

TEXAS ADMINISTRATIVE CODE: As in effect on 6/24/2025.

TITLE 13. CULTURAL RESOURCES

PART 1. TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

CHAPTER 4. SCHOOL LIBRARY PROGRAMS

SUBCHAPTER A. STANDARDS AND GUIDELINES

§4.2. School Library Programs: Collection Development Standards.

(a) Each Texas public school district board or governing body must approve and institute a collection development policy that describes the processes and standards by which a school library acquires, maintains, and withdraws materials.

(b) A school library collection should include materials that are age appropriate and suitable to the campus and students it serves and include a range of materials. A school library collection should:

- (1) Enrich and support the Texas Essential Knowledge and Skills (TEKS) and curriculum established by Education Code, §28.002 (relating to Required Curriculum), while taking into consideration students' varied interests, maturity levels, abilities, and learning styles;
- (2) Foster growth in factual knowledge, literary appreciation, aesthetic values, and societal standards;
- (3) Encourage the enjoyment of reading, foster high-level thinking skills, support personal learning, and encourage discussion based on rational analysis; and
- (4) Represent the ethnic, religious, and cultural groups of the state and their contribution to Texas, the nation, and the world.

(c) A school library collection development policy must:

- (1) Describe the purpose and collection development goals;
- (2) Designate the responsibility for collection development;
- (3) Establish procedures for the evaluation, selection, acquisition, reconsideration, and deselection of materials;
- (4) Consider the distinct age groups, grade levels, and possible access to materials by all students within a campus;
- (5) Include a process to determine and administer student access to material rated by library material vendors as "sexually relevant" as defined by Education Code, §35.001 consistent with any policies adopted by the Texas Education Agency and local school board requirements;
- (6) Include an access plan that, at a minimum, allows efficient parental access to the school district's library and online library catalog; and

(7) Comply with all applicable local, state, and federal laws and regulations. Specifically, a collection development policy must:

(A) Recognize that parents are the primary decision makers regarding their student's access to library material;

(B) Prohibit the possession, acquisition, and purchase of harmful material~~[, as defined by Penal Code, §43.24]~~, library material rated sexually explicit material by the selling library material vendor under Education Code, §35.002, or library material that is pervasively vulgar or educationally unsuitable as referenced in Board of Education v. Pico ~~[v. Board of Education]~~, 457 U.S. 853 (1982), library material containing indecent content or profane content, or library material that refers a person to an Internet website containing content prohibited under this subsection, including by use of a link or QR code, as defined by Health and Safety Code, §443.001;

(C) Recognize that obscene content is not protected by the First Amendment to the United States Constitution;

(D) Be required for all library materials available for use or display, including material contained in school libraries, classroom libraries, ~~[and]~~ online catalogs, library mobile applications, and any other library catalog a student may access;

(E) Ensure schools provide library catalog transparency, including, but not limited to:

(i) Online catalogs that are publicly available; and

(ii) Information about titles and how and where material can be accessed;

(F) Recommend schools communicate effectively with parents regarding collection development, including, but not limited to:

(i) Access to district/campus policies relating to school libraries;

(ii) Consistent access to library resources; and

(iii) Opportunities for students, parents, educators, and community members to provide feedback on library materials and services; ~~[and]~~

(G) Prohibit the removal of material based solely on the ideas contained in the material or the personal background of the author of the material or characters in the material; and[-]

(H) Demonstrates a commitment to compliance with the Children's Internet Protection Act (Pub. L. No. 106-554), including through the use of technology protection measures, as defined by that Act.

(d) Evaluation of materials as referenced in this section includes a consideration of the factors described in subsection (b) of this section, consideration of local priorities and school district

standards, including recommendations of a local school library advisory council if the district has established one, and at least two of the following:

- (1) Consideration of recommendations from parents, guardians, and local community members;
- (2) Consultation with the school district's educators and library staff and/or consultation with library staff of similarly situated school districts and their collections and collection development policies;
- (3) An extensive review of the text of item;
- (4) The context of a work, including consideration of the contextual characteristics, overall fit within existing school library collection, and potential support of the school curriculum; or
- (5) Consideration of authoritative reviews of the items from sources such as professional journals in library science, recognized professional education or content journals with book reviews, national and state award recognition lists, library science field experts, and highly acclaimed author and literacy expert recommendations.

(e) A reconsideration process as referenced in this section should ensure that any parent or person standing in parental relation to ~~[legal guardian of]~~ a student currently enrolled in the school district, ~~[or]~~ employee of the school district, or person residing in the district may request the reconsideration of a specific item in their school district's library catalog. A reconsideration process should:

- (1) Establish a uniform procedure an individual must follow when filing a request;
- (2) Require a school district to include a form adopted by the Texas Education Agency to request a reconsideration of an item on the school's public internet website if the school has a public internet website or ensure the form is publicly available at a school district administrative office;
- (3) Require that the completed ~~[request for reconsideration]~~ form be distributed to the superintendent or superintendent designee, school librarian, ~~[and]~~ school district board of trustees or governing body at the time of submission;
- (4) Include a reasonable timeframe, approved by the school board, for the review and final decision by a committee charged with the review of the item in its entirety. A district should convene a review committee in accordance with criteria established by the district to ensure a thorough and fair process. A reasonable timeframe should take no longer than 90 days after the date the request for reconsideration is received and take into account:

(A) The time necessary to convene a committee to meet and review the item;

(B) Flexibility that may be necessary depending on the number of pending reconsideration requests; and

(C) Other factors relevant to a fair and consistent process, including informing the requester on the progress of the review in a timely fashion;

(5) Prohibit students enrolled in the district from accessing the material until the district takes action in response to the request for reconsideration [~~Establish a uniform process approved by the school district board of trustees or governing body for the treatment of any library material undergoing reconsideration~~];

(6) Include a review and appeal process approved by the school district board of trustees or governing body; and

(7) Provide that if an item has gone through the reconsideration process and remains in the collection, a school district may not be required to reconsider an item within two calendar years of the final decision.

(f) School districts should ensure a professional librarian certified by the State Board for Educator Certification or other dedicated professional library staff trained on proper collection development standards is responsible for the selection and acquisition of library materials.

(g) A school district must develop collection assessment and evaluation procedures to periodically appraise the quality of library materials in the school library to ensure the library's goals, objectives, and information needs are serving its school community and should stipulate the means to weed or update the collection.

(h) A school district's collection development policy should be reviewed at least every three years and updated as necessary.

(i) School districts may add procedures to these minimum requirements to satisfy local needs so long as the added procedures do not conflict with these minimum requirements.

(j) School districts are responsible for ensuring their school libraries implement and adhere to these collection development standards.