

## **Instructional Resources: *Evaluation and Selection of Library Material***

### **Definitions—**

In addition to the definitions in Policy EEE, the following definitions apply in this policy:

1. “Library material” means any instructional material contained within a school library’s collection.
2. “School library” means the location, both physical and virtual, where library materials are housed and administered by professional staff hired to oversee the selection, maintenance, and access to school library materials.
3. “Self-selection” means the right and responsibility of individual students and the student’s parent or legal guardian to select materials from a school library.
4. “Library material review committee” means a committee formed at the District level, appointed as needed and consisting of a District administrator or administrators, at least two educators with a master’s degree or endorsement in library science, educators from at least two other schools of the same level (high school, middle or junior high, or elementary) as the school where the request arises, and at least three parents with students enrolled in and attending other District schools of the same level. An administrator member of the committee shall serve as the committee chair. Parents appointed to a Library material review committee shall be reflective of the members of the District community. The Library material review committee considering a particular request may not include either an individual responsible for the procurement of the material for inclusion in the library or the individual who has made the request or a family member of the individual making the request.

[Utah Code § 53G-10-103\(4\)\(c\)\(i\) \(2024\)](#)

[Utah Admin. Rules R277-628-3\(1\)\(a\)\(vi\), \(c\) \(August 7, 2024\)](#)

### **Policy regarding selection of library material—**

The Board of Education recognizes that it has broad discretion in managing and operating the schools of the District, including in selecting library material, and that it has delegated authority to District and school administration in this matter. The Board of Education also recognizes the importance of freedom of inquiry and study, the constitutional and First Amendment restrictions on the suppression of ideas, and that school libraries offer a place and opportunity for the exercise of intellectual freedom and the right to read, inquire, study, and evaluate outside of the setting of formal instruction. The Board of Education further recognizes that school libraries are different from public libraries in that they are not open to the public, primarily serve the school’s students (who are minors) and are part of the instructional

resources of the school. The Board has adopted this policy to serve and balance these interests while taking into account the values of the community.

**Selection and deselection of library material—**

The school librarian, subject to the oversight of the principal and working in cooperation with school staff, shall select new library material taking into consideration the following criteria and subject to the overall requirements that the material is age appropriate and does not constitute sensitive material as defined in Policy EEE:

1. Overall purpose and educational significance
2. Contribution and relevance to core standards
3. Teacher, parent, or student request
4. Validity, currency and appropriateness
5. Accuracy, timeliness and permanence
6. Favorable reviews, recommendations and/or award nominees found in standard selection sources or from professional personnel
7. Contributes to a balanced perspective
8. Potential appeal and interest
9. Recreational reading needs of students
10. Artistic quality and literary style
11. Reputation and significance of author, producer, or publisher
12. Value commensurate with cost and/or need
13. Uniqueness, diversity, and/or heritage of the state, region, or group
14. Support of second language learners
15. Support of special needs students
16. Merit of the work as a whole

The school librarian shall periodically review the library collection to determine what material should be removed or replaced (deselected). Criteria may include any of the considerations relating to initial section stated above and may also include:

1. Poor physical condition
2. Superseded by more current information or contains subject matter no longer needed to support the core standards
3. Encourages stereotypes or biases
4. Receiving little use
5. Provides wrong, inaccurate, or dated information

### **Access to library material—**

Student access to library material is based primarily on self-selection. Library staff are available to consult with students and with the parent or guardian of students to find appropriate material but are not responsible for final selections of the student. If a student's parent or guardian wishes to restrict that student's access to any particular library item (a specific work or title), the parent or guardian may make a written request to the library staff and the student will then not be allowed to check out that item.

### **Review of library material for sensitive material—**

Requests for review of library material for sensitive material are limited as follows:

1. Personal interest requirement
  - a. A student currently enrolled in and attending a District school.
  - b. A parent or guardian of a student currently enrolled in and attending a District school.
  - c. A District employee; or
  - d. A member of the Board of Education.
2. Limits on request after unsuccessful challenges
  - a. An "unsuccessful challenge" means that an instructional material (including but not limited to library material) is determined not to be sensitive material and is retained after an allegation that it contains sensitive material.
  - b. After an individual has made three unsuccessful challenges in a given school year, the individual may not request sensitive material review for the remainder of that school year.

[Utah Code § 53G-10-103\(3\)\(a\) \(2024\)](#)

[Utah Code § 53G-10-103\(3\)\(b\) \(2024\)](#)

An individual who desires review of library material for sensitive material must complete the Request for School Review of Library Material form and provide it to the Superintendent or Superintendent's designee. The Superintendent or designee shall make an initial determination whether the form has been fully completed and the person is eligible to request review.

Upon receipt of a request for sensitive materials review from an eligible individual, the Superintendent or designee and another District administrator who has responsibility regarding curriculum will make an initial determination as to whether the request presents a plausible claim that the library material constitutes sensitive material, including whether the request includes excerpts and other evidence to support the allegation. If those two individuals determine that the request presents a plausible claim that the library material constitutes sensitive

material, the District shall proceed with review of the material and shall immediately remove the library material from any school setting that provides student access to the material until the review process is complete.

[Utah Code § 53G-10-103\(4\)\(a\) \(2024\)](#)

[Utah Admin. Rules R277-628-3\(1\)\(a\)\(iv\) \(August 7, 2024\)](#)

The Superintendent or designee shall designate two District employees and one parent to evaluate the request and the challenged material and determine if the challenged material constitutes objective sensitive material. The individuals designated may not include anyone responsible for procurement of the materials or the individual who requested the review but may include the District employees who performed the initial review. If the challenged material is determined to be objective sensitive material then the District shall ensure that the material remains inaccessible to students in any school setting.

[Utah Code § 53G-10-103\(4\)\(b\) \(2024\)](#)

[Utah Admin. Rules R277-628-3\(1\)\(a\)\(v\), \(vi\) \(August 7, 2024\)](#)

If the material is determined to not be objective sensitive material, the Superintendent or designee shall establish a library material review committee to review the material to determine whether it constitutes subjective sensitive material. During review by the library material review committee, the District shall allow access to the challenged material to any student whose parent gives consent for the student to access the challenged material.

[Utah Code § 53G-10-103\(4\)\(c\)\(i\), \(ii\) \(2024\)](#)

The sole purpose of the library material review committee shall be to determine whether the item constitutes subjective sensitive material as defined in Policy EEE and shall prioritize protecting children from the harmful effects of illicit pornography over other considerations. An item may not be removed because of disagreement with the item's content relating to politics, religion, nationalism, or other matters of opinion. The committee's determinations shall be made by majority vote of the members of the committee. Prior to engaging in any discussions with other committee members or participating in any decision making, each committee member shall read the item in its entirety (for written items) or review the item as a whole (for non-written items).

[Utah Code § 53G-10-103\(2\)\(c\) \(2024\)](#)

[Utah Admin. Rules R277-628-3\(1\)\(a\)\(iii\) \(August 7, 2024\)](#)

After the chair of the library material review committee has confirmed that all members of the committee have reviewed the item, the chair shall schedule such meetings as are necessary for the committee to discuss the item and determine whether it constitutes subjective sensitive material.

In determining whether the item constitutes subjective sensitive material, the committee shall determine whether the material meets any of the three tests for subjective sensitive material set out in the definition in Policy EEE.

After the committee has made its determination, it shall prepare a written report which explains its findings and the grounds for its findings. A copy of the report shall be provided to the person who requested the review.

If the committee determines that the item constitutes subjective sensitive material, then the item shall be removed from student access in the school setting (regardless of whether the student's parent has consented to the student having access to the material). If an item is determined to be sensitive material and removed from use, all copies of the material shall be physically removed and as applicable deleted from electronic storage. The District shall inform vendors and publishers regarding the decision. Sensitive materials removed from student access may not be sold or distributed but shall be legally disposed of.

[Utah Code § 53G-10-103\(4\)\(c\)\(iii\) \(2024\)](#)

[Utah Admin. Rules R277-628-3\(1\)\(a\)\(vii\) \(August 7, 2024\)](#)

If the committee determines that the item does not constitute subjective sensitive material, then the item shall be retained. A reviewed item which is retained after review for sensitive material may nevertheless be deselected by the school librarian if the librarian determines that it meets other criteria for deselection.

The chair of the library material review committee shall report the results of the review to the Utah State Board of Education using the reporting tool provided by the State Board at [this website](#). The report shall be made within 30 days of the determination unless an appeal of the determination is in process.

[Utah Code § 53G-10-103\(4\)\(d\) \(2024\)](#)

[Utah Admin. Rules R277-628-4\(3\) \(August 7, 2024\)](#)

Any individual who is eligible to request a review for sensitive material may appeal a determination to the Board of Education. An appeal can be made regarding an objective sensitive material determination or a subjective sensitive material and can be made whether the decision was to remove or retain the material. The appeal shall be in writing, shall be submitted to the Board of Education within 30 days of the determination, and shall explain why the individual believes the determination was incorrect. In considering the appeal, the Board of Education may make use of whatever information it finds appropriate, including the committee report. The Board of Education's decision on the appeal shall be made by vote in public meeting. In making the decision, the Board of Education shall clearly identify the rationale for its decision and the determination on each component of the standards used in deciding the appeal (including the statutory standards and any additional policy standards the Board of Education may use). The District shall report the results of the appeal to the Utah State Board of Education using the website identified above promptly following conclusion of the appeal.

[Utah Code § 53G-10-103\(5\) \(2024\)](#)

[Utah Admin. Rules R277-628-4\(3\) \(August 7, 2024\)](#)

### **Compensation for additional employee time—**

If a District employee participating in sensitive materials review is required to do so outside of contract hours, the District shall compensate the employee for the additional time spent participating in the review.

[Utah Admin. Rules R277-628-3\(1\)\(e\) \(August 7, 2024\)](#)

## Request for Review of Library Material

1. Requester: \_\_\_\_\_ School: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_  
Email: \_\_\_\_\_ Phone: \_\_\_\_\_
2. Qualifying personal interest category or categories: \_\_\_\_\_
3. Brief statement explaining the request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Type of material: ☐ Book (Print) ☐ E-Book (Digital) ☐ Audio Book ☐ Movie ☐ Magazine  
☐ Other Audio Recording ☐ Library Digital Resource ☐ Game ☐ Newspaper ☐ Other
5. Title: \_\_\_\_\_
6. Author or Producer: \_\_\_\_\_
7. Library material may only be removed because it constitutes sensitive material as defined in District Policy EEE and governing law. Library material may not be removed because it contains ideas that individuals disagree with based upon politics, nationalism, religion, or other matters of opinion. I acknowledge and understand that the scope of review will be limited to whether the material constitutes sensitive material.  
Initial: \_\_\_\_\_
8. Sensitive material can be found at the following location or locations (page, chapter, link, timestamp, etc.)  
\_\_\_\_\_

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

Signed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_  
(Day) (Month) (Year) (City or other location and state/country)

Printed Name \_\_\_\_\_

Signature \_\_\_\_\_