

Somerset County Public Schools

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Selection of Textbook and Media Center Materials	Date Approved: January 15, 1980 May 28, 2002, January 17, 2006 February 17, 2009 February 16, 2010, July 19, 2016 September 28, 2021, April 15, 2025 Date Effective: March 21, 2000, May 28, 2002, January 17, 2006 February 17, 2009 February 16, 2010, July 19, 2016 September 28, 2021, April 15, 2025

1. PURPOSE

To establish procedures for the selection and weeding of both print and non-print media materials in the school media center collections.

2. DEFINITIONS TERMS:

CHILD: Any person under the age of 18 who has not attained the legal age for consent to educational, medical or other life altering decisions and who is in the care of their parents, guardians, or foster parents.

YOUNG ADULT: Any individual approximately between the ages 18–23 as this term is used and/or defined in other areas of Maryland law (e.g. health care, foster care transition services, family law and criminal justice).

ADULT MATERIAL: Adult material is defined as material that includes:

- **Adult themes** (e.g., mature subject matter, sexuality)
- **Adult activity** (e.g., sexual content, nudity)
- **Hard language** (strong, pervasive use of profanity), or
- **Sexually-oriented nudity** (without educational value)

EDUCATIONALLY SUITABLE LIBRARY MATERIALS: All books, notebooks, periodicals, newspapers, coloring books, workbooks, computer generated materials, computer web sites, computer programs, testing and other assessment materials online or in paper format specifically designed for minor children ages: pre-K thru 12th grade and attending Somerset County Public Schools for the interest, information, and instructional support of students and school personnel,

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including the learning of English vocabulary, English grammar, foreign languages, mathematics, or materials designated for minors in the areas of science, the arts or social studies.

Educational suitability is a context-dependent standard tied to factors including the material's relevance to the curriculum, age/grade appropriateness, educational value, and the community's opinion of what is a "prurient interest" (i.e., shameful, morbid, or unhealthy obsessions with nudity, sex, or excretion as that term is defined in the laws).

OBSENIITY: is defined as satisfying the Supreme Court three-prong test:

- 1) The average person would find that the work taken as a whole does not appeal to the prurient interest of children and their parents;
- 2) the work depicts or describes in a patently offensive way sexual act; and
- 3) the work taken as a whole lacks serious literary, artistic, or scientific value.

CHILD PORNOGRAPHY: Any visual depiction of sexual act involving minors, including but not limited depiction of minors as cartoon-like characters performing oral sex, masturbation, anal or oral copulation with another person (sodomy), sexual intercourse with an animal (bestiality), and any other crime against nature.

3. **POLICY:**

The primary objective in the selection of media materials is to provide appropriate resources that support academic programs and enhance student academic performance. The Board of Education retains jurisdiction and power to define all terms and suitability of all school/library materials.

The Somerset County Board of Education shall follow the U.S. Supreme Court precedents¹ in applying the school/library policy to students. All library materials must be educationally suitable for minors.

The local superintendent shall develop procedures for proper cataloging of all books in all school libraries. If any adult material is found in the library section for minors, the superintendent and the local library specialists have the duty to properly catalog adult materials in the adult section of the library, and the child materials shall be properly cataloged in the child section of the library. Library personnel are responsible for cataloging and storing all the library materials based on student age. No minors shall have access to adult library materials. Young adults are not minors and books suitable for young adults shall be placed on a separate Young Adults library section to reflect age-appropriate literature.

No books may be removed from the school libraries without the knowledge and the majority vote of the local Board of Education. No book can be purchased or brought into the school libraries without the local Board of Education's majority vote.

All parents reserve the right to OPT OUT their children from any book/library decisions if the parents find that the book or library material violates their sincerely held religious beliefs, morals or harm their child's mental health.²

The main objective of media centers is to provide all children with the skills, tools, and attitudes which will lay the basis for learning now and in the future. This means giving the highest priority to developing fundamental skills in reading, writing, speaking, listening, comprehension and mathematics that support the educational needs, varied interests, abilities, and maturity levels of the

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diverse student population it serves.

The SCBOE approves the use of textbooks and materials that are free of bias, which enlighten, inspire, encourage, motivate, instill hope and foster good decision-making, as in comparison to those which discourage, convey a sense of futility, affirm or promote negative or destructive character traits such as victimhood, rebellion, lawlessness, anarchy, obscenity, profanity, vulgarity, violence, vandalism, bullying, gang activity, drugs, alcohol, smoking, sexuality, anti-religion, theft, lying, and cheating.

These materials should also support the mission, vision, educational philosophy, beliefs and values endorsed by the Somerset County Board of Education. Classical literature with well-known authors should be the priority when selecting books and media materials because it includes books with topics exploring universal human values.

DISCIPLINE

If library materials with an adult content and not educationally suitable for minors is found in the section for minors after proper vetting and cataloging of all library material based on educational suitability for each grade and not consistent with this policy, the superintendent shall immediately implement disciplinary procedures for insubordination of adults in charge of ensuring proper educationally suitable material is accessible for minor children in Somerset County Public Schools.

¹ The primary U.S. Supreme Court precedent on “educationally suitable material” (especially in school libraries) is *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 457 U.S. 853 (1982). supreme.justia.com
The boards retain discretion to remove books that are “pervasively vulgar” or “educationally unsuitable” for the students in question, as long as the motivation is not viewpoint-based suppression of ideas.

² SCOTUS: *Tamer Mahmoud, et al. v. Thomas W. Taylor, et al*, docket: 24-297, 2025.
https://www.supremecourt.gov/opinions/24pdf/24-297_4f14.pdf

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