

Book

Policies

Section

11000 Curriculum and Instructional Programs

Title

Library Media Selection and Review

Code

11004

Status

Active

Adopted

September 13, 2022

A. Introduction

1. Tooele County School District school libraries support and enhance student learning. Our district values libraries, media centers, and library staff who select, maintain, and preserve rich repositories of balanced, relevant, age-appropriate, and varied educational sources for students.
2. This policy specifies the process for identifying materials to be included or disqualified from use in libraries and schools based on Section 53G-10-103, Sensitive Instructional Materials, state and federal law, Board Rule R277-217, Educator Standards, and LEA Reporting or based on age-appropriate content.
3. All employees of the Tooele County School District must adhere to this policy and are subject to the Tooele County School District employee conduct policies for any personal violation.

B. Selection of Library Materials

1. The library professional assigned to the school and the school principal, working in cooperation with staff members, shall be responsible for the selection of materials for school library media centers. This includes material acquired through grants, book fairs, and other donations. Selection of materials shall be consistent with this policy using the following criteria:
 - a. Seek recommendations and work collaboratively with parents, patrons, and others in the school community during the selection process;
 - b. create a collection that reflects a diversity of ideas; and
 - c. create a collection that adheres to the law.
2. Electronic databases and other web-based searches and content will be filtered through the Tooele County School District's state-required internet filter.
3. Gifts and donations will be reviewed following selection criteria and will be accepted or rejected using the same criteria.
4. The responsibility for final material selection rests with trained library personnel under the direction of the governing board of Tooele County School District using the following criteria:
 - a. Overall purpose and educational significance;
 - b. Legality;
 - c. Age and developmental appropriateness;
 - d. Timeliness and/or permanence;
 - e. Readability and accessibility for the intended audience;
 - f. Artistic quality and literary style;
 - g. Reputation and significance of author, producer, and/or publisher;

- h. Variety of formats with efforts to incorporate emerging technologies; and
 - i. Quality and value commensurate with cost and/or need.
 - 2. It is not possible for a library professional to read all library media center collection items, including but not limited to books, reference sources, magazines, and other media materials. Books and other media are evaluated based on credible reviews from professional publications, professional recommendations, award recipients, and other professional sources. When books are received, additional evaluation may be appropriate.
 - 3. A record of reviewed materials will be maintained by each school within Tooele County School District and include:
 - a. The name of the school;
 - b. The title and author of the material;
 - c. All available formats of the material (digital/hard copy/etc.);
 - d. The intended use of the material;
 - e. The date the material was reviewed; and
 - f. The employee's title that reviewed the material
- B. Library Collection Maintenance
- 1. Library materials will be maintained consistent with the criteria listed in B.4, state and federal laws, including Utah Code Ann. Section 53 G-10-103, and represent varying viewpoints, perspectives, diverse ethnicities, and cultural backgrounds.
 - 2. The school librarian or designated specialist will inventory the school library collection and equipment annually.
 - a. The inventory may be used to determine losses and remove damaged or worn materials to be considered for replacement.
 - b. The inventory may also be used to deselect and remove materials that are consistent with the law, or that are no longer relevant to the curriculum or of interest to students.
 - 2. Identify gaps or deficits in the library collection.
- B. Self-Selection
- 1. Library materials are available on a self-selection basis. Library staff or other school personnel may assist in recommending library materials.
 - a. Reading lists are available from many sources and are not necessarily endorsed by the teacher, librarian, school administration, or district personnel.
 - b. Responsibility for reading, listening and viewing library materials rest with the individual student and their parent/legal guardian.
 - c. Library staff are available to consult with students and the parent/legal guardian to find appropriate materials. Staff is not responsible for the final selection.
- B. Library Materials Review Process
- 1. Tooele County School District will ensure a least-restrictive, transparent process for a sensitive materials review request to be made in physical or electronic formats.
 - 2. A library materials review request of a material may only be made by:
 - a. a parent/guardian of a student that attends the school;
 - b. a student who attends the school; or
 - c. an employee of the school
 - 2. A library materials review must be based upon the concern that the material is a sensitive material as defined in Section 53G-10-103, or upon concerns that with age-appropriateness of content.
 - 3. The identity of the requestor will be protected and kept confidential from all individuals involved in any review process outlined in this policy, to the extent possible.
 - 4. Tooele County School District will ensure each school provides access to a Request for Reconsideration of Library Materials form.

5. The requestor must provide all information requested on the form including the requestor's complaint or objection to the library material.
 6. The material's access level will be consistent in all schools within the Tooele County School District until a final determination is made regarding the material.
 7. Each school shall organize a Review Committee for the purpose of reviewing library media materials when appropriateness is challenged. Membership shall include:
 - a. the school principal, who will chair the committee;
 - b. the school library professional;
 - c. a licensed teacher at the school who is currently teaching English Language Arts or subject relevant to the challenged material; and
 - d. parents of current students at the school that number at least one more than the LEA employees on the committee including parents reflective of the school community as required in Subsection 53G-10-103(3).
2. The Review Committee will determine the amount of time needed for an adequate review of a material to make a thorough and thoughtful decision and inform the requestor of the determined timeline.
 3. Challenges to local school library media materials shall be submitted in writing to the local school principal on a Request for Reconsideration of Library Materials form. Forms are available at the District Office and the Tooele County School District Teaching and Learning website at <https://www.tooeleschools.org>
 4. The principal, as chair of the local school committee, shall call a committee meeting to review a submitted Request for Reconsideration of Library Materials. Each committee member shall receive materials to complete the review process, with enough time to sufficiently review, including the following:
 - a. Access to the complete work that includes the material being challenged;
 - b. A copy of the Request for Reconsideration of Library Materials form;
 - c. A copy of this policy;
 - d. Relevant information about the title compiled and shared by the library staff.
2. The Review Committee will schedule meetings as determined by the Review Committee and maintain minutes.
 3. The notes from each meeting will be retained by Tooele County School District along with all relevant documentation and the final determination.
 4. The Review Committee will determine whether the material constitutes sensitive material consistent with Section 53G-10-103, this policy, and the guidance letter provided by the Attorney General's Office date June 1, 2022.
 5. In deciding whether the material constitutes sensitive material, the Committee must:
 - a. Consider all elements of the definitions of pornographic or indecent materials as defined in Utah Code Sections 76-10-1235, 76-10-1201, and 76-10-1227; and
 - b. Whether the material is age appropriate due to vulgarity or violence.
2. In deciding whether the material is age appropriate due to vulgarity or violence, the Committee must consider the material taken as a whole and consider whether it has serious literary, artistic, political, or scientific value for minors, which must include the objective criteria applied to determine the material's serious literary artistic, political, or scientific value including:
 - a. Reliable expert reviews of the material or other objective sources;
 - b. Committee members' experience and background; and
 - c. Community standards. The committee may not invoke viewpoints on politics, nationalism, religion, or other matters of opinion in an analysis of the material.
2. The Review Committee will make a final determination of a reviewed material as follows:
 - a. **Retained:** the determination to maintain access in a school setting to the challenged material for all students.

- b. **Restricted:** the determination to restrict access in a school setting to the challenged material for certain grade bands as determined by the Review Committee.
 - c. **Removed:** the determination to prohibit access in a school setting to the challenged material for all students.
 - 2. The decision of the Review Committee will be determined by a majority vote.
 - 3. The local school principal shall send a letter to the requestor explaining the decision of the Review Committee and the requestor's option to appeal within 5 days of the decision being made. A copy of the letter and all supporting documents and information shall be sent to the Language Arts Curriculum Director, Executive Director of Teaching and Learning, and the Superintendent of Schools.
 - 4. Tooele County School District will maintain a list of all materials that receive a "removed" determination and make the list available to similar schools within the Tooele County School District.
 - 5. A specific title may not be subject to a second District Level review for at least three (3) years.
 - 6. A parent/legal guardian, student, or employee is limited to two (2) requests for a School Level Review at any school where the student attends during a school year.
- B. Appeals Process
- 1. The original requestor or another individual who was not on the Review Committee may appeal the determination of the Review Committee in writing to the school principal within 15 business days of receipt of the Review Committee's final determination using an Appeal Request Form.
 - 2. If an appeal is filed with the school principal, the local Board of Education will act as the Appeals Committee.
 - a. The local governing authority (Appeals Committee) may add a parent or school administrator member(s) who did not participate in the initial Review Committee, only as necessary to have an odd number of members.
 - 2. If there is not an appeal of the Review Committee's recommendation, the Review Committee's recommendation is the final determination for the challenged material.
 - 3. The Appeals Committee will determine the amount of time needed for adequate review to make a thorough and thoughtful decision and inform the requestor of the determined timeline.
 - 4. Members of the Appeals Committee will receive materials to complete the review process, including the following:
 - a. Access to the complete work that includes the material being challenged;
 - b. A copy of the Request for Reconsideration of Library Materials form;
 - c. All meeting minutes;
 - d. The Review Committee's final recommendation and rationale for the decision;
 - e. Any other documents considered part of the administrative record related to the Review Committee's proceedings.
 - 2. The Appeals Committee will schedule meetings as needed, as determined by the Appeals Committee, and maintain the minutes of each meeting.
 - 3. The notes from each meeting will be retained by Tooele County School District along with all relevant documentation and the final determination by the Appeals Committee.
 - 4. The Appeals Committee may make a final determination of a reviewed material as follows:
 - a. **Retained:** the determination to maintain access in a school setting to the challenged material for all students.
 - b. **Restricted:** the determination to restrict access in a school setting to the challenged material for certain grade bands as determined by the Review Committee.
 - c. **Removed:** the determination to prohibit access in a school setting to the challenged material for all students.
 - d. Another determination as decided by the Appeals Committee.
 - e. The decision of the Appeals Committee will be determined by a majority vote.

2. The final determination of the Appeals Committee will be communicated to the requestor and appropriate employees within 10 days of the determination.
 3. Tooele County School District will maintain a list of the determinations by the Appeals Committee and make the list available to all schools within Tooele County School District.
 4. A specific title may not be subject to a second District Level review for at least three (3) years.
- B. Communication
1. An easily accessible webpage on the public website for Tooele County School District will be updated and available prior to the beginning of each school year to inform teachers, staff, students, and parents of the following:
 - a. A Request for Reconsideration of Library Materials form;
 - b. An Appeal Request Form;
 - c. Application to serve on a sensitive materials Review Committee;
 - d. This Library Media Selection and Review Policy;
 - e. A list of all materials that have received a Review Committee or Appeals Committee determination.
 2. If made aware of material that may be considered sensitive material as defined in Section 53G-10-103, Tooele County School District will inform relevant parties regarding appropriate action to take pursuant to this policy.

Legal

- Utah Code Ann., § 76-10-1227. Indecent public displays-definitions
- Utah Code Ann., § 76-10-1201. Definitions
- Utah Code Ann., § 76-10-1235. Accessing pornographic or indecent material on school property.
- Utah Code Ann., § 53G-10-103. Sensitive Instructional Materials

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