

## 4211 - Media Center Library Materials

### 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 Libraries shall contain material of diverse origin, background and viewpoint, including educational and recreational material that is used to support a student's learning in the school setting, but shall not include ~~a~~-material ~~which-that~~ contains prohibited content, as defined in this policy.

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

2.2. All employees responsible for acquiring material for School Libraries 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 (2022 H.B. 374 Sensitive Materials

in Schools), to include any material contained within a School Library 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. 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. ~~In determining whether material is age appropriate, the material must be reviewed as a whole to determine whether it has serious literary, artistic, political or scientific value.~~
- 3.5. "Prohibited Content" means:
  - 3.5.1. sensitive material
  - 3.5.2. content not age appropriate for the school's age group due to profanity.
  - 3.5.3. content not age appropriate for the school's age group due to violence.
- 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 Executive Director; who shall serve as chair of the committee, selected by the Superintendent.
  - 3.8.2. Two (2) Certified Media Center ~~Liberians-Librarians~~ selected by the chair.
  - 3.8.3. The School Media Center ~~Liberian-Librarian~~ responsible for the Media Center Library from which the review originated. If this individual is already serving on the committee, a substitute shall be selected by the chair.
  - 3.8.4. Three (3) parents who have a child currently enrolled in the school district and are selected by the county PTA Board, to be selected from different cone sites.
  - 3.8.5. Two (2) Principals or Assistants, selected by the chair, to be selected from different cone sites.
- 3.9. The District Media Review Committee shall have a scheduled meeting every other month to review challenges to School Library 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 ~~one~~ two years.
  - 3.9.2. The District Media Review Committee may 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 ~~3.1.93.8~~.
  - 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. Students have standing to challenge materials only in the schools in which they are currently enrolled and attending.
    - 3.10.3. 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, in which case, the employee has standing where the employee's child is currently enrolled and attending).
    - 3.10.4. School Board members have standing to challenge materials within the schools ~~that where the constituents living within their are physically located within the boundaries of their~~ voting districts are currently enrolled and attending.
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 Review Committee to not be age appropriate following a challenge to the material 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 that contains prohibited content.
      - 4.1.3.1. If no reviews are available to indicate the presence of prohibited content, 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 containing prohibited content 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. Materials may also be de-selected for reasons other than those identified in 4.1.6. only in accordance with the procedures set forth in section 5 of this policy.
  - 4.2. Self-Selection
    - 4.2.1. School Library 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 ~~teacher, librarian, school administration or district personnel~~ 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 ~~11/1/2024~~ 12/1/2024*)
    - 4.3.1. All Washington County School District School Libraries shall use the same library system catalog.
    - 4.3.2. School Library system catalogs shall be searchable, accessible to all parents from home and posted on each school's website.
    - 4.3.3. Parents 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.
5. Review Procedure
  - 5.1. The school official or staff member receiving a complaint about material in a School Library 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
  - 5.4.4. if the individual chooses to file Form 944 in a formal challenge, articulate the basis for the challenge.
- 5.5. 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 District Media Review Committee shall convene its bi-monthly meeting and review all challenges filed since its last meeting. The Committee will review each Form 944 that has been filed and will make a preliminary determination about whether the individual challenging the material has described a valid basis for the challenge consistent with the definitions of prohibited content in this policy. If the Committee determines that there is a valid basis for the challenge, the challenged materials will be removed from all School Libraries pending the Committee's review and final determination.
- 5.8. The Committee's sole responsibility is to determine if the material contains prohibited content.
- 5.9. District Media Review Committee Review Process
  - 5.9.1. 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.
  - 5.9.2. The District Media Review Committee will make a determination about the challenged material based only on the following factors:
    - 5.9.2.1. 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, §76-10-1202, §76-10-1203, and §76-10-1227.
    - 5.9.2.2. Whether the material is age appropriate due to profanity and/or violence. In deciding whether the material is age appropriate due to profanity 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.

- 5.9.2.3. A determination of whether material has serious literary, artistic, political, or scientific value will be informed by literary, artistic, political, or scientific reviews, awards, and the expertise of those on the Committee with a background in literature, art, politics, and/or science.
    - 5.9.3. The District Media Review Committee's decision shall be made by a simple majority of Committee members who participate in the review.
    - 5.9.4. 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.
    - 5.9.5. Potential actions of the District Media Review Committee may include:
      - 5.9.5.1. Retain the material in all School Libraries
      - 5.9.5.2. Remove the material from all School Libraries
      - 5.9.5.3. 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~~ in schools with student populations at a lower grade level than the grade level determined age appropriate.
    - 5.9.6. The District Media Review Committee shall write a rationale for the committee's decision, including:
      - 5.9.6.1. Formal findings
      - 5.9.6.2. Reason for the recommended action based on the factors identified in this Policy.
      - 5.9.6.3. Recommended age appropriate level (if applicable)
    - 5.9.7. This rationale shall be provided with the action regardless of the recommended action.
    - 5.9.8. The District Media Review Chair shall provide the individual challenging the material a written decision of the Committee's determination.
    - 5.9.9. The determination of the District Review Committee shall be recorded and the challenged material that was removed from a School Library will not be selected for future purchases in any School Media Center Library.
    - 5.9.10. 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.
  - 5.10. 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.
  - 5.11. An individual challenging material is limited to 3 challenges to materials per school calendar year.
  - 5.12. The District Media Review Committee decisions are final decisions and not subject to appeal through the District.

