



Collection Development Policy  
Atlantic Community High  
School

Revised by Rebecca Radic  
April 28, 2021

## **MISSION STATEMENTS**

### **School District of Palm Beach County Mission Statement**

The School District of Palm Beach County is committed to providing a world-class education with excellence and equity to empower each student to reach his or her highest potential with the most effective staff to foster the knowledge, skills, and ethics required for responsible citizenship and productive careers.

### **Atlantic Community High School Mission Statement**

Atlantic Community High School exists to serve the educational needs of the community and its students. Our mission is to enable all students to become positive and productive members of society. To achieve this mission, we must address many facets of the “whole student,” intellectually, socially, morally, physically and aesthetically. The overall climate must encourage students to reach their potential, “to be the best they can be.” This climate must encourage and reward achievement, self-discipline, tolerance, leadership and service to others.

### **Atlantic Community High School Library Media Center Mission Statement**

The library media center is dedicated to designing and maintaining a library media program that supports, complements, and expands the instructional program of the Atlantic Community High School while cultivating users who are information literate, readers for pleasure, and life-long learners. To this end, the library media center will

- Provide free and open access to all information resources for all members of the school community;
- Provide and promote extensive use of resources in multiple formats that are designed to meet the varying needs of all learners in all aspects of the curriculum;
- Provide a learning environment which promotes inquiry;
- Stimulate intellectual curiosity;
- Encourage pleasure reading through an inclusive collection;
- Develop diverse interests for the enjoyment of lifelong learning; and
- Provide and promote instruction to prepare students to become independent users of libraries and information resources.

## **ANNUAL OBJECTIVES**

### **Objective 1: Increase participation in book programs: Battle of the Books, Book Club 2.0, and author visits.**

**Action Step 1:** Increase Battle of the Books participation by hosting in person meetings and incentive programs based on books read. This will end in April with FTR voting instead of January with the Battle competition.

**Action Step 2:** Increase student interest by enhanced communication of events and varied meeting times, with as much participation as possible being in-person.

**Action Step 3:** Include in-person activities with Book Club 2.0 that provide reflection via conversation, writing, and student-made keepsakes.

**Objective 2: Diversity audit of the collection.**

**Action Step 1:** Complete a [diversity Audit](#) of the physical collection and comprise graphic representation of the inclusion in our collection based on sublocation (genre).

**Action Step 2:** Target weak areas of representation and use resources linked by [FAME’s website](#) to find titles to improve inclusion statistics.

**Action Step 3:** Remove non-inclusive (cis, white, straight, abled, neurotypical male) titles that are poorly circulated, which will also close the inclusion gap.

**Action Step 4:** Audit of MackinVIA eBook collection. Use the information to make informed decisions while increasing purchase of eBook titles. Create tailored groups on MackinVIA homepage to highlight titles that are inclusive.

**Objective 3: Increase circulation by 15%.**

**Circulation stats for 8/1/2020-4/28/2021: print: 772 online: 856**

**Goals for FY22: print: 888 online: 984**

**Action Step 1:** Work with teachers to promote specific titles throughout the year, especially FTR titles and Project Lit titles.

**Action Step 2:** Introduce incentive programs for reading and book checkouts.

**Action Step 3:** Work with the school and community to gather incentives for students.

**Action Step 4:** Reintroduce the makerspace and lunchtime environments to get students in the doors.

**ANNUAL BUDGET**

The library is given a school-based operating budget at the beginning of every school year, receives state monies, and retains an internal account used when other funding is exhausted. The library expects the school-based operating budget to be consistent with years past, and has created the projections below based upon past data.

<b>ACCOUNT</b>	<b>FY21 Budget (COVID Budget)</b>	<b>ANTICIPATED BUDGET (Based on Pre-COVID budgets)</b>
Supplies – 551100	\$733	\$1000
Periodicals - 553420	\$733	\$1000
Books – 561100	\$2688	\$3600
State Categorical – Program 3070	\$2916	\$3300
Destiny – Program 8430	Selection of materials valued around \$1100	Selection of materials valued around \$1100

Internal Account / ID – 51700	\$1797	\$1797
District Provided LEAD Money	\$320	\$320

## I. PURPOSE/PHILOSOPHY

SDPBC Policy 8.12 (6.a) stipulates “Each school shall, in conjunction with the “Library Bill of Rights” of the American Library Association (ALA) and District policy, establish procedures for the evaluation, selection, management and disposal of library media materials in conformance with this policy and Policy 8.1205 and shall record such in the school’s collection development policy.” (Appendix A).

This collection development policy is a statement of the principles and guidelines used by the library in its selection, acquisition, evaluation, deselection, and maintenance of materials. It will be used to communicate the library’s policies to faculty, students, staff, and other stakeholders of our school’s community. It is understood that this document is fluid and changes in the curriculum, demographics, information needs, or programs of the school will mandate updates to the collection and its governing policies.

The acquisition and maintenance of materials collection is a primary function of the library media staff, primarily being the librarian, since the media clerk is used for many other roles within the school. Collection development and management refers to the process of building and maintaining the library’s entire materials collection, in print, non-print, audio visual and electronic formats so that they are available to every student at the time of need to support and enrich the student’s educational experience.

The collection development process includes the formulation of policy and procedures, budget, allocations, needs assessment, selection, collection maintenance and evaluation, deselection and resource sharing.

The primary goal of the library’s collection development efforts is to build a current collection that supports the needs of the school community and maintains the boundaries for size, average age, and access. This goal supports the information needs of students as defined by the mission and goals of the:

- School District of Palm Beach County;
- ALA/AASL Standards for the 21<sup>st</sup> Century Learner;
- Partnership for 21<sup>st</sup> Century Skills; and
- International Society for Technology in Education (ISTE) National Education Technology Standards (NETS)

The library recognizes its responsibility to respond to the reading (for pleasure), reference, and research needs of the student body and faculty in an age of information abundance. The electronic catalog of resources for the school and district is maintained by the Department of

K-12 Instructional Materials and Library Media Services and is available at all times to students, faculty, and parents.

The library is expected to be open every day that students and/or faculty are in attendance, to the extent the librarian can control such matters. In regards to testing, the library will be allowed to continue access for students and staff at the discretion of school administration. When the facility cannot meet information needs, research and reference materials will still be available at all times, in all locations, through the district-wide electronic subscription databases. Interlibrary loan is available through district membership.

## **II. PROFILE OF USERS**

The users of ACHS library come from grades nine (9) through twelve (12) in addition to the faculty, staff, and parents of that community of users.

According to the district's Gold Report summary dated 10/12/20 (which may be skewed due to COVID), ACHS has a population of 2088 students. This is a unique and culturally diverse population attending our school for a variety of programs including Army JROTC Academy, Construction Academy, Criminal Justice Academy, Drafting Academy, Early Childhood Teacher Education Academy, International Baccalaureate Diploma, Photography Academy, Sports Management & Recreation Academy and Video Production Academy.

Demographic Information:

- Black – 62%
- White – 14%
- Hispanic – 15%
- Asian – 6%
- Mixed Race/Other – 3%
- Free/Reduced Lunch – 76%
- ESE – 12%
- ELL – 10%

## **III. SCOPE OF THE COLLECTION**

The collection development is influenced by the curriculum of ACHS, which follows the guidelines of the School District of Palm Beach County, which in turn are governed by the Department of Education of the State of Florida.

The entire print collection at ACHS is currently arranged by genre, augmented with narrative nonfiction, foreign language titles, and a collection of test prep books. Graphic novels inhabit

their own space within the library. Printed nonfiction titles have been removed with the exception of graphic novels, testing materials, and books that read like fiction (narrative nonfiction). Additional resources are provided by district-wide subscriptions to electronic information databases, IB databases maintained by the IB department, and curricular supplemental programs.

The current average age of the nonfiction collection is 11.8 years, which is a decrease of 0.2 years in 2020, with the oldest sections being 22 years (400-499). 1243 titles make up the nonfiction collection, consisting of graphic novels and narrative nonfiction titles.

Through affiliation with the public library system, the library is able to extend its collection to provide any major resource needed by a patron. Additionally, students, faculty, and administrators can access materials through interlibrary loan within the SDPBC.

#### **IV. DISTRICT RESOURCES AND SERVICES**

The SDPBC Library Media Services provides support to school library media center personnel and establishes uniform policies and procedures for school library media centers throughout the district. These services include, but are not limited to:

- Maintaining a professional library collection to assist with re-certification and knowledge acquisition on education related topics;
- Managing the online catalog including the library inventory and circulation software;
- Selecting and making accessible online information databases for reference and research;
- Providing guidance and training to school library media staff in program planning, curriculum development, budget, technology, collection maintenance, facility use and media production;
- Participating in inter-departmental curriculum development, facility planning, personnel staffing, and task forces the administrative level;
- Manage technical services for acquiring and processing resources for schools; and
- Distribute to schools and monitor categorical and capital budgets allocated for library programs.

Library Media Services works in collaboration with the Department of Educational Technology to provide selected electronic information, technology access to it, and the training needed to search for and find specific facts efficiently and effectively.

#### **V. INTELLECTUAL FREEDOM**

The ACHS supports Intellectual Freedom as stated in documents published by the American Library Association (<http://www.ala.org/offices/oif>). Specifically, the Freedom to Read can be found in Appendix B.

## **VI. CHALLENGES**

While the library recognizes the right of any individual to challenge available materials, the library does not add or withdraw, at the request of any individual or group, materials which have been chosen or excluded on the basis of stated selected criteria. In the event of a challenge by a citizen of Palm Beach County, personnel at ACHS will follow SDPBC Policy 8.1205 (Appendix A) – Challenge Procedures for Instructional Materials. Any person wishing to make a challenge will fill out SDPBC Form 1113 (Appendix C).

## **VII. TECHNOLOGY**

It is the aim of the library at ACHS to provide access to emerging technologies as funding is available and the technology is deemed a usable supplement to the curriculum. The library helps facilitate 1:1 device circulation to students, educational technology to teachers, and provides various STEAM related technologies for use within the facility. Student use of technology is monitored and adheres to SDPBC Policy 8.123 – Technology Acceptable Use Policy for Students (Appendix D).

## **VIII. SELECTION CRITERIA**

The primary goal of the library’s collection development efforts is to build a collection that supports the needs of the school community while also positively representing all stakeholders. Acquisition and maintenance of the collection is critical. This process includes the formulation of policies and procedures, budget allocations, needs assessment, selection criteria, collection maintenance and evaluation, and resource management.

The library has a responsibility to respond to the research needs of the student body and faculty. The librarian serves as the liaison between the library media center and all departments as well as parents and students. The librarian prioritizes requests made by students and teachers for input on future purchases, and strives to maintain a balance in the library collection to ensure that both instructional and recreational needs are met.

The library strives to maintain a collection as diverse as the population it serves. Material selection seeks to maintain a balanced representation of a variety of opinions, theories, ideologies, cultures, issues, and controversial topics, so that patrons may find materials that reflect their worldviews while also having the opportunity to explore other worldviews. Additionally, we’re looking for more than representation—we need healthy representation that

affirms our teens' experiences and helps people outside that group to question and challenge harmful stereotypes. ([Karen Jensen, SLJ](#))

Materials considered for purchase are selected on the basis of the criteria in SDPBC 8.12 (Appendix A):

- i. PROFESSIONAL REVIEWS.—Print or non-print media including video footage that has been favorably reviewed by two or more professional sources such as *School Library Journal*, *Booklist*, *Junior Library Guild*, and/or *Kirkus Reviews*.
- ii. EDUCATIONAL SIGNIFICANCE.—Material is valuable to an individual course of study or to the library media collection; the degree to which the material would be supplemented and explained by mature classroom instruction.
- iii. APPROPRIATENESS.—Material is geared to the age, maturity, diverse interests, and learning levels of students for whom it is intended. Reading levels and lexiles are considered to provide a range of material that challenges the student and guides their selection process.
- iv. ACCURACY.—Nonfiction information is correct, recent, and objective.
- v. LITERARY MERIT.—Fiction that has a noteworthy plot, setting, characterization, style, and theme.
- vi. SCOPE.—Content is covered adequately to achieve its intended purpose.
- vii. AUTHORITY.—The author, editor, or producer has a superior reputation for producing materials of this nature.
- viii. TRANSLATION INTEGRITY.—Material translated from one language to another maintains the stylistic characteristics of the original.
- ix. ARRANGEMENT.—Concepts are presented in a logical sequence and in a way that assesses learning.
- x. TREATMENT.—Typeset, visuals, style, and/or medium captures and holds the student's attention.
- xi. TECHNICAL QUALITY.—Sound is clear and audible; visuals project clearly.
- xii. AESTHETIC QUALITY.—Material is superior to similar items in attractiveness and presentation of content.
- xiii. POTENTIAL DEMAND.—Item has particular timeliness or popular appeal, student requests are given higher priority.
- xiv. DURABILITY.—Material has the potential for frequent use or is of a nature that will be considered consumable.
- xv. OBSCENITY.—No books or other material containing hard-core pornography or otherwise prohibited by Fla. Stat. 847.012 shall be used.
- xvi. COPYRIGHT.—Supplemental instructional materials and library media materials used in a school shall be procured and used in accordance with federal, state and District copyright laws, rules, and policies as referenced in School Board Policy 8.121.\*”

## IX. GIFTS AND DONATIONS

Gifts to the library media center are encouraged. However, the librarian reserves the right to add such items to the school's library or classroom collection only if it is determined that they met the same criteria as resources which are purchased on the criteria listed above. Gifts that are not deemed appropriate for the school collection may be disposed of at the discretion of the librarian.

A librarian, regardless of education and training, is not considered by the Internal Revenue Service (IRS) to be qualified to place a value on gift books and other used materials unless the librarian is a certified appraiser of such materials. In acknowledging gifts the library media specialist may write a letter indicating how many of what kind of material has been given (i.e., 10 trade paperbacks in excellent condition or 56 hardcover adult nonfiction books about animals) but cannot say how much such materials might be worth. Furthermore, all material is considered used unless the library buys it directly from a vendor, regardless of circumstances in which a donor presents material.

## **X. WEEDING AND MAINTENANCE**

Weeding of materials and resources is essential for a healthy reading, research and reference in the library media collection. Weeding is a form of quality control of the collection in which outdated, inaccurate and worn-out materials and equipment are discarded from the electronic catalog and physically removed from the collection.

The Library Media Specialist is responsible for the ongoing maintenance of a quality collection which includes the procurement of new materials and discarding of ineffective items. Teachers, administrators and the school library advisory committee assist in the re-evaluation and systematic deleting of materials and equipment to insure that collection remains responsive to user needs, changing curriculum, and advancing technology.

In coordinating this process, the library media specialist will follow objective criteria for removing materials and equipment from the media center, which include obsolescence, physical age and condition, and general inapplicability for continued inclusion in the existing collection. One popular criteria for weeding is found in the CREW manual (<https://www.tsl.texas.gov/sites/default/files/public/tslac/ld/ld/pubs/crew/crewmeth12.pdf>)

Materials that are weeded can be disposed of in different ways, though measures will be taken to ensure misinformation from outdated materials is not circulated, and books will not merely be thrown away.

- a. Recycling the materials for various instructional activities
- b. Giving them to students for individual use (fiction book exchange, or as reward)
- c. Shipping off to LMS

The Superintendent shall dispose of tangible property (equipment, furniture, buses, vehicles, etc.) in accordance with Fla. Stat. 1013.28(2), but he/she shall dispose of obsolete or surplus

instructional materials as provided within Fla. Stat. 1006.41 and School Board Policy 8.1225 (Appendix E).

## **XI. USE OF COPYRIGHTED MATERIALS**

ACHS follows School Board Policy 8.121 regarding the use of copyrighted materials, as well as guidelines for fair use for multimedia in education (Appendix G).

## **XII. PROGRAMS**

Foremost among national standards for school library media center programs is the need to work collaboratively with teachers to develop meaningful literacy information lesson plans that integrate into classroom learning. At ACHS, the librarian collaborates with teachers from all disciplines to increase student achievement by supplementing existing curriculum in accordance with course standards.

The library is open each day that students are in attendance to ensure equitable access for all students to library media resources. The school administration and faculty are aware that recent research shows improvement in student learning gains when the library media center is available to the student at the point of need. At ACHS, the library is open from 7:00 AM to 3:00 PM Monday through Friday, except when closed by administration (usually for testing). When accommodations can be made, library hours are extended after school until 4:50 PM. Students are welcome without a pass before and after school, but must have a pass from a teacher during class periods or during lunch.

In addition to other services, the library staff:

- Makes IDs for all new students and replaces IDs as needed;
- Laminates items for teachers;
- Makes poster-sized prints;
- Circulates laptop carts, chromebook carts, and iPad carts;
- Schedules lab usage;
- Supervises groups of students as needed;
- Circulates laptops, chromebooks and iPads to students individually.

## **XIII. FLORIDA TEENS READ/BATTLE OF THE BOOKS**

The Media Center participates in The Florida Teens Read program which can be accessed at <http://www.floridamedia.org/florida-teens-read.html>.

The library participates in the SDPBC online Battle of the Books which is held each year. Students at ACHS participate by reading at least 3 of the 15 books nominated for Florida Teens Read. The students form groups which practice at times best for students and teachers.

#### **XIV. STATISTICS, PROCESSING, FINES, AND INVENTORY**

While the library at ACHS works to eliminate barriers that inhibit students from accessing and using reading materials and technology, the responsibilities of students, parents, and teachers for lost or damaged Instructional Materials is outlined in SDPBC Policy 8.125 (Appendix F). Students, parents and teachers are held accountable for lost or damaged material.

High schools have the option of imposing late fines as students mature and prepare for similar responsibility and experiences in public libraries and university settings; however, in an effort to encourage book checkout, ACHS does not charge late fees, with the exception of chromebook circulations, as the demand for these devices is higher than the available supply. Additionally, ACHS will no longer charge fees for damaged or lost materials, except in the case of circulating devices. If a student leaves ACHS with an outstanding fine, that fine will be transferred through SIS. If a student graduates without paying a fine, their fine will be deleted.

Fines assessed from previous schools or ACHS in other departments (including textbook fines) will not prevent any type of circulation from the library.

Per Florida Statute governing Instructional Materials, instructional material stored in the library must be inventoried annually. To facilitate the circulation and inventory process, Destiny Library Manager software has been made available to all schools. The entire collection is inventoried every year. During the FY19 inventory, 337 books have been marked lost. There was no inventory completed in FY20 due to COVID-19 school shut-down. Attempts are made to repurchase lost items that were highly circulated or relevant to the current scope of the collection.

Processing specifications for media items, including books, are maintained centrally by the Department of Instructional Materials and Library Media Services. The specifications are followed by vendors, by Library Media Services, and by individuals at schools who process materials. If Items are either purchased without processing completed or are unable to be processed by library staff, materials are sent to the central processing center at Library Media Services.

Destiny Library Manager Software can generate numerous reports on circulation and average age of collection. These reports can be one indicator of the success of a library media program.

**XV. DESTINY POLICIES**

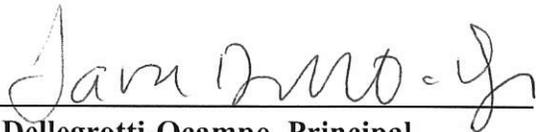
While all library staff use Destiny software, it is the responsibility of the librarian to maintain accurate records. Students use Destiny to search for books, and place holds. Student aides, staff, or faculty may be given access to the back office of Destiny at the discretion of the LMS so they can assist with inventory, weeding, or other tasks.

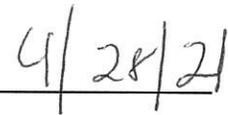
**XVI. MARKETING THE LIBRARY**

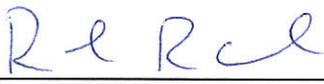
Marketing is used to expand library usage, expand program usage, and to raise awareness of services and successes. The library has its own website, which is linked to the ACHS Destiny page, and can be accessed at <https://www.libraryatlantic.com>. The library is often featured on the video announcements, which air on even days.

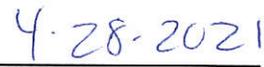
**XVII. SIGNATURES**

This Collection Development Policy was reviewed and approved by:

  
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**Tara Dellegrotti-Ocampo, Principal**

  
\_\_\_\_\_  
**Date**

  
\_\_\_\_\_  
**Rebecca Radic, Librarian**

  
\_\_\_\_\_  
**Date**

## Appendices

### Appendix A:

#### A. 1. School District Policy 8.12 accessed at

<https://www.boarddocs.com/fl/palmbeach/Board.nsf/goto?open&id=AVGLO8572CB6>

Book	School Board Policies
Section	Ch. 8. Curriculum and Instruction
Title	Selection of Library Media Center Materials
Number	8.12
Status	Active
Adopted	February 18, 1972
Last Revised	January 24, 2018

#### Policy 8.12 - Selection of Library Media Center Materials

1. Adequate Library Media Materials.-- Library media materials for the school's Library Media Center, including print, non-print, serials [periodicals], electronic resources, computer software, video images, films, and instructional television programs, represent fundamental resources selected for schools to support instruction, promote reading, further the pursuit of knowledge through research and exploration, and provide information literacy experiences of educational significance for class groups, individual students, teachers and administrators. It is the shared responsibility of the State, District, and school, within budgetary constraints, to provide an adequate number and range of library media materials and resources in a variety of formats that are appropriate, timely, and essential to the attainment of specified educational objectives subject to District policy. It is also the responsibility of the State and District and school to provide library media materials that represent the diverse cultures, ethnic groups, languages and religious beliefs of the community and that are free of bias, stereotypes, distortions, and prejudices.
2. Purpose.-- The Board believes that the selection of library media materials are within its jurisdiction pursuant to relevant statutory and constitutional laws. The library media center, within budgetary constraints, shall contain a comprehensive collection of materials and equipment, in a variety of media formats that are accessible to students during the school day, to:
  - a. Promote the development of lifelong reading habits and information literacy skills in students;
  - b. Provide a broad background of information resources in areas of knowledge;
  - c. Support the general educational goals of the District and the objectives of specific courses, including materials that represent diverse points of view in order that

- young citizens may develop, under guidance, the practice of critical analysis of media and intellectual integrity in forming judgments;
- d. Meet the personal needs and interests of students, including materials that: nurture the development of recreational reading/listening/ viewing, cultural appreciation, and aesthetic values; represent the many religious, racial, ethnic, linguistic, and cultural groups in our society and reflect their contributions to the heritage and culture of our civilization; foster respect for the diverse roles available to women and men in today's society; and provide access to materials in heritage language as stipulated by the META agreement.
  - e. Support the professional needs of teachers and administrators; and
  - f. Introduce new instructional technologies into the learning environment.
3. Choice.-- Library media materials are available to students and staff as optional resources and are usually not mandatory reading as is the case with textbook instructional materials.
- a. Library media that is sensitive or mature may not be appropriate for all readers in a school but remains a part of the collection to address the needs of some of the reading community if it meets the selection criteria of the school. Educators and library media specialists should be sensitive to the reading level, belief system, interest level and maturity level of students when helping make selections for individuals, reading aloud to groups, or when having whole class participation in a reading project. If a parent or adult student states a reasonable objection to library reading material assigned to a class, comparable instruction will be made available for the student through an alternate reading assignment without penalty.

4. Use of Library Media Materials Allocation.-- School principals are responsible for ensuring that operating budget and state categorical funds are used to purchase library media materials that reinforce instruction and stimulate leisure reading for the students enrolled at the grade level(s) for which the materials are designed and to effectively communicate to parents the manner in which materials are used to implement the curriculum of the school under Fla. Stat. § 1006.40.

5. Management of Library Media Materials.-- Following practice and precedent, the school library media centers in Palm Beach County will arrange media and materials according to the Dewey Decimal Classification System. Library media materials acquired with funds from the General Appropriation Act of the State of Florida are to be cataloged and inventoried as part of the library media collection. Library media materials may be inventoried in one to three year cycles.

#### 6. Selection Criteria

- a. Materials for use in school media centers or classroom library collections shall be carefully selected. A choice of materials that support the instructional program and promote reading shall be available to students and professional staff to allow for varying achievement levels, interests, and teaching/learning styles. Each school shall, in conjunction with the "Library Bill of Rights" ([www.ala.org/advocacy/sites/ala.org.advocacy/files/content/intfreedom/librarybill/lb\\_or.pdf](http://www.ala.org/advocacy/sites/ala.org.advocacy/files/content/intfreedom/librarybill/lb_or.pdf)) of the American Library Association ("ALA" ) and District policy, establish procedures for the evaluation, selection, management, and disposal of library media materials in conformance with this policy and Policy 8.1205 and shall record such in the school's collection development plan.

- b. The "Library Bill of Rights" referenced herein is to be used as a suggested guideline. To the extent that there are inconsistencies between the guidelines in the "Library Bill of Rights" and District policy, District policy shall take precedence and shall govern the selection, retention and disposition criteria of library media materials for library media centers and classrooms.
- c. Selection of materials shall also be consistent with the provisions in the School Board's collective bargaining agreement with CTA relating to academic freedom and responsibilities--Article II, Section K--to the extent those provisions are applicable.
- d. Moreover, consistent with Fla. Stat. § 1006.28 (2) (a) 2, library media materials must be suited to student needs and their ability to comprehend the material presented, and be appropriate for the grade level and age group for which the material is used.
- e. In conjunction with the selection criteria above, library media specialists, teachers and administrators at each school location shall evaluate and select print and non-print materials for the library media center using several of the criteria outlined below, as appropriate for the media type. Any library media material containing pornography or otherwise prohibited by Fla Stat. § 847.012 as harmful to minors may not be used or made available within any public school.
- f. Additional criteria used in evaluating all materials include:
  - i. PROFESSIONAL REVIEWS. -- Print or non-print media including video footage that have been favorably reviewed by two or more professional sources such as a School Library Journal, Horn Book, Booklist, and/or Children's Catalog.
  - ii. EDUCATIONAL SIGNIFICANCE. -- Material is valuable to an individual course of study or to the library media collection; the degree to which the material would be supplemented and explained by mature classroom instruction.
  - iii. APPROPRIATENESS. -- Material is geared to the age, maturity, diverse interests, and learning levels of students for whom it is intended. Reading levels and Lexile's are considered to provide a range of material that challenges the student and guides their selection process.
  - iv. ACCURACY. -- Nonfiction information is correct, recent, and objective.
  - v. LITERARY MERIT. -- Fiction that has a noteworthy plot, setting, characterization, style and theme.
  - vi. SCOPE. -- Content is covered adequately to achieve its intended purpose.
  - vii. AUTHORITY. -- The author, editor, or producer has a superior reputation for producing materials of this nature.
  - viii. SPECIAL FEATURES. -- The item has maps, charts, graphs, glossaries, and/or other learning aids that support the content, are unique or are valuable.
  - ix. TRANSLATION INTEGRITY. -- Material translated from one language to another maintains the stylistic characteristics of the original.
  - x. ARRANGEMENT. -- Concepts are presented in a logical sequence and in a way that assures learning.
  - xi. TREATMENT. -- Typeset, visuals, style, and/or medium captures and holds the student's attention.
  - xii. TECHNICAL QUALITY. -- Sound is clear and audible; visuals project clearly.
  - xiii. AESTHETIC QUALITY. -- Material is superior to similar items in attractiveness and presentation of content.
  - xiv. POTENTIAL DEMAND. -- Item has particular timeliness or popular appeal.

- xv. DURABILITY. -- Material has the potential for frequent use or is of a nature that it will be considered consumable.
- xvi. OBSCENITY.-- No books or other material containing pornography or otherwise prohibited by Fla. Stat. § 847.012 as harmful to minors shall be used.
- xvii.COPYRIGHT.-- Library media materials used in a school shall be procured and used in accordance with federal, state and District copyright laws, rules, and policies as referenced in School Board Policy 8.121.

#### RULEMAKING

AUTHORITY: Fla. Stat. §§ 120.81 (1) (a); 1001.32(2); 1001.41(1),(2) & (5); 1001.42 (28).

LAWS IMPLEMENTED: Fla. Stat. §§ 1001.32(2); 1001.42 (2), (9) (13), & (19)(a); 1001.43(2) & (3); 1006.28;; 1006.40; 1006.41; 847.012.

HISTORY: 2/18/72; 4/6/83; 2/20/85; 6/16/99; 5/7/2008; 1/24/2018

RELATED POLICIES: Policy 8.1205 - Objection Procedures for Instructional Materials, Library Media Materials, and Supplemental Classroom Materials, including reading Lists

#### **A. 2. Library Bill of Rights accessed at**

**<http://www.ala.org/advocacy/sites/ala.org.advocacy/files/content/intfreedom/librarybill/lbor.pdf>**

#### **Library Bill of Rights**

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939.

Amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; and  
January 23, 1980;

inclusion of "age" reaffirmed January 23, 1996, by the ALA Council.

**A. 3. School Board Policy 8.1205 accessed at**

<https://www.boarddocs.com/fl/palmbeach/Board.nsf/goto?open&id=AVGLO8572CB6#>

Book	School Board Policies
Section	Ch. 8. Curriculum and Instruction
Title	Objection Procedures for Instructional Materials
Number	8.1205
Status	Active
Adopted	May 7, 2008
Last Revised	January 24, 2018

**Policy 8.1205 - Objection Procedures for Instructional Materials, Library Media Materials, and Supplemental Classroom Materials, including Reading Lists**

This Policy implements Fla. Stat. § 1006.28(2)(a)2 relating to: objections by parents or this County's residents to: a) instructional materials during the adoption process or more than 30 days after adoption of instructional materials and b): library media materials, including reading lists. This Policy also applies to challenges for classroom instructional or reading list materials that are not purchased from the Instructional Materials Allocation. The procedures to follow for those challenges are outlined below; however, a parent or a resident of this County has the option to speak and proffer evidence at the Board hearing on adopting instructional materials and the Board adoption meeting without having followed the procedures below.

These procedures are distinguished from those provided by School Board Policy 8.122 (3) (g) relating to objections to adopted instructional materials within 30 days of adoption.

**1. Grievance Procedures Concerning Instructional Materials including, Library Media Materials, Reading Lists, and Supplemental Classroom Instructional Materials**

- a. The Superintendent or his/her designee is authorized to administer the following procedures in accordance with federal and state law to insure timely and objective review of instructional materials, including textbooks.
  - b. Any resident of Palm Beach County, or emancipated student or parent of a child attending public school in Palm Beach County may file an objection with a school or the Board Clerk concerning the use of instructional materials including instructional materials, library media materials, and supplemental classroom instructional materials, including reading lists.
- 
- a. The parent or resident will be provided the opportunity to proffer evidence on the grounds stated within Fla. Stat. § 1006.28(2)(a)(2), except objections relating to the process for adoption of instructional materials with non-categorical funds, library media materials, and supplemental classroom instructional materials, including reading lists.
  - b. Challenged materials may be removed from use in the school where the objection was initiated only after the procedures of this Policy have been completed or if it is agreed by the District at any of these stages. Per Fla. Stat. § 1006.28(2)(a)(2), except objections relating to the process for adoption of instructional materials with non-categorical funds, library media materials, and supplemental classroom instructional materials, including reading lists, if the School Board "finds that an instructional material does not meet the criteria under sub-subparagraph a. or that any other material contains prohibited content under sub-subparagraph b., the school district shall discontinue use of the material for any grade level or age group for which such use is inappropriate or unsuitable."
  - c. Objections filed by a parent or emancipated student shall be heard in the school in which that student is registered. If the parent has children at different schools in Palm Beach County, then the objection must specify which school(s) the objection pertains

to and it will be heard in that/those school(s). If the objecting party is not the parent of a child in the School District, the objection will be assigned to the appropriate school within the boundary corresponding to the residence of the objecting party for review if the material is located at that school or to the school in close proximity where the material is located.

**School Level: Informal Complaint**

- a. Any complaint arising out of the use of a material in a school shall be registered in writing with the principal of the school. Within five school days of the receipt of the complaint, the principal and/or his/her designee and the appropriate staff member(s) shall meet with the complainant to explain:
  - i. the school's selection procedures for these materials;
  - ii. the criteria used for the selection of these materials;
  - iii. the role that the material in question has in the school's curriculum or library media center or classroom collection; and
  - iv. whatever additional information is deemed needed regarding the item's use.
- b. If the complainant is not satisfied with the explanation and desires to file a formal complaint, the formal procedures below shall be followed.

**School Level: Formal Complaint**

- a. As stated in Policy 8.122, objections to instructional materials and Supplemental Classroom Materials, including Reading Lists, shall be filed on form PBSB 2569 (Petition to Object/Objection to Instructional Materials), which is part of this policy and incorporated herein as part of this Policy. The form can be found on the District's forms website at: <https://www.palmbeachschools.org/forms/formsearch/>.
- b. For objections to Library Media Materials, the complainant shall file form PBSB 1113 ("Objection to, Library Media Materials") and this form can be obtained from the principal or a designee. A copy of the form is also available on the District's forms Web site at <https://www.palmbeachschools.org/wp-content/uploads/sites/10/1113.pdf> and is incorporated herein by reference as part of this Policy.
- c. The complainant shall sign and sufficiently complete the applicable form in its entirety for each material to be considered, including stating the basis of the objection, retain one copy, and send one copy of the completed form to the principal of the school. Failure to sufficiently fill out the form along with complainant's signature will result in the rejection of the form and no formal review process under this subsection will be initiated.
- d. A challenge to the same material(s) by multiple challengers within one school can be consolidated into one challenge for consideration by the School Materials Review Committee, Principal, Superintendent, District Material Review Committee, and School Board (the reviewing persons and entities) as set forth in the below proceedings.
- e. A challenge to multiple materials will require additional preparation time for the reviewing persons and entities set forth below. A challenge of more than five materials will add an additional two (2) days per item to the time deadlines for the school or District actions that are specified within this Policy.
- f. For materials used in that school, the form and the material in question shall be studied by a School Materials Review Committee appointed on an ad hoc basis by the school Principal. Representation on the School Materials Review Committee should reflect the diversity of the District and school, and the following provisions apply:
  - i. The committee shall consist of the Principal or his/her designee of the school where the complaint was made; two teachers in the appropriate subject area/grade; one teacher from another subject area/grade; a library media specialist; a guidance counselor; one student from the appropriate grade level

or a student who is accomplished in the specific subject area (middle and senior high school only); one layperson from the school's Parent-Teacher Association or the School Advisory Council; a representative designated by the Regional Superintendent, and a representative from the District department representing Instructional Materials, Teaching and Learning and/or Library Media Services.

- ii. The School Materials Review Committee shall meet within fifteen (15) school work days of receipt by the Principal of the reconsideration form. The complainant shall be notified of the committee's meeting date and time and shall be invited to present arguments for no more than 10 minutes unless time is extended by the committee for good cause. A question/answer period or committee discussion may follow the presentation at the committee's discretion.
  - iii. The School Materials Review Committee shall solicit, if readily available, professionally written reviews of the material, from sources such as those listed in School Board Policy 8.12(6)(d)(i).
  - iv. The School Materials Review Committee shall be chaired by the Principal or his/her designee. A recorder of minutes shall be appointed from the membership of the committee to take minutes and to record the recommendation of the committee.
  - v. If the review is not completed, the committee may schedule additional meetings. Within five (5) school work days of its final meeting, the School Materials Review Committee shall prepare the committee's recommendation with supporting reasons and use form PBSB 1857, School Materials Review Committee Recommendations, or a signed letter written on school letterhead. The form can be found on the District's forms Web site at <https://www.palmbeachschools.org/wp-content/uploads/sites/10/1857.pdf> and is incorporated herein by reference.
- g. Guidelines for Committee's Recommendation. -- The School Materials Review Committee shall review enough of the relevant portions of the material being challenged in order to make an informed recommendation on the request. The committee shall also consider readily available reviews of the material, study the comments on the complainant's questionnaire, consider one or more of the evaluative criteria in Policy 8.12(6) (for media center materials) or State requirements and guidelines and Policy 8.122 (for textbooks or other instructional materials and reading lists) and shall render a decision based on a majority vote.
- i. The selection criteria in Policy 8.12(6), for media center, shall be made available to all interested persons.
  - ii. The recommendation to the Principal will be based on the selection criteria in School Board Policy 8.12(6) (for media center materials), State requirements and guidelines and School Board Policy 8.122 (for textbooks and instructional materials), and the following additional factors and criteria:
    - A. educational significance of the material;
    - B. appropriateness of age and maturity level;
    - C. need and value to the collection/curriculum;
    - D. summation of the professional reviews on the media;
    - E. literary merit;
    - F. validity, accuracy, objectivity, and up-to-date and appropriate information;
    - G. freedom from stereotypes, bias, prejudice or distortion; and

- H. timeliness or permanence.
  - I. In addition, the recommendation shall also consider the provisions in the School Board's collective bargaining agreement with CTA relating to academic freedom and responsibilities--Article II, Section K--to the extent those provisions are applicable. However, pursuant to current case law, the committee may not recommend removal of non-curricular books from the school's media center or classroom simply because a majority of the committee dislikes the ideas or the points-of-view contained in the media center instructional or supplemental classroom instructional materials.
- h. Committee's Recommendation to the Principal. -- The committee's final recommendation shall be immediately forwarded to the school Principal and may be any or a combination of the following:
    - i. allow the challenged material to maintain its current status;
    - i. leave the challenged material in the classroom or library media center, but allow students to use alternate materials approved by school personnel who require the use of the disputed item;
    - ii. limit the educational use of the challenged material;
    - iii. transfer the challenged material to a higher level school (e. g. elementary to a middle school); and/or
    - iv. remove the challenged material from the school environment.
  - b. Principal's Written Decision. -- Within five (5) school work days after receipt of the School Materials Review Committee's recommendation, the Principal shall make a decision, based on the same criteria considered by the committee as set forth in subsection (3)(g) above, on whether to follow the committee's recommendation, and shall inform the complainant in writing of the recommendation of the committee, the Principal's decision, and the reasons for the recommendation and decision. This written communication must inform the complainant of the next level of appeal under this policy and the time deadline if the decision is not the relief sought by the objecting party. Such communication shall be sent by regular U. S. Mail, and certified mail, return receipt requested.

**District Level: Formal Appeal.** -- The complainant may appeal the Principal's decision to the Superintendent, subject to the following provisions.

- a. If the complainant appeals the Principal's decision, the Principal shall send copies of all reports and communications to division and department heads that supervise Instructional Materials, Teaching and Learning, and Library Media Services and to the appropriate Regional Superintendent.
- b. Access to challenged materials shall not be restricted during the reconsideration process; the materials shall remain in use unless the School Materials Review Committee, through formal vote, recommended removal of the instructional materials to the Principal, and the decision to remove is made by the Principal.
- c. Within twenty (20) calendar days of the date of the Principal's decision, the complainant shall notify the Superintendent in writing of the request to appeal. Failure to comply with these requirements will result in the appeal not being considered.
- d. Within twenty (20) school work days of receipt of such request, the Superintendent or his/her designee and appropriate staff shall review the action taken at the school level and issue a decision based on the same criteria set forth in subsection (3)(g) above and with the same alternative results as set forth in subsection (3)(h) above. If the decision does not include further review by the Superintendent/designee (and District Materials Review Committee), the complainant shall be so notified of the decision and

be informed of the ability and deadline to request in writing an appearance to appeal directly to The School Board of Palm Beach County, Florida in accordance with this Policy. Notice to the complainant shall be made by regular U. S. Mail and certified mail, return receipt requested.

- e. If the Superintendent finds cause for further review, the complaint shall be submitted to a District Materials Review Committee whose representation reflects the diversity of the District and school, appointed on an ad hoc basis by the Superintendent or his/her designee, according to the following provisions:
  - i. Representation on District Instructional Materials Committees should reflect the diversity of the District and schools.
  - i. Individuals on the District Materials Review Committee cannot be the same as those that served on the School Materials Review Committee.
  - ii. The committee shall consist of the Assistant Superintendent of Teaching and Learning, or his/her designee; an appropriate Regional Superintendent or designee; one Principal at the appropriate level; a division or department head that supervises Instructional Materials, Teaching and Learning, and/or Library Media Services, an appropriate subject area Administrator/Program Planner; one teacher in the appropriate subject area/grade; one library media specialist; one student from the appropriate grade level or a student who is accomplished in the specific subject area (middle and senior high only); a representative from the Palm Beach County Council of Parent-Teacher Associations who will be appointed by the President of the District Association, a representative from the District Academic Advisory Committee; and one lay person. The General Counsel to the School Board, or designated attorney(s) of his/her Office, may be invited to provide legal advice to the Committee, if deemed appropriate by the Superintendent.
  - iii. In the event that a person from a position named above cannot be present at the District Materials Review Committee meeting(s), the Superintendent may appoint an alternate.
  - iv. District Materials Review Committee Procedures
    - A. The District Materials Review Committee shall be chaired by the Assistant Superintendent of Teaching and Learning or his/her designee. A recorder of minutes shall be appointed from the membership of the committee to take minutes and to record the recommendation of the committee.
    - B. The District Materials Review Committee shall solicit, if readily available, professionally written reviews of the material, from sources such as those listed in Policy 8.12(6)(d)(i).
    - C. The District Materials Review Committee shall meet and provide a recommendation with supporting reasons to the Superintendent within twenty (20) school work days of receipt of the referral from the Superintendent, based on the criteria set forth in subparagraph (4)(e)(v) D and paragraph (vi) below. The complainant shall be notified of the committee's meeting date and time and shall be invited to present argument for no more than 10 minutes, unless time is extended by the committee for good cause. A question/answer period or committee discussion may follow the presentation at the committee's discretion.
    - D. If the review is not completed, the committee may schedule additional meetings. Within five (5) school work days of its final meeting, the

District Materials Review Committee shall prepare the committee's recommendations with supporting reasons.

Guidelines for Recommendation to the Superintendent. -- The District Materials Review Committee shall review enough of the relevant portions of the material being challenged in order to make an informed recommendation on the request. The committee shall also consider readily available reviews of the material, study the comments on the complainant's questionnaire, consider one or more of the evaluative criteria in School Board Policy 8.12(6) (for media center materials) or State requirements and guidelines and School Board Policy 8.122 (for textbooks and instructional materials) and shall render a decision based on a majority vote.

- i. The Selection Criteria in Policy 8.12(6) (for media center materials) shall be made available to all interested persons.
- i. The recommendation to the Superintendent will be based on the selection criteria in School Board Policy 8.12(6) (for media center materials), State requirements and guidelines and School Board Policy 8.122 (for textbooks and instructional materials), as well as the following criteria:
  - A. educational significance of the material;
  - B. appropriateness of age and maturity level;
  - C. need and value to the collection/curriculum;
  - D. summation of the professional reviews on the media;
  - E. literary merit;
  - F. validity, accuracy, objectivity, and up-to-date and appropriate information;
  - G. freedom from stereotypes, bias, prejudice or distortion; and
  - H. timeliness or permanence.
  - I. In addition, the recommendation shall also consider the provisions in the School Board's collective bargaining agreement with CTA relating to academic freedom and responsibilities--Article II, Section K--to the extent those provisions are applicable. However, pursuant to current case law, the committee may not recommend removal of non-curricular books from the school's media center or classroom simply because a majority of the committee dislikes the ideas or the points-of-view contained in the media center or supplemental classroom instructional materials.
- b. Committee's Recommendation to the Superintendent. -- The recommendation of the District Materials Review Committee and the basis for that recommendation shall be transmitted to the Superintendent; the Chief Academic Officer, the Principal of the school that received the original complaint; and the complainant.
- c. Superintendent's/Designee's Written Decision. -- The Superintendent or his/her designee shall make a final decision, based on the same criteria considered by the committee as set forth in subparagraph (4)(f) above, within five (5) school work days of receipt of the District Materials Review Committee recommendation, and send a written report of that decision to the Chief Academic Officer, the appropriate Assistant Superintendent, the Principal of the school; and the complainant. The written decision shall state procedures and time limits to appeal to the Board if the complainant is dissatisfied. This decision shall be sent to the complainant by regular U. S. mail and certified mail, return receipt requested.
- d. The Department of Communications & Engagement shall make the selection criteria and a copy of the material(s) in question available for review upon request of interested persons.

### **Board Level Appeal**

- a. The complainant may appeal the decision of the Superintendent/designee to the School Board under subsection (4)(b) or paragraph (4)(d) above by filing a signed writing with the School Board Clerk within thirty (30) days of the decision and may request an appearance before the School Board.
- b. After notice to the appealing party, the School Board Level review shall occur at a public meeting and allow presentation of evidence. The School Board's decision shall be based on the same criteria considered by the Superintendent as set forth in subsections (4)(f) and (h) above.

### **Policy Awareness**

- a. A copy of the selection and reconsideration procedures as set forth in this Policy and in Board Policy 8.12 should be a part of the Collection Development Plan for each school library media center and should be available for easy access and reference.
- b. Each school Principal should include at a minimum, a summary or references to this Challenge Policy and School Board Policy 8.12 in the school's staff handbook and shall review the selection and reconsideration procedures with the staff as needed, emphasizing Board policy pertaining to the teaching of controversial issues and the ethical considerations that are needed in handling citizen complaints with courtesy and integrity.

RULEMAKING AUTHORITY: Fla. Stat. §§ 120.81 (1) (a); 1001.32 (2); 1001.41(1)(2) & (5); 1001.42 (2)(11)(13) & (28)

LAWS IMPLEMENTED: Fla. Stat. §§ 1001.32(2); 1001.41(i)(2) & (5); 1001.42 (2)(11)(13) & (28); 1001.42(7) & (17)(a); 1001.43(2)(3); 1006.28; 1006.34; 1006.40; 1006.41; 847.012

HISTORY: 5/7/2008; 1/24/2018

### **RELATED POLICIES:**

School Board Policy 8.122 Textbooks and Related Instructional Materials

School Board Policy 8.12 Selection of Library Media Center Materials

## Appendix B

**ALA's Freedom to Read Statement accessed at**

**<http://www.ala.org/advocacy/intfreedom/freedomreadstatement/>**

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new

idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*
2. Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.
3. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*
4. Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The

people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

5. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*
6. No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.
7. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*
8. To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.
9. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*
10. The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.
11. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*
12. It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what

they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

13. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

14. The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

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This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers. Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

*A Joint Statement by:*

[American Library Association](#)

[Association of American Publishers](#)

*Subsequently endorsed by:*

[American Booksellers for Free Expression](#)

[The Association of American University Presses](#)

[The Children's Book Council](#)

[Freedom to Read Foundation](#)

[National Association of College Stores](#)

[National Coalition Against Censorship](#)

[National Council of Teachers of English](#)

[The Thomas Jefferson Center for the Protection of Free Expression](#)

# Appendix C

## Objections to Library Materials Form accessed at

<https://www.palmbeachschools.org/wp-content/uploads/sites/10/1113.pdf>



THE SCHOOL DISTRICT OF PALM BEACH COUNTY  
LIBRARY MEDIA SERVICES

### Objections to Library Media Materials

For use by a parent, emancipated student, or resident of the county who is challenging library media materials.  
Check the appropriate box if you are objecting as a parent, or emancipated student, or as a resident of this county.

Parent/emancipated student     County resident

If as a resident, check any applicable boxes.

I have maintained a residence in Florida for the past year.     I have purchased, leased, or acquired a home occupied by me as my residence.     I have established a domicile in Florida.

School #	School Name	Date
Author	Title	

Hardcover Book     Paperback Book     DVD     eBook     Film     Other \_\_\_\_\_

Publisher (if known) \_\_\_\_\_

Request Initiated By	Phone Number		
Street Address	City	State	Zip Code

Objecting party  Individual     Group     Organization     Other \_\_\_\_\_

Name of group/organization/other \_\_\_\_\_

To what do you object? (be specific)

\_\_\_\_\_

Why do you object to this material?

\_\_\_\_\_

For what age group would you recommend this material? \_\_\_\_\_

What are the strengths of this material?

\_\_\_\_\_

Did you review this material?  Yes  No

Are you aware of the judgment of this material by library and authoritative critics?  Yes  No

What do you believe is the function of this material?

\_\_\_\_\_

What would you like the school to do about this material?

\_\_\_\_\_

In its place, what material of equal quality would you recommend that would convey as valuable a picture and perspective of our civilization?

\_\_\_\_\_

\_\_\_\_\_  
Print Name of Objecting Party/Resident

\_\_\_\_\_  
Signature of Objecting Party/Resident

\_\_\_\_\_  
Date

## Appendix D

### School Board Policy 8.123 accessed at

<https://www.boarddocs.com/fl/palmbeach/Board.nsf/goto?open&id=AVGLO8572CB6#>

Book	School Board Policies
Section	Ch. 8. Curriculum and Instruction
Title	Technology Acceptable Use Policy for Students
Number	8.123
Status	Active
Adopted	October 15, 1997
Last Revised	August 26, 2015

### **Policy 8.123 Technology Acceptable Use Policy for Students**

1. Purpose. -- The purpose of this Policy is to set forth terms and conditions as well as standards for the acceptable uses by students of Palm Beach County School District technology resources. This policy does not prohibit or restrict public access to inspect data and information on publicly available District technology resources.

2. Definitions - These definitions apply to terms within this policy and its incorporated Manual.

a. Defamation - Defamation, including libel, has been interpreted to mean that a plaintiff must show that (1) the defendant published a false statement about the plaintiff, (2) to a third party, and (3) the falsity of the statement caused injury to the plaintiff.

b. Harmful to Minors - Any reproduction, imitation, characterization, description, exhibition, presentation, or representation, of whatever kind or form, depicting nudity, sexual conduct, or sexual excitement when it: (a) Predominantly appeals to prurient, shameful, or morbid interest; (b) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material or conduct for minors; and (c) taken as a whole is without serious literary, artistic, political, or scientific value for minors.

c. Obscene - The status of material which: (a) The average person, applying contemporary community standards, would find, taken as a whole, appeals to the prurient interest; (b) Depicts or describes, in a patently offensive way, sexual conduct as specifically defined herein; and (c) Taken as a whole lacks serious literary, artistic, political, or scientific value.

3. Student access to District technology resources is authorized exclusively for academic purposes as stated below.

a. District technology resources include, but are not limited to, electronic mail, Internet access, electronic records and databases, and computer software and hardware, including biometric record readers. Students may be provided or have access to electronic mail if authorized by the Superintendent/designee for educational or learning purposes.

b. Students shall not use any such resource for private business, personal use or gain, and student use must be related to the curriculum, the academic development of the student, or a school extracurricular activity, as defined in Fla. Stat. § 1006.15 (2) and as provided within School Board Policy 5.60.

c. Students shall not use District technology resources for hacking, cheating, criminal activity, vandalism, sexting, cyber bullying, circumventing of District proxies or security policies, violating any state or federal laws or School Board policies, or violating third-party providers' acceptable use policies or terms and conditions of use.

d. Students are required to keep their passwords confidential, and they are not allowed to disclose them to any other person, except that the principal and teacher may allow for relaxed standards as to passwords for students in lower grades or of younger ages only, or if certain students require a reasonable accommodation based on impaired cognitive or processing ability, or other recognized comprehension deficit, due to disability.

e. Students will have a unique user id, except IT may approve in certain situations a generic user id. Students shall use a generic user id only for the intended purpose as authorized by School Administrators or Instructional personnel. The principal and teacher may request that IT provide shortened or simplified user ids for students in lower grades or of younger ages only, or if certain students require a reasonable accommodation based on impaired cognitive or processing ability, or other recognized comprehension deficit, due to disability.

4. The Superintendent has established the accepted network user standards of behavior, as well as guidelines, which apply to students using District technology resources. These standards and guidelines are found within this Policy and within the District's Information Technology (IT) [User Standards and Guidelines Manual](#) ("Manual"). This Manual is specifically incorporated herein by reference as part of this Policy and is located on the District's Information Technology Security web site.

5. When a student uses District technology resources, the student is subject to and is required to abide by the provisions, terms, conditions and standards within this Policy and the Manual, including the Notice of Conditions for Student Use of District Technology, Appendix 1 to the Manual, as well as other applicable policies.

6. Students using District wireless devices, including but not limited to cell phones, are also subject to the provisions within School Board Policy 5.183.

7. The student registration form, PBSB 0636, which is required to be reviewed, completed and signed by the parent/legal guardian/emancipated student annually, will contain language providing Notice of this Policy and will state:

"NOTICE OF TECHNOLOGY ACCEPTABLE USE POLICY FOR STUDENTS

Your child's school's access to the Internet is filtered to comply with the Children's Internet Protection Act and School Board Policy 8.125. Your child will be required to follow the acceptable use standards and guidelines that are stated in Policy 8.123, the referenced Manual, and the Notice of Conditions for Student Use of District Technology and be bound by their terms. There is only a limited expectation of privacy to the extent required by law related to a student's use of these technology resources. Before your child uses these District resources, he/she will read, be read to, and/or explained these documents and will electronically acknowledge that he/she understands, and agrees to follow, them.

You are invited to read this Policy, Manual and Notice. If you need assistance reading the documents, you may ask the school for assistance. The policy is available at: <http://www.palmbeachschools.org/policies/> under chapter 8—Policy 8.123."

8. There is only a limited expectation of privacy to the extent required by law for the student related to his/her use of these technology resources. The District may monitor a student's use of District technology for good cause, such as educational purposes, responding to a records request, compliance with School Board policies, compliance with the Children's Internet Protection Act (CIPA), to investigate a possible security incident, as part of the District's routine maintenance of its technology resources, or to analyze computer performance. This provision shall be interpreted and implemented in conformance with Family Educational Rights and Privacy Act (FERPA) (20 U. S.C. § 1232g); 34 C. F.R. Part 99; and Fla. Stat. §§ 1002.22 and 1002.221. Students are advised that many District technology resources, including but not limited to laptops and desktops, may contain input systems such as web cameras and microphones which can be remotely controlled to turn them on and off. The District will not utilize any such input systems remotely unless consistent with the law. The District has the right to track, consistent with the law, the physical location of District technology that was issued to a student when it is lost, stolen, misplaced, or for an emergency purpose.

9. As set forth in the Manual, students may use electronic acknowledgements through their District account for certain forms and documents as approved by the Superintendent/designee.

10. Violation of this Policy or the standards required by this Policy may result in disciplinary action as set forth in School Board policies 5.1812 and 5.1813. IT has the authority to take reasonably necessary immediate actions to protect District technology resources.

11. The Superintendent/designee will direct age appropriate training annually for students who use District technology. The training will be provided and designed to promote the District's commitment to CIPA and:

- a. the standards and acceptable use of District technology as set forth in the Manual and this Policy;
- b. Student safety and meeting any E-rate requirements by teaching children:

- i. about safety on the internet,
- ii. appropriate behavior while on online, on social networking websites and in chat rooms, and
- iii. increasing cyber bullying awareness and response.

During the training, students will be allowed to ask questions. Following receipt of this training, the student will acknowledge electronically that he/she viewed the training and understood it and will follow the provisions of the Policy and Manual.

STATUTORY AUTHORITY:	Fla. Stat. §§ 1001.32 (2); 1001.41 (2); 1001.42 (25); 1001.43 (1)
LAWS IMPLEMENTED:	Fla. Stat. §§ 1001.32 (2); 1001.43 (3); 1001.42 (8) & (9); 1003.31; 1006.28 (1)
HISTORY:	10/15/97; 7/7/2010; 08/26/2015

RELATED POLICIES:

- Policy 2.036 - Breach of Personal Identification Information
- Policy 2.50 - Third Party Use of Technology
- Policy 3.29 - Acceptable Use of Technology by Employees
- Policy 8.123 - Acceptable Use of Technology by Students
- Policy 8.125 - District Review and Filtering of Web Sites

## Appendix E

### School Board Policy 8.1225 accessed at

<https://www.boarddocs.com/fl/palmbeach/Board.nsf/goto?open&id=AVGLO8572CB6#>

Book	School Board Policies
Section	Ch. 8. Curriculum and Instruction
Title	Instructional Materials Accountability
Number	8.1225
Status	Active
Adopted	January 13, 2003
Last Revised	January 24, 2018

### Policy 8.1225 - Instructional Materials Accountability

1. Purpose. -- State law declares that textbooks and other instructional materials "purchased under ... [Chapter 1006, Florida Statutes] are the property of the district school board. When distributed to the students, these instructional materials are on loan to the students while they are pursuing their courses of study and are to be returned at the direction of the school principal or the teacher in charge." This Policy clarifies the responsibilities of students, parents/guardians, principals/teachers, and the Superintendent/designees; and provides procedures for the conservation of, accountability for, and collection of instructional materials loaned to students pursuant to Fla. Stat. § 1006.42.
2. Responsibilities. -- The general duties of students, parents, principals, and the Superintendent concerning instructional materials shall be as set forth below:
  - a. Students. -- Students must recognize that textbooks and other instructional materials are merely loaned to them for use in "pursuing their courses of study and are to be returned at the direction of the school principal or the teacher in charge."
  - b. Parents/Guardians. -- Each parent of a student to whom or for whom instructional materials have been issued, is liable for any loss or destruction of, or unnecessary damage to, the instructional materials or for failure of the student to return the instructional materials when directed by the school principal or the teacher in charge, and shall be required to pay for such loss, destruction, or unnecessary damage.
  - c. Teachers. -- Each teacher shall be accountable for accurate record keeping of instructional materials that are assigned to that teacher's students.
  - d. Principals. --Each principal, on behalf of the Superintendent, is responsible for:
    - i. Conservation and Accountability: Principals shall ascertain by inspection, and ensure through every available agency, that all books issued to the school by the Superintendent, either in the hands of pupils or in storage, are cared for properly, and "shall see that all books are fully and properly accounted for," as required by Fla. Stat. 1006.28(4)(e). Principals/ designees must ensure that

instructional materials in storage in schools are kept in a neat, orderly, and safe manner, preferably in the sequence contained in the annual textbook inventory. All reasonable effort shall be made to protect materials against fire, flood, vermin, infestation, and similar damage. Principals/designees shall conduct an inventory of instructional materials assigned to their school at least once per semester.

- ii. Collection. -- See Section 3, below.
  - e. Superintendent. -- As stated in Fla. Stat. § 1006.28(3)(a), the Superintendent's responsibilities include keeping "adequate records and accounts for all financial transactions for funds collected" from the sale, loss, or damage of instructional materials. The Superintendent and principals shall ensure that all money collected from the sale, loss, or damage of instructional materials shall be transmitted to the Superintendent to be deposited in the School Board fund and added to the District appropriation for instructional materials, as required by Fla. Stat. 1006.28(4)(d).
3. Debts for Loss, Damage, or Destruction. -- Fla. Stat. 1006.28(4)(b), mandates that:

"The school principal shall collect from each student or the student's parent the purchase price of any instructional material the student has lost, destroyed, or unnecessarily damaged and to report and transmit the money collected to the district school superintendent. The failure to collect such sum upon reasonable effort by the school principal may result in the suspension of the student from participation in extracurricular activities or satisfaction of the debt by the student through community service activities at the school site as determined by the school principal, pursuant to policies adopted by district school board rule." The policies are set forth below.

1. Accountability Procedures. --The principal/designee of each school shall complete a School Instructional Materials Accountability Plan (PBSD 1989) to designate school instructional materials accountability responsibilities to selected school staff. A copy of the form is available on the District forms web page at: <https://www.palmbeachschools.org/wp-content/uploads/sites/10/1989.pdf>, and is incorporated herein by reference as part of this policy. The Plan will be reviewed annually to ensure that the proper staff members are represented on the Plan. The school principal/designee shall ensure that the following processes and procedures are carried out, according to the Accountability Plan to ensure proper accountability for instructional materials:
  - a. Receipt of Inventory
    - i. Receipt of order. -- A location shall be designated in each school to maintain delivery receipts as a record of receiving each order from the Instructional Materials Department.
    - ii. Verification of order. -- Actual quantities received shall be matched to the textbook shipping invoice. A copy of this invoice can be obtained through Destiny Textbook Manager and going to the "Order Textbook Screen", and is attached hereto as part of this policy. Reporting of shipping discrepancies. -- Any order discrepancies are to be identified on the textbook shipping invoice and faxed to the Instructional Materials Department within 30 days of receipt of the order from August through May, or within 60 days during June and July.
    - iii. Labeling books. -- All books that are not tracked electronically using Destiny Textbook Manager shall be stamped with the school's name on the inside front cover of the book. Each book shall be assigned a unique identification number. All newly implemented instructional materials shall be bar coded and tracked electronically using the Destiny Textbook Manager system. Bar-codes shall be

affixed to the bottom left front cover. The bar code number shall be the unique book number.

b. Distribution of Inventory

- i. Distribution of student books. -- Materials are issued electronically to students through Destiny Textbook Manager. Teachers must keep a record of the books issued to students including student names and book numbers. All newly implemented instructional materials shall be bar coded and scanned out to students and teachers and tracked electronically using the Destiny Textbook Manager system.
- ii. Distribution of teacher materials. -- Each principal of a school shall designate an instructional materials contact, who shall keep a written or electronic record of materials issued or scanned out to each teacher.
- iii. Distribution of class sets. -- When class sets are used, each teacher is assigned a class set of books, and teachers will assign a copy of the book to a student for each class period. The teacher shall keep a record of the class set book that is assigned to each student. Teachers shall verify that the class set books are returned at the end of each class period.
- iv. Inventory and storage of excess materials. -- A written or electronic record of all excess on-adoption student and teacher materials in storage shall be maintained. After student and teacher materials have been issued, the instructional materials contact shall adjust the Destiny Textbook ordering screen (Anticipated Enrollment field) to list excess books for return or exchange.

c. Monitoring of Inventory During the School Year

- i. Notification of parents of textbook procedures. -- Schools should notify parents of this Policy and include information on student and parental responsibilities for textbooks in school handbooks, newsletters, and other communication to parents. During open houses and parent meetings, the principal and teachers shall communicate how books are used to achieve the curricular objectives of the school, as stated in Fla. Stat. § 1006.28(4(a)).
- ii. Periodic book checks. -- Teachers are required to conduct book checks at least once per grading period. Book checks shall be conducted one week prior to the date progress reports are issued. Teachers must fill out PBSD 0395, "Lost/Damaged Materials Notice" for any missing or damaged materials, and submit the form to the instructional materials contact and bookkeeper. This form is incorporated herein by reference as part of this policy. Tracking of obligation status. -- For each grading period, the student's name is added to the school's obligation list if any of his/her books were discovered to be lost or destroyed when the teacher conducted the book check. Schools shall use the Destiny Textbook Manager system for materials adopted to track obligations.
  - A. Assessing charges. -- As required by Fla. Stat. § 1006.28(4), obligations to be tracked for books reported as lost or destroyed during the school year shall be based on the purchase price of any book. Schools shall use the Textbook Price Updates that is posted on the Instructional Materials Department web page in August of each year for pricing information.
- iii. Parent notification. -- After each periodic book check and each grading period, an Instructional Materials Obligation Letter (PBSD 2057) or Destiny Overdue Materials and Unpaid Fines Notice, attached hereto, is generated, and teachers must send these notices of lost/ destroyed book obligations to parents along

with progress reports or report cards. A copy of the PBSO form 2057 is available on the District forms web page located at: <https://www.palmbeachschools.org/wp-content/uploads/sites/10/2057.pdf> , and is incorporated herein by reference as part of this policy. Documentation of all communication with students and parents, verbal and written, including telephone calls, parent conferences, certified letters, and letters from the Office of General Counsel shall be kept on file.

- iv. "Reasonable efforts" defined. -- Reasonable collection efforts by the principal/designee may be defined to include sending the Instructional Materials Obligation Letter (PBSO 2057) to the parent/guardian via certified mail; placing a follow-up telephone call; following up with a documented student or parent conference, if possible; and then sending a second notice by certified mail if the sum has not yet been remitted.
- v. Determination of consequences for lack of payment. -- If reasonable efforts by the principal/designee to collect the obligation described in paragraph (4)(c)(iv) are unsuccessful, the principal shall impose consequences as follows:
  - A. Suspension from Extracurricular Activities. -- As stated in Fla. Stat. § 1006.28(4)(b), the student will be suspended from participation in extracurricular activities (if the student is involved in such activities) until such time as the parent/guardian has paid for such loss, destruction, or unnecessary damage as required by Fla. Stat. § 1006.28(4)(b); or alternatively, the student may elect to satisfy the obligation through community service hours pursuant to subparagraph B, below.
  - B. Community Service Hours. -- If the student is not suspended from extracurricular activities to encourage the parent/guardian to satisfy the obligation (because the student is not involved in such activities or the student has elected to perform community service hours), the principal may require the student to satisfy the debt through age-appropriate community service activities at the school site, as stated in Fla. Stat. § 1006.28(4)(b).
    - I. Definition. -- For purposes of this Policy, community service activities must be supervised age-appropriate activities at the school site. Depending on the nature of the activity and the availability of supervision, some of these activities may occur after school hours or on a weekend; and they shall not be done during the student's classes. Some examples may include: shelving books in the media center; assisting in the cafeteria; picking up litter; assisting the teacher, coach, or custodian; cleaning blackboards; washing golf carts; working in the ticket booth at sports events; weeding flower beds; performing minor maintenance activities; setting up chairs for weekend events; assisting with textbook maintenance; or other activities helpful to the school or its students.
    - II. Calculating the Hours.-- The number of required hours and quarterly fractions thereof shall be calculated by dividing the debt by the prevailing hourly minimum wage, after the debt is calculated using the formula in subparagraph (4)(c)(ii)(B) above and Fla. Stat. § 1006.28(4)(b). This is calculated by

dividing the debt by the prevailing hourly minimum wage, and then rounding the quotient to the nearest quarter hour.

III. Documentation. -- The principal/designee shall keep a record of when the debt has been satisfied, using the Community Service Record for Instructional Materials Obligations (PBSD 1990). A copy of the form is available on the District forms web page at <https://www.palmbeachschools.org/wp-content/uploads/sites/10/1990.pdf> , and will reflect the then current prevailing minimum wage. The form is incorporated herein by reference as part of this policy. Of course, a student's community service hours will be cut short upon receipt of the parent's/guardian's payment for any amount not yet satisfied through the community service activities. For example, if a student owes \$50 and has done \$20 worth of community-services activities, the remaining \$30 could be satisfied through payment of the remaining \$30, rather than through completion of the activities.

IV. Refunds for found books. -- In the event a student finds a book that had previously been reported lost and paid for as an obligation, the school shall issue a refund. The amount of the refund shall correspond with the physical condition of the book. For example, a book that is returned in unnecessarily-damaged condition may not merit any refund. On the other hand, a book returned without any unnecessary damage might merit a full refund.

a. The school shall request its instructional materials contact to complete a Check Requisition (PBSD 0181) in order to refund the student for the obligation, regardless of whether it was satisfied through the parent's/guardian's direct payment or through the student's community services hours. A copy of the form is available on the District forms web page at: <https://www.palmbeachschools.org/wp-content/uploads/sites/10/0181.pdf> and is incorporated herein by reference as part of this policy.

b. If the book is found after the student has been suspended from extracurricular activities, the student may be reinstated to the extracurricular activities upon satisfying any obligation for unnecessary damage to the returned book.

d. End-of-Year Inventory

i. Storage of Inventory. -- A physical count of all materials that were not issued to students or teachers and are stored in either central storage spaces or classrooms shall be conducted at year end and reported to the school's instructional materials contact. A written or electronic record of the school's quantities and locations of all stored materials must be available over the summer months. Principals should have access to this information in the event that some materials may need to be transferred during the summer months

- due to reasons such as loss of enrollment or opening of a new school in the area.
- ii. Collection of teaching materials. -- At the end-of-year checkout or when a teacher leaves mid-year, the teacher shall return teaching materials to the principal/designee, even if a teacher transfers to another school in the District, because the materials are assigned to the school where issued. If desired, the school that is losing the teacher unit may elect to have the teaching materials transferred to the receiving school. In such cases materials are to be transferred through the Destiny Textbook Manager System. Logging return of materials by students. -- At the end of the school year or term, students shall return materials issued to them for that year or term. All materials returned from students and teachers that are checked in and out using Destiny shall be scanned in and a list of any books not returned shall be printed. For materials not tracked via Destiny, teachers shall maintain a written verification that all materials are returned by students.
  - iii. Report of lost/damaged student materials. -- Any missing material must be reported in writing to the instructional materials contact and school bookkeeper. The report will include the student name, student number, ISBN, publisher, and title of the material. Selling books to students. -- Schools may sell books to student or parents if they so choose. The school shall cross out any markings or remove bar codes identifying the book as School Board property. The money from the sale shall be added to the lost textbook account (6-5200.00) and remitted to Accounting Services with the lost/damaged collections at the end of the year. The sold book shall be reported as lost on the Destiny Textbook Ordering Screen in June. See Policy 8.122, Section 5.
  - iv. School-wide inventory counts and reporting of final losses. -- A physical count of all student books and teacher materials returned at the year end and a count of books in storage shall result in the school's final inventory at year end. All documented lost books are reported in Destiny Textbook Manager.
  - v. Remittance of all monies collected for instructional materials. -- All monies in school textbook accounts (6-5200.00) shall be cleared out at year end and remitted to Accounting Services with a transmittal form (PBSD 0150) indicating payment for lost/damaged books. A copy of the form is available on the [District forms web page](#), and is incorporated herein by reference as part of this policy.
- e. Collection of End-of-Year Obligations. -- Any student with textbook obligations at the end of the school year (unless previously satisfied through community service hours) will be placed on the obligation list; the parent/guardian shall be notified; and the principal/designee shall make reasonable collection efforts.
- i. Assessing charges for books lost, destroyed, or unnecessarily damaged. -- As required by Fla. Stat. § 1006.28(4)(b), books that are lost, destroyed, or unnecessarily damaged, shall be charged at 100% of their new purchase price. Schools shall use the Textbook Dictionary Price List that is posted on the Instructional Materials Department web page in August at the beginning of the school year for which the obligation is reported.
  - ii. Notice to parent/guardian. -- Notice shall be given to the parent/guardian of any end-of-year textbook obligations, using the Textbook Obligation Letter. Documentation of all communication with students and parents, verbal and written, including telephone calls, parent conferences, certified letters and letters from the Office of General Counsel shall be kept on file.

- iii. Tracking obligation status. -- Schools shall use the Destiny system to track obligations.
- iv. Referral to Legal. -- After reasonable attempts by the principal/designee to collect, the debt shall be referred to the Office of General Counsel for further assistance using PBSO 2020 Textbook Collection Referral. A copy of the form is available on the District forms web site at: <https://www.palmbeachschools.org/wp-content/uploads/sites/10/2020.pdf> , and is incorporated herein by reference as part of this policy. (Reasonable collection efforts by the principal/designee may be defined to include sending the Textbook Obligation Letter to the parent/guardian via certified mail; placing a follow-up telephone call; following up with a documented student or parent conference, if possible; and then sending a second notice by certified mail if the sum has not yet been remitted.)
- v. Other debt-collection methods. -- If the obligation has not been satisfied by the parent/guardian after reasonable efforts by the principal, or by community service hours, the School Board may exercise any lawful means of carrying out its statutory responsibility of collecting the obligation, including, but not limited to, referral to a debt-collection agency if student privacy laws have been followed.
- vi. Student consequences. -- If an end-of-year obligation still has not been satisfied by the beginning of the next school year after reasonable collection efforts by the principal/designee, the principal should impose consequences as follows:
  - A. Suspension from Extracurricular Activities. -- A student's instructional materials obligations shall be tracked from grade to grade and school to school until the debt is satisfied or the following consequences have been imposed. The student shall be suspended from participation in extracurricular activities (if the student is involved in such activities), until such time as the parent/guardian has paid for such loss, destruction, or unnecessary damage as required by Fla. Stat. § 1006.28(4)(b); or alternatively, the student may elect to satisfy the obligation through community service hours pursuant to subparagraph B, below.
  - B. Community Service Hours. If the student is not suspended from extracurricular activities (because the student is not involved in such activities or the student has elected to perform community service hours), the principal will require the student to satisfy the debt through age-appropriate community service activities at the school site as explained in subparagraph (4)(c)(v)(B), above. The principal/designee shall keep a record of when the debt has been satisfied, using the Community Service Record for Instructional Materials Obligations (PBSO 1990). However, a student's community service hours will be cut short upon receipt of the parent's/guardian's payment for any amount not yet satisfied through the community service activities. For example, if a student owes \$50 and has done \$20 worth of community-services activities, the remaining \$30 could be satisfied through payment of the remaining \$30, rather than through completion of the activities.
- vii. Refunds for found books. -- In the event a student finds a book that had previously been reported lost and paid for as an obligation, the school shall

issue a refund. The amount of the refund shall correspond with the physical condition of the book. For example, a book that is returned in unnecessarily-damaged condition may not merit any refund. On the other hand, a book returned without any unnecessary damage might merit a full refund.

- A. The school shall request the instructional materials contact to complete a Check Requisition (PBSD 0181) in order to refund the student for the obligation, regardless of whether it was satisfied through the parent's/guardian's direct payment or through the student's community service hours.
- B. If the book is found after the student has been suspended from extracurricular activities, the student may be reinstated to the extracurricular activities upon satisfying any obligation for unnecessary damage to the returned book.

RULEMAKING AUTHORITY:

Fla. Stat. §§ 120.81 (1) (a); 1001.32 (2); 1001.41 (1) & (2); 1001.42 (28); 1006.28

LAWS IMPLEMENTED:

Fla. Stat. §§ 1003.62(2); 1006.28; 1006.42

HISTORY:

1/13/03; 8/2/2004; 12/10/2008; 9/9/2009; 1/24/2018

## Appendix F

### School Board Policy 8.121 accessed at

<https://www.boarddocs.com/fl/palmbeach/Board.nsf/goto?open&id=AVGLO8572CB6#>

Book	School Board Policies
Section	Ch. 8. Curriculum and Instruction
Title	Use of Copyrighted Materials
Number	8.121
Status	Active
Adopted	February 25, 2009

1. **Purpose.** To provide guidelines for the fair use of copyrighted information that is used for educational purposes in accordance with the Copyright Act of 1976, Title 17 of the United States Code, and the Digital Millennium Copyright Act of 1998. P. L. 105-304.
- 2.
3. **Policy.** The School Board expects all employees, volunteers and students to adhere to all pertinent copyright laws and "fair use" guidelines which cover the reproduction, distribution, and use of print resources, music, recordings, theatrical performances, computer software, television and video resources, and online and electronic resources and licensing. Employees and students are prohibited from the use or duplication of any copyright materials not allowed by copyright law, "fair use" guidelines, licenses or contractual agreements. Where there is reason to believe the material does not fall within the fair use guidelines, there is no license agreement, or there is no contractual agreement, prior permission shall be obtained. At no time shall it be necessary for an employee to violate copyright laws in order to properly perform his or her duties.
4.
  - a. Employees who violate copyright laws and who fail to obtain prior written permission for said reproduction or use from the copyright holder or who fail to abide by the "fair use" guidelines may be liable for copyright infringement.
  - b.
  - c. In the event of litigation resulting from copyright violation, the School Board will not assume responsibility for actions of an employee or student who has willfully contravened this policy. A finding of willful infringement will preclude the School Board paying any judgment rendered against the employee and the paying of attorneys fees or costs which the employee would incur in conjunction with a lawsuit and may render the employee liable to the School Board for any damages which the School Board is liable to pay.
  - d.
  - e. Employees who willfully infringe upon copyright laws may be subject to disciplinary action by the Board.
  - f.
5. **Fair Use Principles.** Under the fair use doctrine, copyrighted materials may be reproduced without authorization for the purposes of criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research following these general guidelines:
- 6.

- a. PURPOSE AND CHARACTER OF THE USE. The use must be for such purposes of teaching or scholarship and must be nonprofit, not commercial.
  - b.
  - c. NATURE OF THE COPYRIGHTED WORK. Staff may make single copies of: a chapter of a book for such use as instruction, preparation for teaching or research; an article from a periodical or newspaper; a short story, essay or poem and a chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.
  - d.
  - e. AMOUNT AND SUBSTANTIALITY OF THE PORTION USED. Copying the whole of a work cannot be considered fair use: copying a small portion may be considered fair use if appropriate guidelines are followed. The amount and substantiality of the portion used must be reasonable.
  - f.
  - g. EFFECT OF THE USE UPON THE POTENTIAL MARKET FOR OR VALUE OF THE COPYRIGHTED WORK. If resulting economic loss to the copyright holder can be shown, making even a single copy of certain materials may be an infringement; and making multiple copies presents the danger of greater penalties, Thus, the potential market value of the work should not be affected.
  - h.
7. **Fair Use for Education Multimedia.** The 1994 Conference on Fair Use (CONFU) developed guidelines to determine fair use portions of copyrighted works in educational multimedia projects, The following limitations restrict the portion of any given work that may be used pursuant to fair use in an educational media project:
- 8.
- a. Motion Media: Up to 10% or 3 minutes whichever is less
  - b.
  - c. Text Material: Up to 10% or 1000 word whichever is less
  - d.
  - e. Poem: An entire poem with less than 250 words but no more than 3 poems by same author and 5 poems by different authors. For poems greater than 250 words, excerpts of up to 250 words may be used, but no more than three excerpts from one poem or five excerpts from an anthology
  - f.
  - g. Music Lyrics Music Video: Up to 10% of an individual work but no more than 30 seconds per event. No alterations that change the basic melody or fundamental character of the work
  - h.
  - i. Illustrations and Photographs: Up to 5 images by an artist or photographer may be reproduced or incorporated and no more than 10% or 15 images whichever is less from a published collective work
  - j.
  - k. Numerical Data Sets: Up to 10% or 2500 fields or cell entries, whichever is less, from a copyrighted data table
  - l.
9. **Responsibilities of Employees.**
- 10.
- a. Responsibilities of Teachers and Other Users. Teachers, librarians and other users of copyrighted materials are responsible for the following:
  - b.
    - i. Review and compliance with this policy and the fair use guidelines.
    - ii.
    - iii. Use and copying of copyrighted materials only with permission, except as provided in the fair use guidelines.
    - iv.

- c. School Site and Site-Based Responsibility. The principal of each school and each site-based administrator is responsible for the following:
- d.
  - i. Provision of information to employees and students, if applicable, regarding the legal, ethical and practical problems caused by copyright infringement.
  - ii.
  - iii. Establishing practices that will enforce this policy.
  - iv.
  - v. Ensuring reproduction equipment (photocopiers and computers are labeled with warnings that reproduction is not permitted without permission from the copyright owner or authorized agent.
  - vi.
- e. Print Shop or School Library Media Centers. No copyrighted materials will be reproduced by the School District Printing Services or school library media centers unless accompanied by a signed authorization from the copyright owner or authorized agent or a statement of educational fair use signed by the responsible instructional employee for one or more of the purposes allowed under Section 107, U. S. Code. All requests for reproduction by Printing Services of copyrighted materials shall be submitted to Printing Services by:
- f.
  - i. The principal or his/her designee at a school center;
  - ii.
  - iii. The appropriate division or area superintendent; or
  - iv.
  - v. A member of the Superintendent's Leadership Team.
  - vi.

11. **Federal Copyright Office Filing.** The superintendent or designee shall file with the Copyright Office of the Library of Congress, and post the same information on the district's web site, his or her designation as the district's agent, in the district's role as an internet service provider, to receive notifications of any claims that users of the district's Internet network have infringed copyright law. The superintendent or designee shall be responsible for investigating and responding to any complaints related to the infringement of copyright laws.

12.

13. **Implementation of Policy.** The superintendent is responsible for implementing this policy and any accompanying administrative guidelines including the copying and distribution of copyrighted materials for instructional purposes and for the appropriate use of copyrighted materials on the School Board's website.

STATUTORY AUTHORITY:	Fla. Stat. §§ 1001.41; 1001.43; 17 U. S.C. 101 et seq; (P. L. 94-553, 90 STAT 2541)
HISTORY:	08/01/84; 2/25/09