

INSTRUCTIONAL RESOURCES
LIBRARY MATERIALS

EFB
(LOCAL)

Objectives

The purpose of this policy is to ensure that the District provides a wide range of library materials for students and faculty that support student achievement and present varying levels of difficulty, diversity of appeal, and a variety of points of view. The overarching criterion for library materials is educational suitability.

In this policy, “library materials” is defined by law and may include printed and electronic library acquisitions, including online catalogs, and other ancillary or other supplementary materials maintained in a campus media center. [See EFB(LEGAL)]. This term does not include instructional materials.

The library collection development standards shall apply to all library materials available for use or display, including material contained in school media centers, classroom libraries, online catalogs, library mobile applications used in the District, and any other library catalog a student may access.

In developing library collections, the District shall consider the age groups, grade levels, and access to library material by all students on a campus.

Library collections should include materials that enrich and support the state and local curriculum. Collections should also provide materials of high interest to encourage student reading and learning for enjoyment. Library materials may be used to enhance the instructional program, for formal or informal teaching and learning purposes, and for voluntary inquiry or self-selected reading.

Responsibility

The Board shall rely on District professional staff to select and acquire library materials that meet the selection criteria outlined in this policy.

**Collection
Development Goals
and
Selection Criteria**

The Superintendent shall develop administrative procedures to ensure that library collections comply with applicable law, library standards, and the District’s collection development purpose and goals.

In addition to the requirements in state law and rules, library materials shall be chosen in accordance with guidelines adopted by the Texas State Library and Archives Commission. Library materials shall also comply with the Children’s Internet Protection Act (CIPA), including technology protection measures. [See CQ series] In the selection of library materials, professional staff shall ensure that the materials:

1. Enrich and support the curriculum, taking into consideration students’ varied interests, abilities, learning styles, and maturity levels.

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2. Stimulate growth in factual knowledge, literary appreciation, aesthetic values, and societal standards.
3. Encourage enjoyment of reading, high-level thinking skills, support personal learning, and encourage discussion based on rational analysis.
4. Develop a balanced collection presenting multiple viewpoints related to controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis [see EMB regarding instruction about controversial issues].
5. Represent many ethnic, religious, and cultural groups of this state and their contributions to Texas, the nation, and the world to ensure the collection embodies the background of all students.
6. Meet high standards for artistic quality and/or literary style, authenticity, and educational suitability.
7. Are age appropriate for the school level.
8. Are free of obscene material as obscene material is not protected by the First Amendment to the United States Constitution.
9. Include accurate and authentic factual content from authoritative sources for nonfiction works.
10. Have a high degree of potential user appeal and interest.
11. Do not contain "sexually explicit material" as defined by Education Code Section 33.021.
12. Do not contain "harmful material" as defined by Section 43.24, Penal Code.
13. Are not pervasively vulgar or educationally unsuitable as referenced in *Pico v. Board of Education*, 457 U.S. 853 (1982): 457 U.S. 853 (1982).
14. Do not feature gratuitous or explicit nudity that does not contribute to educational objectives, cultural understanding, or artistic merit. Books that do so will not be included in the library collection.
15. Do not contain nudity. Materials containing nudity, even if deemed educationally suitable, will be selected with consideration for the age and maturity level of the intended audience. [See specific guidance below for

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elementary and middle schools]

16. Do not adopt, support, or promote gender fluidity and such material will not be included in high school library collections for high school students unless the material is age-appropriate and educationally suitable. Material in any high school library collection that adopts, supports, or promotes gender fluidity will be maintained on a restricted access shelf. Additional guidance is provided below for elementary and middle school students. Gender fluidity is defined as any belief, theory, or ideology that:
- Espouses the view that gender is merely a social construct
 - Espouses the view that it is possible for a person to be any gender or no gender (i.e., non-binary);
 - Espouses the view that an individual's biological sex should be changed to "match" a gender different from that person's biological sex; and
 - Supports hormone therapy or other medical treatments or procedures to temporarily or permanently alter a person's body so that it "matches" a gender different from that person's biological sex.

**Elementary and
Middle School**

No materials in elementary and middle school library collections shall contain:

- Visual or visually implied depictions of sexual acts or simulations of such acts.
- Explicit written descriptions of sexual acts.
- Nonexplicit written descriptions of sexual acts, except for purposes of teaching students (as may be approved by parents) to avoid and report molestation.
- Books with nudity, which will not be included in library collections for elementary and middle school students unless they are age-appropriate and educationally suitable. Examples of acceptable nudity may include the innocent depiction of a backside in a Dr. Seuss book or nudity that contributes to the artistic merit of a Michelangelo painting.

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5. Material adopting, supporting, or promoting gender fluidity.

Selection of materials is an ongoing process that includes the removal of materials that are not educationally suitable and the periodic replacement or repair of materials that are still educationally suitable [see EFB(REGULATION)].

Controversial Issues

District professional staff shall endeavor to maintain a balanced collection representing various views related to controversial issues to foster critical thinking skills and encourage discussion based on rational analysis.

Maintenance and Review of Library Materials

In accordance with state guidelines and District administrative procedures, collections shall be evaluated and updated regularly based on the collection's age, relevance, diversity, and variety. The Superintendent shall ensure administrative procedures are established for regular maintenance of the library collection on each campus. Standard maintenance procedures for any library collection include repair, replacement, and removal of materials as necessary. Regular maintenance shall also include scheduled inventories of the collection. Disposal of any District-owned library materials shall be in accordance with District policy and procedures. [See EFB (Regulation)]

Recommendation and Procurement of Materials

Library materials shall be recommended and procured in accordance with guidelines adopted by the Texas State Library and Archives Commission and the District standards and priorities expressed in this policy.

District professional staff shall develop recommendations to be presented to the Board. District professional staff shall ensure that the materials recommended for approval meet the requirements set forth in this policy. [See also EFB (Regulation)]

Donated and Proposed Procurement List

The Board shall either approve or reject the library materials that have been donated or proposed for procurement.

The District shall post on the District's website a list of materials that have been donated or recommended for procurement that are not currently in circulation. This list shall be available for public comment for at least 30 days prior to the purchase. The list shall be in a user-friendly format that is easily searchable by the public.

Board Action

The Board shall consider the list of library materials that have been donated or proposed by the administration for procurement at the

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first open meeting of the Board on or after the 30th day after the list has been made accessible for review by the public. Each Board member may propose changes before the Board acts on the list of donated or proposed library materials.

**Parent Access,
Consideration, and
Permissions**

The Board shall either approve or reject the library materials that have been donated or proposed for procurement. The Board shall vote whether to remove material(s) from the donation list or new library material order list if it is determined the material(s) do not meet the selection criteria set forth in this policy. Once removed from the order list, the material(s) cannot be returned to an order list for a period of two years from the date of removal.

In general, a student is afforded the opportunity to self-select library materials as part of literacy development and the media center program. District staff may assist a student in selecting library materials; however, the ultimate determination of appropriateness remains with the student and parent.

Parents have access to view a library log of books currently checked out by their child through the District's library management system.

Parents may submit a written request or access the District's library management system in order to restrict a book for their own child's access.

Inter-Library-Loan (ILL) checkout options are provided for students who wish to borrow a book from a different campus. This may include books at higher or lower grade levels. Parents who do not wish for their child to have this access shall submit a written request. Material maintained on a restricted access shelf at a high school media center shall not be transferred to a lower grade level media center though ILL.

While e-book collections shall be provisioned using the same selection criteria as library books, e-book checkouts cannot be limited in the same way they occur in libraries. Parents should consult with their child regarding e-book checkout selections. The District's e-book collection changes as providers upload new materials. The e-book collection cannot be cataloged. Parents may submit a written request if they would like their child not to have access to e-books.

**Access Procedures
Campus Media
Centers**

A parent or guardian who wishes to access a campus media center shall first submit a written request to the principal. The principal or a staff member designated by the principal shall work with the parent or guardian to determine a time to access the media center

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that will not interfere with the delivery of instruction or disrupt student use of media center services.

Library Catalog

The District shall allow efficient parental access to the District's library materials and any available online catalogs. Online catalogs shall be publicly available. The District shall publish information about library material titles, including how and where material can be accessed

Challenged Resources

A parent or guardian of a District student, any employee, or any District resident may formally challenge a library material maintained in the District's media centers on the basis that the material fails to meet the standards set forth in this policy.

Guiding Principles

The following principles shall guide the Board and staff in responding to challenges of library materials:

1. A complainant may raise an objection to a library material used in a school's media center program, despite the fact that the Board approved the library material followed the proper procedure, and adhered to the objectives and criteria for library materials set out in this policy.
2. A parent's ability to exercise control over reading, listening, or viewing matter extends only to his or her own child as set forth in Texas Education Code Chapter 26.
3. Challenged materials shall be prohibited from student access during the reconsideration process as required by state law. The District may deny access to a child if requested by the child's parent. [See EFB(Regulation)]

In addition to compliance with state law and this policy, the major criterion for the final decision on challenged library materials is the appropriateness of the material for its intended educational use. No challenged library material shall be removed solely because of the ideas expressed therein, the personal background of the author, or characters in the material.

Informal Reconsideration

A school receiving a complaint about the appropriateness of a library material shall try to resolve the matter informally using the following procedure:

1. The principal or designee shall explain the school's selection process, the criteria for selection, and the qualifications of the professional staff who selected the

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library material.

2. The principal or designee shall explain the intended educational purpose for the library material and any additional information regarding its use.
3. If appropriate, the principal or designee may offer a concerned parent an alternative library material to be used by that parent's child in place of the challenged material.
4. If the complainant wishes to make a formal challenge, the principal or designee shall provide the complainant a copy of this policy and form EFB(EXHIBIT) to request a formal reconsideration of the library material.

**Formal
Reconsideration**

A complainant shall make any formal challenge to a library material on the Texas Education Agency form provided by the district, and they shall follow the procedures to complete and submit the challenge form. After a challenge form is submitted, the form shall be provided to the Superintendent. Copies of the form shall be provided to the Board and any other staff designated in administrative procedures. The appropriate administrator shall appoint a reconsideration committee and notify committee members in accordance with administrative procedures.

The reconsideration committee shall include at least one member of the instructional staff who is familiar with the challenged material's content. Other members of the committee shall include at least one District-level staff member, one campus administrator, one teacher, and one parent. The parent should be from the same school level as where the challenged material is available. The committee shall be composed of an odd number of participants and shall be randomly selected.

All members of the committee shall read the challenged library material in its entirety. As soon as reasonably possible, and in no event later than 45 days from the date the committee is selected, the committee shall meet and determine whether the challenged material conforms to the principles of selection set out in this policy. The committee shall weigh the strengths and weaknesses of the challenged material and shall determine if material in question will continue to be available for students.

The committee can decide if a book is retained, restricted, relocated, or removed. The committee's decision is by majority vote,

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through an anonymous ballot. The committee shall prepare a written report of its findings and provide copies to the principal, the Superintendent or designee, and the complainant.

**Restriction,
Relocation, or
Removal of Library
Materials**

When the decision is made to restrict access to a challenged material, the decision shall be implemented in a timely manner. Library materials subject to restricted access shall be moved to a restricted access area; however, the titles of the library materials shall remain viewable. If a book is designated as restricted access, then written parental/legal guardian permission shall be required for student access.

If a challenge to a library material result in the restriction, relocation, or removal of the library material from the school library catalog, each teacher assigned as the classroom teacher at the grade level for challenged resources shall be notified and instructed to relocate or remove any copy of the library material from the teacher's classroom library, if applicable.

Frequency of Review

The decision of the reconsideration committee shall apply Districtwide and is in effect for two years from the date of the decision. A book shall not be reconsidered again for reinstatement or removal until after this period.

Appeal

An individual who submitted a challenge may appeal the decision to the Board. The individual must provide the notice of appeal in accordance with administrative procedures. The Board shall hear the appeal and render a decision in accordance with the timelines established in law. When considering the appeal, the Board shall consider the factors in Education Code 33.027(f).

Additionally, any two individual Board members may request the Board to review the final decision of a reconsideration committee and present their rationale to the Board in an open meeting. The Board shall vote whether to uphold, modify, or reject the reconsideration committee's decision to either retain, restrict, relocate, or remove a material.

The Superintendent also has the authority to refer an appeal to the Board at any time in the appeal process.

The oversight responsibility for the review, inclusion, and removal of library materials is vested in the Board.

Staff Training

The principal or designee shall annually review policies EF(LEGAL), EFB(LOCAL), EF(REGULATION), and CQ(LEGAL) in their entirety with the staff.

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Policy Review

This policy shall be reviewed at least every three years and revised as necessary.