

Definitions

Instructional materials are defined by Education Code 31.002 as content that conveys the essential knowledge and skills of a subject in the public school curriculum through a medium or a combination of media for conveying information to students. [See EFA]

For purposes of this policy, library materials, whether held in a formal school library or in a classroom, are defined as electronic, print, and nonprint resources, excluding textbooks, for independent use by students and faculty outside of the District's core educational program.

While instructional materials and library materials are both considered instructional resources, they are not the same, and the terms shall not be used interchangeably.

Objectives

Since school and classroom libraries are viewed as places for voluntary inquiry, library materials must be treated differently from instructional materials used in classroom instruction. This policy provides criteria for the selection, removal, and replacement of library materials, focused on maximizing transparency with parents and community members while meeting student needs to provide supplemental enrichment in their learning with appropriate materials. Through the provision of these library materials, the District shall recognize that parents hold an essential role in the education of their children and have the right to guide what their children read.

The District shall apply the standards, dimensions, and expectations as defined by rule 13 Administrative Code 4.1 [see EFB(LEGAL)], and any related guidance including the Texas State Library and Archives Commission's (TSLAC's) [Guidance for School Libraries on Collection Development](#),¹ as well as the [School Library Programs: Standards and Guidelines for Texas](#),² to evaluate and set goals for the school library collection in alignment with Board-approved policies and procedures.

Avoiding Inappropriate Material

In addition to the above criteria for selection, all material should be appropriate for students. Penal Code 43.24(a)(2) describes harmful material as material whose dominant theme taken as a whole:

1. Appeals to the prurient interest of a minor, in sex, nudity, or excretion;
2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and
3. Is utterly without redeeming social value for minors.

It is an offense in Texas to distribute this material in violation of Penal Code 43.24(b). No library material shall be used if it contains

content that can meet the harmful material standard. Finally, collection development policies must demonstrate a commitment to compliance with the Children's Internet Protection Act (CIPA) as specified in 47 U.S.C. 254(h)(5), including technology protection measures. [See CQ]

Responsibility for Selection

The legal responsibility for the purchase of all library materials is vested in the Board. The Board shall provide final approval for all new materials added to the library. Recommendations for new material and reorders of existing materials shall be made by the District-level library coordinator or similar administrator designated by the Superintendent. This individual, with the assistance of other school personnel, shall discharge this obligation consistent with the Board's adopted selection criteria and procedures.

Criteria for Selection

The District-level library coordinator or designated administrator shall work cooperatively with library staff, faculty, and the administration to interpret and guide the application of this policy in making selections. To ensure parental engagement, the District shall make the selection process of library materials readily available for parental review, with a list of all library materials posted online on the District's website, and the content of all materials available for direct review during reasonable hours specified for such review.

Each item selected shall:

1. Support and enrich the curriculum and/or students' personal interests and learning;
2. Meet high standards in literary, artistic, and aesthetic quality; technical aspects; and physical format;
3. Be appropriate for the subject area and for the age, intellectual development, and ability level of the students for whom the materials are selected;
4. For nonfiction resources, incorporate accurate and authentic factual content from authoritative sources;
5. Earn favorable reviews in standard reviewing sources and/or favorable recommendations based on preview and examination of materials by professional personnel; and
6. Balance cost with need.

In addition to the above criteria, fiction, narrative nonfiction (memoirs and biographies), and graphic novels must each meet the following selection criteria, with the District determining that such materials:

1. Are integral to the instructional program.

INSTRUCTIONAL RESOURCES
LIBRARY MATERIALS

EFB
(LOCAL)

2. Reflect the interests and needs of the students and faculty.
3. Are appropriate for the reading levels and understanding of students.
4. Are included because of their literary or artistic value and merit.
5. If narrative nonfiction, present information with the greatest degree of accuracy and clarity.

Prior to any material being selected for inclusion, a library material shall have been read, reviewed, and recommended for inclusion by the District-level library coordinator or individuals designated by that coordinator. If more support and/or resources are needed for this review, the Board may approve the engagement of a cooperative of other Texas public schools and rely upon the recommendation of that cooperative.

**Acquisition
Procedures**

The District-level library coordinator or designated administrator shall select material based on their own expertise and solicit recommendations from others. Recommendations for library acquisitions shall involve administrators, teachers, other District personnel, parents, and community representatives, as appropriate. Series reviews and blanket purchases shall not be used in the selection process for library materials.

Selection of materials is an ongoing process that includes the removal of collections deemed by the Board or its delegates to be no longer appropriate and the periodic replacement or repair of materials still of educational value.

School library materials orders shall be approved by the District-level library coordinator or designee, for both orders at the District and campus level.

When acquiring library material content not previously acquired, the District-level librarian or designee shall submit a list to the Superintendent for inclusion in a Board agenda. The Board shall be provided the list at least thirty days prior to action.

Individual Board
Member Review

If any Board member questions or desires further information on any title or author, he or she shall contact the Superintendent at least 15 days before Board action. The Superintendent or designee shall then contact the District-level library coordinator to obtain copies of professional reviews of any library material in question. If so desired, the Board member can obtain a copy of the library material from another source.

Board Action

The order for library materials in its entirety, including any materials in question by individual Board members, shall be presented to the Board following the 30-day review period.

Prior to voting, individual Board members shall have an opportunity to present their rationale for desiring to exclude certain books from the order, with amendments to the proposed list considered either as a group or individually, depending on Board action. After Board approval, the final list shall be processed for order. As the new materials are received, they shall be checked against a master list of materials ordered.

The selection and acquisition of the digital library collection shall follow the same policies and procedures as the physical library collection. The District shall ensure that the method by which students access the digital library will allow students only to access age/grade-appropriate content. The curator shall apply access levels by consulting the peer-reviewed recommended age group, District librarians, and educators. Access levels shall be applied as follows:

Recommended Ages	Grade Span	Content Access Level
4–10	Pre-K–5	Juvenile
11–13	6–8	Middle School
14+	9–12	High School
Adult	9–12	High School

TexQuest Digital Resources

[TexQuest](#)³ is TSLAC’s electronic instructional resources program for public schools. District participation in TexQuest is voluntary. TexQuest is supported by the Texas Legislature and by participation fees paid by school districts and open enrollment charter schools. TSLAC administers all aspects of the TexQuest program and coordinates with districts on the implementation and management of any TexQuest resources the District or school system selects to make available for its students.

TSLAC licenses resources for the TexQuest program following state procurement practices and with opportunities for community input. Professional librarians evaluate resources for inclusion in the program based on the TexQuest Collection Development Policy and actively manage the resulting contracts. Use of any or all TexQuest digital resources and e-books remains a Board decision.

Challenge Procedures

A parent of a District student or any District resident may formally challenge library material used in the District’s educational program on the basis of appropriateness. The school receiving a complaint

about the appropriateness of a library material shall try to resolve the matter informally through a telephone conference or meeting between the complainant and the school librarian, designated campus administrator, or District-level library coordinator. The conference may also include other necessary staff members as deemed appropriate by District-level library personnel.

If the complainant wishes to file a formal request for reconsideration, a copy of the "Request for Reconsideration of Library Materials" form shall be provided to the complainant by the District-level library coordinator or appropriate administrator. The following shall apply:

1. All formal concerns regarding library materials shall be submitted on the form provided by the District and shall submit the completed and signed form to the District-level library coordinator or designated administrator.
2. The District-level library coordinator shall assemble a reconsideration committee within ten business days that shall review the challenged material and determine whether it conforms to the principles of selection set out in this policy.
3. The reconsideration committee shall include both District and campus-level professional staff. This shall include the librarian, who has experience with the challenged resource; the District library coordinator, a content specific teacher appointed by the principal; the campus instructional specialist; and two parents from the campus leadership team. The campus principal shall act as the committee chair.
4. The total voting committee membership shall be an uneven number. The complainant shall not be a member of the committee, but the complainant's written submission shall be thoughtfully considered by the committee.
5. Prior to the committee meeting, each committee member shall read a copy of the library material in question.
6. All committee members shall review the submitted written concern.
7. The committee shall review all items on the Checklist for Reconsideration of Library Materials.
8. After working through the checklist for reconsideration of library materials and any deliberations the committee feels necessary, committee members shall vote on the disposition of the library material being considered.

The major criterion for the final decision on challenged library material is the appropriateness of the resource for its intended educational use. The plurality opinion in *Board of Education v. Pico* [see EF(LEGAL)] uses the standard that no challenged instructional resource shall be removed solely because of the ideas expressed therein. The opinion allows the removal of materials because they are pervasively vulgar or based upon the lack of educational suitability of the library material. Further, making a determination of appropriateness shall include a review of and compliance with 47 U.S.C. 254(h)(5) and Penal Code 43.24(a)(2) and (b).

When the committee has reached a decision, the appropriate District-level administrator shall notify the complainant. The decision shall be in written form, dated, and provided to the complainant within ten District business days of the committee's meeting. All other appropriate staff members shall be informed of the reconsideration and the outcome.

A specific library material that completes the formal challenge process and remains in the library shall not be reconsidered within one year of final determination, and any material removed shall not be eligible for consideration to be added again for at least ten years. The District shall verify previous decisions prior to convening a reconsideration committee.

As noted above, TSLAC administers all aspects of the TexQuest program and has adopted policies for the selection and management of TexQuest resources. Challenges to material provided through the program would follow the TSLAC TexQuest content review process.

Appeal of
Reconsideration
Committee

The complainant may appeal the decision of the reconsideration committee by filing the appropriate District grievance form. [See FNG and GF]

**Opportunity for
Parent Review**

In recognizing that parents hold an essential role in the education of their children and have the right to guide what their children read, each library shall maintain a printed list of materials onsite and on the school library website that shows what has been selected as well as what is slated for acquisition. The Superintendent, or designated District-level administrator, shall offer a "Parent Preview" at least ten days before books are to be placed on the shelves, once in the fall and once in the spring. Audio-visual materials are to be made available to parents for in-person review, upon request, on the same basis as printed materials.

**Other Parental
Considerations**

In school libraries, students are afforded the opportunity to self-select texts as part of literacy development. While librarians are trained in selecting materials in accordance with Board policy and

the outlined selection criteria and may provide guidance to students in selecting texts, the ultimate determination of appropriateness lies with the student and parent.

School librarians, or designated campus administrators, are to encourage parents to share any considerations regarding their students' book selections. Parents may contact the campus librarian directly and/or complete an online form for library book opt-out decisions. School librarians shall accommodate individual requests by parents, within reason, which may include restricting specific titles or books.

Criteria for Gifts and Donations

Gifts and donations to the school library or classroom libraries are accepted with the understanding that the decision for use and disposition of the materials and/or funds will be determined using the same selection criteria as purchased materials. All materials should support the curriculum and needs of library users. Gifts and donations, like purchased resources, shall be removed from the collection at the end of their useful life. Gifts and donations shall be subject to the acquisition policy and process for approval before including in the school library collection or in a classroom library. [See CDC]

Routine Review and Removal of Materials

Biannually, the District-level library coordinator shall collaborate with campus library personnel and administration to conduct an inventory of the school library collection and equipment. The inventory can be used to determine losses and remove damaged or worn materials that can then be considered for replacement. The inventory can also be used to deselect and remove materials that are no longer relevant to the curriculum or of interest to students. Additionally, the District-level library coordinator shall develop a collection maintenance plan that includes systematic inspection of materials that would result in removing outdated, damaged, or irrelevant materials from the collection. All materials removed from the collection shall be disposed of in accordance with the District's property disposal procedures. [See CI] Incorporated into this routine review and removal of existing inventory, the District shall create an ongoing cycle to review content existing in circulation.

¹ TSLAC's Guidance for School Libraries on Collection Development: https://www.tsl.texas.gov/sites/default/files/public/tslac/agency/exec/TSLAC_Guidelines_for_SL_Collection_Development_2022.pdf

² School Library Programs: Standards and Guidelines for Texas: <https://www.tsl.texas.gov/ldn/schoollibrarystandards>

³ TexQuest: <https://texquest.net/welcome/program>