

CLAY COUNTY DISTRICT SCHOOLS

Book Challenges

*From Initial Complaint to
Committee Report
to the Appeals Process*

2023-2024





Background:

CCDS has allowed challenges to materials for decades. Such challenges have been few and have typically garnered little attention but recent events have brought increased awareness to this process.

Districts across the state share similar library collections and to various extents are addressing the issue.

94% of the almost 488 challenges brought forward in CCDS have been from a single complainant.



Challenges by the numbers

We have received 488 correctly completed challenges. 76 of the district's 183,000-plus titles have been removed due to a statutory violation. (.00041386)

Total numbers of titles in CCDS library collections: **183,638**

Total current number of titles being held pending reviews: **132**

Total number of titles currently available to check out: **183,506**



Circulation:

The vast majority of challenged titles are found in secondary schools—mainly high schools.

The circulation rates in CCDS high school libraries are low.

The majority of the challenged titles have had extremely low checkout rates. We saw many examples of 1 checkout in 10 years, etc.



CCDS actions to address to date:

CCDS is proud of our continuing efforts with this issue:

- The development of new and additional procedures with multiple layers of scrutiny relative to future purchasing.
- The facilitation of collegial, productive conversations with community members who represent the various sides of the issue.
- The development of tools designed to present options- including total control- to parents.



Parental control options

1. Parents can choose to take no action and therefore their child to freely check out library materials
2. Parents can choose to be notified with daily emails when their child checks out library materials ([Library Book Access Form](#)) (3 parents in CCDS have selected this option)
3. Parents can choose for their child to be unable to check out library materials ([Library Book Access Form](#)) (3 parents in the district have completed and returned the forms for this option)

If parents are concerned, simply choose option 3.



Challenge Procedure Overview



1. Complainant submits challenge form; District Library Media Specialist is notified.
2. Within 7 working days, Supervisor of Instructional Resources notifies the Challenge Oversight Committee (CAO, SIR, DLMS).
3. Each submission is reviewed by the Challenge Oversight Committee which can recommend any of the following:
 - a. Immediate and permanent removal of material
 - b. Return of the Complainants request
 - c. Referral to the District Curriculum Council (CAO, SIR, DLMS, School-based Media Specialist, School Principal, Parent)



Recent CCDS policy authorizes the Superintendent's Designee to remove materials that fail to meet Florida's statutory requirements.

Additionally, Florida HB 1069 states that, "If the district school board finds that any other material contains prohibited content under sub-sub-subparagraph b. (II)-(IV), the school district *shall* discontinue use of the material."



The decisions to retain or remove challenged materials have been made consistently based upon the language provided by Florida statutes.

- We examine the evidence provided by the complainant and compare it to the language of the applicable statute. This means going literally line-by-line and requires calibrating discussions to ensure as much consistency as possible.
- It is important to note that the applicable statutes do not quantify how much of something is allowable.
- It is easy to conflate various statutes. For example, while there are certain topics that according to some Florida statutes may not be taught in classroom as a tenet or standard (ex. HB 7) those same topics would be allowable in a library book which is self-selected.



District Procedures for Final Decisions



- CCDS policy adopted in April 2023, the School Board is to be notified of final recommendation for each challenged material at the next available meeting.
- Challenges which have been decided shall be placed on consent agenda as a single item under which each challenged book title presented for review is listed separately but without elaboration.
- Though district decisions are presumed correct, the Board has the right to move single items to the discussion agenda.



Appeals Procedures



- The appeals process may occur simultaneously with the Board notification.
- Within 10 days of notification, the Complainant may file a one-page request for appeal with the Superintendent's office.
- Superintendent's office notifies Complainant of Board meeting date.



Within 15 days before the Board meeting:

- Complainant may serve Superintendent with position statements for each appealed title.

No later than 10 days before the Board meeting:

- Superintendent's Designee may serve the Complainant with a written position statement.

No later than 7 days before the Board meeting:

- Statement copies shall be provided to the Board.
- The Board may move specific titles to the Discussion Agenda.



The School Board Final Decision



- The Board may move specific titles to the discussion agenda for further consideration.
- Board members may discuss the merits of the written statements, the actions of the Committee and the District Curriculum Council for Reconsideration and the decision of the Superintendent's Designee with regard to the Challenged book or material, after which they shall, without any further involvement or statements from either the Superintendent's Designee or the Challenger, make a final decision.
- Board may Overrule or Approve the decision of the Superintendent's Designee.
- The Board's decision is final.