

## CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

### OBJECTION TO LIBRARY MATERIALS

4.132

1. Introduction. Florida Statute 1006.28(2)(a)2.b. requires the School Board to adopt a policy providing school parents and St. Johns County residents the opportunity to object to materials made available in a school or classroom library, or included in a reading list on the grounds they violate one or more of the following criteria. The challenged material:
  - a. is pornographic or prohibited under Florida Statute 847.012;
  - b. depicts or describes sexual conduct as defined in Florida Statute 847.001(19), unless such material is for a course required by Florida Statutes 1003.46, 1003.42(2)(n)1.g., or 1003.42(2)(n)3., or identified by State Board of Education rule;
  - c. is not suited to student needs and their ability to comprehend the material presented; or
  - d. is inappropriate for the grade level and age group for which the material is used.
2. Delegation of Authority to Superintendent. The School Board delegates to the Superintendent the authority and responsibility to establish the procedures for reviewing objections to library materials. The procedures shall conform to the following parameters:
  - a. The first step shall be a school-based informal complaint process under which the principal (or designee) meets with the objecting party to explain the review procedures and attempt to resolve the objection.
  - b. There shall be a formal complaint process available to the objecting party if the party seeks to pursue the objection beyond the informal meeting with the principal.
  - c. The formal complaint process shall be initiated by filing with the Superintendent an objection using a form in accordance with statutory requirements and Board of Education rules, accompanied by a written argument and evidence in support of the objection.
  - d. The complaint shall be reviewed by a District-level committee appointed by the Superintendent. The committee shall consist of appropriate District staff, two (2) parents from the school where the challenged library materials are located and two St. Johns County residents, not employed by the District, who are active in the community.
  - e. The committee shall meet to evaluate the objecting party's complaint. The objecting party will have the opportunity to attend the meeting and briefly

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address the committee. Such meeting must be noticed and open to the public in accordance with Florida Statute 286.011.

- f. The committee shall submit its recommendation and a summary of its findings to the Superintendent.
  - g. The Superintendent shall make a decision and communicate the decision to the objecting party.
3. Appeal. The objecting party may appeal the Superintendent's decision to the School Board, which shall conduct a hearing on the appeal.
4. Request for Appointment of Magistrate. Pursuant to Florida Statute 1006.28(2)(a)5., a parent who disagrees with the School Board's decision may request the Department of Education to appoint a special magistrate to review the School Board's determination.

### STATUTORY AUTHORITY:

**1001.41; 1001.42; 1001.43, F.S.**

### LAWS IMPLEMENTED:

**1006.28, F.S.**

### HISTORY:

**Adopted: 04/18/23  
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