

**LIBRARY MEDIA CENTER MATERIALS EVALUATION, SELECTION,
AND OBJECTION TO USE** **4.22*+**

Objectives of Selection - The primary objective of the school's educational media center is to implement, enrich, and support the educational program of the school. The center shall provide a wide range of materials on all levels of difficulty are of interest to students, represent different points of view and comply with state standards.

Per FS 1006.28 (1)(a)3. "Library media center" means any collection of books, eBooks, periodicals, or videos maintained and accessible on the site of a school, including in classrooms.

- I. **Legal Responsibility for Selection.** The School Board is legally responsible for the selection of library media center materials made available on the site of a school, regardless of whether the book is purchased, donated, or otherwise made available to students is delegated to a school district employee who holds a valid educational media specialist certificate. School principals are responsible for overseeing compliance with school district procedures for selecting school library media center materials. All school librarians, media specialists, and other personnel involved in the selection of library media center materials must complete state mandated training before reviewing and selecting age-appropriate materials and resources.

A parent or resident of the county may request access to instructional materials for their review by contacting the districts Instructional Materials Office. The Supervisor of Instructional Materials or designee will provide the requested materials and arrange a time for the review to take place

Parents/Guardians have the right to opt their student(s) out of access to school or classroom libraries in a manner prescribed by the district.

- II. **Criteria for Selection of Library Media Materials**

- A. The standards to determine the propriety of the educational materials, including library materials, shall be pursuant to Florida Statutes, relevant Florida administrative rules, and other FDOE guidance.
- B. Consideration shall be given to: (1) whether the materials are consistent with state academic standards and relevant to the curriculum, (2) reader interests, or (3) the academic needs of the individual school, students, and faculty based on knowledge of the curriculum, knowledge of the existing collection, and of the needs of children and youth. Requests from other users of the collection, (*i.e.*, administrators, faculty, parents, and students) shall also be considered.

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- C. Materials shall be considered based on accuracy of content, overall purpose, timeliness, importance of the subject matter, quality of the writing/production, readability and popular appeal, authoritativeness, comprehensiveness of material, reputation of the publisher/producer, reputation and significance of the author/artist/composer/producer, format, price, and alignment to state standards and criteria.
- D. In determining the suitability and value of the material included in the collection, consideration of the following elements must be given:
 - 1. Materials must be free of pornography and material prohibited under s. 847.012.
 - 2. Materials depicting or describing sexual conduct as defined by s.847.001(19) that is not otherwise mandated by law or rule
 - 3. Materials must be suited to student needs and their ability to comprehend the material presented.
 - 4. Must be appropriate for the grade level and age group for which the materials are used or made available.
 - 5. Materials must represent different points of view and comply with state standards. This includes consideration of the accurate portrayal of the state's broad racial, ethnic, socioeconomic and cultural diversity, without bias or indoctrination.
- E. Gifts of media or money shall be accepted with the understanding that their use or disposition shall be determined by those persons having the responsibility for acquisitions, according to the same selection criteria and procedures as purchased materials.

III. Procedures for Selection

- A. In selecting materials made available to students through the district library media center, the district media specialist shall adhere to the following:
 - 1. Endeavor to stay informed about appropriate new publications that become available, using multiple sources, such as discussions with colleagues, attendance at conferences, and reading a variety of periodicals and book reviews. The district media specialist will also receive and consider suggestions and requests brought forward by other faculty, students, and parents.
 - 2. New books being considered for the school library media center will be evaluated to determine suitability for student needs, and

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whether they would be age-appropriate for the intended grade level and age group. In considering new acquisitions, the district media specialists will consult reputable, professionally recognized reviewing periodicals and school community stakeholders. The district media specialists will also assess student interest in the subject(s) presented and the ability of students to comprehend the materials presented. Books selected must be free of pornography and other sexual content or materials prohibited under F.S. 847.012.

3. The goal of the selection process is for the school's library media center and reading list collections to be based on reader interest, the support of state academic standards and aligned curriculum, and the academic needs of students and faculty.
 4. After evaluation, the district media specialists will inform the principal of those books that have been evaluated and are approved for inclusion in the collections.
 5. The procedures for developing library media center and reading list collections will be posted on the website for each school in the District.
- B. District elementary schools must publish on their school website, a list of all materials maintained in the school library media center or required as a part of a school or grade-level reading list. By definition, Library Media Center Materials include classroom libraries or any books other than textbooks made available to students on a school campus.
- C. Materials shall be removed or discontinued based on evaluation of their (1) physical condition, (2) rate of recent circulation, (3) alignment to state academic standards and relevancy to curriculum, (4) out-of-date content, or (5) if they are subject to removal following objection or challenge as outlined in Section V.
- IV. **Challenged Materials.** Library media center materials deemed by some persons to be objectionable may be considered by others to have sound educational value. Any concerned parent of a district student, or Sarasota County resident may request reconsideration of school library media materials. For objections based on materials perceived to have sexual content in violation of Florida Statute 1006.28(2)(a)2.b.(I) and (II) and as outlined in III.D.1.-2., above, books will be removed from circulation within 5 school days, pending resolution of the formal challenge process. Objections to materials, not based on sexual content as determined by Florida Statute, will remain available through the entirety of the formal challenge process. The term "resident" means a person who has maintained his or her residence in this county for the preceding year,

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has purchased a home within the county that is occupied by him or her as his or her residence, or has established a domicile in this county. When a complaint is made, the following procedure shall be followed:

- A. For parents of students attending traditional Sarasota County schools, the principal or designee shall discuss the matter with the complainant explaining the selection procedures for library media materials along with their concerns. If the complainant accepts the explanation given by the principal or designee, the matter will be considered resolved.
- B. Residents of Sarasota County without school age children are not subject to item V.(A) and/or (C). Residents will be required to file a formal written objection by completing the District-approved objection form and submitting the form to the District Instructional Materials Supervisor or designee. The process for residents of Sarasota will continue using V.(D) through V.(L). The District-approved form shall be easy to read and understand and shall seek from a complainant all of the information sought within FDOE's approved form template.
- C. A resident of the county who is not the parent or guardian of a student with access to school district materials may not object to more than one material per month.
- D. If the informal discussion with the principal fails to resolve the objection, the principal or designee will ask the complainant initiating the challenge to file, by submitting a completed District-approved objection form within 10 working days. The complainant shall be required to fully complete all of the criteria contained in the District-approved form.
- E. The school principal will inform the complainant that completed District-approved objection forms be submitted to the Supervisor of Instructional Materials and Library Services or designee.
- F. Upon receipt of the completed form, the District Instructional Materials Supervisor or designee shall review the material and determine if the material is out of compliance with current Florida Statutes, meets the requirements for discontinuation pursuant to FS 1006.28(2)(d), or would not meet the vetting standards for the selection of library books as prescribed by Florida law or Florida Department of Education rule.
- G. If it is determined that the materials violate any of the parameters indicated in Section V.(D), the item in question will be removed from

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the district collection immediately, and the district will notify the complainant in writing. Following this action, the district will consider the matter closed. Following such a determination, the District's Instructional Materials Supervisor or designee shall document in writing the lawful basis for the removal of the book or material.

- H. If it is determined that the item does not violate any of the parameters indicated in Section V.(D), the district will notify the complainant who will decide if they wish to continue the formal process
- I. In forming the District Instructional Materials Review Committee, the District Instructional Materials Supervisor shall appoint a District Review Committee with the following composition:
 - 1. The District Manager of Library Services (who shall serve as the Non-voting Committee's chair).
 - 2. One (1) District Regional Media Specialist
 - 3. One (1) District Curriculum Specialist from the appropriate level
 - 4. One (1) school administrator
 - 5. One (1) or two (2) parent(s) of students who have access to the challenged book or material representing the associated level(s)
 - 6. Two (2) appropriate grade level and subject area teachers
- J. The Review Committee, in carrying out its assigned function, shall:
 - 1. Individually review the filed objection in its entirety
 - 2. Individually read, view, or listen to the material in its entirety.
 - 3. Evaluate the material against current state statutes for determining the appropriateness of library materials, including but not limited to the criteria outlined in FS 1006.28(2)(a)2.b. and VI., below.
 - 4. Complete the "Checklist for Reconsideration of Library Media," judging the material in its entirety, as a committee, based on the criteria in outlined in FS 1006.28(2)(a)2.b. and VI, below; and
 - 5. Forward, upon completion of the committee's review, a written recommendation to the District Instructional Materials Supervisor.

All meetings of the Review Committee shall be noticed and open to the public in conformance with FS 286.011 and District protocols.

- K. Upon receipt of the District Review Committees recommendation, the District Instructional Materials Supervisor or designee will inform the

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complainant, the appropriate District Level Administrator and the Chief Academic Officer, of the committee's decision to retain or withdraw the challenged materials as recommended.

- L. If the complainant is dissatisfied with the District Review Committee's decision, a formal written appeal may be filed with the Chief Academic Officer. Failure of the complainant to file a written appeal within 5 working days of the District Review Committee's decision will result in a conclusion of the reconsideration process and the decision of the District Review Committee shall be considered final.
- M. Upon receipt of a formal appeal in writing, the Chief Academic Officer will advise the School Board and the Superintendent of the District Review Committee's decision, including all appropriate documentation (i.e., meeting summaries, material reviews, etc.). The School Board will meet at a public-noticed meeting and render a decision regarding the appropriateness of a particular Library Media center material item based on its own evaluation of the material in accordance with the criteria in Section VI and that decision will be considered final.

At this meeting, the Board shall:

1. Permit the challenger up to 10 minutes to assert why the challenged material does not meet the applicable criteria and recommend an outcome regarding the challenge for consideration.
 2. Clarify any concerns with the book challenger by asking follow up questions.
 3. Permit a designated school district employee up to 10 minutes to outline the challenge procedures that have occurred to date, assert why the challenged materials meet the applicable criteria, and recommend an outcome regarding the challenge for consideration.
 4. Clarify any concerns with the designated school district employee by asking follow up questions.
 5. Permit the challenger up to 2 minutes to rebut the contentions of the school district employee.
 6. Clarify any concerns will the book challenger by asking follow up questions.
 7. Permit public comment with consideration of the amount of time remaining during the scheduled hearing.
 8. Make a determination regarding the objection based on an evaluation of the book in question and the applicable criteria.
- N. Per Florida Board of Education Rule 6A-1.094126 parents may request

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the appointment of a Special Magistrate to determine whether a school district properly considered a parental objection to the use of a specific material in school under s. 1006.28(2)(a)2., F.S.

- V. **Criteria regarding objections to library media center materials.** The following criteria shall be considered as part of the evaluation of a challenge brought by a parent of a district student or resident of the county to library media center materials:
- A. Whether the material is free of pornography. “Pornography” means the depiction of erotic behavior intended to cause sexual excitement.
 - B. Whether the materials are prohibited under Florida Statute 847.012
 - 1. Material prohibited under FS 847.012 includes:
 - a. Pictures or visual representations of a person or a portion of the human body which depicts nudity or sexual conduct, sexual excitement, sexual battery, bestiality, or sadomasochistic abuse (as these terms are defined in Ch. 847, Florida Statutes) *and* which is harmful to minors;
 - b. Books, pamphlets, magazines, or printed matter that contain explicit and detailed verbal descriptions or narrative accounts of sexual excitement or sexual conduct (as these terms are defined in Ch. 847, Florida Statutes) *and* that is harmful to minors.
 - 2. The phrase “harmful to minors” requires that any description or representation of nudity, sexual conduct or sexual excitement meet three requirements in order to be found “harmful to minors.” The description or representation must:
 - a. Predominantly appeal to a prurient, shameful, or morbid interest;
 - b. Be patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; *and*
 - c. Taken as a whole the material is without serious literary, artistic, political, or scientific value for minors.
 - C. Whether the material is suited to student needs and their ability to comprehend the materials presented.
 - 1. This includes consideration of:

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- a. a student's ability to comprehend the material;
 - b. the degree to which the material explains or supplements classroom instruction; and
 - c. the educational purpose of the material;
- D. Whether the material is appropriate for the grade level and age group for which the materials are used or made available
1. This includes consideration of not just the age of grade level of students but also their level of maturity.

VI. Cause for immediate removal of a challenged material.

- A. Per current Florida Law, any objections or challenges received based on the material being pornographic or prohibited under s.847.012 or depicting or describing sexual conduct as defined in s.847.001(19), unless such materials is for a course required by s.1003.46, s.1003.42(2) (n) 1.g., or s.1003.42(2)(n)3., or identified by State Board of Education rule, must be removed within 5 school days of receipt of the objection and remain unavailable to students of that school until the objection is resolved.
- B. If the district school board finds that any other material contains prohibited content as prescribed below, the use of the materials shall be discontinued for any grade level or age group for which such use is inappropriate or unsuitable:
1. Is pornographic or prohibited under fs.847.012
 2. Depicts or describes sexual conduct as defined in s. 847.001(19) unless such materials are for a course required by s.1003.46, s.1003.42(2) (n) 1.g., or s.1003.42(2)(n)3., or identified by State Board of Education rule
 3. Is not suited to student needs and their ability to comprehend the material presented, or
 4. Is inappropriate for the grade level and age group for which the material is used.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 1000.21, 1001.43, 1006.28, 1006.34(2)(b), 1006.40, 847.001, 847.012 F.S.; FAC 6A-7.0715

HISTORY:

ADOPTED: _____

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FORMERLY: