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**Note:** For information related to the selection process and accounting of instructional materials, as this term is defined by state law and rule, see EF (LEGAL) and EFA(LEGAL).

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## Objectives

The District shall provide 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 Superintendent shall ensure that librarians and other designated professional staff select library materials in accordance with District policy and administrative regulations~~ The overarching criterion for library materials is educational suitability.

In this policy, “library materials” may include printed and electronic library acquisitions and other supplementary materials maintained in a campus library. 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.

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

## Selection Criteria

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, ~~librarians and other~~ 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.
2. Stimulate growth in factual knowledge and enjoyment of reading.
3. 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).

4. Represent many ethnic, religious, and cultural groups and their contributions to the national heritage and world community.
5. Meet high standards for artistic quality and/or literary style, authenticity, and educational suitability.
6. Are age appropriate for the school level.
7. Are free of obscene material.
8. Include accurate and authentic factual content from authoritative sources for nonfiction works.
9. Have a high degree of potential user appeal and interest.
10. Do not contain "sexually explicit material" as defined by TEC Section 33.021 or "sexually relevant material" as defined by TEC Section 35.001.3.
11. Do not contain "harmful material" as defined by Section 43.24, Penal Code.
12. 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).
13. Books featuring gratuitous or explicit nudity that does not contribute to educational objectives, cultural understanding, or artistic merit will not be included in the library collection.
14. Materials containing nudity, even if deemed educational, will be selected with consideration for the age and maturity level of the intended audience. See specific guidance below for elementary and middle schools.
15. ~~Do not contain m~~ Material adopting, supporting, or promoting gender fluidity will not be included in high school library collections for high school students unless they are age-appropriate and educationally suitable. Additional guidance is provided below for elementary and middle school students. Gender fluidity is defined as any belief, theory, or ideology that:
  - a. Espouses the view that gender is merely a social construct;
  - b. Espouses the view that it is possible for a person to be any gender or no gender (i.e., non-binary);
  - c. Espouses the view that an individual's biological sex should be changed to "match" a gender different from that person's biological sex; and

d. 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.\

~~9.~~

Gifts or donations of library materials shall be evaluated according to these criteria and accepted or rejected in accordance with this policy and CDC(LOCAL). [See also EFB (REGULATION)].

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

No Materials in elementary and middle school libraries shall contain:

1. Visual or visually implied depictions of sexual acts or simulations of such acts;
2. Explicit written descriptions of sexual acts;
3. Non- explicit written descriptions of sexual acts, except for purposes of teaching students (as may be approved by parents) to avoid and report molestation; or
4. Books with nudity 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.~~Visual depictions of nudity or implied nudity.~~

~~4.~~5. Material adopting, supporting, or promoting gender fluidity.

**Parent Consideration  
and Permissions**

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

~~As of September 1, 2023, and~~Upon implementation of protocols in accordance with House Bill 900 passed during the 88<sup>th</sup> Texas Legislative Session, the District shall not allow a student enrolled in the

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District to reserve, check out, or otherwise use outside the school library material, library material vendor has rated as sexually relevant material under ~~TEC~~ Education Code Section 35.002(a) unless the District first obtains written consent from the student's parent or person standing in parent relation.

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

Parents may submit a written request ~~to the campus librarian~~ 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 ~~to the campus librarian~~.

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.

**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.

**Individual Board  
Member Review**

If any Board member questions or desires further information on any title or author on the new library material order list, he or she shall contact the ~~s~~Superintendent.

**Board Action**

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

Prior to the end of the 30-day period, any two individual Board members, acting in concert, may request the Board to review for removal any material on the new library material order list by notifying the ~~s~~Superintendent and the Board President if the Board members believe the materials may not meet the selection criteria as set forth in this policy. ~~The purchase of such material(s) from the~~

~~list, and the~~ The entire Board shall vote whether to ~~permanently re-~~  
~~move the material(s) from the 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 (2) years~~  
~~from the date of removal.~~

### **Challenged Resources**

A parent of a District student, any employee, or any District resident may formally challenge a library material maintained in the District's educational program 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 library program, despite the fact that the professional staff selecting the materials were qualified to make the selection, 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. Access to a challenged material shall not be restricted during the reconsideration process except as allowed in EF (LEGAL) or if copies of the book are needed for the Reconsideration Committee process. The District may deny access to a child if requested by the child's parent.

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.

### **Informal Reconsideration**

The 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 library material.
2. The principal or designee shall explain the intended educational purpose for the library material and any additional information regarding its use.

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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 a 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 form provided by the District and shall submit the completed and signed form to the principal. Upon receipt of the form, the principal shall submit the form to the District's designee who shall appoint a reconsideration committee.

The reconsideration committee shall include at least one member of the instructional staff who has experience using the challenged material with students or 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 librarian,~~ 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 comprised 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, 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 remains educationally suitable. The committee can decide if a book is restricted, unrestricted, or removed. If a committee decides that the book is restricted access, then written parental/legal guardian permission shall be required. The committee's decision is by majority vote, 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.

When the decision is made to restrict access to a challenged material, the decision shall ~~apply district-wide and 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.

The decision of the reconsideration committee shall apply ~~dis-~~  
~~trict~~District-wide and is in effect for two school years following the school year it was challenged. A book shall not be reconsidered again for reinstatement or removal until after two school years.

### Appeal

The Superintendent or designee shall communicate the decision of the reconsideration committee to vendors as appropriate.

The complainant may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting with the appropriate administrator. [See DGBA, FNG, and GF.]

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

The Superintendent also has the authority to ~~send~~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.