

SB 13 Acquisition Policies and Purchasing Implications

Q&A from Texas Library Association webinar | July 31, 2025

DISCLAIMER: The information documented below is intended to convey general information only and not to provide legal advice or opinions. The information shared below should not be construed as or be relied upon as legal advice in any particular circumstance or factual situation. The information may not reflect the most current legal developments. An attorney should be contacted for advice on specific legal questions, issues, and/or interpretation of the law.

This document outlines our understanding of the broad requirements of the new law and its general implications for school libraries across Texas. Because each of the more than 1200 school districts in Texas operates under its own unique policies, procedures, and legal interpretations, we are unable to address specific scenarios. Librarians should work closely with their campus and district administrators, as well as district legal counsel, to determine how the law will be implemented locally.

Answers to many more questions related to SB 13 can be found in the [TLA SB 13 FAQs](#).

Interpretation, Legal, and Procedural Questions

How will indecent and profane be interpreted?

The new definitions of profane content and indecent content added by SB 13 will be included in updated policies, but it is unlikely that TEA, TASB, or TSLAC will provide guidance on how to interpret or apply these definitions to library materials. Districts will determine how they will interpret and apply them.

What is the definition of excretion in the definition of “profane content”? Would books like *Butt or Face or Fart Quest* not be allowed?

Excretion is not defined. SB 13 prohibits profane content, the determination of "profane" is tied to its "grossly offensive" and "public nuisance" nature, further guided by local community values and age appropriateness, suggesting that context and overall suitability, rather than the isolated presence of specific words, would lead to removal.

How do you recommend small districts without a district-level library services department or a lead librarian, perhaps employing only two certified school librarians, comply with SB 13?

Meet with administrators and other relevant departments to discuss new policies. Look at current purchasing processes and determine how they can be adapted to meet the

new requirements. While the processes and forms developed by larger districts may not work as written for a smaller district, perhaps they can be a starting point for developing your systems. Reach out to the ESC, post questions in TLA Engage, and contact TLA.

Classroom Libraries

Are classroom libraries impacted by SB 13? If yes, how?

Classroom teachers are required to follow the mandatory collection development standards when selecting books for classroom libraries. If library material is challenged, and the decision is to remove that title, classroom teachers will be notified and they must remove the title from their classroom library if it is included.

Do new books that teachers purchase for their classroom libraries have to be posted for 30 days online and then approved by the board before adding them to their classroom library?

No, the new acquisition policies do not apply to classroom library materials.

How do you suggest classroom library collections be "displayed" for public access?

Classroom library collections are not required by law to be displayed for parental access. However, the mandatory collection development standards do require parental access to library collections, including classroom libraries. It is up to the district to decide how to comply. Some have chosen to post lists of classroom library materials for parents to access. Some have created excel spreadsheets or PDFs listing the titles which can be shared with parents on request or posted on a teacher's webpage. Another example is using Teachingbooks.net Texas Initiative if your district is part of TexQuest. NOTE: Consult with your district leadership to see if they are requiring classroom library materials be posted for parental access. Other districts have chosen to have parents contact the campus principal to request access to the classroom library. The principal then determines a time that does not impact instruction for the parent to look at the classroom collection.

Read-Alouds and Book Use in Classrooms or Library

Does a librarian have to let parents know what books they are reading aloud to the kids during library time?

No. SB 13 does not require parental notification of books being read aloud in the library.

Can teachers and librarians give students books as a reward without having that book approved by the board?

SB 13 does not apply to any books other than those being added to the school library collection and are in the catalog. If the book has a barcode & is in the catalog to circulate, then it must be approved. Otherwise, the board does not have to approve it.

Book Acquisition, Posting, and Approval

What format are districts using to get the 30-day public input for book purchases?

SB 13 does not specify how districts are to collect public comments on books posted for review. Districts, when developing guidelines and policies, will need to define procedures for how the public can provide input during this review period, perhaps modeled after other district public comment processes. For example, some districts have shared that they plan to use a google form to collect any feedback.

What information is required to be included in the list posted for public comment?

The law does not specify what information to include in the list of materials posted for public comment. Districts will determine what information to provide. While a district would logically include identifying information such as titles and authors for public review, the law does not prescribe these specific data points.

Can you add items that are scheduled to be published onto purchase lists?

Items scheduled to be published can be added to the list of materials proposed for purchase to ensure they are available to students in a timely manner. However, as with books that are currently published, the titles must comply with the district's collection development policy and guidelines.

Can librarians buy the audiobook or eBook version of a book in the library catalog without posting for public comment and receiving school board approval?

SB 13 includes the following narrow exemptions from the 30-day public comment and board approval requirements:

- replace a damaged copy with the same ISBN that is currently in the catalog
- additional copies of a title with the same ISBN that is current in the catalog
- has the same ISBN and has been approved for the same grade levels by the school board from a previously proposed list of library materials

Because the audiobook or eBook version to be purchased will have a different ISBN than the version of the book currently in the catalog, it would have to be posted for 30-day public comment and approved by the board.

How will librarians who use curated boxes like Junior Library Guild comply with SB 13 requirements to post the list for 30 days and obtain board approval?

Materials to be purchased must follow the district's acquisition policy and adhere to SB 13's requirements for acquisition. Districts will need to work with their vendors to determine how their process will support these new requirements.

NOTE: Items to be purchased or that have been donated that have identical ISBNs to items already in the school library collection do not have to be posted or approved by the board (see Sec. 33.026 (f))

If a district purchases books from a book fair, could they "buy" them with their reward dollars, hold them until board approved, and then add them to the collection if approved? Would this still be considered a purchase, though it seems more like a donation?

Books purchased from book fairs that are going to be added to the school library catalog are subject to the 30-day public review and subsequent board approval process unless the books you wish to purchase from a book fair strictly meet one of these narrow exemptions:

- replace a damaged copy with the same ISBN that is currently in the catalog
- additional copies of a title with the same ISBN that is current in the catalog
- has the same ISBN and has been approved for the same grade levels by the school board from a previously proposed list of library materials

Librarians could buy books with their reward dollars at the time of the book fair. If they want to add it to the collection, the books will need to be added to the list to be posted for public comment and approved by the board. If approved, the book can be added to the collection. If not approved, the librarian could use the book as a giveaway since it cannot go in the collection.

Donated library materials must also comply with SB 13 acquisition requirements.

How do we address any negative public comments about books received during the public comment period? Do those titles go to the SLAC if the district has one? Does the board decide?

The law does not describe a separate, formal "comment resolution" process for individual titles receiving negative public comments during the acquisition phase. Public comments would likely be part of the overall input considered by the board of trustees (and the local school library advisory council if the district establishes one) when they make their final decision to approve or reject the proposed list in an open meeting. Districts will determine the process to follow if a title receives a negative comment during the public comment period.

ISBNs and Duplicate Titles

When purchasing replacement/duplicate copies of material already in the library catalog, do they have to be exact ISBN matches to the copy in the catalog?

Yes. If a book is being replaced because it is worn, torn, or lost, and it *has the exact same ISBN* as the one already in the catalog, the 30-day public posting and board approval is not needed.

However, if the *ISBN is different*, the replacement copy must be posted for public comment and approved for purchase by the school board.

ISBNs can change for the same title based on binding and editions, the content in the book is the exact same. Why must we now put that new ISBN through the approval process?

The exemptions from the 30-day public comment and board approval requirements in SB 13 are very narrow:

- replace a damaged copy with the same ISBN that is currently in the catalog
- additional copies of a title with the same ISBN that is current in the catalog
- has the same ISBN and has been approved for the same grade levels by the school board from a previously proposed list of library materials

TLA raised concerns about these very narrow exemptions with the bill's author and other legislators throughout the legislative process.

Is it considered a duplicate title if the book is at another campus library of the same level?

If the ISBN of the book currently in the catalog and the duplicate version of that book to be purchased are identical, the duplicate may be purchased without going through the public comment and school board approval process.

School Library Advisory Councils (SLAC) and Library Materials Review Committee

Can high school students be a part of the voting membership of the SLAC?

SB 13 does not address student membership in the SLAC. The law states that the school board may choose to appoint classroom teachers, librarians and counselors, and school administrators employed by the district to the Local School Library Advisory Council as *nonvoting* members. Only parents of children enrolled in the district who are not employed by the district may serve as voting members of the council.

Consult with district administration and legal counsel on including students as non-voting members of the SLAC.

How is the SLAC different from the library materials review committee? Are districts required to have both?

Yes, the SLAC and library material review committee are different. Districts are not required to have either.

How are members of the SLAC selected? What is the length of their term?

Members of the SLAC are appointed by members of the school board; length of term is not specified. Districts will likely establish a process to recruit volunteers for the SLAC that is similar to their process for getting volunteers to be considered for other district level committees or councils.

Among the duties of a SLAC are making recommendations about “changes to policies or guidelines related to a school library catalog” and recommending “policies and procedures for the acquisition of library materials.” In light of these duties, a newly established SLAC may suggest some internal guidelines for SLAC operations.

What does the petition process for establishing a SLAC look like? Does the district have to create a petition template? Or can someone just show up with a paper with 50 signatures and say “this is the petition for a SLAC”?

SB 13 does not specify the process for creating a petition. Districts will determine the process to be followed.

Who can start a petition to create a SLAC if a district does not currently have a SLAC?

SB 13 does not specify the process for starting a petition to create a SLAC.

TASB Policy and Local Board Action

If the School Board approves TASB's recent EFB(LOCAL) before September 1st (which includes Acquisition Policy language), then the Acquisition Policy would be active immediately upon approval, correct?

Local policies become effective upon adoption by the board of trustees or at a future date designated by the board at the time of adoption.

SB 13 is effective on September 1, 2025. Typically a school board’s policy will state that newly enacted law is applicable when effective, and no local policy is operative if it is found to be in conflict with applicable law. (See TASB Policy BF.)

Does the TASB EFB policy update cover the acquisition policy, or does it have to be separate?

The TASB EFB policy includes the acquisition policy. It does not have to be a separate policy.

When will TEA issue its model acquisition policy?

TEA is expected to issue its model acquisition policy in late August.

Are districts required to use or incorporate TEA's policy if it is different from TASBs EFB Local Policy?

No. Districts are not required to use or incorporate TEA's policy.

The TASB EFB Local policy states that, in districts with a SLAC, library staff assist SLAC in developing the list of library materials to be recommended to the board; implying that SLAC members are responsible for coming up with the list of books to be purchased for the district (*which would be hundreds, if not thousands of titles*). Library staff should be responsible for developing the list and then sharing with SLAC which then reviews and makes recommendations to the board? Please clarify.

First, please remember that TASB's model local policies are provided to subscriber school districts on request and are merely a starting place for local school board decision making. Also, please note that SB 13 is a brand-new law, and more guidance is coming from TSLAC and TEA - so the language TASB has shared with subscribers thus far is an attempt to be faithful to SB 13 and offer options to local boards.

TASB's proposed language for a SLAC indicates that "librarians and other professional staff shall assist the SLAC in developing the list..." This language was intended to reflect the fact that a committee with parents as the majority of voting members will not have the insight to generate a robust list of items proposed for acquisition without guidance from professional staff.

How the list proposed for acquisition is created is not specified in law and will certainly be something local districts will want to consider in their local procedures. It's important to note that one of the statutory duties of the SLAC is to make recommendations on "policies and procedures for the acquisition of library materials," so the SLAC itself, once established, may have a say in how this works.

While the new law is does not specify how the proposed list is generated, the law is clear that the SLAC makes recommendations, "to the board of trustees whether library materials proposed for acquisition under Section 33.026 are appropriate for each grade level of the school or campus for which the library materials are proposed to be acquired," and the board of trustees must consider the SLAC's recommendations "before adding library materials to a school library catalog."

While a local district SLAC would be well advised to design procedures that rely on the collection development expertise of professional staff, as anticipated in the TSLAC

guidelines, the TASB model language reflects the fact that the law calls for the SLAC to make recommendations to the board, not to “the district” more broadly.

Parent Notification and Access

Are libraries required to email parents for every student checkout, or only have that information available upon request? Can parents be given the option to access their student’s account online?

SB 13 Section 33.024 states “each school district and open-enrollment charter school that uses a learning management system or an online learning portal shall, through the system or portal, provide to each parent of a child enrolled in the district or school a record of each time the parent’s child checks out or otherwise uses outside the school library a library material.

The law does not specify the method of provision, or the specific technology to be used. Email notification is not specifically required. The phrasing “provide... a record of each time” suggests that requirement could be satisfied by a log or history accessible within the system for parents to view, rather than requiring an active push notification via email for every single check-out.

However, districts will determine how they will comply with this requirement based on their technology and interpretation of the new law.

Can parents opt-out of receiving notice each time their child checks out a book?

SB 13 does not require email notification to parents each time their child checks out a book, therefore it does not contain any language allowing parents to “opt-out” of email notification. Discuss operational issues such as this with your district administration and legal counsel.

What information must be included in parent notifications?

SB 13 requires that parents have access to a record of material their child checks out; the record must include the title, author, genre, and return date of the library material.

Can you clarify what “otherwise uses outside of the school library” means when providing parents a record of when their child checks out library material?

SB 13 does not describe in detail what uses could be outside a library without a student having checked out the materials. If students do not remove library catalog materials without checking them out in your district, this provision may not be one you need to address.

Book Challenges and Reconsideration Process

If someone challenges many books at once, say a list of 80 books, does the committee have to have all of the books reviewed within 90 days?

SB 13 does not address whether it is permissible to “stack” the 90-day response time. Under the new law, the board of trustees shall take action on a written challenge either: (1) at the first open meeting of the board held after the 90th day after the date on which the school district receives a written challenge; or (2) in a district with a SLAC, the first meeting after the SLAC makes its recommendation, which it must do within 90 days. In a district without a SLAC, if another district decision maker makes a decision, the board must consider any appeal at the first open meeting of the board held after the date the appeal is filed.

Are districts required to have a library materials review committee appointed by the school board for all reconsideration requests? OR can administrators continue to appoint reconsideration committees?

Districts are not required to have a library materials review committee for all reconsideration requests. Districts that do not have a School Library Advisory Committee may appoint a reconsideration committee, but that committee must comply with the public meeting requirements in SB 13.

Digital Content and Programs

Does SB 13 affect programs like Sora or Learning Ally? How do we send "check-out" records to parents in those programs?

Library mobile applications must follow collection development standards. Districts should communicate with vendors about compliance. Discuss operational issues such as this with your district administration and legal counsel.

Other Library Programs and Events

Does SB 13 apply to school events that involve book giveaways — for example, where literacy organizations or other donors provide books for students to take home?

If the books are not purchased by the district to be included in the school library catalog, they are not subject to SB 13 requirements. Discuss operational issues such as this with your district administration and legal counsel.

Does SB 13 affect book fairs held at school?

Because students are purchasing books from the book fair for their personal use, and not to add to the school library catalog, books included in the book fair do not have to go through the acquisition process.

However, if the district purchases books from the book fair using district funds or “reward” funds from the book fair which will be added to the school library catalog, those books must be posted for public comment and are subject to board approval.

Are books in the Little Free Libraries that we have on campus bound by SB13?

If the books are not purchased by the district to be included in the school library catalog, they are not subject to SB 13 requirements. Discuss operational issues such as this with your district administration and legal counsel.