

Katy Independent School District
**Checklist for Reconsideration of Instructional Resources
Library Materials**

Type of Resource <input type="checkbox"/> Library Materials
Title of Resource
Author, Editor, or Compiler, if Appropriate
Date of Committee Review

Section A. Complainant Input

(The Complainant has 10 minutes to present to the committee.)

1. What are the key points regarding the complainant's request for reconsideration?

Section B. Committee Selection Criteria Review

2. The committee moderator will check any selection criteria below that a simple majority of the committee agrees the library material meets. <ul style="list-style-type: none"><input type="checkbox"/> 1. Enrich and support the curriculum, taking into consideration students' varied interests, abilities, learning styles, and maturity levels.<input type="checkbox"/> 2. Stimulate growth in factual knowledge, enjoyment of reading, literary appreciation, aesthetic values, and societal standards.<input type="checkbox"/> 3. Develop a balanced collection presenting multiple viewpoints related to controversial issues to foster critical thinking skills and encourage discussion based on rational analysis [see EMB regarding instruction about controversial issues].<input type="checkbox"/> 4. Be appropriate for the subject area and for the age, intellectual development, and ability level of the students for whom the materials are selected.<input type="checkbox"/> 5. Represent many ethnic, religious, and cultural groups and their contributions to the national heritage and world community.<input type="checkbox"/> 6. Demonstrate literary merit, quality, value, and significance.<input type="checkbox"/> 7. For non-fiction resources, include accurate and authentic factual content from authoritative sources.<input type="checkbox"/> 8. Balance cost with need.
Has at least one criterion been selected? <input type="checkbox"/> Yes – Continue to Section C. <input type="checkbox"/> No – Review the Board Policies at EF and EFB. Continue to Section G.

Section C. Elementary School Library Material

No instructional materials in elementary schools shall contain depictions of sexual acts or simulations of such acts, implied or otherwise. This includes explicit or non-explicit written descriptions, depictions, or illustrations of sexual acts, except for the purposes of teaching students (as may be approved by parents) to avoid and report molestation. See Texas Education Code 33.021. No instructional materials shall include visual depictions or illustrations of explicit frontal nudity.

Is the library material at an elementary school?

- Yes – Continue to next question.
- No – Continue to Section D.

Does the library material contain any of the above items?

- Yes – See the Board Policies at EF and EFB. Continue to Section G.
- No – Continue to Section D.

Section D. Harmful Material

Does the library material include “harmful” material as defined by Penal Code 43.24(a)(2)?

Penal Code 43.24(a)(2)

(2) “Harmful material” means material whose dominant theme taken as a whole:

- (A) appeals to the prurient interest of a minor, in sex, nudity, or excretion;*
- (B) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and*
- (C) is utterly without redeeming social value for minors.*

Is the library material “harmful”?

- Yes – Refer to the Board Policies at EF and EFB. Continue to Section G.
- No – Continue to Section E.

Section E. Obscene Material

Does the library material include “obscene” material as defined by Penal Code 43.21(a)(1)?

Penal Code 43.21(a)(1)

a) In this subchapter:

(1) Obscene” means material 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 descriptions 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.*

Is the library material “obscene”?

- Yes – See the Board Policies at EF and EFB. Continue to Section G.
- No – Continue to Section F.

Section F. Sexually Explicit Materials

Does the library material include “sexually explicit” material as defined by Texas Education Code 33.021(a)?

“In this section, "sexually explicit material" means any communication, language, or material, including a written description, illustration, photographic image, video image, or audio file, other than library material directly related to the curriculum required under Section 28.002(a), that describes, depicts, or portrays sexual conduct, as defined by Section 43.25, Penal Code, in a way that is patently offensive, as defined by Section 43.21, Penal Code.

TX Penal Code 43.21 (See Section D.)

TX Penal Code 43.25 (2)

"Sexual conduct" means sexual contact, actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sado-masochistic abuse, or lewd exhibition of the genitals, the anus, or any portion of the female breast below the top of the areola.

Is the library material “sexually explicit”?

- Yes – See the Board Policies at EF and EFB. Continue to Section G.
- No – Continue to Section G, Committee Decision.

Section G. Committee Members and Decision

Committee Member	Position	Decision
Name of Member:	Moderator	Non-voting Member
Name of Member:	Principal	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	District Professional	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	Campus Educator	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	Parent	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	Parent	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	Parent	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	Parent	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove

Section H. Committee Decision Summary

Recommendation by Review Committee

- Library **material is appropriate to retain** for use.
- Library material should be **relocated to one or more** of the levels of campuses.
Appropriate for : Elementary Junior High High School
- Library **material shall be removed.**