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## **JSEP Library Media Materials Selection Policy (LM-1)**

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### Maryland State Department of Education (MSDE)

#### **MISSION**

The mission of the Maryland State Department of Education is to provide leadership, support, and accountability for effective systems of public education, library services and rehabilitation services.

### Juvenile Services Education Program (JSEP)

#### **MISSION**

The program delivers a continuum of learning experiences to accelerate achievement, personal development, and readiness for the future.

#### **VISION**

The Juvenile Services Education Program will be recognized as a national leader in the education of detained and committed youth.

### **Juvenile Services Education Program Library Media Center Selection Policy Objectives:**

- I. The objective of the Library Media Center is to make available to faculty and students a collection of materials that will enrich and support the curriculum and meet the needs of the students and faculty served.
- II. The main objective of the JSEP Library Media selection policy is to provide students with a wide range of educational materials on all levels of difficulty, offered in a variety of formats to take into consideration individual learning needs, abilities, and learning styles, with diversity of appeal and allowing for the presentation of many different points of view.
  - A. Materials in the library media center will provide:
    1. background information to supplement classroom instruction;
    2. a broad range of views on controversial issues to help students develop critical analytical skills;
    3. an appreciation of literature as a reflection of human experience and reading as a pleasurable activity; and
    4. appropriate print, non-print, and computer/online/digital resources in accordance and collaboration with the parameters of the MSDE.

## Part 1: Procedures for Materials Selection

While selection of materials involves many people, including MSDE administrators, supervisors, teachers, library media specialists, and students, the responsibility for coordinating and recommending the selection and purchase of Library Media materials will rest with the JSEP Library Media Coordinator. Responsibility for coordinating the selection and purchase of textbooks is the responsibility of the JSEP Academic Coordinator. Other classroom materials may be purchased by the site-based administrator.

The Library Media Center provides media in a wide variety of fields including the sciences, arts, and the humanities. The following factors will be considered important in the implementation of the library's goal.

1. Support of the instructional curriculum of the school.
2. Groups or individual's needs and interests existing in the youth population, such as those relating to age, ethnic origin, and gender.
3. Provide for individual learning needs, abilities, and learning styles.
4. Flexibility to meet and satisfy new and changing social interests and needs.
5. Priorities established because of budget limitations and requirements of funding sources (see individual programs).

At all times, the material's excellence (artistic, literary, etc.), appropriateness to level of user, superiority in treatment of controversial issues, and ability to stimulate further intellectual and social development will be considered as part of the purchasing decision. Materials shall be recommended for purchase based on continuous assessment by the on-site Media Specialist with the aid of professional tools. Recommendations will be sent to the JSEP Library Media Coordinator for final approval and centralized purchasing.

Staff members involved in selection of Library Media Center materials shall use the following criteria as a guide:

1. educational significance
2. contribution the subject matter makes to the curriculum and to the interests of the students
3. favorable reviews found in standard selection sources
4. favorable recommendations based on preview and examination of materials by professional personnel
5. reputation and significance of the author, producer, and publisher
6. validity, currency, and appropriateness of material
7. contribution the material makes to breadth of representative viewpoints on controversial issues
8. high degree of potential user appeal
9. high artistic quality and/or literary style
10. quality and variety of format
11. value commensurate with cost and/or need
12. timeliness or permanence
13. integrity

**The following recommended lists shall be consulted in the selection of materials, but selection is not limited to their listings:**

***Bibliographies (latest editions available, including supplements)***

1. *American Historical Fiction*

2. *American Library Association booklists, including, but not limited to:*
  - Best Books for Young Adults
  - Booklist's Editors Choice – Adult Books for Young Adults
  - Best Graphic Novels for Young Adults
  - Michael L. Printz Award for excellence in Young Adult Literature
  - Popular Paperbacks for Young Adults
  - Quick Picks for Reluctant Young Adult Readers
  - Teens' Top Ten Books
3. *European Historical Fiction and Biography*
4. *Middle and Junior High Core Collection*
5. *Subject Guide to Children's Books in Print*
6. *Subject Index to Books for Intermediate Grades*

**Current reviewing media:**

1. *AASA Science Books and Films*
2. *American Film & Video Association Evaluations*
3. *Booklist*
4. *Library Media Connection*
5. *School Library Journal*
6. *Teen Urban Fiction*

**Materials will be selected for the Library Media Center that are:**

1. integral to the instructional program.
2. appropriate for the reading level and understanding of students in the school.
3. reflecting the interests and needs of the students and faculty served by the library media center.
4. presenting a variety of formats to support different learning styles.
5. warranting inclusion in the collection because of their literary and/or artistic value and merit.
6. stimulating the students' higher-order thinking and creativity skills.
7. presenting information with the greatest degree of accuracy and clarity possible.
8. representing a fair and unbiased presentation of information. In controversial areas, the Media Specialist, in cooperation with the faculty, should select materials representing as many opinions as possible, in order that varying viewpoints are available to students.

Due to the nature of the student population and the instructional program, MSDE JSEP staff will not distribute any publication or materials determined to be detrimental to the security, good order, or discipline of the Juvenile Services Education Program in the schools. Publications which may not be distributed include but are not limited to those which meet one of the following criteria: (a) they depict or describe procedures for the construction or use of weapons, ammunition, bombs or incendiary devices; (b) they depict or describe methods of escape from correctional facilities, or contains blueprints, drawings or similar descriptions of the same; (c) they depict or describe procedures for the brewing or manufacture of alcoholic beverages or drugs; (d) they are written in code; (e) they encourage or instruct in the commission of criminal activity; (f) they contain sexually explicit material which by its nature or content poses a threat to the security, good order, or discipline of the school; (g) they contain homophobic, pornographic, obscene or sexually explicit material or other visual depictions that are inappropriate to students; (h) they use language or images that are inappropriate in the education setting or disruptive to the educational process; (i) they contain information or materials that could

cause damage or danger of disruption to the educational process; (j) they depict, describe or encourage activities , language or images that advocate violence or discrimination toward other people (e.g., hate literature) or that may constitute harassment or discrimination or create a serious danger of violence in the facility; and (k) materials depicting the practice of tattooing.

**The following criteria will be used as they apply to the Library Media Center materials:**

1. Materials will support and be consistent with the general educational goals of the state and the aims and objectives of individual schools and specific courses.
2. Materials will meet high standards of quality in factual content and presentation.
3. Materials will be appropriate for the subject area and for the age, emotional development, ability level, learning styles, and social development of the students for whom the materials are selected.
4. Physical format and appearance of materials will be suitable for their intended use.
5. Materials will be designed to help students gain an awareness of our pluralistic society.
6. Materials will be designed to motivate students and staff to examine their own duties, responsibilities, rights, and privileges as participating citizens in our society, and to make informed judgments in their daily lives.
7. Materials will be selected for their strengths rather than rejected for their weaknesses.
8. The selection of materials on controversial issues will be directed toward maintaining a diverse collection representing various views.
9. Materials will clarify historical and contemporary forces by presenting and analyzing intergroup tension and conflict objectively, placing emphasis on recognizing and understanding social and economic problems.

**Procedures for selecting Library Media Center materials include:**

1. In selecting materials, professional personnel will evaluate available resources and curriculum needs and will consult reputable, professionally prepared aids to selection, and other appropriate sources. The actual resource will be examined whenever possible.
2. Recommendations for purchase involve administrators, teachers, students, DJJ personnel, and community partners/ persons, as appropriate.
3. Gift materials will be judged and accepted or rejected by the selection criteria.
4. Selection is an ongoing process that will include how to remove materials no longer appropriate and how to replace lost and worn materials still of educational value.
5. Requests, suggestions, and reactions for the purchase of instructional materials will be gathered from staff to the greatest extent possible and students when appropriate.
6. Reviews of proposed acquisitions will be sought in the literature of reputable professional organizations and other reviewing sources recognized for their objectivity and wide experience.
7. Materials will be examined by professional staff to the extent necessary or to apply criteria.
8. School Media Center materials selection will be coordinated by the MSDE certified Media Specialist, or the MSDE JSEP Library Media Coordinator, where there is no professional staff, and involve teachers and curriculum specialists. Recommendations will be sent to the MSDE Library Media Coordinator for final approval and centralized purchasing.
9. Professionally recognized reviewing periodicals, standard catalogs, and other selection aids are used by the Media Specialists and the faculty to guide them in their selection.

## Part 2: Procedures for Dealing with Challenged Materials

Occasional objections to instructional materials will be made despite the quality of the selection process; therefore, the procedure for handling reconsideration of challenged materials in response to questions concerning their appropriateness is outlined herein. This procedure establishes the framework for registering a complaint appropriate action while defending the principles of freedom of information, the students' right to access of materials, and the professional responsibility and integrity of the school faculty and administration.

The principles of intellectual freedom are inherent in the First Amendment to the Constitution of the United States and are expressed in the *Library Bill of Rights*, adopted by the Council of the American Library Association. If instructional materials are questioned, the principles of intellectual freedom should be defended rather than the materials.

The MSDE JSEP subscribes in principle to the statements of policy on intellectual freedom and library philosophy as expressed in the text of the [First Amendment](#) to the United States Constitution—“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceable to assemble, and to petition the Government for a redress of grievances,” and to the American Library Association's [Library Bill of Rights](#). (see Appendix I).

### Reconsideration procedure:

No duly selected materials whose appropriateness is challenged shall be removed from the school except upon the recommendation of a **reconsideration committee**, with the concurrence of the MSDE JSEP Director, or upon the MSDE JSEP Director's recommendation, the concurrence of the State Superintendent or, upon the State Superintendent's recommendation, the concurrence of the State Board of Education, or upon formal action of the State Board of Education when a recommendation of a reconsideration committee is appealed to it.

### Procedures to be observed:

1. All complaints to the Media Specialist shall be reported to the JSEP school principal involved, whether received by telephone, letter, or in personal conversation.
2. The JSEP principal shall contact the complainant to discuss the challenge and attempt to resolve it informally by explaining the mission and goals of the school and/or the Library Media Center; shall explain to the questioner the school's selection procedure, criteria, and qualifications of those persons selecting the resource; and shall explain the particular place the material occupies in the education program, its intended educational usefulness, and additional information regarding its use, or refer the party to someone who can identify and explain the use of the resource.
3. After informal negotiation, if the challenge is not resolved informally, the complainant shall receive a **Letter to Complainant upon receipt of challenge (see Appendix II)** from the JSEP principal and shall be supplied with a packet of materials consisting of the JSEP Library Media Services instructional goals and objectives, materials selection policy statement, and the procedure for handling objections. This packet also will include a standard printed form, the

**Request for Reconsideration of Library Media Center Resources, (see Appendix III)** which shall be completed and returned before consideration will be given to the complaint.

4. If the formal request for reconsideration has not been received by the JSEP principal within two weeks, it shall be considered closed. If the request is returned, the reasons for selection of the specific work shall be reestablished by the appropriate staff.
5. Access to challenged material shall not be restricted during the reconsideration process. Pending the outcome of the request for reconsideration, however, access to questioned materials can be denied to the student (s) of the parent/guardian making the complaint, if they so desire.
6. Upon receipt of a completed objection form, the JSEP principal involved will convene a committee of five to consider the complaint. This committee shall consist of the MSDE Library Media Coordinator, the MSDE Academic Coordinator, and these people from the school involved: the principal, the Library Media Specialist and a teacher. If possible, a student and/or parent may also be selected to serve on the committee.
7. The committee shall meet to discuss the materials, following the guidelines set forth in the **Instructions to Reconsideration Committee**, (see Appendix IV) and shall prepare a report on the material containing its recommendations on disposition of the matter.
  - A. The reconsideration committee shall:
    1. Read and/or view the challenged resource;
    2. Determine professional acceptance by reading critical reviews of the resource;
    3. Weigh values and faults and form opinions based on the material as a whole rather than on passages or sections taken out of context;
    4. Discuss the challenged resource in the context of the educational program;
    5. Discuss the challenged item with the individual questioner when appropriate;
    6. Prepare a written report.
  - B. The written report shall be discussed with the individual complainant if requested.
  - C. The written report shall be retained by the school principal, with copies forwarded to the MSDE JSEP Director and MSDE Library Media Coordinator. A minority report also may be filed.
  - D. Written reports, once filed, are confidential and available for examination by appropriate officials only.
  - E. The decision of the reconsideration committee is binding for the individual school.
8. The JSEP principal shall notify complainant of the decision and send a formal report and recommendation to the MSDE JSEP Director. In answering the complainant, the JSEP principal shall explain the book selection policy and procedure, give the guidelines used for selection, and cite authorities used in reaching decisions. If the committee decides to keep the work that caused the complaint, the complainant shall be given an explanation. If the complaint is valid, the JSEP principal will acknowledge it and make recommended changes.
9. Notwithstanding any procedure outlined in this policy, the questioner shall have the right to appeal any decision of the reconsideration committee to the State Board of Education as the final review panel.
10. If the complainant is still not satisfied, he or she may ask the MSDE JSEP Director to present an appeal to the State Superintendent and the Board of Education, which shall make a final determination of the issue. The Board of Education may seek assistance from outside organizations such as the American Library Association, the Association for Supervision and

Curriculum Development, etc., in making its determination.

### **Guiding Principles for Process**

1. Any resident or employee of the school may raise objection to materials used in a school's educational program, despite the fact that the individuals selecting such resources were duly qualified to make the selection, followed the proper procedure, and observed the criteria for selecting learning resources.
2. The principal should review the selection and reconsideration policy and procedures with the teaching staff at least annually.
3. No parent/guardian has the right to determine reading, viewing, or listening matter for students other than his or her own children.
4. The MSDE JSEP supports the *Library Bill of Rights*, adopted by the American Library Association. (see Appendix I). When learning resources are challenged, the principles of the freedom to read/listen/view must be defended as well.
5. Access to challenged material shall not be restricted during the reconsideration process.
6. The major criterion for the final decision is the appropriateness of the material for its intended educational use.
7. A decision to sustain a challenge shall not necessarily be interpreted as a judgment of irresponsibility by the professionals involved in the original selection and/or use of the material.

## Appendix I: Library Bill of Rights

### 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, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

"Library Bill of Rights," American Library Association, June 30, 2006.  
<http://www.ala.org/ala/aboutala/offices/oif/statementspols/statementsif/librarybillrights.cfm> (Accessed December 28, 2009)  
Document ID: 24930





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**Appendix II: Letter to Complainant upon receipt of challenge:**

Dear :

We appreciate your concern over the use of \_\_\_\_\_ in our school .The school has developed procedures for selecting materials, but realizes that not everyone will agree with every selection made.

To help you understand the selection process, we are sending copies of the JSEP Library Media Services:

1. Instructional goals and objectives
2. Materials Selection Policy statement
3. Procedure for Handling Objections

If you are still concerned after you review this material, please complete the Request for Reconsideration of Material form and return it to me. You may be assured of prompt attention to your request. If I have not heard from you within two weeks, we will assume you no longer wish to file a formal complaint.

Sincerely,

Principal



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**Appendix III: Request for Reconsideration of Library Media Center Resources**

The Maryland State Department of Education Juvenile Services Education Program has delegated the responsibility for selection and evaluation of library/educational resources to the JSEP Library Media Coordinator and the school library media specialist/curriculum committee, and has established reconsideration procedures to address concerns about those resources. Completion of this form is the first step in those procedures. If you wish to request reconsideration of school or library resources, please return the completed form to:

Library Media Coordinator, Juvenile Services Education Program, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201-2595

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone(Home/Work) \_\_\_\_\_ Phone (Cell) \_\_\_\_\_

Do you represent self? \_\_\_\_ Organization? \_\_\_\_\_

1. Resource on which you are commenting:

\_\_\_\_ Book \_\_\_\_ Textbook \_\_\_\_ Video \_\_\_\_ Display \_\_\_\_ Magazine \_\_\_\_ Library Program

\_\_\_\_ Audio Recording \_\_\_\_ Newspaper \_\_\_\_ Electronic information/network (please specify)

\_\_\_\_ Other \_\_\_\_\_

Title \_\_\_\_\_

Author/Producer \_\_\_\_\_

- 2. What brought this resource to your attention?
- 3. Have you read and/or viewed the entire resource?
- 4. What concerns you about the resource? (use other side or additional pages if necessary)

5. Are there resource(s) you suggest to provide additional information and/or other viewpoints on this topic?



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#### **Appendix IV: Instructions to Reconsideration Committee**

Bear in mind the principles of the [freedom to learn and to read](#) and base your decision on these broad principles rather than on defense of individual materials. Freedom of inquiry is vital to education in a democracy.

Study thoroughly all materials referred to you and read available reviews. The general acceptance of the materials should be checked by consulting standard evaluation aids and local holdings in other schools.

Passages or parts should not be pulled out of context. The values and faults should be weighed against each other and the opinions based on the materials as a whole.

Your report, presenting both majority and minority opinions, will be presented by the principal to the complainant at the conclusion of your discussion of the questioned material.