

## 2107 Library Materials Policy

1. This policy specifies the process for identifying materials to be included or disqualified from use in libraries and schools based on Section 53G-10-103, Sensitive Instructional Materials, state and federal law, Board Rule R277-217, Educator Standards and LEA Reporting, or based on age appropriate content.
2. Library Mission Statement
  - a. The mission of the Karl G. Maeser Preparatory Academy Library is to provide a collection of works supporting the school's education mission of inspiring students to seek learning through a classical approach to education. The includes the development of integrity, civic virtue, and self-discipline. The library also seeks to provide curriculum support, research guidance, and the development of literacy and research skills for its patrons.
3. Maeser's school library supports and enhances student learning. Maeser values libraries, media centers, and library staff who select, maintain, and preserve rich repositories of balanced, relevant, age appropriate, and varied educational sources for students.
4. All Maeser employees must adhere to this policy and are subject to the employee conduct policies for any personal violation.
5. General Nature of the Library Collection
  - a. The library's primary focus is to support Maeser's educational mission.
  - b. The library supports the curriculum needs of Maeser, including materials which foster choosing Truth, Honor, and Virtue.
  - c. The library's collection provides materials of interest to students in grades seven through twelve to enhance their individual interests and literary enjoyment.
6. Selection of Materials for Library Collection
  - a. The library professional, designated teacher, or designated volunteer will initially select all library materials under the direction of the local board, including gifts and donations, consistent with this policy using the following criteria:
    - i. seek recommendations and work collaboratively with parents, patrons, and others in the school community during the selection process;
    - ii. create a collection that reflects diversity of ideas; and
    - iii. create a collection that adheres to the law.
  - b. Electronic databases and other web-based searches and content will be filtered through Maeser's state-required internet filter.
  - c. Gifts and donations will be reviewed following selection criteria and will be accepted or rejected using the same criteria.
  - d. The responsibility for final material selection rests with appointed library personnel under direction of Maeser's governing board using the following criteria:
    - i. Overall purpose and educational significance
    - ii. Legality
    - iii. Age and developmental appropriateness
    - iv. Timeliness and/or permanence

- v. Readability and accessibility for intended audience
- vi. Artistic quality and literary style
- vii. Reputation and significance of author, producer, and/or publisher
- viii. Variety of format with efforts to incorporate emerging technologies
- ix. Quality and value commensurate with cost and/or need.
- e. A record of reviewed materials will be maintained by Maeser and include:
  - i. the name of the school;
  - ii. the title and author of the material;
  - iii. all available formats of the material (digital/hard copy/etc.);
  - iv. the intended use of the material;
  - v. the date the material was reviewed; and
  - vi. the employee's name and title that reviewed the material.

#### 7. Library Collection Maintenance

- a. Library materials will be maintained consistent with the criteria listed in II.D, state and federal laws, including Utah Code Ann. Section 53G-10-103, and represent varying viewpoints.
- b. The school librarian or designated appointee will inventory the school library collection and equipment every five (5) years.
  - i. The inventory may be used to determine losses and remove damaged or worn materials to be considered for replacement.
  - ii. The inventory may also be used to deselect and remove materials that are inconsistent with the law, or that are no longer relevant to the curriculum or of interest to students.
  - iii. Identify gaps or deficits in the library's collection.
- c. Weeding and De-Selection Criteria
  - i. As part of the inventory process, the school librarian or designated specialist may weed out or de-select materials based on the following criteria:
    - 1. Poor physical shape
      - a. Brittle paper and/or covers
      - b. Faded colors
      - c. Poor binding
    - 2. Poor format
      - a. Excessively large or small print
      - b. Poor quality images and/or pictures
    - 3. Poor content
      - a. Out of date (especially technology, science, medicine, geography, culture)
      - b. Trivial subject or approach
      - c. Mediocre or substandard writing
      - d. Inaccurate information
      - e. Superseded editions
    - 4. Inappropriate for the specific collection
      - a. Unneeded duplicates

- b. Unneeded titles in little-used subject areas
    - c. Interest or reading level inappropriate for clients
    - d. Change in curriculum and/or age group served
  - 5. What not to weed
    - a. Classics, except when more attractive format is available
    - b. Local and Utah history unless replaced with newer copy
    - c. Major school publications, including yearbooks
  - ii. Weeding process
    - 1. Identify cutoff circulation records
    - 2. Identify cutoff copyright date
    - 3. Identify items in poor physical condition
    - 4. Teachers in appropriate subject areas can be asked to identify items they wish to be retained
    - 5. Items to be retained should have poor physical condition remedied by repair, rebinding, or replacement
    - 6. Items to be weeded should be removed from shelves and library catalog, then disposed of.
- 8. Library Materials Review Process
  - a. A library materials review request may only be made by:
    - i. a parent of a student that attends the school;
    - ii. a student who attends the school; or
    - iii. an employee of the school.
  - b. If challenges become unduly burdensome Maeser may limit the number of challenges an individual may make in the course of a school year.
  - c. A library materials review may be based upon the concern that the material is a sensitive material as defined in Section 53G-10-103, or upon concerns with age-appropriateness of content.
  - d. The identity of the requestor will be protected and kept confidential from all individuals outside of the review process outlined in this policy, to the extent possible.
  - e. Maeser will ensure access to a Library Materials Review Request Form (See Appendix A).
  - f. The requestor must provide all information requested on the form including the requestor's complaint or objection to the library material.
  - g. The material that is subject to a review request will have restricted access by maintaining the material behind the circulation desk or by requiring an access code for digital materials until the processes described in this policy are completed. Access is limited to students with prior parent/guardian permission only. A list of restricted materials shall be made available to the public.
  - h. Upon receipt of a request for review, the school administrator or designee will acknowledge the receipt of the request, create a case number for the review, and convene a Curriculum Committee within a reasonable time according to the procedure outlined below:

- i. The Curriculum Committee will determine the amount of time needed for an adequate review of a material to make a thorough and thoughtful decision and inform the requester of the determined timeline with a preference for 30 school days where possible and no longer than 60 school days.
- ii. The Curriculum Committee may request that Maeser's board determine the maximum amount of time allowed for review and determination.
- iii. Members of the Curriculum Committee will receive materials to complete the review process, including the following:
  1. access to the complete work that includes the material being challenged;
  2. a copy of the Materials Review Request form;
  3. a copy of this policy
  4. relevant information about the title compiled and shared by the library staff, including reason for initial approval of the material; and
  5. recorded public comment as described below in Subsection vii; and
  6. a copy of Appendix B: Checklist for School Library Committee's Reconsideration of Instructional Material
- iv. Prior to a decision of the Curriculum Committee the school conducting the review will provide an opportunity for public comment regarding the material at a governing board meeting.
- v. The school conducting the review will provide notice to parents about the opportunity to provide public comment and include the name of the material that is the subject of the materials review at least 48 prior to the scheduled meeting for public comment.
- vi. The school conducting the review will record all public comments, including written comments received, and make those comments available to the Curriculum Committee within 48 hours of the public comment meeting.
- vii. The Curriculum Committee will schedule meetings as determined by the Curriculum Committee and maintain minutes of each meeting.
- viii. The notes from each meeting will be retained by Maeser along with all relevant documentation and the final determination.
- ix. The Curriculum Committee will determine whether the material constitutes sensitive material consistent with Section 53G-10-103, this policy, and the guidance letter provided by the Attorney General's Office dated June 1, 2022.
- x. In deciding whether the material constitutes sensitive material, the Committee must:
  1. consider all elements of the definitions of pornographic or indecent materials as defined in Utah Code Sections 76-10-1235, 76-10-1201, 76-10-1203, and 76-10-1227; and

2. whether the material is age appropriate due to vulgarity or violence.
- xi. In deciding whether the material is age appropriate due to vulgarity, violence, or content, the Committee must consider the material taken as a whole and consider whether it has serious literary, artistic, political, or scientific value for minors, which may include the following objective criteria:
    1. reliable, expert reviews of the material or other objective sources;
    2. committee members' experience and background; and
    3. community standards.
  - xii. In deciding whether the material taken as a whole has serious literary, artistic, political, or scientific value as described in Subsection xiii. The Committee should consider that serious value does not mean any value.
  - xiii. The Curriculum Committee will make a determination of a reviewed material as follows:
    1. Retained: the determination to maintain access in a school setting to the challenged material for all students.
    2. Restricted: the determination to restrict access in a school setting to the challenged material for certain students as determined by the Curriculum Committee.
    3. Removed: the determination to prohibit access in a school setting to the challenged material for all students.
  - xiv. The decision of the Curriculum Committee will be determined by majority vote.
  - xv. A material may not be reviewed again for three school years following the Curriculum Committee's determination.
  - xvi. The determination of the Curriculum Committee will be communicated to the requestor and appropriate employees within 5 school days of the decision being made.
  - xvii. Maeser will maintain a list of all materials that receive a "removed" determination.

## 9. Appeals Process

- a. The original requestor or another individual who was not on the Curriculum Committee may appeal the determination of the Curriculum Committee in writing to the school Director within 15 business days of receipt of the Curriculum Committee's final determination using an Appeal Request Form (See Appendix B).
- b. The Maeser Board of Directors will act as the Appeals Committee.
- c. If there is not an appeal of the Curriculum Committee's decision, the Curriculum Committee's recommendation is the final determination for the challenged material.
- d. The Appeals Committee will determine the amount of time needed for an adequate review, not longer than 60 school days and a preference for 30 school

days, of a material required to make a thorough and thoughtful decision and inform the requestor of the determined timeline.

- e. Members of the Appeals Committee will receive materials to complete the review process, including the following:
    - i. a copy of the material;
    - ii. a copy of the Materials Review Request form;
    - iii. all Curriculum Committee meeting minutes;
    - iv. the Curriculum Committee's final recommendation and rationale for the decision;
    - v. any other documents considered part of the administrative record related to the Curriculum Committee's proceedings including all recorded public comments as described in Subsection vii and xiii above.
    - vi. The Appeals Committee will schedule meetings as needed, as determined by the Appeals Committee and maintain minutes of each meeting.
    - vii. The notes from each meeting will be retained by Maeser along with all relevant documentation and the final determination by the Appeals Committee.
    - viii. The Appeals Committee may make a final determination of a reviewed material as follows:
      - 1. Retained: the determination to maintain access in a school setting to the challenged material for all students..
      - 2. Restricted: the determination to restrict access in a school setting to the challenged material for certain students..
      - 3. Removed: the determination to prohibit access in a school setting to the challenged material for all students; or
      - 4. Another determination as decided by the Appeals Committee.
    - ix. A material may not be reviewed again for three school years if the Appeals Committee votes to uphold a Curriculum Committee's determination.
    - x. The final determination of the Appeals Committee will be communicated to the requestor and appropriate employees within 10 days of the determination.
10. Final Procedural Review (Not Legally Binding until USBE amends R277-123)
- a. The requestor in 7.A. may petition the USBE for a procedural review of the Appeals Committee's decision.
    - i. The USBE will review the petition and determine if a procedural review is warranted, to determine whether the LEA correctly followed its library materials review policy referred to in Rule R277-628.
    - ii. That determination may include the USBE's decision to have the appeal considered initially by a USBE Committee or a panel of USBE members.
    - iii. If the USBE determines in USBE's procedural review that the LEA did not correctly follow its materials review policy, it will return the appeal to the

LEA with direction to repeat its review process in compliance with its library materials review policy referred to in Rule R277-628.

- b. The USBE will make a final written appeal decision no more than 60 school days after the USBE's determination that the appeal satisfies the criteria for USBE review.
- c. This USBE review decision is final.

11. Communication

- a. An easily accessible webpage on Maeser's website will be updated and available prior to the beginning of each school year to inform teachers, staff, students, and parents of the following:
  - i. A Materials Review Request Form (See Appendix A)
  - ii. An Appeal Request Form (See Appendix B)
  - iii. Application to serve on a materials Curriculum Committee
  - iv. This Library Policy
  - v. A list of all materials that are restricted while under Review or have received a Curriculum Committee or Appeals Committee determination
- b. If made aware of material that may be considered sensitive material as defined in Section 53G-10-103, Maeser will inform relevant parties regarding appropriate actions to take pursuant to this policy.

Approved: 09.13.2022

Appendix A: Materials Review Form

Title:

Author:

Review Request Initiated by:

Telephone:

Address:

City:

Zipcode:

Email address:

1. Does your child attend this school?                      Yes                      No
  
2. Was this material recommended, assigned, or made available through the student's school? If so, where?
  
3. What concerns you about this material? Please provide examples, page numbers, links, or any other information to help in locating or identifying content of concern. Please attach any images or other corroborating evidence.
  
4. What action are you requesting the committee to consider?

Signature:

Date:

\*\*\*\*Below is for internal use only\*\*\*\*

LEA Appointed Committee Facilitator (Determined by Maeser Administration)

\_\_\_\_\_

Suggested Review Timeline: \_\_\_\_\_



Appendix B: Checklist for School Library Committee's Reconsideration of Instructional Material

Title: \_\_\_\_\_

Author: \_\_\_\_\_

Genre:

Fiction

Adventure

Drama

Fantasy

Historical fiction

Horror

Humor

Legend/fairy tale/fable

Mystery

Poetry

Science Fiction

Short Story

Nonfiction

Academic

Biography/Autobiography

Essay

Historical

Narrative nonfiction

Religion

Reference work

Speech

1. Purpose

- a. What is the purpose, theme or message of the material? How well does the author/producer/composer accomplish this purpose?

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- b. If the story is fantasy, is it the type that has imaginative appeal and is suitable for children? \_\_\_\_ Yes \_\_\_\_ No; for young adults? \_\_\_\_ Yes \_\_\_\_ No. If both are marked no, for what age group would you recommend? \_\_\_\_\_

- c. Will the reading and/or viewing and/or listening to material result in more compassionate understanding of human beings? \_\_\_\_ Yes \_\_\_\_ No

- d. Does it offer an opportunity to better understand and appreciate the aspirations, achievements, and problems generally encountered in life? \_\_\_\_ Yes \_\_\_\_ No

- e. Are any questionable elements of the story an integral part of a worthwhile theme or message? \_\_\_\_ Yes \_\_\_\_ No

2. Content

- a. Does a story about modern times give a realistic picture of life as it is now? \_\_\_\_ Yes \_\_\_\_ No

- b. Does the story avoid an oversimplified view of life, one which leaves the reader with the general feeling that life is sweet and rosy or ugly and meaningless? \_\_\_\_ Yes \_\_\_\_ No

- c. When factual information is part of the story, is it presented accurately?  
 Yes     No
- d. Is prejudicial appeal readily identifiable by the potential reader?  
 Yes     No
- e. Are concepts presented appropriate to the ability and maturity of the potential readers?  Yes  No
- f. Do characters speak in a language true to the period and section of the country in which they live?  Yes  No
- g. Is the material offensive in the way it presents either the chief character or any of the minor characters?  Yes  No
- h. Is there preoccupation with sex, violence, cruelty, brutality, and/or aberrant behavior that would make this material inappropriate for children?  Yes  No; Young adults?  Yes  No
- i. Is the material well written or produced?  Yes  No
- j. Does the story give a broader understanding of human behavior without stressing differences of class, race, color, sex, education, religion or philosophy in any adverse way?  Yes  No
- k. Does the material make a significant contribution to the history of literature or ideas?  Yes  No
- l. Are the illustrations appropriate and in good taste?  Yes  No
- m. Are the illustrations realistic in relation to the story?  Yes  No

3. Reliability

- a. Is the author competent and qualified in the field?  Yes  No
- b. What is the reputation and significance of the author and publisher/producer in the field?

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- c. Is the material up-to-date?  Yes  No
- d. Are information sources well documented?  Yes  No
- e. Are translations and retellings faithful to the original?  Yes  No

4. Curriculum Suitability

- a. Does the material promote the educational goals and objectives of the curriculum?  Yes  No
- b. Is it appropriate to the level of instruction intended?  Yes  No

Additional Comments

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Recommendation by Curriculum Committee for Treatment of Challenged Material

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Signature of Curriculum Committee Members

Date \_\_\_\_\_

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Appendix C: Appeal Request Form

Instructions: A requestor will submit the Appeal Request Form along with a copy of the Materials Curriculum Committee’s decision within 15 business days of receiving the decision of the Materials Curriculum Committee.

Requestor Information:

Date:

Legal Name of Guardian:

Address:

Email:

Phone Number:

School Challenge Decision Date:

Upon submission of an Appeal Request Form, the requestor will receive a receipt of notice of submission within ten (10) school calendar days. The receipt of submission will include an estimated timeline for a determination of the Appeals Committee to be completed within a reasonable time period, not to exceed 60 school days.

Challenged Material Information:

Title:

Author:

Publisher and date of publication:

Please provide a written statement setting forth your rationale to appeal the Curriculum Committee’s decision regarding the title (attach additional pages as needed).

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Requestor’s signature: \_\_\_\_\_