

Board Information Item

Information Packet	Board Agenda Information	Board Agenda Action	Board Agenda Consent
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08/22/2022

Subject: Act on New Board Policy EFA(LOCAL), Instructional Resources, New Board Policy EFB(LOCAL), Library Materials, Revised Board Policies FNAA(LOCAL), Distribution of Non-School Literature by Students, and GKDA(LOCAL), Distribution of Non-School Literature by Others and Repeal Board Policy EF(LOCAL); Act on New or Revised Board Policies AIB(LOCAL), Performance Reporting, BBB(LOCAL), Board Member Elections, CLA(LOCAL), Use of Bathrooms and Changing Facilities, EMB(LOCAL), Teaching About Controversial Issues, and FM(LOCAL), Student Participation in UIL Activities

Contact Person: Paula Barbaroux, Chief Operations Officer

Policy/Code: AIB(LEGAL), CLA(LEGAL), EFA(LEGAL), EF(LOCAL), EFA(LOCAL), EFB(LEGAL), EFB(LOCAL), EMB(LEGAL), EMB(LOCAL), FM(LEGAL), FM(LOCAL), FNAA (LEGAL), FNAA (LOCAL), GKDA(LEGAL), and GKDA(LOCAL)

Board Goal: LEAD 2.0 Goal 2 – Design learning environments that support social and emotional well-being.

LEAD 2.0 Goal 4 – Effectively communicate with targeted audiences.

Summary: Instructional Resources, Library Books, and Library Digital Resources
On April 11, 2022, the Texas Education Agency (TEA) promulgated a new policy for school districts to consider in regard to the selection and approval of library materials. With library materials addressed in a new standalone policy, the District then also considered a separate policy for instructional resources. In response to our parents and community, this

resulted in changes to the selection and approval of instructional resources that are used as part of the District's curriculum management plan. With the adoption of these new policies, the District would no longer need existing Board Policy EF(LOCAL), therefore, the recommendation is to repeal that policy in favor of the two new policies.

Over the course of several months, the administration worked with the Board appointed Policy Ad Hoc Committee, the District's internal policy review committee, and the District's legal counsel. The culmination of that work is the policies that are being proposed. These policies provide clear and specific standards for campus administration and teaching staff, other District staff in related roles, as well any third-party that is hired by the District to provide instruction to District students or staff or that would provide instructional or library resources and materials to the District.

The new policy for instructional resources outlines the objectives for instructional resources used in the District, and addresses selection criteria, handling of controversial issues, the definition of prohibited materials based on the Texas Penal Code's definition of harmful materials, board member review, challenge procedures, and the routine review and removal of instructional resources.

The new policy for library materials outlines the objectives for library materials, including digital resources, and addresses avoiding inappropriate material, selection criteria, selection procedures, acquisition procedures, board member review, challenge procedures, gifts and donations, and the routine review and removal of library materials.

Both policies provide for transparent processes and set clear standards.

In accordance with these new policies, existing Board Policies FNAA(LOCAL) on the distribution of non-school literature by students and GKDA(LOCAL) on the distribution of non-school literature by others on District premises must also be updated. This is to reflect and align with the standards and expectations of new policies EFA(LOCAL) and EFB(LOCAL).

Supportive Learning Environment

In response to our parents and community, the District also embarked on review and consideration of other policies that

would assure the District has a student-centered and supportive learning environment. Over the course of several months, the administration has worked with the Board appointed Policy Ad Hoc Committee, the District's internal policy review committee, and the District's legal counsel. The culmination of that work is the policies that are being proposed. These policies provide clear and specific standards for campus administration and teaching staff, other District staff working with students, as well any third-party that is hired by the District to provide instruction to District students or staff or that otherwise work with District students.

Two of the policies are new policies and the others are existing policies that have been revised. The new policies are:

- AIB(LOCAL) on performance reporting to address the subject of equity audits; and
- CLA(LOCAL) on the use of District bathrooms and changing facilities.

The remaining policies are proposed with additions and changes. The revised policies are:

- EMB(LOCAL) on teaching about controversial issues; and
- FM(LOCAL) on student participation in UIL activities.

These policies include citations to laws to establish their basis and they provide transparent and clear standards for District staff on several topics.

Attachments:

New Board Policies EFA(LOCAL), Instructional Resources & EFB(LOCAL), Library Materials

Revised Board Policies FNAA(LOCAL) & GKDA(LOCAL), Distribution of Non-School Literature

New Board Policies AIB(LOCAL), Performance Reporting, CLA(LOCAL), Use of Bathrooms and Changing Facilities

Revised Board Policies EMB(LOCAL), Teaching About Controversial Issues and FM(LOCAL), Student Participation in UIL Activities

Recommendation:

The recommendation is for the Board of Trustees to approve new Board Policy AIB(LOCAL) on performance reporting; new Board Policy CLA(LOCAL) on the use of bathrooms and changing facilities; new Board Policy EFA(LOCAL), on instructional resources; new Board Policy EFB(LOCAL), on

library materials; repeal Board Policy EF(LOCAL); and approve updates and changes to EMB(LOCAL) on teaching about controversial issues; FM(LOCAL) on student participation in UIL activities; FNAA(LOCAL) on distribution on non-school literature by students; and GKDA(LOCAL) on distribution of non-school literature by others.

Note: For information related to the accounting of instructional materials, as this term is defined by state law and rule, see CMD.

For information related to the selection process of library materials, see EFB(LOCAL).

The District shall provide instructional materials designed to teach the Texas Essential Knowledge and Skills and further the District's educational mission. Although the Superintendent shall ensure that professional staff select instructional materials in accordance with District policy and administrative regulations, the ultimate authority for determining and approving the curriculum and instructional program of the District lies with the Board.

Objectives

In this policy, "instructional materials" may include, but is not limited to, textbooks, workbooks, supplementary resources for classroom use, any combination of textbook, workbook, and supplementary materials, as well as any other instructional resources, including all media, writings, drawings, graphs, charts, photographs, pictures, film, videotapes, sound recordings, images, data, and data compilations of any kind, electronic resources, such as computer software, magnetic media, DVD, CD-ROM, computer courseware, on-line services, or an electronic media or other means of conveying information to students or otherwise contributing to the learning process through electronic means, that are used for formal or informal teaching and learning purposes. The primary objectives of instructional materials are to implement, enrich, and support the District's educational program.

The Board shall rely on District professional staff to select and acquire instructional materials that:

1. Enrich and support the curriculum, taking into consideration students' varied interests, abilities, learning styles, developmental levels, and maturity levels.
2. Stimulate growth in factual knowledge, enjoyment of reading, literary appreciation, aesthetic values, and societal standards.
3. Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgements in their daily lives. [See also EMB regarding instruction about controversial issues.]

4. Representing many ethnic, religious, and cultural groups and their contributions to the national heritage and world community.
5. Provide a wide range of background information that will enable students to make intelligent judgments in their daily lives.

Selection Criteria

Instructional materials that are textbooks, workbooks, and related supplemental materials shall be chosen from the list of resources adopted by the State Board of Education in accordance with administrative regulations and the objectives above.

In the selection of instructional resources, whether such selection is recommended or performed by District professional staff, administrators, teachers, staff members, employees (full or part-time), contractors, contract workers, supervisors, assistants, parent volunteers, agents, trustees, vendors, or any individual or group acting on behalf of the District, all listed individuals shall ensure that the resources:

1. Enrich and support the curriculum consistent with the general educational goals of the state and District, the aims and objectives of individual schools and specific courses, and the District and campus improvement plans.
2. Are appropriate for the subject area and for the age, ability level, learning styles, interests, and social and emotional development of the students for whom they are selected.
3. Meet high standards for artistic quality, literary style, authenticity, educational significance, factual content, physical format, presentation, readability, and technical quality.
4. Are designed to help students gain an awareness of our pluralistic society.
5. Are designed to provide information that will motivate students and staff to examine their own attitudes and behavior; to understand their duties, responsibilities, rights, and privileges as citizens participating in our society; and to make informed choices in their daily lives.
6. Are viewed as a whole and are not excluded because of isolated passages or illustrations, language, and the like, being taken out of context.
7. Promote literacy.
8. Balance cost with need.

9. For nonfiction resources, incorporate accurate and authentic factual content from authoritative sources.
10. To the extent possible while ensuring instruction in the TEKS, are designed to develop each student’s civil knowledge, including:
 - a. An understanding of (i) the fundamental moral, political, and intellectual foundations of the American experiment in self-government; (ii) the history, qualities, traditions, and features of civic engagement in the United States; (iii) the structure, function, and processes of government institutions at the federal, state, and local levels; and (iv) the founding documents of the United States.
 - b. The ability to (i) analyze and determine the reliability of information sources; (ii) formulate and articulate reasoned positions; (iii) understand the manner in which local, state, and federal government works and operates through the use of simulations and models of governmental and democratic processes; (iv) actively listen and engage in civil discourse, including discourse with those with different viewpoints, and (v) participate as a citizen in a constitutional democracy by voting; and
 - c. An appreciation of (i) the importance and responsibility of participating in civic life; (ii) a commitment to the United States and its form of government; and (iii) a commitment to free speech and civil discourse.
11. When providing instruction regarding the founding documents of the United States, these shall be presented appropriately for the grade level, and in an objective, neutral, comprehensive and unbiased manner that respects the entirety of the document. The founding documents of the United States include the Declaration of Independence; the United States Constitution; the Federalist Papers, including the Essays 10 and 51; excerpts from Alexis de Tocqueville’s Democracy in America; the transcript of the first Lincoln-Douglas debate; the writings of the founding fathers of the United States; Frederick Douglass’s speeches “The Meaning of July Fourth for the Negro” and “What the Black Man Wants”; and Martin Luther King Jr.’s speech “I have a Dream”.

Administrators, teachers, other District personnel, parents, community members, and other individuals listed in this section, as appropriate, may recommend instructional materials for selection. Gifts of instructional materials shall be evaluated according to these criteria and accepted or rejected in accordance with CDC(LOCAL).

Selection of instructional materials is an ongoing process that includes the removal of materials no longer appropriate and the periodic replacement or repair of materials that still have educational value.

Controversial Issues

District professional staff shall endeavor to maintain a balanced collection representing various views when selecting instructional resources on controversial issues. Resources shall be chosen to clarify historical and contemporary forces by presenting and analyzing intergroup tension and conflict objectively, placing emphasis on recognizing and understanding social and economic problems. [See also EMB regarding instruction about controversial issues and EHAA regarding human sexuality instruction.]

Prohibited Materials

Instructional materials that are pervasively vulgar, obscene¹, or that adopt, support, or promote subject matter that has been prohibited by law or by the District, including any such instructional resources described in EMB(LOCAL) are Prohibited Materials.

Prohibited Materials shall not be used, introduced, or provided to any students in any District school or otherwise.

For purposes of this policy, and in accordance with Texas Penal Code 43.21, "obscene" means materials or a performance that: (A) the average person, applying contemporary community standards, would find that taken as a whole appeals to the prurient interest in sex; (B) depicts or describes: (i) patently offensive representations or description of ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, sodomy, and sexual bestiality; or (ii) patently offensive representations or descriptions of masturbation, excretory functions, sadism, masochism, lewd exhibition of the genitals, the male or female genitals in a state of sexual stimulation or arousal, covered male genitals in a discernibly turgid state or a device designed and marketed as useful primarily for stimulation of the human genital organs; and (C) taken as a whole, lacks serious literary, artistic, political, and scientific value.

Although the Board will rely on the District's professional staff to select and acquire instructional materials used in the District's educational program, the Board reserves the right to determine, in an open meeting that complies with the Texas Open Meetings Act, those instructional materials that are obscene or should otherwise be classified as Prohibited Materials.

On an annual basis, and as otherwise necessary as determined by the Board in its sole discretion, any and all instructional materials

¹ As that term is defined in Texas Penal Code §43.21

that address or contain human sexuality and/or nudity, sexually explicit acts, or graphic presentations of sexual behavior and sexually transmitted diseases arising out of such behavior, that the District intends to use in any manner as instructional resources, shall first be presented to the Board in an open meeting in accordance with the Texas Open Meetings Act. During the open meeting, the Administration shall inform parents, legal guardians, and the Board regarding the educational value of, and the reasoning behind, the use and selection of the materials as instructional resources. The Board shall vote on (1) whether to include or exclude the materials as instructional resources, and (2) whether to characterize such materials as Prohibited Materials. If the Board elects to include the materials as instructional materials and to characterize them as Prohibited Materials, this shall be an exception to the general rule forbidding Prohibited Materials from being used, introduced, or provided to any students in any District school or otherwise

Any and all materials that the Board has specifically voted to include or exclude from the District's available instructional materials or resources shall be posted on the District's website and maintained in a searchable database that allows District personnel and the public to review detailed information concerning the materials including:

- a. the identity of the included or excluded materials;
- b. the Administration's position regarding the educational value of, and reasoning behind, the proposed use and selection of the materials;
- c. how each of the materials is being utilized by the District and at which campuses and classrooms the materials are available to students; and
- d. the vote of the Board.

Challenged Resources

A parent of a District student, a student who is 18 years of age or older, an individual employee, or any District resident may challenge an instructional material used in the District's educational program on the basis that the instructional material fails to meet the standards set forth in this policy.

Guiding Principles

The following principles shall guide the Board and staff in responding to challenges of instructional materials:

1. A complainant may raise an objection to an instructional material used in a school's educational program, despite the fact that the professional staff selecting the materials were qualified to make the selection, followed the proper procedure, and

adhered to the objectives for instructional materials set out in this policy.

2. A parent's ability to exercise control over instruction (to include reading, listening, or viewing material) extends only to his or her own child as set forth in Education Code Chapter 26.
3. Access to a challenged material shall not be restricted during the reconsideration process, except the District may deny access to a child if requested by the child's parent.

The major criterion for the final decision on challenged instructional materials is the appropriateness of the material for its intended educational use. No challenged instructional material shall be removed solely because of the ideas expressed therein.

Informal
Reconsideration

When the District or a campus receives an objection to the appropriateness of an instructional material, the appropriate campus or District administrator shall try to resolve the matter informally. The administrator shall explain the selection process, the criteria for selection, and the qualifications of the professional staff who selected the questioned resource. The administrator shall explain and discuss the intended educational purpose for the instructional material and any additional information regarding its use. If appropriate, the administrator may offer a concerned parent an alternative instructional material to be used by that parent's child in place of the challenged material.

If the complainant wishes to make a formal challenge, the administrator shall provide the complainant a copy of this policy and a form (Instructional Materials Reconsideration Form) to request a formal reconsideration of the instructional material.

Formal
Reconsideration

A complainant shall make any formal challenge to an instructional material on the form provided by the District and shall submit the completed and signed form to the campus principal. Upon receipt of the form, the campus principal shall appoint a reconsideration committee within ten business days.

The total voting membership of the reconsideration committee shall be an uneven number. The complainant shall not be a member of the committee, but the complainant's written submission shall be thoughtfully considered by the committee. The committee shall include at least one member of the instructional staff who has experience using the challenged material with students or is familiar with the challenged material's content. Other members of the committee may include District-level staff, secondary-level students, parents, and any other appropriate individuals.

All members of the committee shall review the challenged instructional material in its entirety. As soon as reasonably possible, the committee shall meet and determine whether the challenged material conforms to the principles of selection set out in this policy and whether the challenged material will continue to be used in the educational program. The committee shall prepare a written report of its findings. The Superintendent, other appropriate administrators, and the complainant shall receive copies of the report.

*Frequency of
Review*

After an instructional material has been reviewed through formal reconsideration, it shall not be reviewed again until it is evaluated in the periodic local selection process.

Appeal

The complainant may appeal the decision of the reconsideration committee in accordance with appropriate complaint policies, starting at the appropriate level. [See DGBA, FNG, and GF]

Definitions

Instructional materials are defined by Education Code 31.002 as content that conveys the essential knowledge and skills of a subject in the public school curriculum through a medium or a combination of media for conveying information to students. [See EFA]

For purposes of this policy, library materials, whether held in a District formal school library or in a classroom, are defined as electronic, print, and nonprint resources, excluding textbooks, for independent use by students and faculty outside of the District's educational program. Electronic resources include all media, writings, drawings, graphs, charts, photographs, pictures, film, videotapes, sound recordings, images, data, and data compilations of any kind, computer software, magnetic media, DVD, CD-ROM, computer courseware, on-line services, or an electronic media or other means of conveying information to students or otherwise contributing to the learning process through electronic means.

While instructional materials and library materials are both considered instructional resources, they are not the same, and the terms shall not be used interchangeably.

Library Materials

A list of all library materials, including the classroom library, shall be posted on the District's website and the content of all library materials readily available for review during reasonable hours as specified by the District.

Objectives

Since school and classroom libraries are viewed as places for voluntary inquiry, library materials must be treated differently from instructional materials used in classroom instruction. This policy provides criteria for the selection, removal, and replacement of library materials, focused on maximizing transparency with parents and community members while meeting student needs to provide supplemental enrichment in their learning with appropriate materials. Through the provision of these library materials, the District shall recognize that parents hold an essential role in the education of their children and have the right to guide what their children read.

The District shall apply the standards, dimensions, and expectations as defined by rule 13 Administrative Code 4.1 [see EFB(LEGAL)], and any related guidance including the Texas State Library and Archives Commission's (TSLAC's) [Guidance for School Libraries on Collection Development](#),¹ as well as the [School Library Programs: Standards and Guidelines for Texas](#),² to evaluate and set goals for the school library collection in alignment with Board-approved policies and procedures.

**Avoiding
Inappropriate
Material**

In addition to the above criteria for selection, all material should be appropriate for students. Penal Code 43.24(a)(2) describes harmful material as material whose dominant theme taken as a whole:

1. Appeals to the prurient interest of a minor, in sex, nudity, or excretion;
2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and
3. Is utterly without redeeming social value for minors.

It is an offense in Texas to distribute this material in violation of Penal Code 43.24(b). No library material shall be used if it contains content that can meet the harmful material standard restated above. Finally, collection development policies must demonstrate a commitment to compliance with the Children's Internet Protection Act (CIPA) as specified in 47 U.S.C. 254(h)(5), including technology protection measures. [See CQ]

District Personnel and Agents

District Personnel and Agents, as used herein, shall include and refer to teachers, administrators, staff members, employees (full or part-time), contractors, contract workers, supervisors or groups operating on the District's behalf or with the District's educational programs or activities.

Prohibited Materials

Library materials that are pervasively vulgar, obscene, or that adopt, support, or promote subject matter that has been prohibited by law or by the District, including any such instructional resources described in EMB(LOCAL) are Prohibited Materials.

District Personnel and Agents shall not use, introduce, or provide Prohibited Materials to any students.

Prohibited Materials shall be placed and kept solely and exclusively in an isolated and safeguarded section of the corresponding campus or District library facilities (hereinafter "Parental Consent Area"). This includes materials or resources that an administrator, teacher, library media specialist, or other District personnel may allow a student to borrow even if privately owned or curated.

Prior to providing any student access to the Parental Consent Area, a student's parent or legal guardian, or eligible student, shall provide the District with written consent. Such written consent shall permit student's access to the Parental Consent Area through the final day of instruction for the commencing or current school year, including summer instruction, but may be revoked, in writing, at any time. All written consents received by the District shall be independently verified through an in-person meeting or direct telephonic communication between the parent or legal guardian and a designated District representative.

For purposes of this policy, and in accordance with Texas Penal Code 43.21, "obscene" means materials or a performance that: (A) the average person, applying contemporary community standards, would find that taken as a whole appeals to the prurient interest in sex; (B) depicts or describes: (i) patently offensive representations or description of ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, sodomy, and sexual bestiality; or (ii) patently offensive representations or descriptions of masturbation, excretory functions, sadism, masochism, lewd exhibition of the genitals, the male or female genitals in a state of sexual stimulation or arousal, covered male genitals in a discernibly turgid state or a device designed and marketed as useful primarily for stimulation of the human genital organs; and (C) taken as a whole, lacks serious literary, artistic, political, and scientific value.

Responsibility for Selection

The legal responsibility for the purchase of all library materials is vested in the Board. Recommendations for new material ("New Acquisitions") and reorders of existing materials ("Reorders") shall be compiled by the District-level library supervisor or similar administrator designated by the Superintendent. This individual, with the assistance of other school personnel, shall discharge this obligation consistent with the Board's adopted selection criteria and procedures. While the Administration's recommendation for library acquisitions may be presented as a single list, the Board may consider and act on the recommendation in whole or in parts at their discretion.

Criteria for Selection

The District-level library supervisor or designated administrator shall work cooperatively with library staff, faculty, and the administration to interpret and guide the application of this policy in making selections.

Each item selected shall:

1. Enrich and support the curriculum consistent with the general educational goals of the state and District, the aims and objectives of individual schools and specific courses, and the District and campus improvement plans.
2. Are appropriate for the subject area and for the age, ability level, learning styles, interests, and social and emotional development of the students for whom they are selected.
3. Meet high standards for artistic quality, literary style, authenticity, educational significance, factual content, physical format, presentation, readability, and technical quality.
4. Are designed to help students gain an awareness of our pluralistic society.

5. Are designed to provide information that will motivate students and staff to examine their own attitudes and behavior; to understand their duties, responsibilities, rights, and privileges as citizens participating in our society; and to make informed choices in their daily lives.
6. Are viewed as a whole and are not excluded because of isolated passages or illustrations, language, and the like, being taken out of context.
7. Promote literacy.
8. Balance cost with need.
9. For nonfiction resources, incorporate accurate and authentic factual content from authoritative sources.
10. Earn favorable reviews in standard reviewing sources and/or favorable recommendations based on preview and examination of materials by professional personnel.
11. To the extent possible while ensuring instruction in the TEKS, are designed to develop each student's civil knowledge, including:
 - a. An understanding of (i) the fundamental moral, political, and intellectual foundations of the American experiment in self-government; (ii) the history, qualities, traditions, and features of civic engagement in the United States; (iii) the structure, function, and processes of government institutions at the federal, state, and local levels; and (iv) the founding documents of the United States.
 - b. The ability to (i) analyze and determine the reliability of information sources; (ii) formulate and articulate reasoned positions; (iii) understand the manner in which local, state, and federal government works and operates through the use of simulations and models of governmental and democratic processes; (iv) actively listen and engage in civil discourse, including discourse with those with different viewpoints, and (v) participate as a citizen in a constitutional democracy by voting; and
 - c. An appreciation of (i) the importance and responsibility of participating in civic life; (ii) a commitment to the United States and its form of government; and (iii) a commitment to free speech and civil discourse.
12. When providing instruction regarding the founding documents of the United States, these shall be presented appropriately

for the grade level, and in an objective, neutral, comprehensive and unbiased manner that respects the entirety of the document. The founding documents of the United States include the Declaration of Independence; the United States Constitution; the Federalist Papers, including the Essays 10 and 51; excerpts from Alexis de Tocqueville's Democracy in America; the transcript of the first Lincoln-Douglas debate; the writings of the founding fathers of the United States; Frederick Douglass's speeches "The Meaning of July Fourth for the Negro" and "What the Black Man Wants"; and Martin Luther King Jr.'s speech "I have a Dream".

In addition to the above criteria, fiction, narrative nonfiction (memoirs and biographies), and graphic novels must each meet the following selection criteria, with the District determining that such materials:

1. Are integral or supplemental to the instructional program.
2. Support the District's literacy initiatives.
3. Reflect the interests and needs of the students and faculty.
4. Are appropriate for the reading levels and understanding of students.
5. Are included because of their literary or artistic value and merit.
6. If narrative nonfiction, present information with the greatest degree of accuracy and clarity.

**Acquisition
Procedures**

The District-level library supervisor or designated administrator shall select material for consideration by the Board based on their own expertise and solicit recommendations from others. Recommendations for library acquisitions shall involve administrators, librarians, teachers, other District employees, parents, students, and or members of the public, as appropriate. No library material shall be selected for inclusion unless recommended by one of the individuals listed above. By recommending a library material for inclusion, the individual confirms they have read the material. If more support and/or resources are needed for this review, the Board may approve the engagement of a cooperative of other Texas public schools and rely upon the recommendation of that cooperative.

Selection of materials is an ongoing process that includes the removal of collections deemed by the Board or its delegates to be no longer appropriate and the periodic replacement or repair of materials still of educational value. [For the applicable process see Routine Review near the end of this policy.]

The District-level library supervisor or designee shall be solely responsible for compiling recommendations and the Superintendent for presentation of the Administration's recommendation for library materials acquisition to the Board for consideration. No recommendations made directly to the Board by District campuses, departments, employees, students, or members of the public shall be considered for acquisition.

For New Acquisitions and Reorders, the District-level librarian or designee shall submit a list of Proposed New Acquisitions to the Superintendent for recommendation to the Board. Each Board Member shall receive the list of Proposed New Acquisitions at least thirty days prior to consideration by the Board.

To ensure parental engagement, the District shall post online on the District's website, on a readily available page, the selection process of library materials for parental review along with a list of all current library materials, and the content of all materials shall be available for direct review during reasonable hours as specified by the District.

Individual Board
Member Review

If any Board member questions or desires further information on any proposed new acquisition, whether title or author, he or she shall contact the Superintendent at least 15 days before consideration by the Board. The Superintendent or designee shall then contact the District-level library supervisor to obtain copies of professional reviews of any library material in question. Until approved by the Board, the District may not acquire any proposed New Acquisitions, even for the purpose of Board review.

Board Action

The order for library materials in its entirety, including any materials in question by individual Board members, shall be presented to the Board following a 30-day review period.

Upon request by a Board member, specific books shall be pulled from the recommended list for individual consideration. The Board shall consider and vote on the recommended list along with any books pulled for individual consideration. After Board approval, the final list of Board approved library materials shall be processed for order. As the library materials are received, they shall be checked against a master list of materials ordered.

A list of all library materials recommended for acquisition shall be posted on the District's website. Following the Board vote, all library materials approved for acquisition shall be added to the District's website list of library materials. Materials individually considered by the Board or rejected for acquisition shall be clearly indicated on the list.

Digital Library The selection and acquisition of the digital library collection shall follow the same policies and procedures as the physical library collection. The District shall ensure that the method by which students access the digital library will allow students only to access age/grade-appropriate content. The curator shall apply content access levels by consulting the peer-reviewed recommended age grade span groups, District librarians, and educators. Access levels shall be applied as follows (with some exceptions for students in ASPIRE courses that require written parent permission):

Grade Span	Content Access Level
Pre-K–5	Juvenile
6–8	Middle School
9–12	High School

Challenged Resources A parent of a District student or any District resident may formally challenge library materials on the basis that it fails to meet the standards set forth in this policy.

- Guiding Principles
1. A complainant may raise an objection to a library material, despite the fact that the professional staff selecting the materials were qualified to make the selection, followed the proper procedure, and adhered to the objectives and criteria for library materials set out in this policy.
 2. A parent’s ability to exercise control over instruction and instructional resources, including library materials, extends only to his or her own child as set forth in Education Code Chapter 26.
 3. Access to a challenged material shall not be restricted during the reconsideration process, except the District may deny access to a child if requested by the child’s parent.

Informal Reconsideration The school receiving a complaint about the appropriateness of a library material shall try to resolve the matter informally through a telephone conference or meeting between the complainant and the school librarian, designated campus administrator, or District-level library supervisor. The conference may also include other staff members as deemed appropriate by District-level library personnel.

Formal Reconsideration If the complainant wishes to file a formal request for reconsideration, a copy of the “Request for Reconsideration of Library Materials” form shall be provided to the complainant by the campus administrator. The following shall apply:

1. All formal concerns regarding library materials shall be submitted on the form provided by the District which shall be

completed and signed by the complainant and submitted to the campus administrator.

2. The campus administrator shall appoint a designee to facilitate the reconsideration committee process and said designee shall appoint the reconsideration committee within ten business days, of the form being submitted to the District, that shall review the challenged material and determine whether it conforms to the principles of selection set out in this policy.
3. The reconsideration committee shall not exceed seven individuals but must be at least three individuals and shall always be composed of an uneven number of individuals. The reconsideration committee must include more community members than District Personnel but must include campus-level professional staff, including at least one member who has experience using the challenged resource with students or is familiar with the content of the challenged material. The campus principal shall chair the committee.
4. The complainant shall not be a member of the committee, but the complainant's written submission shall be thoughtfully considered by the committee.
5. Prior to the committee meeting, each voting committee member shall read a copy of the library material in question.
6. The committee shall review all items on the Checklist for Reconsideration of Library Materials.
7. After working through the checklist for reconsideration of library materials and any deliberations the committee feels necessary, committee members shall vote on the disposition of the library material being considered. The committee's decision shall be by majority of the votes.
8. The committee may decide the challenged library material should be removed at all levels, remain at all levels, or remain but restricted to specified content access level(s): Juvenile, Middle School, and/or High School.

The major criterion for the final decision on challenged library material is the appropriateness of the resource for its intended educational use. The plurality opinion in *Board of Education v. Pico* [see EF(LEGAL)] articulates the standard that no challenged instructional resource shall be removed solely because of the ideas expressed therein. The opinion allows the removal of materials because they are pervasively vulgar or based upon the lack of educational suitability of the library material. Further, making a de-

termination of appropriateness shall include a review of and compliance with 47 U.S.C. 254(h)(5) and Penal Code 43.24(a)(2) and (b).

When the committee has reached a decision, the campus administrator shall notify the complainant. The decision shall be in written form, dated, and provided to the complainant within ten District business days of the committee's meeting. All other appropriate staff members shall be informed of the reconsideration committee's decision.

A specific library material that completes the formal challenge process and remains in the library shall not be again reconsidered within one year of the final determination, and any material removed shall not be eligible for consideration to be added again for at least ten years. The District shall verify previous decisions prior to convening a reconsideration committee.

Appeal of
Reconsideration
Committee

The complainant may appeal the decision of the reconsideration committee by filing the appropriate District grievance form. [See FNG and GF]

**Opportunity for
Parent Review**

In recognizing that parents hold an essential role in the education of their children and have the right to guide what their children read, each library shall maintain a list of materials on the school library website that shows what is currently in the library and what has been recommended for acquisition. The District-level library supervisor or designee, shall offer a "Parent Preview" of the list of materials recommended for acquisition no later than 25 calendar days before the Board's consideration of proposed New Acquisitions and Reorders. Parent Previews shall be announced via campus and District social media platforms. Audio-visual materials are to be made available to parents for in-person review, upon request, on the same basis as printed materials.

**Other Parental
Considerations**

In school libraries, students are afforded the opportunity to self-select texts as part of literacy development. While librarians are trained in selecting materials in accordance with Board policy and the outlined selection criteria and may provide guidance to students in selecting texts, the ultimate determination of appropriateness lies with the student and parent.

School librarians, or designated campus administrators, are to encourage parents to share any considerations regarding their students' book selections. Parents may contact the campus librarian directly and/or complete an online form for parent directed library book opt-out decisions. School librarians shall accommodate individual requests by parents, within reason and where possible,

which may include restricting specific titles or books for their student.

Criteria for Gifts and Donations

Gifts and donations to the school library or classroom libraries are accepted or rejected with the understanding that the decision for use and disposition of the materials and/or funds will be determined using the same selection criteria as purchased materials. All materials should support the curriculum and needs of library users. Gifts and donations, like purchased resources, shall be removed from the collection at the end of their useful life. Gifts and donations shall be subject to the acquisition policy and process for approval before including in the school library collection or in a classroom library. [See CDC]

Book Fairs

Campuses will host book fairs from time to time. All materials at the book fair should meet all requirements and standards as outlined in this policy. If library material is donated to the campus through the book fair, the library material will be treated as a gift and all requirements of this policy regarding acquisition, review, and removal of such gift shall be followed.

Routine Review and Removal of Materials

Every year, the District-level library supervisor shall collaborate with campus library personnel and administration to conduct an inventory of the school library collection and equipment. The inventory can be used to determine losses and remove damaged or worn materials that can then be considered for replacement. The inventory can also be used to deselect and remove materials that are no longer relevant to the curriculum or of interest to students. Additionally, the District-level library supervisor shall develop a collection maintenance plan that includes systematic inspection of materials that would result in removing outdated, damaged, or irrelevant materials from the collection. All materials removed from the collection shall be disposed of in accordance with the District's property disposal procedures. [See C1] Incorporated into this routine review and removal of existing inventory, the District shall create an ongoing cycle to review content existing in circulation.

¹ TSLAC's Guidance for School Libraries on Collection Development: https://www.tsl.texas.gov/sites/default/files/public/tslac/agency/exec/TSLAC_Guidelines_for_SL_Collection_Development_2022.pdf

² School Library Programs: Standards and Guidelines for Texas: <https://www.tsl.texas.gov/ldn/schoollibrarystandards>

STUDENT EXPRESSION
DISTRIBUTION OF NONSCHOOL LITERATURE

FNA
(LOCAL)

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the District or by a District-affiliated school-support organization shall not be sold, circulated, distributed, or posted on any District premises by any District student, except in accordance with this policy.

The District shall not be responsible for, nor shall the District endorse, the contents of any nonschool literature distributed by students.

For purposes of this policy, "distribution" means the circulation of more than 10 copies of material from a source other than the District.

Materials distributed under the supervision of instructional personnel as a part of instruction or other authorized classroom activities shall not be considered nonschool literature and shall not be governed by this policy.

[For distribution of nonschool literature by nonstudents, see GKDA]

**Limitations on
Content**

Nonschool literature shall not be distributed by students on District property if:

1. [The materials constitute or promote Prohibited Materials as that term is defined herein or are otherwise inappropriate for the age and maturity of the audience.](#)
2. The materials endorse actions endangering the health or safety of students.
3. The materials promote illegal use of drugs, alcohol, or other controlled substances.
4. The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
5. The materials contain defamatory statements about public figures or others.
6. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
7. The materials are hate literature or similar publications that scurrilously attack ethnic, religious, or racial groups or contain content aimed at creating hostility and violence, and the materials would materially and substantially interfere with school activities or the rights of others.

STUDENT EXPRESSION
DISTRIBUTION OF NONSCHOOL LITERATURE

FNAA
(LOCAL)

8. There is reasonable cause to believe that distribution of the nonschool literature would result in material and substantial interference with school activities or the rights of others.

Prohibited Materials are materials that are pervasively vulgar, obscene, or adopt, support, or promote subject matter that has been prohibited by law or by the District, including any such instructional resources described in EMB(LOCAL). "Obscene" means materials or a performance that: (A) the average person, applying contemporary community standards, would find that taken as a whole appeals to the prurient interest in sex; (B) depicts or describes: (i) patently offensive representations or description of ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, sodomy, and sexual bestiality; or (ii) patently offensive representations or descriptions of masturbation, excretory functions, sadism, masochism, lewd exhibition of the genitals, the male or female genitals in a state of sexual stimulation or arousal, covered male genitals in a discernibly turgid state or a device designed and marketed as useful primarily for stimulation of the human genital organs; and (C) taken as a whole, lacks serious literary, artistic, political, and scientific value.

Prior Review

All nonschool literature intended for distribution by students on District premises shall be submitted to the school principal for prior review in accordance with the following:

1. Materials shall include the name of the person or organization sponsoring the distribution.
2. Using the standards found in this policy at Limitations on Content, the «S nonschool literature prior review posi» shall approve or reject submitted materials within two school days of the time the materials were received.

Exceptions to Prior Review

Prior review shall not be required for distribution of nonschool literature by District students only in the following circumstances:

1. Distribution of materials by a student to other attendees during a meeting of a noncurriculum-related student group authorized to meet at school during noninstructional time in accordance with FNAB(LOCAL); or
2. Distribution of nonschool materials in circumstances for which exceptions to prior review are authorized at GKDA(LOCAL).

Even when prior review is not required, all other provisions of this policy shall apply.

Time, Place, and Manner Restrictions

STUDENT EXPRESSION
DISTRIBUTION OF NONSCHOOL LITERATURE

FNA
(LOCAL)

The Superintendent shall designate times, locations, and means for distribution of nonschool literature by students at District facilities, in accordance with this policy.

Violations of Policy

Failure to comply with this policy regarding distribution of nonschool literature shall result in appropriate administrative action, including but not limited to confiscation of nonconforming materials, suspension of a noncurriculum-related student group's use of District facilities, and/or other disciplinary action in accordance with the Student Code of Conduct.

Appeals

Decisions made by the administration in accordance with this policy may be appealed in accordance with FNG(LOCAL).

NONSCHOOL USE OF SCHOOL FACILITIES
DISTRIBUTION OF NONSCHOOL LITERATURE

GKDA
(LOCAL)

**Distribution of
Nonschool Literature
Permitted**

Written or printed materials, handbills, photographs, pictures, films, tapes, or other visual or auditory materials not sponsored by the District or by a District-affiliated school-support organization, including materials otherwise restricted from dissemination, circulation, use, or posting under District policy (see e.g., EFA(LOCAL), EFB(LOCAL), and EMB(LOCAL)), shall not be sold, circulated, distributed, or posted on any District premises by any District employee or by persons or groups not associated with the District, except in accordance with this policy.

The District shall not be responsible for, nor shall the District endorse, the contents of any nonschool literature distributed on any District premises.

[See CPAB regarding use of the District's internal mail system and FNAA regarding distribution of nonschool literature by students]

**Limitations on
Content**

Nonschool literature shall not be distributed on District property if:

1. The materials constitute or promote Prohibited Materials as that term is defined herein or are otherwise inappropriate for the age and maturity of the audience.
2. The materials endorse actions endangering the health or safety of students.
3. The materials promote illegal use of drugs, alcohol, or other controlled substances.
4. The distribution of such materials would violate the intellectual property rights, privacy rights, or other rights of another person.
5. The materials contain defamatory statements about public figures or others.
6. The materials advocate imminent lawless or disruptive action and are likely to incite or produce such action.
7. The materials are hate literature or similar publications that scurrilously attack ethnic, religious, or racial groups or contain content aimed at creating hostility and violence, and the materials would materially and substantially interfere with school activities or the rights of others.
8. There is reasonable cause to believe that distribution of the nonschool literature would result in material and substantial interference with school activities or the rights of others.

Prohibited Materials are materials that are pervasively vulgar, obscene, or adopt, support, or promote subject matter that has been

NONSCHOOL USE OF SCHOOL FACILITIES
DISTRIBUTION OF NONSCHOOL LITERATURE

GKDA
(LOCAL)

prohibited by law or by the District, including any such instructional resources described in EMB(LOCAL). “**Obscene**” means materials or a performance that: (A) the average person, applying contemporary community standards, would find that taken as a whole appeals to the prurient interest in sex; (B) depicts or describes: (i) patently offensive representations or description of ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, sodomy, and sexual bestiality; or (ii) patently offensive representations or descriptions of masturbation, excretory functions, sadism, masochism, lewd exhibition of the genitals, the male or female genitals in a state of sexual stimulation or arousal, covered male genitals in a discernibly turgid state or a device designed and marketed as useful primarily for stimulation of the human genital organs; and (C) taken as a whole, lacks serious literary, artistic, political, and scientific value.

Prior Review

All nonschool literature intended for distribution on school campuses or other District premises under this policy shall be submitted to the principal of the school or the District’s director of communications for prior review in accordance with the following:

1. Materials shall include the name of the person or organization sponsoring the distribution.
2. Using the standards found in this policy at Limitations on Content, the principal of the school or the director of communications shall approve or reject submitted materials within five District business days of the time the materials were received.

Exceptions to Prior Review

Prior review shall not be required for distribution of nonschool literature in the following circumstances:

1. Distribution of materials by an attendee to other attendees at a school-sponsored meeting intended for adults and held after school hours;
2. Distribution of materials by an attendee to other attendees at a community group meeting held in accordance with GKDA (LOCAL) or a noncurriculum-related student group meeting held in accordance with FNAB(LOCAL); or
3. Distribution for electioneering purposes during the time a school facility is being used as a polling place in accordance with state law [see BBBA].

All nonschool literature distributed under these exceptions shall be removed from District property immediately following the event at which the materials were distributed.

NONSCHOOL USE OF SCHOOL FACILITIES
DISTRIBUTION OF NONSCHOOL LITERATURE

GKDA
(LOCAL)

Even when prior review is not required, all other provisions of this policy shall apply.

**Time, Place,
And Manner
Restrictions**

Each campus principal shall designate times, locations, and means by which nonschool literature that is appropriate for distribution, as provided in this policy, may be made available or distributed to students at the principal's campus.

Violations of Policy

Failure to comply with this policy regarding distribution of nonschool literature shall result in appropriate administrative action, including but not limited to confiscation of nonconforming materials and/or suspension of use of District facilities. Appropriate law enforcement officials may be called if a person refuses to comply with this policy or fails to leave the premises when asked. [See GKA]

Appeals

Decisions made by the administration in accordance with this policy may be appealed in accordance with the appropriate District complaint policy. [See DGBA or GF]

Equity Audits

District shall not, or permit others to, use any District resource, funds, property, or personnel to adopt, support, or promote Critical Race Theory or Systemic Discrimination Ideologies (or “CRT/SDI”) as those terms are described in EMB(LOCAL), including the use of so-called “equity audits” to collect, measure, and analyze data from and within the District except as required by state or federal law.

This includes , but is not limited to, District policies, programs, and practices that allegedly directly or indirectly impact students or any administrator, teacher, professional staff, employees (full or part-time), contractor, contract worker, supervisor, assistant, parent volunteer, agent, trustee, vendor, or any individual or group relative to their race, ethnicity, gender, national origin, color, disability, age, sexual orientation, gender identity, religion, or other socio-culturally significant factors.

Certain Instructional Requirements and Prohibitions

In accordance with Texas Education Code Section 28.0022(a)(4), the District, including its teachers and administrators, shall not:

1. require, make part of a course or training, or otherwise instruct employees or students that: (a) one race or sex is inherently superior to another race or sex; (b) an individual, by virtue of that individual’s race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (c) an individual should be discriminated against or receive adverse treatment solely or partly because of the individual’s race or sex; (d) an individual’s moral character, standing, or worth is necessarily determined by the individual’s race or sex; (e) an individual, by virtue of the individual’s race or sex, bears responsibility, blame or guilt for actions committed by other members of the same race or sex; (f) meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race or group to oppress members of another race or group; (g) the advent of slavery in the territory that is now the United States constituted the true founding of the United States; or (h) with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to the authentic founding principles of the United States, which include liberty and equality;
2. teach, instruct, or train any administrator, teacher, staff member, employee (full or part-time), contractor, contract worker, supervisor, assistant, parent volunteer, agent, vendor or any other individual or group, to adopt a concept listed under section (1) above, or
3. teach, instruct, train, introduce, discuss or require understanding of the 1619 Project. [See EMB(LEGAL)]

The District, including its teachers and administrators while acting as agents or representatives of the District, shall not teach, instruct, advocate, promote, or discuss any ideas, beliefs, concepts, theories, principles, rules, thoughts, or impressions that have any connection to, relationship with, refer to, are influenced by, or are otherwise consistent with so-called "Critical Race Theory" or systemic discrimination ideologies including, but not limited to, those ideologies set forth in section 1 and 3 herein. This provision, together with sections 1 and 3 above, shall be collectively referred to as "Critical Race Theory" or Systemic Discrimination Ideologies" or "CRT/SDI".

**Use of Bathrooms
and Changing
Facilities**

To the extent permitted by law, each multiple-occupancy bathroom or changing facility owned or operated by the District shall be designated for and used only by persons based on the person's biological sex. This policy does not prohibit the District from providing reasonable accommodations upon request.

In accordance with Texas Education Code, Section 33.0834, a person's biological sex is identified on the person's official birth certificate provided the statement was: (1) entered at or near the time of the person's birth; or (2) modified only to the extent necessary to correct any type of scrivener or clerical error in the person's biological sex.

For the purposes of this policy, "bathroom or changing facility" means a location where a person may reasonably be in a state of undress, including a restroom, locker room, or shower room. Also, for purposes of this policy, "multiple-occupancy bathroom or changing facility" means a location designed or designated for use by more than one person at a time, where a person may be in a state of undress in the presence of another person, regardless of whether the facility provides curtains or partial walls for privacy. The term includes a restroom, locker room, changing room, or a shower room.

The District shall address controversial topics in an impartial and objective manner. Teachers shall not use the classroom to transmit personal beliefs regarding political or sectarian issues. Students and educators shall ensure that, to the extent possible, discussions are conducted fairly and courteously.

Pursuant to Texas Education Code Section 28.0022(a), teachers shall not be compelled to discuss widely debated and currently controversial issues of public policy or social affairs. However, in the event a teacher chooses to discuss a topic described herein, the teacher must explore that topic objectively and free from political bias. [See EMB(LEGAL)]

Selection of Topics

A teacher selecting topics for discussion in the classroom shall be adequately informed about the issue and capable of providing instruction on the subject, free from personal bias. In addition, the teacher shall be certain that:

1. The issue in question is within the range, knowledge, maturity, and comprehension of the students.
2. The issue is current and educationally significant.
3. The consideration of the issue does not interfere with required instruction.
4. Sufficient relevant information on all aspects of the issue is provided.

If a teacher is unsure about a topic of discussion or about the methods to employ, the teacher may discuss the issue with the principal.

Political Activism

In accordance with Texas Education Code Section 28.0022(a)(3), a teacher shall not require, make part of a course, or award a grade or course credit (including extra credit) for a student's:

1. work for, affiliation with, or service learning in association with an organization engaged in (a) lobbying for or against legislation at any level of government if the student's duties involve attempting to influence social or public policy or the outcome of legislation, or (b) social policy advocacy or public policy advocacy;
2. political activism, lobbying, or efforts to persuade members of the legislative or executive branch at any level of government to take specific actions by direct communications; or
3. participation in any internship, practicum, or similar activity involving social policy advocacy or public policy advocacy.

MISCELLANEOUS INSTRUCTIONAL POLICIES
TEACHING ABOUT CONTROVERSIAL ISSUES

EMB
(LOCAL)

Certain Instructional
Requirements and
Prohibitions

However, these limitations do not apply to a student's participation in: (1) community charitable projects; (2) an internship or practicum for which the student receives course credit under a career and technology education program or under the P-TECH program provided the program does not involve the student directly engaging in lobbying, social policy advocacy, or public policy advocacy; or (3) a program that prepares the student for participation and leadership in this country's democratic process at the federal, state, or local level through the simulation of a governmental process, including the development of public policy. [See EMB(LEGAL)]

In accordance with Texas Education Code Section 28.0022(a)(4), the District, including its teachers and administrators, shall not:

1. require, make part of a course or training, or otherwise instruct employees or students that: (a) one race or sex is inherently superior to another race or sex; (b) an individual, by virtue of that individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously; (c) an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex; (d) an individual's moral character, standing, or worth is necessarily determined by the individual's race or sex; (e) an individual, by virtue of the individual's race or sex, bears responsibility, blame or guilt for actions committed by other members of the same race or sex; (f) meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race or group to oppress members of another race or group; (g) the advent of slavery in the territory that is now the United States constituted the true founding of the United States; or (h) with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to the authentic founding principles of the United States, which include liberty and equality;
2. teach, instruct, or train any administrator, teacher, staff member, employee (full or part-time), contractor, contract worker, supervisor, assistant, parent volunteer, agent, vendor or any other individual or group, to adopt a concept listed under section (1) above, or
3. teach, instruct, train, introduce, discuss or require understanding of the 1619 Project. [See EMB(LEGAL)]

The District, including its teachers and administrators while acting as agents or representatives of the District, shall not teach, instruct, advocate, promote, or discuss any ideas, beliefs, concepts, theories, principles, rules, thoughts, or impressions that have any

MISCELLANEOUS INSTRUCTIONAL POLICIES
TEACHING ABOUT CONTROVERSIAL ISSUES

EMB
(LOCAL)

District Personnel
and Agents

connection to, relationship with, refer to, are influenced by, or are otherwise consistent with so-called “Critical Race Theory” or systemic discrimination ideologies including, but not limited to, those ideologies set forth in section 1 and 3 herein. This provision, together with sections 1 and 3 above, shall be collectively referred to as “Critical Race Theory” or Systemic Discrimination Ideologies” or “CRT/SDI”.

Any instructional resources, as defined in EFA(LOCAL) and EFB(LOCAL), that adopt, support, or promote the subject matter described herein as CRT/SDI shall be placed and kept solely and exclusively in the District’s Parental Consent Area, as defined in EFB(LOCAL).

District Personnel and Agents, as used herein, shall include and refer to teachers, administrators, staff members, employees (full or part-time), contractors, contract workers, supervisors, assistants, parent volunteers, agents, vendors, or any individuals or groups operating on the District’s behalf or within the District’s educational programs or activities.

Social and Emotional
Learning Concepts

Most traditional social and emotional learning (SEL) teachings are consistent with the District’s general education goals, particularly concepts relating to the development of self-awareness, individualism, self-reliance, self-motivation, communication, conflict resolution, and interpersonal skills that are vital for academic, professional, and life success.

The District, its Personnel and Agents shall continue to support, promote and focus on the following ideologies and concepts, which are generally consistent with the positive components of SEL, District policy, and the District’s education goals¹: individualism; a rejection of victimhood mentality; conflict resolution techniques; aspiration to serve as business, secular, spiritual, or community leaders; financial self-sufficiency; importance of the nuclear family; liberty; hard work and perseverance as the basis for a successful society; and the virtues of self-discipline, forgiveness, patience, kindness, determination, hope, thankfulness, reliability, honesty, industry and responsibility.

However, some SEL concepts conflict with District policy, or are inconsistent with the District’s education goals. As such, District Personnel and Agents, while acting as agents or representatives of the District, shall not teach, instruct, train or otherwise require any District Personnel or Agent to adopt, support, or otherwise promote

¹ See also Tex. Educ. Code §29.906

Gender Identity and
Fluidity

SEL concepts that conflict with District policy, or are inconsistent with the District's education goals.

Any instructional resources, as defined in EFA(LOCAL) and EFB(LOCAL), that adopt, support, or promote SEL concepts that conflict with District policy, or are inconsistent with the District's education goals shall be placed and kept solely and exclusively in the District's Parental Consent Area, as defined in EFB(LOCAL).

District Personnel and Agents shall not teach, instruct, train, or otherwise require any other District personnel or agent to teach, instruct, train, or otherwise communicate to any individual or group topics regarding sexual orientation or gender identity unless and until those individual persons or the entire group has fully completed the fifth grade.

District Personnel and Agents, while acting as agents or representatives of the District, shall not teach, instruct, train or otherwise promote Gender Fluidity (as defined herein). Nor shall District Personnel and Agents be required to adopt, support, or promote Gender Fluidity (as defined herein). This provision shall not be interpreted as requiring, and does not require, any District Personnel or Agent to violate any rules or regulations propagated by that individual's professional licensing authority.

For purposes of this policy, "Gender Fluidity" means any theory or ideology that (1) espouses the view that biological sex is merely a social construct; (2) espouses the view that it is possible for a person to be any gender or none (i.e., non-binary) based solely on that person's feelings or preferences; or (3) espouses the view that an individual's biological sex should be changed to "match" a self-believed gender that is different from the person's biological sex.

Any instructional resources, as defined in EFA(LOCAL) and EFB(LOCAL), that adopt, support, or promote Gender Fluidity as defined herein shall be placed and kept solely and exclusively in the District's Parental Consent Area, as defined in EFB(LOCAL).

The District will not promote, require, or encourage the use of titles or pronoun identifiers for students, teachers or any other persons in any manner that is inconsistent with the biological sex of such person as listed on: (1) the person's official birth certificate; or (2) if the person's official birth certificate is unobtainable, another government-issued record. A statement of a student's biological sex on the student's official birth certificate is considered to have correctly stated the student's biological sex only if the statement was: (1) entered at or near the time of the student's birth; or (2) modified to

	<p><u>correct any type of scrivener or clerical error in the student's biological sex.²</u></p> <p><u>However, to the extent a student (with the written consent of such student's parent or legal guardian), parent, or legal guardian has specifically requested or directed the use of a specific title or pronoun for that particular student, District Personnel interacting with the student may comply with such request at their discretion. District Personnel shall not require a student, teacher, administrator or any other person listed herein to use a title or pronoun in reference to another person that is inconsistent with the biological sex of such person as listed on: (1) the person's official birth certificate; or (2) if the person's official birth certificate is unobtainable, another government-issued record. A statement of a student's biological sex on the student's official birth certificate is considered to have correctly stated the student's biological sex only if the statement was: (1) entered at or near the time of the student's birth; or (2) modified to correct any type of scrivener or clerical error in the student's biological sex.³</u></p>
<p>Classroom Discussion</p>	<p>In guiding classroom discussion of controversial issues, teachers shall:</p> <ol style="list-style-type: none">1. Foster students' critical thinking skills.2. Encourage discussion based on rational analysis.3. Create an atmosphere in which students learn to respect others' opinions and disagree courteously.4. Ensure that multiple viewpoints about the issue are presented by introducing an unexpressed viewpoint when necessary.5. <u>Avoid any attempt to coerce or persuade students to adopt the teacher's point of view.</u>6. <u>Comply with the instructional requirements and prohibitions imposed under Texas law.</u>
<p>Student or Parent Concerns</p> <p><u>Student-Led Discussions</u></p>	<p>A student or parent with concerns regarding instruction about controversial issues shall be directed to the complaint policy at FNG.</p> <p><u>The requirements and prohibitions described in this policy are not intended to, and shall not, prohibit students from forming student-led groups related to the topics described herein or otherwise discussing these topics privately.</u></p>
	<p>² <u>Tex. Educ. Code § 33.0834(c)</u> ³ <u>Tex. Educ. Code § 33.0834(c)</u></p>

**Extracurricular
Activity Absences**

The District shall make no distinction between absences for UIL activities and absences for other extracurricular activities approved by the Board. A student shall be allowed in a school year a maximum of ten extracurricular absences not related to post-district competition, a maximum of five absences for post-district competition prior to state, and a maximum of two absences for state competition.

**Use of District
Facilities**

School-sponsored student groups may use District facilities with prior approval of the appropriate administrator. Other student groups may use District facilities in accordance with policy FNAB.

**Participation in UIL
Activities**

In accordance with Texas Education Code, Section 33.0834, and except as provided below, the District shall not allow a student to compete in an interscholastic athletic competition sponsored or authorized by the District that is designated for the biological sex opposite to the student's biological sex as stated on: (1) the student's official birth certificate; or (2) if the student's official birth certificate is unobtainable, another government-issued record.

The District may allow a biologically female student to compete in an interscholastic athletic competition that is designated for male students if a corresponding interscholastic athletic competition designated for female students is not offered or available.

For purposes of this section, a statement of a student's biological sex is identified on the student's official birth certificate provided the statement was: (1) entered at or near the time of the student's birth; or (2) modified only to the extent necessary to correct any type of scrivener or clerical error in the student's biological sex.