional resources is a vital component of the school district's curriculum, and acknowledges that library materials serve to enrich the breadth of the curriculum as a whole by meeting the needs and interests of all students.

III. DEFINITIONS

A. "Library" is the school district resource that holds the library collection that serves the information and independent reading needs of students and supports the curriculum needs of teachers and staff. The term "library" includes a school library media center. The term also includes access to electronic materials.

The term "library refers to the resources within a specific school building at the multiple sites of ISD 191.

In accordance with Minnesota Statutes, section 124D.901 the library or library media center provides equitable and free access to students, teachers, and administrators and that the school library or school library media center must have the following characteristics:

1. ensures every student has equitable access to resources and is able to locate, access, and use resources that are organized and cataloged;
2. has a collection development plan that includes but is not limited to materials selection and deselection, a challenged materials procedure, and an intellectual and academic freedom statement;
3. is housed in a central location that provides an environment for expanded learning and supports a variety of student interests;
4. has technology and Internet access; and
5. is served by a licensed school library media specialist or licensed school librarian.

B. “Library collection” consists of the library materials made available to students.

C. “Library materials” are the books, periodicals, newspapers, manuscripts, films, prints, documents, videotapes, subscription content, electronic and digital materials (including e-books, audiobooks, and databases), and related items made available to students in a school building or through access to electronic materials. This term does not include materials made available to students as part of the curriculum.

D. “Library media specialist” is under Minnesota Rules, part 8710.4550. A library media specialist is authorized under Minnesota Rules to provide to students in kindergarten through grade 12 instruction that is designed to provide information and technology literacy skills instruction, to lead, collaborate, and consult with other classroom teachers for the purpose of integrating information and technology literacy skills with content teaching, promote reading for pleasure, and to administer media center operations, programming, and resources.

IV. RESPONSIBILITY OF SELECTION

A. The school board recognizes the expertise of the professional staff and the vital need of such staff to be primarily involved in the recommendation of instructional resources and library materials. Accordingly, the school board delegates to the superintendent or designee the responsibility to direct the professional staff in selections that meet school board criteria.

B. Selection of instructional resources shall be consistent with the following criteria:

1. To consider the characteristics and philosophy of the District when selecting resources.
2. To provide resources that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the individuals served.
3. To provide resources that will stimulate growth in critical reading and thinking, factual knowledge, literary appreciation, aesthetic values and ethical standards.
4. To provide a background of information which will enable individuals to make intelligent judgments in their daily lives.
5. To foster respect and appreciation for cultural diversity and varied opinion.
6. To provide resources representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.

7. To place principle above personal opinion and reason above prejudice in the selection of resources of the highest quality in order to assure a comprehensive collection appropriate for the users.
 8. To anticipate and meet needs through awareness of subjects of current interest.
 9. To permit grade-level instruction for students to read and study America's founding documents, including documents that contributed to the foundation or maintenance of America's representative form of limited government, the Bill of Rights, our free-market economic system, and patriotism; and
 10. Do not censor or restrain instruction in American or Minnesota state history or heritage based on religious references in original source documents, writings, speeches, proclamations, or records.
- C. While recommendations by administrators, faculty members, students, parents, and other community members may be considered, the final responsibility for selection of library materials shall rest with the library media specialist.
- D. The procedures for selection and reconsideration of library materials and collections set forth in this policy will be administered by:
1. A licensed library media specialist under Minnesota Rules, part 8710.4550;
 2. An individual with a master's degree in library science or library information Science; or
 3. A professional librarian or a person trained in library collection management.
- E. The library material selection process should result in a library collection that, when considered as a whole, is consistent with the following criteria:
1. Library materials shall support and be consistent with the general educational goals of the state and the district and the aims and objectives of individual schools and specific courses;
 2. Library materials shall be chosen to enrich and support the curriculum as well as to promote reading for pleasure by responding to the personal needs and interests of student users;
 3. Library materials shall not be excluded because of the race, color, creed, national origin, religion, sex, marital status, disability, sexual orientation, gender identity and expression, or political views of the writer;

4. Library materials shall be appropriate to and reflect the needs, ages, maturity level, emotional development, ability levels, learning styles, social development, background, cultural and linguistic diversity, and needs and interests of the students for whom the materials were selected;
5. Library materials shall meet high standards of quality in one or more of these categories (presented alphabetically):
 - a. Artistic quality and/or literary style;
 - b. Authenticity;
 - c. Critical thinking;
 - d. Educational significance;
 - e. Factual content;
 - f. High interest for intended audience; and
 - g. Readability.
6. The selection of library materials and collections shall conform to the constraints of the school district budget.
- F. The school board may decline to purchase, lend, or shelve or remove access to library materials and collections legitimately based on:
 1. Practical reasons, including but not limited to shelf space limitations, rare or antiquarian status, damage, or obsolescence;
 2. Legitimate pedagogical concerns, including but not limited to the appropriateness of potentially sensitive topics for the library's intended audience, the selection of the library materials for a curated collection, or the likelihood of causing a material and substantial disruption of the work and discipline of the school; or
 3. Compliance with state or federal law.
- G. The library media specialist shall consult sources and specialists experienced in library materials collections appropriate for the building's students and that are reputable, experienced, unbiased, and professionally trained in school library materials.
- H. Library materials that are outdated, inaccurate, no longer useful for curricular support or reading enrichment, or have not been utilized for an extended period of time may be removed.

Library materials that are in poor physical condition may be removed or replaced as determined by the library media specialist.

I. Materials offered for donation or gifted to a school library may be accepted if they comply with the library collection selection criteria and approved by the library media specialist. The school district libraries reserve the right to decline to accept materials that do not meet the criteria for selection. In addition, library financial donations to benefit a school district's libraries will be accepted with the understanding that funds will be used to purchase materials that are needed for the libraries based on the needs of individual school collections.

V. SELECTION OF INSTRUCTIONAL RESOURCES

The superintendent or designee shall be responsible for:

1. developing procedures and guidelines to establish an orderly process for the review and recommendation of instructional resources by the professional staff. Such procedures and guidelines shall provide opportunity for input and consideration of the views of students, parents, and other interested members of the school district community. This procedure shall be coordinated with the school district's curriculum development effort and may utilize advisory committees.

2. keeping the school board informed of progress on the part of staff and others involved in the instructional resource review and selection process.

VI. RECONSIDERATION OF INSTRUCTIONAL RESOURCES AND LIBRARY MATERIALS

A. The school board recognizes differences of opinion on the part of some members of the school district community relating to certain areas of the instructional program. A school district employee, student or parent or guardian of a school district student may request an opportunity to review materials and submit a request for reconsideration of the use of certain instructional resources or library materials on the basis of appropriateness.

B. A parent or guardian may request that access to specific instructional resources or library materials be restricted from their student. The school district shall take reasonable steps to fulfill this request. This type of request will not result in removal of specific instructional resources or library materials from the classroom or library media center or restrictions upon any other student accessing the instructional resource or library materials.

C. The superintendent or designee shall be responsible for the development of guidelines and procedures to identify the steps to be followed to seek reconsideration of instructional resources.

D. All instructional materials, including teacher's manuals, films, tapes, or other

supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the students.

VII. PROCEDURE FOR HANDLING QUESTIONED MATERIALS

A. Each concern shall be directed to the building principal who will:

1. Treat each concerned person(s) request with confidentiality.
2. Provide and explain School Board Policy 606.
3. Inform concerned person(s) that his/her child is not required to be exposed to the questioned material. See Alternative Instruction Request Form.
4. Try to resolve the questions of the concerned person(s) during the initial contact using a Culturally Proficient School Systems (CPSS) lens.
5. Provide and explain use of the form “Statement of Concern About Educational Materials.”
6. Inform Assistant Superintendent or designee and appropriate staff member(s) when the above form is given to a concerned person.
7. Access to the duly-selected instructional or library material in review shall not be restricted during the review process, unless the Assistant Superintendent or designee has determined the material is in violation of the selection criteria of Section IV.B of this policy

B. Upon receipt of the signed “Statement of Concern About Educational Materials” form, the principal will:

1. Meet with the concerned person(s) and appropriate staff, including the library media specialist if related to library materials, to discuss the information on the completed form.
2. Appoint a building committee to investigate the questioned materials. (The committee will have representation from the administration, teaching staff, including the library media specialist if related to library materials, and citizens and use appropriate Culturally Proficient School Systems rubrics as a part of their investigation.)
3. Review the findings of the building committee.
4. Inform the concerned person(s) and Assistant Superintendent or designee of the committee’s findings in writing.

C. If the concerned person(s) is not satisfied with the findings of the building committee, the principal will forward the concern to the Assistant Superintendent or designee who will:

1. Convene a Questioned Materials Committee. This committee shall consist of at least five (5) persons including:
 - a. Staff from grade and/or subject area (including library media specialist if related to library materials)
 - b. Building Principal

- c. Assistant Superintendent or Designee
 - d. Citizen(s)
 - 2. Review the findings of the Questioned Materials Committee.
 - 3. Inform the concerned person(s) of the Questioned Materials Committee's findings.
- D. If the concerned person(s) is not satisfied with the Questioned Materials Committee's findings and the Assistant Superintendent or designee decision, they may appeal to the School Board.

Once reviewed, instruction resources and library materials will not be reviewed again within three years.

VIII. CHALLENGE REPORT

Upon the completion of a content challenge or reconsideration process in accordance with this policy, the school board must submit a report of the challenge to the Commissioner of the Minnesota Department of Education that includes:

- A. the title, author, and other relevant identifying information about the material being challenged or reconsidered;
- B. the date, time, and location of any public hearing held on the challenge in question, including minutes or transcripts
- C. the result of the challenge or reconsideration request; and
- D. accurate and timely information on who from the school district the Department of Education may contact with questions or follow up.

IX. PROHIBITION ON RETALIATION

The school district may not discriminate against or discipline an employee for complying with Minnesota Statutes, section 134.513.

Legal References: Minn. Stat. § 120A.22, Subd. 9 (Compulsory Instruction)
Minn. Stat. § 120B.235 (American Heritage Education)
Minn. Stat. § 123B.02, Subd. 2 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09, Subd. 8 (School Board Responsibilities)
Minn. Stat. § 124D.59-124D.61 (Education for English Learners Act)
Minn Stat § 124D.901 (Public School Library and Media Centers)
Minn. Stat. § 127A.10 (State Officials and School Board Members to be Disinterested; Penalty)
[20 U.S.C. 1232h\(a\) \(Protection of Pupil Rights\)](#)

Minn. Stat. § 134.51 (access to Library Materials and Rights Protected)Minn. Rules part 8710.4550 (Library Media Specialists)
Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988)
Bd of Educ., Island Trees Union Free Sch. Dist. No 26 v. Pico, 457 US 853 (1982)
Pratt v. Independent Sch. Dist. No. 831, 670 F.2d 771 (8th Cir. 1982)
Virginia State Bd. Of Educ., v. Barnette, 319 U.S. 624, 642 (1943)

Cross References: Burnsville-Eagan-Savage School District Policy 603 (Curriculum Development)
Burnsville-Eagan-Savage School District Policy 604 (Instructional Curriculum)
Burnsville-Eagan-Savage School District Policy 706 (Acceptance of Gifts)