

Library Materials Challenge Form

Under Texas Education Code (TEC) §33.027, a parent, district employee, or person residing in a school district may submit a written challenge to any library material in a school's library catalog. To submit a written challenge, an eligible individual must complete and submit the Library Materials Challenge Form. In accordance with TEC §33.027, an individual completing the form must identify how the challenged library material violates library standards adopted by the Texas State Library and Archive Commission (TSLAC).

Upon receipt of a Library Materials Challenge Form:

- The district must submit a copy of the form to its local school library advisory council (LSLAC), no later than the fifth day after the written challenge is received.
- The district's LSLAC must make a recommendation for action no later than the 90th day after the council receives the challenge.
- If a school district has not established an LSLAC, the school district's board of trustees must take action on the written challenge at the first open meeting held after the 90th day after receipt of a written challenge.
- A school district must prohibit student access to challenged library material until the district takes action in response to the challenge.

An individual may submit an appeal to the board of trustees regarding a district's response to a written challenge. The board must take action on an appeal at the first open meeting held after the appeal is filed.

Name: _____ Date: _____

Email: _____ Phone: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

District/Charter School: _____

Campus: _____

Select all the following that apply:

- Parent/guardian of student enrolled in the district
- District employee
- District resident

Library Materials Challenge Form Instructions

1. Part I: Enter the title of the text, author, ISBN (if known), and how the challenged library material violates the TSLAC standards.
2. Part II: Follow the school district's instructions for submitting the Library Materials Challenge Form.

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Part I: In the space below or in a separate attachment, provide the title of the text, author, ISBN (if known), and how the challenged library material violates the TSLAC standards. If submitting a separate attachment, please indicate below that there is an attachment.

Part II: Submitting the Library Materials Challenge Form

The Library Materials Challenge Form shall be submitted to the campus principal in whose campus library collection the challenged materials reside.

Upon receipt of the reconsideration form, the campus principal in whose campus library collection the challenged materials reside shall appoint a reconsideration Committee.

The reconsideration committee shall include at least one professional librarian certified by the State Board for Educator Certification who has experience using the challenged library material with students or is familiar with the material's content. Other members of the committee may include District-level staff, library staff, secondary-level students, parents, and any other appropriate individuals.

The district shall provide a copy of a written challenge to the assigned subcommittee, not later than five business days after receiving the challenge. The assigned subcommittee shall review the challenged material, meet, and make a recommendation for action to the board with a written justification not later than 90 calendar days after a copy of the challenge is received.

The subcommittee must make written findings of fact to support its recommendation, with an explanation of the basis of each finding, for each criteria of relevance to a board's actions on the recommendation, including:

1. whether the material is "harmful material;"
2. whether the material is "pervasively vulgar;"
3. whether the material is "educationally unsuitable;"
4. whether the material contains "indecent content" or "profane content;" and
5. whether it refers a person to an Internet website containing content prohibited under this policy.

The board shall take action on a written challenge at the first open meeting after the 90th calendar day following district receipt of a written challenge or after the subcommittee has made a recommendation regarding the challenge, whichever is sooner.

In adjudicating a challenge, the board shall consider:

1. the recommendation and justification of the subcommittee;
2. reviews of materials conducted by academic experts specializing in the subject matter covered by the library material or in the education of students in the subject and grade level for which the library material is intended;
3. whether the library material is suitable for the subject and grade level for which the library material is intended; and
4. whether the library material adheres to the library standards approved by TSLAC under [TEC, §33.021](#).

A material shall not be removed based solely on the ideas contained in the material or the personal background of the author of the material or the characters in the material.

The board may amend a finding of fact as provided by the subcommittee to correct any errors or omissions.

Board Action. After the board vote, the appropriate district-level administrator shall notify the complainant of the result within five business days.

If a challenge to a library material results in the board removing material from the school library catalog, the district shall promptly notify each teacher assigned as the classroom teacher at the grade level for which the library material was determined to be not appropriate and instruct the teacher to remove any copy of the library material from the teacher's classroom library, if applicable.

If a challenge results in the board not removing the library material from the school library catalog, the district shall not take any action in response to written challenges to the same library material submitted before the second anniversary of the date of the determination to not remove the library material.

Appeal of District Action. The complainant may appeal the action taken by the board in response to a written challenge by filing the appropriate district grievance form. The board shall take action on an appeal at the first open meeting after the date the appeal is filed.

EFB -- [Instructional Resources: Library Materials](#)