



May 5, 2022

To: Law and Licensing Committee, Utah State Board of Education  
Re: Library Model Policy

Thank you for supporting Utah students' pursuit of intellectual freedom and their First Amendment rights to equitable access to information in and through their school libraries. We appreciate the directive of USBE R277-628 that requires all LEAs to establish a policy and accompanying procedures for the selection and reconsideration of school library materials that is consistent with current state and federal law. We also appreciate the committee's work to provide a model library materials selection and reconsideration policy.

**The Utah Educational Library Media Association (UELMA) supports the April 20, 2022 "[School Libraries Model Policy - with April 2022 Committee Edits](#)" for the reasons stated below:**

1. The **reconsideration process is an essential section of a typical school library policy** that guides schools and LEAs through the process of considering the appropriateness of school library materials and is consistent with state and federal laws, including HB374. The reconsideration process outlined in the April 20, 2022 "School Libraries Model Policy - with April 2022 Committee Edits" is consistent with reconsideration best practice and is similar to the majority of Utah's current LEA school library policies. The reconsideration process should not focus only on "sensitive materials," but should also include evaluating materials on all other selection criteria, such as age and developmental appropriateness, timeliness, factual content, etc.

2. We recommend **school library policies include the term 'reconsideration'** as opposed to a 'complaint', recognizing that reconsideration is an established term for the process of reviewing school library materials that encourages inclusivity and public input. Renaming the process as a 'complaint' causes confusion and promotes controversy.

3. **Students' First Amendment rights and equitable access to information should be protected by a committee of educators and parents who have read and evaluated the material according to established criteria, following legal precedents.** Best practice expects that the final determination of the material would not be limited to the opinion of just one person, such as a superintendent, or school board members who have not been a part of the reconsideration process. Because the reconsideration process affects students' First Amendment rights, it is an intentional and thorough process that requires the attention of parents, administrators, educators, and librarians to ensure compliance with state and federal laws. Given the time-intensiveness of adequately reconsidering materials, we recommend that material that has been retained not be reconsidered for a minimum of three years.

The removal of library materials under any condition results in the banning of student access to information or material. This is a serious infringement on students' rights. The April 20, 2022 "[School Libraries Model Policy - with April 2022 Committee Edits](#)" provides appropriate guidance to LEAs to establish a library selection and reconsideration policy that meets their unique community's needs and safeguards students' rights.

Thank you for the opportunity to provide input and suggestions. We appreciate the hard work of the board on behalf of Utah students.

Sincerely,

UELMA Executive Board