

# **02.23.2024 DRAFT - CHALLENGED MATERIALS POLICY- RECONSIDERATION OR REVIEW OF LIBRARY MATERIALS**

## **Introduction**

This policy outlines the information related to challenged library materials, including reconsideration and/or review, in Clay County District Schools.

This policy ensures that all parents have informed consent regarding the appropriate access level for their students in checking out books from the school library.

All challenged titles that violate statute will be removed in compliance with Florida law. Challenges to titles that are without merit will be dismissed. Challenges to titles that are found to have mature themes will not be removed from CCDS collections. Such titles will either be flagged for particular grade bands or will require additional parental consent as selected on the Library Book Access form.

## **Terms and Definitions**

For purposes of this policy, "parent" means a parent of a student enrolled in the District's schools. "Resident" means a person residing in the county who has maintained their residence in Florida for the preceding year, has purchased a home that is occupied by them as their residence, or has established a domicile in Florida pursuant to F.S. 222.17. A "petitioner" means a parent or guardian of a child enrolled in the District, an employee of the District, or a resident of CLAY COUNTY who objects to a book in a library collection. The terminology "library material" is used in this document to refer to books in the school library and digital media (including but not limited to videos, DVDs, sound recordings, periodicals, computer software, or other electronic media.)

## **Parental Rights Regarding Libraries**

As parents are the ultimate decision maker for their child(ren), CCDS strongly supports a parent's right to determine titles that are appropriate or inappropriate for their child to read. At the start of each school year, parents must decide if their child has permission to check out titles from the school's collection. Parents can also elect to receive a daily email in order to remain updated on their child's library activity.

CCDS recognizes that each family views book subject matter and content differently. Book titles vary in subject matter and content. To ensure that parents approve of their child accessing titles with more mature content, titles flagged as mature will require parents to select the Unlimited Library Access option on the Secondary Library Book Access Level form.

## **Petitioner's Responsibilities**

The petition must be made in writing on the prescribed form, be signed by the parent or resident, AND include the required contact information based on the criteria set forth in F.S. 1006.31(2) or 1006.40(3)(d). A Petitioner who does not complete and return the form receives no further consideration.

## **Request for Review and Consideration**

The District shall handle complaints regarding the reconsideration of Library Materials. A Petitioner (a parent or guardian of a child enrolled in the District, an employee of the District, or a resident of CLAY COUNTY) may object to the library material by filing the [CCDS Specific Material Objection Form 6A-7.0714](#) found on the Board's website.

**02.23.2024 DRAFT - CHALLENGED MATERIALS POLICY- RECONSIDERATION OR REVIEW OF LIBRARY MATERIALS**

The complaint must be sent to the Supervisor of Instructional Resources for processing. The District Library Media Specialist notifies the school media specialists of the challenged library material. If a school library has a copy of the Challenged title, the media specialist has 3 working days to remove the title from the school shelves to a secure location. The title is not removed from the collection catalog at that time.

**Community Standards**

The board approved community standards will be used to review materials that do not violate 847.012, F.S. and take into consideration the standards used to determine the propriety of the material including (F.S. 1006.34(2)(b)):

1. The age of the students who normally could be expected to have access to the material.
2. Materials must be suited to student needs and their ability to comprehend the material presented.
3. The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this state.

The following community standards will be applied to any title that does not violate Florida Chapter 847.012, which requires that such titles must be removed. These community standards will also apply to purchasing guidelines of library materials. See appendix in procedures manual.

The Board approved community standards are to help ensure that parents are able to make more fully informed decisions about what their student is reading and is considered appropriate by each parent.

To assist in this, any challenged title that is found to contain subject matter or content that meets the criteria listed below would be flagged as mature. Those titles will not be removed from the collection but would require additional parental consent in order for a student to access that title.

- Profanity/obscene language
  - Elementary - no crude profanity, racial, or religious slurs
  - Junior High - limited profanity, racial, or religious slurs
  - High - no pervasive use of racial slurs, or crude or excessive profanity
- Horror (Descriptive of pervasive/gruesome behavior arousing feelings of extreme fear, shock, or disgust).
- Violence (Intense behavior/morbid behavior involving physical force intended to hurt, abuse, damage/torture, kill someone, animal cruelty).
- Glorification of weapons (belief or action of describing a weapon as admirable; ex: person parading a gun around the street, non ex: military parade with armed personnel)
- Glorification of suicide, self-harm, or mental illness (belief or action that these are admirable; ex: character bragging to others that he/she cut his/her wrist; non ex: characters dealing with a friend who committed suicide)
- Glorification of drug, alcohol, or tobacco use by minors. (belief or action that these are admirable or more important than they truly are; ex: character of minor age continuously using illegal drugs; non ex: a character of minor age referring to his parent as a drug/alcohol addict)
- Gender theory, medical transition

**02.23.2024 DRAFT - CHALLENGED MATERIALS POLICY- RECONSIDERATION OR REVIEW OF LIBRARY MATERIALS**

**Statutory Compliance Team**

1. Within seven (7) working days of receiving the complaint, the district team of the Chief Academic Officer, the Supervisor of Instructional Resources, and the District Media Specialist will pre-screen the requests returning meritless challenges to the petitioner, applying board approved community standards, and removing those that fall under violation of F.S. 847.012. Then the Supervisor of Instructional Resources will advise the Statutory Compliance Team (SCT) of the remaining requests.
2. The SCT includes eight (8) members, both district employees and parents. The district members should include three (3) of the following: the Supervisor of Instructional Resources, the Chief Academic Officer, the District Library Media Specialist, and School-based Media Specialist. The parents will be appointed by each school board member and may be a representative from each school board member's district. The SCT shall establish a quorum at each meeting, which consists of at least two (2) out of three (3) district employees and three (3) out of five (5) parent members. The SCT may meet in person and/or virtually.
3. Within a reasonable amount of time, the Statutory Compliance Team (SCT) will review each submission. The committee retains the right to do any of the following:
  - a. Based upon its own review, recommend immediate and permanent removal of materials that violate s. 847.012, F.S., or other pertinent Florida Statute or are determined to contain content that is obviously pornographic or inappropriate for the grade level or age group for which the material is used; or
  - b. Reject or deny and return a petitioner's request if (a) the material in question obviously does not meet the aforementioned criteria or violate the aforementioned statutes, (b) is a meritless complaint, or (c) complains of materials which have been previously reviewed, have been determined to be appropriate for the grade level or age group for which the material is used and upon which approval has been given. This decision is not appealable; the Petitioner may resubmit their request for reconsideration in a format which corrects the prior deficiencies (if correctable); or
  - c. The SCT shall use board approved community standards to review materials that do not violate 847.012, F.S. to determine if the library material should be returned to the collection or designated as parental advisory status.
  - d. Regardless of any interpretation of the preceding paragraphs to the contrary, a Challenge may be dismissed by the Chief Academic Officer of the district if it is determined by him/her that the Challenge is meritless, fails to comply with any provision set forth above, or is a duplicate of a Challenge filed by the same or a different individual.
  - e. Petitioner may appeal Statutory Compliance Team decision as noted in the Appeals Section.

**Appeals**

The Petitioner may appeal any Final Decisions of the Superintendent's Designee, which are based on the Statutory Compliance Team or his/her own review, and which Final Decisions are or will be forwarded to the School Board for final approval.

1. Within ten (10) calendar days of the Superintendent's Designee's decision, the Petitioner shall file with the Superintendent's office a request for appeal. This appeal can be accessed on the district's website and is submitted using the Google form document.

**02.23.2024 DRAFT - CHALLENGED MATERIALS POLICY- RECONSIDERATION OR REVIEW OF LIBRARY MATERIALS**

2. Upon receipt of the Request for Appeal, the office of the Superintendent will mail a Notice of Board action to the Petitioner which states the date of the School Board meeting at which the Final Decision will be considered by the School Board.
3. **It is understood that this vote is not a School Board endorsement of the content or subject matter, but a vote to state that the law and policy have been followed.**
4. In considering these matters, the School Board shall be sitting as a quasi judicial body, accordingly, and pursuant to F. S. 286.0114(3)(d), no speakers shall be allowed to address the Board on this matter.
5. All decisions of the School Board are final.

DRAFT