

## **Guidance: Definitions**

"Library collection" means the materials made available to students by a school operated by an LEA or by a public charter school, but does not include materials made available to students as part of a course curriculum;

"Materials" means books, periodicals, newspapers, manuscripts, films, prints, documents, microfilm, discs, cassettes, videotapes, videogames, applications, and subscription content in any form.

"Documentation" means known or recorded facts, official documents, minutes, and or conversations evidencing the local LEA or public Charter School decisions.

"Days" means regular schools days identified by the annual school calendar not to include holidays, in-service days and weekends.

## **B. LEA Guidance: Process for Reviewing Library Materials**

Each LEA should identify the employee(s) responsible for library collection development. Each school must maintain a current list of the materials in the school's library collection that is posted on the school's website. When reviewing library materials, school employees should ensure the following standards met:

1. Materials are suitable for and consistent with the educational mission of the school;
2. Materials are appropriate for the age and maturity levels of the students who may access them. The determining factors will be based on an assessment of any mature themes or content (i.e., violence, sexual content, vulgar language, substance abuse);
3. Materials contain literary, historical, and/or artistic value and merit; and
4. The collection as a whole offers a variety of viewpoints.
5. Materials must be in compliance with statutes and TN Code.

LEAs may add additional standards through a policy or procedure adopted by the local board of education. Each policy should identify the employee(s) responsible for periodically reviewing the district's library collection. Each LEA or school should develop a review process to ensure library materials are reviewed on a regular basis and consistent with the standards above.

## **C. Receipt and Evaluation of Feedback on Library Materials**

Each LEA must adopt a board policy that establishes the process in which the local board of education or public charter school governing body receives feedback on library materials. The district should provide a form for employees, students, or parents/guardians to submit to the district. Each LEA should also develop a review process that addresses the above standards by evaluating the following:

- Purpose of the materials,
- Authenticity and accuracy of the materials,
- Appropriateness, to include age and maturity level,
- Content; and
- Reviews

At a minimum, the process should include the following if feedback is received from an employee, student, or parent/guardian:

1. Inform the employee, student, or parent/guardian of the selection procedures and make no commitments.
2. Request the employee, student, or parent/guardian to submit a Request for Reconsideration of Library Materials form.
3. Inform the principal (and other appropriate personnel).
4. Within (3) days, notify the ad hoc materials review committee that feedback has been submitted. The review committee is appointed by the principal and includes certified library media personnel, representatives from classroom teachers, one or more parents, and may include one or more students.
5. Keep challenged materials available for use during the reconsideration process.
6. Upon receipt of the completed form, the principal shall notify the Director of Schools.
7. The principal shall request review of the challenged materials by the ad hoc materials review committee within [14] days upon receipt of the completed form. The principal will inform the Director of Schools of the review committee's progress.
8. The review committee shall take the following steps after receiving the challenged materials:
  - a. Read, view, or listen to the contested material in its entirety;
  - b. Check general acceptance of the material by reading recognized and evaluative reviews provided by the employee responsible for library collection development;
  - c. Determine the extent to which the material is appropriate for the age and maturity levels of the students who have access to the materials and whether the material is suitable for, and consistent with, the educational mission of the school;
  - d. Complete an appropriate Checklist for Reconsideration of Library Materials, judging the material for its strength and value; and

- e. Present a recommendation to the principal for further action and to the Director of schools for purposes and information.
  - f. If further action is needed, the complainant can request additional procedures for a Board Review of challenged material.
  - g. Materials must be in compliance with statutes and TN Code.
9. The local board of education or public charter school shall review the recommendation presented by the review committee and make the determination whether the material is appropriate for the age and maturity levels of the students who have access to the materials and whether the material is suitable for, and consistent with, the educational mission of the school and established policies by the LEA's schools, or of the public charter schools.
10. If it is determined that the material is not appropriate for the age and maturity levels of the students who have access to them or is not suitable for, and consistent with, the educational mission of the school, the Board shall require the school to remove the material from the library collection or grade level for which it has been deemed appropriate or inappropriate.

This process is not the exclusive means to remove material from a school's library collection, and does not preclude an LEA, a school operated by an LEA, a public charter school, or the governing body of a public charter school from developing or implementing other policies, practices, or procedures for the removal of materials from a library collection or grade level.

#### **D. Library Materials(s) Commission Appeals Process**

An employee, student, or parent/guardian may appeal a determination made by the student's or employee's local board of education or public charter school governing body that materials in the student's or employee's school's library collection are inappropriate for the age or maturity levels of the students who may access the materials, or that the materials are not suitable for, or are otherwise inconsistent with, the educational mission of the school, resulting in the materials' removal from the school's library collection or grade level.

1. Submitting an Appeal:
  - a. Requests for appeals may be submitted to the Textbook Commission via the Textbook Commission website within five (5) days of the local board of education or public charter school governing body's decision. The request for an appeal shall be sent to the Chair of the Textbook Commission and the Department of Education Liaison to the Textbook Commission.
  - b. The appeal must include documentation evidencing the local board of education or public charter school governing body's decision.
  - c. Upon receipt of an appeal, the Textbook Commission shall request supporting documentation from the LEA or public charter school that were used in making

their decision including the book or materials for review. Each LEA or public charter school shall provide this information within twenty (20) days.

- d. The Appeal will be heard at the next regularly scheduled meeting of the Textbook Commission if received within 30 days of the publicized agenda deadline.
2. Review of Library Materials by the Textbook Commission:
    - a. The Commission shall review all information included in the appeal and supporting documentation provided by the local board of education or public charter school governing body.
    - b. The Commission shall determine if the following factors were considered by the local board of education or public charter school governing body:
      - i. Are the materials suitable for and consistent with the educational mission of the school;
      - ii. Are the materials appropriate for the age and maturity levels of the students who may access the material. The determining factors will be based on an assessment of any mature themes or content (i.e., violence, sexual content, vulgar language, substance abuse);
      - iii. Do the materials contain literary, historical, and/or artistic value and merit; and
      - iv. Does the collection as a whole offer a variety of viewpoints.
    - c. The Commission shall issue its findings on appeal in writing to each LEA and/or public charter school.
    - d. Upon receiving the Commission's findings, each LEA and public charter school shall include, or remove, the challenged material in, or from, the library collection for each of the LEA's schools, or for the public charter school, as applicable, for the grade levels for which the commission has found the challenged material to be appropriate or inappropriate for students.
  3. Limitations on Appeals from Decisions made by a local board of education or public charter school governing body:
    - a. Library materials that have already been reviewed by the Commission may be appealed after three (3) years of the initial review.
    - b. Individual students, employees, or parents/guardians may only file no more than two (2) appeals with the Commission within one (1) year timeframe.
    - c. Individual students, employees, or parents/guardians may only appeal one (1) item with each submission.