

1 **R277. Education, Administration.**

2 **R277-628. School Libraries.**

3 **R277-628-1. Authority and Purpose.**

4 (1) This rule is authorized by:

5 (a) Utah Constitution Article X, Section 3, which vests general control and
6 supervision over public education in the Board;

7 (b) Section 53E-3-501(1)(c)(v), which requires the Board to establish rules and
8 minimum standards for public schools including school libraries; and

9 (c) Section 53E-3-401(4), which allows the Board to make rules to execute the
10 Board's duties and responsibilities under the Utah Constitution and state law.

11 (2) The purpose of this rule is to provide the minimum standards for an LEA's
12 library policies and accompanying procedures for library material selection and
13 reconsideration.

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15 **R277-628-2. Definitions.**

16 (1) "Library material" means any digital or physical text contained within a
17 school library's collection.

18 (2) "School library" means the location where library materials are housed and
19 administered by professional staff hired to oversee the selection, maintenance, and
20 access to the library materials.

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22 **R277-628-3. Policy and Accompanying Procedures for School Library Material**
23 **Selection and Reconsideration.**

24 (1) On or before September 1, 2022 an LEA shall:

25 (a) establish a policy and accompanying procedures for the selection and
26 reconsideration of materials selected for a school's library; and

27 (b) ensure each school within the LEA complies with the LEA's policy and
28 accompanying procedures for the selection and reconsideration of materials selected
29 for a school's library described in Subsection (1)(a).

30 (2) An LEA's policy and accompanying procedures described in Subsection (1)
31 shall:
32 (a) contain, and are written in alignment with, a statement supporting freedom
33 of inquiry including support for intellectual and academic freedom;
34 (b) contain an explanation of the importance for exposing students to a wide
35 variety of materials and information;
36 (c) state the LEA's library mission or vision statement;
37 (d) outline the procedure for the selection and maintenance of library materials
38 including:
39 (i) standards and criteria for selection including a process for feedback;
40 (ii) guidelines for the receipt or denial of contributions or gifts to a school
41 library's collection; and
42 (iii) the standards for the maintenance and updates of a school library's
43 collection; and
44 (e) outline the procedure for the reconsideration of library materials including:
45 (i) a process for formal complaints including that the complaint:
46 (A) be submitted in writing for each library material to be reconsidered; and
47 (B) must specify the reasons for requesting reconsideration of each library
48 material;
49 (ii) that any parent, employee, or student at the school may file a complaint after
50 assuring the complainant has consumed the library material in its entirety;
51 (iii) the formation of a reconsideration review committee as described in
52 Subsection R277-628-4;
53 (iv) a process for initial review of the complaint to approve or deny a full
54 reconsideration committee review;
55 (iv) that items under reconsideration shall remain in circulation until the
56 reconsideration review process is complete; and
57 (v) an appeals process for the proceedings used by the reconsideration review
58 committee, which shall be limited to procedural issues.

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R277-628-4. Reconsideration Review Committee.

(1) An LEA shall form a reconsideration review committee when a request for reconsideration has been correctly filed.

(2) The reconsideration review committee shall contain the following membership:

(a) a curriculum director;

(b) a director of library services;

(c) a certified teacher librarian;

(d) a literacy director or specialist;

(e) one or more educators;

(f) two or more parents who have a child currently enrolled in the school; and

(g) if the school is a secondary school, two or more students currently enrolled in the school.

(3) The membership of a reconsideration review committee:

(a) may not contain the individual, or a member of the individual's household, who has filed the request for reconsideration and

(b) shall be kept anonymous and protected from the public.

(4) Each member of the reconsideration review committee shall read or review the library material under review in its entirety prior to making a decision.

(5) If the LEA is unable to find an individual that meets the described roles in Subsection (2), then the LEA may select an individual that meets the role as closely as possible.

(6) A reconsideration review committee's final decision shall be made by a simple majority.

R277-628-5. Training and Review of Policy and Procedures.

(1) An LEA shall provide a training on the policy and accompanying procedures to staff, at least annually.

88 (2) An LEA shall establish a regular review cycle for the policy and
89 accompanying procedures.

90 (3) An LEA shall include the policy and accompanying procedure on the LEA's
91 website.

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93 **KEY: school library, material selection, policy and procedures**

94 **Date of Enactment or Last Substantive Amendment: 2021**

95 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3;**

96 **[53E-3-501\(1\)\(c\)\(v\)](#); [53E-3-401\(4\)](#)**