

Challenges to Library, Media, and Other Supplemental
Materials

[ISBA Code: 5051]

The Board supports teachers, librarians, media specialists, media aides, and administrators in selecting books and other materials making them available in schools.

The final decision on controversial reading material rests with the Board after careful examination and discussion of the instructional materials with school officials and/or other individuals the Board may wish to consult. No parent or group of parents has the right to determine the reading matter for students other than their own children. The Board recognizes the right of an individual parent to request that his or her child not have to read given instructional materials, provided a written request is made to the appropriate building principal.

Procedures For Removal of Library, Media, and/or Other Supplemental Materials

Parents or guardians, having custody of any student enrolled in the school corporation or a community member who lives within the school corporation boundaries may request that the removal of library, media, and other supplemental instructional materials on the basis the materials are obscene or harmful to minors as defined in Indiana law according to the following procedures:

1. A person having a concern about the use of library, media, and/or other instructional materials should first discuss the concern with the school librarian, media specialist, or media clerk.
2. If the individual is not satisfied after the discussion with the school librarian/media specialist/media aide, the individual should contact the building principal to discuss the matter.
3. If the individual is not satisfied after talking with the building principal, the individual may further the inquiry for a removal of the material in question by completing a Challenge to Library, Media, and/or Other Supplemental Materials form available in any school office and submitting it to the building principal.
4. Upon receipt of the completed form, the building principal shall request a review of the challenged material by a review committee within fifteen working days. The challenged material shall remain in use during the review process.
5. The building principal shall appoint the review committee and shall include but is not limited to a media professional, a classroom teacher, and a parent. For materials at the middle or high school level, a student representative may also be appointed.
6. The review committee shall take the following steps after receiving the challenged materials:
 - a. Read, view, or listen to the material in its entirety.
 - b. Review the definition of obscene and harmful to minors as defined in the Indiana criminal code.
 - c. Judge the material as a whole and not in part in determining whether the material meets the definition of obscene and/or harmful to minors.
8. The review committee shall make a written determination as to whether the material is obscene and/or harmful to minors and should be removed from the school library. The review

committee's written determination shall be given to the building principal, the superintendent, and the person who made the request to remove the materials.

9. The person requesting the removal of the materials has the right to appeal the review committee's decision to the school board. The appeal must be in writing to the superintendent within ten days of the receipt of the review committee's determination.
10. The Board shall determine based upon the findings of the review committee whether to retain or remove the challenged material at its next public business meeting after receiving the appeal. The board may also consider other resources in making its determination.

No new complaint may be filed involving materials already reviewed for two years after the date of the recommendation.

Legal Reference: IC 20-26-5.5-1(a)
IC 35-49-2-1
IC 35-49-2-2

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