Washington County School District
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District Policy 4211

Media Center Library Materials

Washington County School District - Adopted 5-24-2022; Revised 10-10-2023

1. Purpose:

1.1. The purpose of this policy is to ensure that all students have access through Washington County School District Media Center Libraries (“School Libraries” or “School Library” when referencing a specific school’s media center) to a wide range of learning resources at varying levels of difficulty and diverse viewpoints to meet the educational needs of students and teachers and support the educational mission of the School District (“District” or “WCSD”). The Washington County School Board (“School Board”) acknowledges the First Amendment principle that students have a right to access ideas through School Libraries and supports the acquisition and maintenance of materials that are educationally suitable for students.

2. Policy:

2.1. Washington County School District supports the freedom of inquiry, including intellectual and academic freedom in that every student and teacher is able to both seek and receive information from all points of view. At the same time, Washington County School District is sensitive to the reality that a School Library primarily supports the equitable access to information and the education of minors and does not serve the general public. Due to this distinction:

2.1.1. The District’s School Library Collection shall contain material of diverse origin, background and viewpoint, including material that is used to support a student's learning in the school setting, but shall not include material defined as sensitive material, as defined in this policy.

2.1.2. Any individual with standing, as defined in this policy, may request a review and challenge any materials used in the District’s School Libraries.

2.2. All employees responsible for acquiring material for School Library Collection will be trained on this Policy and failure to comply with the provisions herein may result in disciplinary action pursuant to District Policy 1450.

3. Definitions

3.1. “Material” has substantially the same meaning as defined in UCA §76-10-1201, to include any physical or digital form of material including anything printed or written or any picture, drawing, photograph, motion picture, or pictorial representation, or any statue or other figure, or any recording or transcription, or any mechanical, chemical, or electrical reproduction, or anything which is or may be used as a means of communication. Material includes undeveloped photographs, molds, printing plates, and other latent representational objects.

3.2. “Instructional materials” has substantially the same meaning as defined for “Instructional Material” in UCA §53G-10-103, to include any material contained within a School Library Collection used for any purpose.

3.3. "Sensitive material" means an instructional material that is pornographic or indecent material as that term is defined in UCA §76-10-1235.

3.3.1. For the purpose of this policy sensitive material also includes material that promotes suicidal ideation, parasuicide or self-harm; or contains content not age appropriate for the school’s age group due to vulgarity or violence; when:

3.3.1.1. taken as a whole, does not have serious value for minors.

3.3.1.2. Serious value includes only serious literary, artistic, political or scientific value for minors.

3.4. “Age Appropriate” means generally suitable for students of the same age or level of social, emotional, and cognitive development when taking into consideration the ages of all minors who could be exposed to the material.

3.5. “Prohibited material” means:

3.5.1. sensitive material with no serious value for minors as defined in UCA §76-10-1227 (2)(c).

3.6. “Self-Selection” means the right and responsibility of individual students and their parents/legal guardians to select materials.

3.7. “Challenge” means a request for review of material found in School Libraries for reasons other than accuracy, currency, relevancy, checkout frequency, space limitations, edition, format, physical condition, and number of copies. An individual with standing may challenge material by filing Form 944, “Request for Review of Media Center Library Materials” form.

3.8. “District Media Review Committee” means a District committee created to review challenges to material in School Libraries. The District Media Review Committee shall be composed of the following nine (9) members:

3.8.1. An Assistant Superintendent or Director; who shall serve as chair of the committee, selected by the Superintendent.

3.8.2. Two (2) Certified Media Center Librarians, selected by the chair. Certified Teachers may be substituted for Certified Media Center Librarians if none are available.

3.8.3. The School Media Center Librarian responsible for the Media Center Library from which the review originated. If this individual is already serving on the committee or unavailable, a substitute shall be selected by the chair.

3.8.4. Three (3) parents selected at random by the chair, from the Parent Media Review Pool.

3.8.5. One (1) Principals or Assistant, selected by the chair.

3.8.6. One (1) School Counselor, School Psychologist, or School Social Worker selected by the chair.

3.9. The District Media Review Committee shall have a scheduled meeting every other month to review challenges to School Library Collection materials. However, the committee chair may cancel a meeting if there are no pending challenges or other extenuating circumstances exist.

3.9.1. The District Media Review Committee term shall be two years.

3.9.2. The District Media Review Committee shall not include the individual, or a member of the individual's household, who has challenged the material.

3.9.3. If there is a significant demand for book reviews, additional temporary District Media Review Committees may be formed using the same criteria specified in section 3.8.

3.10. "Standing" means the right to challenge materials in District School Libraries.

3.10.1. Parents and guardians only have standing to challenge materials in the schools in which their students are currently enrolled and attending.

3.10.2. Washington County School District employees have standing to challenge materials only in the schools in which they have professional responsibilities (unless the employee is challenging Material in the employee's role as a parent or guardian, in which case, the employee has standing where the employee's child is currently enrolled and attending).

3.10.3. School Board members have standing to challenge materials within the schools where their constituents are currently enrolled and attending.

3.11. "Constituents" means the individuals living within the boundaries of a School Board Member's voting district.

3.12. "Parent Media Review Pool". Each local school community council shall nominate one qualified parent or legal guardian who has a child currently enrolled in that school to potentially serve on the District Media Review Committee. The list of these individuals shall be known as the "Parent Media Review Pool".

3.13. "Classroom Sets" means materials purchased as a set for a class, section, or course and used as part of that class, section, or course's learning materials.

3.14. "School Library Collection" means material available within a School Library that is available for self-selection student checkout. The School Library Collection does not include materials stored in the library as classroom sets.

4. School Media Centers Libraries

4.1. Material selection and de-selection

4.1.1. Material shall be selected at each school by School Library librarians in compliance with this policy.

4.1.2. Only material that is age appropriate for the school's student population shall be selected. Any material that has been determined by the District to be prohibited or sensitive shall not be selected.

4.1.3. Regardless of how a material is acquired, School Library staff shall use available reviews to research and review all material before it is made available to students and disallow any material defined as sensitive material.

4.1.3.1. If no reviews are available to determine if the material is defined as sensitive material, the material must be read or reviewed in its entirety by a member of School Library staff before it can be made available to students.

4.1.3.2. Upon completion of this process, the staff member should create a review of the material to be shared with all School Libraries.

4.1.3.3. This process should also be completed on any replacement or additional copy of materials not already researched.

4.1.4. Any contributions or donated material defined as sensitive material shall be returned to the contributor or donor.

4.1.5. School Library Collections shall be updated regularly to meet curriculum standards and fulfill student and teacher demand.

4.1.6. Materials are considered for weeding or de-selection based on accuracy, currency, relevancy, checkout frequency, space limitations, edition, format, physical condition, and number of copies.

4.1.7. Pursuant to UCA §76-10-1227 (2)(c) prohibited materials shall be removed without regard to section 5 of this policy.

4.1.8. Materials may also be de-selected for reasons other than those identified in 4.1.6 and 4.1.7 only in accordance with the procedures set forth in section 5.

4.2. Self-Selection

4.2.1. School Library Collection materials are available on a self-selection basis. Library staff or other school personnel may assist in recommending library materials contained within the district's libraries.

4.2.1.1. Reading lists are available from many sources and are not necessarily endorsed by the library staff.

4.2.1.2. Responsibility for reading, listening, and viewing library materials rests with the individual student and the student's parent/legal guardian.

4.2.1.3. School Library staff are available to consult with students and their parent/legal guardian to find appropriate materials. Staff members are not responsible for final selections.

4.2.2. If a parent/legal guardian wishes to restrict access to specific titles, a parent/legal guardian may make a written request to the school's School Library staff and the student will not be allowed to check out that title.

4.3. Parental transparency and consistency *(Effective 8/1/2024)*

4.3.1. All Washington County School District School Libraries shall use the same library system catalog.

4.3.2. School Library Collection system catalogs shall be searchable, accessible to all parents from home and posted on each school's website.

4.3.3. All available parents/guardians shall be notified of every student material checkout.

4.3.4. If notification of student material checkout within the District digital library system is not available, parents may opt out students from access to the digital library.

4.3.5. In compliance with UCA §53G-4-402 (9)(b) Washington County School District shall provide an online platform through which a parent/guardian is able to view the title, author, and a description of any material the parent's guardian's child borrows from the School Library Collection, including a history of borrowed materials.

5. Review Procedure

5.1. The school official or staff member receiving a complaint about material in a School Library Collection shall refer the individual to the School Library's librarian who may meet with the individual and explain the intended purpose and use of the material in question if the librarian has such knowledge.

5.2. If the individual is not satisfied with the initial explanation or the librarian does not know the intended purpose and use of the material in question, the individual shall be referred to the school principal.

5.3. If, after an informal meeting with the school principal, the individual wishes to file a Request for Review of Media Center Materials, formally challenging the material, the school principal or designee shall provide a copy of Form 944 and explain the procedures in this policy.

5.4. Individuals with continued objections to material shall:

5.4.1. only have authority to make objections to material maintained in schools in which the individual has standing;

5.4.2. read or review the material as a whole before filing a Request for Review of Media Center Materials using Form 944;

5.4.3. consider the standards for material selection in this policy before filing a Request for Review of Media Center Materials using Form 944; and

5.5. if the individual chooses to file Form 944 in a formal challenge, articulate the basis for the challenge. Individuals seeking to challenge material shall complete the process outlined in 5.4. for each challenged material.

5.6. Upon receipt of the completed Request for Review of Media Center Materials (Form 944), the principal shall provide a copy of the completed form to the chair of the District Media Review Committee.

5.7. The Committee's sole responsibility is to determine if the material is defined as sensitive material.

5.8. District Media Review Committee Review Process

5.8.1. Each member of the District Media Review Committee shall read challenged material that is written in its entirety or review the non-written challenged material as a whole prior to participating in Committee discussions or participating in decision making.

5.8.2. The District Media Review Committee will make a determination about the challenged material based only on the following factors:

5.8.2.1. Whether the material constitutes sensitive material. In deciding whether the material constitutes sensitive material, the Committee must consider all elements of the definitions of pornographic or indecent materials as defined in Utah Code §76-10-1235, §76-10-1201, §76-10-1203, and §76-10-1227.

5.8.2.2. Whether the material is age appropriate due to vulgarity and/or violence. In deciding whether the material is age appropriate due to vulgarity and/or violence, the Committee must consider the material taken as a whole and consider whether it has serious literary, artistic, political, or scientific value.

5.8.2.3. The Committee shall use objective criteria to determine the material's serious literary, artistic, political, or scientific value, and may include reliable, expert reviews of the material or other objective sources. Those on the Committee may rely on their experience and background and contemporary community standards to determine whether the material is not age appropriate.

5.8.3. The District Media Review Committee's decision shall be made by a simple majority of Committee members who participate in the review.

5.8.4. The District Media Review Committee shall review no more than two (2) different challenged materials for every two meetings, thereby allowing Committee members to make sound decisions and to be considerate of Committee members' time.

5.8.5. Potential actions of the District Media Review Committee may include:

5.8.5.1. Retain the material in all School Libraries

5.8.5.2. Remove the material from all School Libraries

5.8.5.3. Remove the material from some School Libraries in which the committee determines that the material is not age appropriate for that school's student population.

5.8.6. The District Media Review Committee shall write a rationale for the committee's decision, including:

5.8.6.1. Formal findings

5.8.6.2. Reason for the recommended action based on the factors identified in this Policy.

5.8.6.3. Recommended age appropriate level (if applicable)

5.8.7. This rationale shall be provided with the action regardless of the recommended action.

5.8.8. The District Media Review Chair shall provide the individual challenging the material a written decision of the Committee's determination.

5.8.9. The determination of the District Review Committee shall be recorded and the challenged material that was removed from a School Library Collection will not be selected for future purchases in any School Media Center Library.

5.8.10. If the District Media Review Committee approves total removal of the material from School Libraries, the specific material shall be removed from all School Libraries.

5.9. If the District Media Review Committee determines the School Libraries should retain the challenged Material, the same material may not be subject to a second challenge for at least 3 years.

5.10. An individual challenging material is limited to 3 challenges to materials per school calendar year.

5.11. The District Media Review Committee decisions are final decisions and not subject to appeal through the District.

WCSD Form 944 Request for Review of Media Center Library Materials