

SCHOOL DISTRICT OF PITTSVILLE BOARD POLICY

INSTRUCTION

INSTRUCTIONAL RESOURCES AND SERVICES INSTRUCTIONAL MATERIALS

PROCEDURES FOR THE SELECTION, MANAGEMENT, AND RECONSIDERATION OF LIBRARY MEDIA CENTER MATERIALS

361.2-RULE

A. Selection of Library Media Center Materials

No single standard can be applied to all library media center (LMC) materials selection and acquisition decisions. As guidelines for such decisions:

1. The District staff members who are involved in a specific review and selection decision will refer to and consider the selection criteria and factors expressly identified in Board policy.
2. The building principals and library media specialists shall oversee the maintenance of one or more lists that reflect the District's current acquisition priorities. The District will use that list to evaluate whether a specific acquisition would clearly support the previously-identified priorities, or whether there is a sound basis for departing from those priorities in the specific situation.
3. A recommendation to acquire a particular LMC item or resource shall be supported by at least one of the following:
 - a. as a preferred benchmark, a direct and substantive review of the item/resource by a member of the District's LMC or instructional staff;
 - b. a recommendation or review found in a professional journal or in a reputable education-industry publication; or
 - c. a recommendation or review from another reputable source that is reflective of the concerns and interests of a public school library.
4. It is the District's goal, and in some situations it is the District's legal obligation, to make LMC acquisition and service decisions that will enable students with special needs to obtain the educational opportunities and benefits of the LMC in a manner that is as timely, effective, and integrated as it is for other District students and patrons who utilize the school LMC. Accordingly, when selecting LMC materials and resources for use in the schools, including digital materials, consideration shall be given to the accessibility of the materials or resources for students with disabilities and other students who may require special formats (e.g., English language learners), including a determination as to whether a particular item or resource is subject to the National Instructional Materials Accessibility Standard (NIMAS) and/or whether the item or resource is readily available in alternative formats through sources such as the Wisconsin Accessible Education Materials Center or Bookshare. Accessibility considerations are likely to be particularly relevant when the District is purchasing multiple copies of an item or resource, in connection with the selection/acquisition of digital resources, when multiple comparable resources are under consideration, or when multiple formats of the same resource are available.
5. Library media specialists and other District personnel involved in evaluating and selecting LMC resources shall consult with the District Technology Coordinator or his/her designee **and** obtain an administrator's approval prior to selecting, recommending the purchase of, or purposefully making available to staff or students any computer-based media or other digital resource (including any Internet-based application) that requires one or more of the following:
 - a. Active acceptance by an agent of the District or by student users of specific licensing terms, contractual terms of service, or a subscription agreement (including via a "click-through" agreement).
 - b. The installation of any new software or plug-in application on a District network or on District devices.
 - c. The creation/use of individual student accounts or logins for the resource.
 - d. The submission of any personally-identifiable information of any student(s) (e.g., for purposes of assessment or tracking individual progress).

SCHOOL BOARD POLICY – 361.2-RULE

B. Renewal/Nonrenewal of Subscription-Based Materials and Services

The decision to continue or terminate a subscription-based item or service upon its renewal date should generally be viewed as a standard selection and acquisition decision relative to all other acquisition priorities, subject to the following:

1. The District employee(s) responsible for making a recommendation or decision regarding the discretionary renewal of a library/media subscription:
 - a. May rely on a previous evaluation of the item/service to support a renewal recommendation/decision.
 - b. Shall additionally evaluate and consider (1) the extent to which the item or service is in active instructional use, and (2) any instructional consequences of allowing the subscription to expire.
 - c. Shall follow standard District procurement procedures to process a renewal.
2. If a decision is made to allow a subscription to expire and the decision affects only one school, then notice of the decision shall be given, at a minimum, to the relevant school principal. If desired, the principal may initiate a further review of the decision.
3. If a recommendation is formulated to allow a subscription to expire and the resource has been available on a District-wide basis or the recommendation would affect multiple schools, then notice of the recommendation shall be given, at a minimum, to the Director of Curriculum and Instruction and to the principals of the affected schools. The Director of Curriculum and Instruction or his/her administrative-level designee is authorized to make the decision to approve, reject, or modify the recommendation.

C. Gifts of Library Media Materials

The District welcomes gifts of LMC materials/resources and any monetary donations that are intended to benefit the school LMCs, with the understanding that they are subject to the District's general public gifts to the schools policy and that donated materials/resources will be evaluated using the same review and selection criteria (aside from budgetary considerations) that are applied to purchased materials. If the gifts do not meet these criteria and the items are not recommended for acquisition, the District generally reserves the right to reject the gift or, if impractical to return the gift to the donor, to dispose of the gifted materials in a manner consistent with established procedures.

D. Relocation of Library Media Center Materials

Relocation means changing the LMC in which a District LMC item or resource is maintained, or converting a LMC item/resource into a classroom or program resource (or vice versa) within the District. Provided that the decision is appropriately reflected in inventory records, the principal for the building in which a resource is presently located may approve the relocation of a District LMC resource based on a determination that the proposed new location for the resource would be an appropriate and at least equally effective use of the resource.

E. Reconsideration of Library Media Center Materials

Reconsideration is a process for reevaluating an acquisition, access/use, or placement decision of a LMC item or resource in response to a written complaint. Prior to filing a written complaint, a concerned person is encouraged to discuss and attempt to resolve their concerns with the relevant school principal or the District Administrator.

District personnel who evaluate materials during the reconsideration process shall, at a minimum, assess the materials and the basis for the complaint relative to any applicable content-focused criteria that the District would apply to the selection of the specific challenged materials. The overriding question the reconsideration process is intended to answer is whether retaining the challenged item/resource as part of the District's LMC materials (either with or without changes to location, access, or other usage) continues to be lawful, reasonable, and sufficiently consistent with the District's curricular standards and instructional and programmatic goals.

The reconsideration process established in these procedures is intended to normally be concluded within 90 days of receipt of a written complaint, with each main decision-making stage of the process (the initial administrative determination, the Materials Review Committee process, and any final appeal) normally occurring within 30 days. The District shall communicate with the complainant regarding any material delays and the reason(s) for any such delay.

SCHOOL BOARD POLICY – 361.2-RULE

1. Submitting a Written Complaint.

- a. A complaint may be filed by the parent/guardian of a student, a student, a District employee, or a District resident. Other persons seeking to file a complaint must demonstrate that they have a sufficient connection to the District to qualify as an aggrieved person, and the District reserves discretion to decline to process and dismiss the complaint of a person who the District determines lacks such a connection.
- b. The written complaint must (1) identify the complainant, the specific resource being challenged, and the basis for the challenge, and (2) request removal of the item or some other school-wide or District-wide relief other than an individualized accommodation or modification. (See below regarding separate processing of any such individualized requests.)
- c. A written complaint seeking reconsideration of LMC materials shall be submitted to one or more of the following:
 - i. The principal of the school at which the challenged materials are located or being used.
 - ii. The Director of Curriculum and Instruction.
 - iii. District Administrator.
 - iv. A District-designated nondiscrimination coordinator, as identified under Board Policy 113. This option is particularly appropriate when a complainant intends to allege that materials may constitute a form of unlawful discrimination (including unlawful harassment) based on a legally-protected status (such as race, national origin, sex, disability, religion, etc.).

2. Initial Processing of a Complaint.

- a. The District official who initially receives a written complaint shall promptly:
 - i. Provide the complainant with documented acknowledgement that the complaint has been received. An electronic mail message is sufficient.
 - ii. Notify, at a minimum, Director of Curriculum and Instruction and/or the District Administrator that a formal LMC reconsideration complaint has been filed.
- b. The District Administrator or his/her administrative-level designee shall determine whether the complaint will be classified as a school-level complaint or a District-level complaint.
 - i. If the challenged material and a decision on a complaint is likely to affect only one school, the complaint **may** be treated as a school-level complaint. The school principal will serve as the initial administrative decision-maker for a school-level complaint.
 - ii. If it is known that a decision regarding the complaint would affect multiple schools or if the challenged resource is available on a District-wide basis, the complaint **shall** be treated as a District-level complaint. The District Administrator will serve as the initial administrative decision-maker for a District-level complaint.
- c. If a written complaint requests an individualized accommodation or modification for one or more specific students, that aspect of the complaint shall be processed separately (i.e., outside of these procedures) as a request for a program or curriculum modification or other type of accommodation under applicable District policies.
- d. The use/circulation of LMC materials will not be restricted during the reconsideration and appeal process unless the District Administrator approves or directs such interim action based on a tentative determination of the merits of the complaint. However, a program or curriculum modification or other accommodation may be approved for one or more individual students separate from the reconsideration decision.
- e. If required or permitted by law due to the specific basis of a particular complaint (e.g., for a complaint that alleges unlawful sex discrimination under Title IX), the District may redirect a complaint seeking reconsideration of LMC materials to a different District process for resolution.
- f. Duplicative or otherwise redundant requests to reconsider the same resource or to reconsider a different resource with substantially similar content for substantially similar reasons may be restricted. In the event that the District concludes that a reconsideration request is redundant to a previous request in which a relevant resource was thoroughly reviewed and evaluated, the District will inform the complainant that the District is

SCHOOL BOARD POLICY – 361.2-RULE

choosing to rely on the previous evaluation and that the complainant may immediately appeal the decision under the final intra-District appeal step, as identified below.

3. Initial Administrative Response.

- a. The initial administrative decision-maker shall:
 - i. Review the complaint and the challenged material(s). The decision-maker may contact the complainant and may consult with such District personnel as he/she deems necessary or appropriate.
 - ii. Either (1) dismiss the complaint without a decision on the merits for a lawful reason and with the approval of the District Administrator; (2) refer the complaint to a Materials Review Committee (see below) for further assessment; or (3) issue a response to the merits of the complaint, which may consist of granting or denying relief in whole or in part. Any remedy that is granted is subject to the following:
 - a) The District Administrator must directly approve the remedy of permanent removal of the challenged resource if that remedy is to be granted at this stage of the process.
 - b) If, with the approval of the District Administrator, the resolution at this stage includes the permanent removal of a resource from the District, the District Administrator shall notify the Board of the removal decision.
 - iii. Provide notice of the initial administrative determination to the complainant and to any of the following who are not otherwise already aware: (1) the District Administrator; (2) the district-designated nondiscrimination coordinator; and (3) the principal(s) and licensed library media specialist(s) in the affected school(s).
- b. Within 10 calendar days of the date the District issues notice of the determination to the complainant, the complainant may:
 - i. Submit a written appeal of an adverse decision on the merits of the complaint to the initial administrative decision-maker, which shall cause a referral of the complaint to a Materials Review Committee.
 - ii. Submit a written request to the District Administrator that seeks review of a dismissal decision and that clearly states why the complainant believes that dismissal is not appropriate. The District Administrator shall affirm or reverse the dismissal.

4. Materials Review Committee.

- a. Upon direct referral by the initial administrative decision-maker or upon an appeal by a complainant, the District Administrator or his/her administrative-level designee shall designate members of a Materials Review Committee. The Committee will normally be comprised of at least the following: a library media specialist, a building principal or other administrative staff representative, and one or more teacher representatives. However, the membership of the Committee is subject to the following:
 - i. The initial administrative decision-maker shall **not** be a member of the Committee if his/her initial decision has been appealed by the complainant.
 - ii. The administrator selecting the Committee members may substitute appropriate licensed staff for the normal membership of the Committee and may include additional personnel as he/she deems appropriate (e.g., including a technology director/coordinator in connection with the review of an electronic resource).
 - iii. The administrator selecting the Committee members shall designate one person as the chairperson and presiding officer of the Committee.
- b. As scheduled by the chairperson, the meeting(s) of the Materials Review Committee will be conducted in compliance with the Open Meetings Law, including ensuring appropriate public notice of the committee's meetings.
- c. The complainant will be given an opportunity to present a brief statement in support of the complaint to the Committee, which statement may be made in person at a meeting of the Committee or submitted in writing.
- d. The members of the Committee shall assess the challenged materials and the basis for the complaint and formulate and provide a recommendation regarding the resolution of the complaint.

SCHOOL BOARD POLICY – 361.2-RULE

- e. The chairperson of the Committee or his/her designee shall communicate the recommendation and any supporting rationale that was approved by the Committee (which may include identification of any dissenting position) to the District Administrator and to the complainant.
 - f. The District Administrator or an administrative-level designee who has curricular and instructional responsibilities shall consider the Committee recommendation and make a decision on the complaint. Any such designee shall be someone other than an administrator who served as the initial administrative decision-maker for the specific complaint or who served on the Materials Review Committee.
 - g. The administrator who makes the decision on the complaint at this stage shall provide notice of his/her decision to the complainant and to any of the following who are not otherwise already aware of the decision: (1) the District Administrator; (2) the members of the Committee; (3) the district-designated nondiscrimination coordinator; and (4) the principal(s) and licensed library media specialist(s) in the affected school(s).
 - h. If, with the approval of the District Administrator, the resolution at this stage includes the permanent removal of a resource from the District, the District Administrator shall notify the Board of the removal decision.
5. Final Intra-District Appeal.
- a. If the complainant is dissatisfied with the decision reached at the previous step, then within 10 calendar days of the date the District sends notice of the decision to the complainant, the complainant may submit a written request to the Office of the District Administrator for a final review of the decision. The request shall identify the reasons the complainant disagrees with the decision.
 - b. Upon an appeal, the District Administrator shall reconsider the administrative decision reached at the previous step. The resulting decision is the final District decision.
 - c. The District Administrator shall ensure that the complainant and relevant District personnel are notified of the final District decision. To the extent the complaint had alleged that the challenged LMC materials violate the state student nondiscrimination laws, this reconsideration process may serve as the applicable District complaint procedure, and the notice of the final District decision shall also inform the complainant of the right to appeal an adverse determination of the complaint to the State Superintendent within 30 days and of the Chapter PI 1 procedures for making the appeal.

F. Removal of Library Media Center Materials from the Collection (Weeding)

The following may be removed in connection with routine maintenance of the District's LMC collections under the direction and supervision of the building principal or a District library media specialist:

- Materials that are excessively worn/damaged;
- Materials that are obsolete (such as any outdated or superseded editions);
- Materials that are unnecessarily duplicative of other resources (such as excess copies of a book no longer in significant demand);
- Materials that are unused for lengthy periods of time and that have minimal current educational value; and
- Materials that are negatively affecting either the usability of the LMC or the efficiency of LMC operations.

To the extent space availability is an issue within any facility, items may be removed giving priority to items that would be subject to removal through routine maintenance of the District's collections and, if space remains constrained, to any items identified through a District-initiated evaluation process under the direction of the Director of Curriculum and Instruction or his/her designee.

Decisions to remove or relocate LMC materials are to be based on the District's policies, standards, and instructional/program goals. District personnel shall **not** remove/relocate or recommend the removal or relocation of any LMC resource based upon their personal disagreement with or personal objection to the ideas, opinions, or perspectives presented in the resource or due to any preferences of non-District persons or groups.

To alleviate concerns that removal decisions could reflect a form of censorship:

1. Prior to the final removal and disposal of LMC resources and materials under this section of these procedures, the library media staff making such evaluations shall provide a list of items that have been identified for removal that briefly identifies each item and the basis for the decision to the relevant school principal.

SCHOOL BOARD POLICY – 361.2-RULE

- a. The school principal shall review the list and is authorized to approve or reject the removal of the items on the list, **except** that if the principal determines that a removal decision would conflict with currently-applicable District-level curricular/instructional decisions or affect multiple schools, then the principal shall refer the decision to the Director of Curriculum and Instruction.
 - b. A principal or other administrator reviewing proposed removals under this section of these procedures should initiate a more extensive internal review of a resource proposed for removal/relocation any time such administrator is uncertain about the adequacy of the rationale or justification for the proposal.
2. Items in usable condition that are removed from a LMC (and not relocated) should be donated to an area public library in an effort to preserve public access to the materials to the extent such a procedure is otherwise consistent with established District procedures for disposal of property that will no longer be used by the District for school purposes.

First Reading: *December 9, 2024*

Second Reading/Approval: *January 13, 2025*