

## 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. An objecting party who is not the parent/guardian of a student in the District is limited to one objection per month as specified by Florida Statute 1006.28(2)(a)2.b
  - b. The first step in the objection resolution procedure shall be a school-based informal complaint process under which the completed objection form is submitted to the principal (or designee) for review. The principal shall inform the objecting party what action (if any) will be taken on the objection at the school level.
  - c. There shall be a formal complaint process available to the objecting party if the party seeks to pursue the objection beyond the principal's review.
  - d. 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. If the objection is based on criteria listed in Florida Statute 1006.28(2)(a)2.b.(I) or (II), the book shall be removed from circulation until the objection is resolved.

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- e. 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 of District students and two St. Johns County residents, not employed by the District.
  - f. The committee shall meet to evaluate the objecting party's complaint. The objecting party will have the opportunity to attend the meeting and briefly address the committee. Such meeting must be noticed and open to the public in accordance with Florida Statute 286.011.
  - g. The committee shall submit its recommendation and a summary of its findings to the Superintendent.
  - h. The Superintendent shall approve, reject or modify the committee's recommendation and communicate the decision to the objecting party by email.
3. Appeal. The objecting party shall have ten (10) days to appeal the Superintendent's decision to the School Board, which shall conduct a hearing on the appeal. The ten (10) day appeal period shall commence on the date the Superintendent's decision is emailed to the objecting party. If an appeal is not received within ten (10) days, the Superintendent's decision shall be final.
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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