

# EDUCATION INTERIM COMMITTEE

---

DSD SENSITIVE MATERIALS PROCESS  
PRESENTATION



# OVERVIEW

---

<b>Reviews requested</b>	<b>101</b>
Reviews completed	60
Reviews in progress	41
Titles removed	37
Titles retained at all levels	9
Titles retained at some levels	14
Titles with appeal requests	24
Appeals completed	8

# TIMELINE

---

- Mar 23, 2022—HB 374 signed into law
- May 6, 2022—AG's first memo
- June 1, 2022—AG's second memo
- July 28, 2022—USBE passes model policy
- Sept 6, 2022—DSD passes Library policy
- SY 22-23—DSD implements policy
- Oct 1, 2022—USBE deadline to pass policy
- Dec 11, 2022—DSD receives Bible challenge
- May 22, 2023—DSD review committee releases decision on the Bible
- May 31, 2023—DSD receives first of several appeal requests for the Bible decision
- PENDING—Appeal decision on the Bible

# PROCESS

---

- Parent, employee, student, or board member (with standing) requests review using an online form
- Public comments received online (process applies both to initial review and appeal)
- District administration assigns the request to a review committee
- Review committee receives materials and begins review
- Committee determines whether the title includes sensitive materials
- If not, the committee determines age appropriateness of the title
- Determination of the review committee is implemented, and appeal window opens

# STANDING—DSD POLICY

---

- Students enrolled at the school where the book is challenged
- Parents of a student enrolled at the school where the book is challenged
- Employees if they have professional responsibilities at the school where the book is challenged
- Board members if they have constituents with students at the school where the book is challenged

# DSD REVIEW COMMITTEE COMPOSITION

*(15 active committees during this year)*

---

## **District Staff**

- One facilitator (non-voting)
- One classroom teacher
- One administrator
- One librarian

## **Appointed Parent Pool**

- Two parent members selected at random from community council parent pool
- 45 individuals currently in the pool

## **Lottery Parent Pool**

- Parents of students in the district may submit a form to be considered for random selection to the Lottery Parent Pool
- Two parent members selected at random
- 213 parents currently in the pool

# CONFIDENTIALITY– DSD POLICY

---

- Requester may remain anonymous if desired
- Review committee member may remain anonymous if desired
- Appeal committee membership is not anonymous
- Appeal decisions are made by full board in business meeting

# DSD TIMELINE POLICY

---

- “Since library materials differ widely, the time required to complete the review process will differ depending on the material under review. Ideally, the facilitator will establish a timeline which will allow for completion of the review process within 60 days of the review request. If a 60-day timeline will not be possible, or if the school year will expire before the review process can be completed, the facilitator will communicate the adjusted timeline to the person submitting the request.”
- Given the load, the process is taking longer. On average, the reviews take 80 days (for requests received during the previous school year).



# DSD APPEAL POLICY

---

- Appeal window: Appeal requests are submitted within 15 days of review committee's decision
  - Appeal request states rationale for why further review is justified
- Members of the appeals committee (three board members) are appointed by board president
- Recommendation of appeals committee presented to full board for final decision
- Full board determines outcome of appeal by majority vote

# OPPORTUNITIES FOR PUBLIC INPUT

---

- Open invitation for any parent of students to serve on committees via lottery
- Anyone with standing can request a review
- Anyone in the community may submit a public comment (review or appeal)
- Anyone with standing can request an appeal

# AGE-APPROPRIATE REVIEW

---

- District criteria for determining age appropriateness is patterned after USBE model policy language:
- DSD policy language for age appropriateness determination:
  - In deciding whether the material is age appropriate due to vulgarity or violence, the Review Committee must consider the material taken as a whole and consider whether it has serious literary, artistic, political, or scientific value for minors, which must include the objective criteria applied to determine the material's value including:
    - [a] reliable, expert reviews of the material or other objective sources;
    - [b] Review Committee members' experience and background; and
    - [c] community standards.
  - In deciding whether the material taken as a whole has serious literary, artistic, political, or scientific value as described in 4.4.8, the School Committee should consider that:
    - [a] serious value does not mean *any value*; and
    - [b] materials in elementary school libraries may be more restricted than in jr. high or high schools.

# QUESTIONS?

---

