

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE
LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS**

**SUBCHAPTER 3. STANDARDS FOR ELEMENTARY, MIDDLE LEVEL,
SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS
PART 13. STANDARD VII: THE MEDIA PROGRAM**

210:35-3-121. Statement of the standard [AMENDED]

(a) Mission of school library media program.

The mission of the media program is to assist students and teachers in becoming effective users of ideas and information. Emphasis is placed on the development of skills necessary for independent lifelong learning. To that end, schools shall provide an effective library media program through the employment of qualified staff and the acquisition of library media materials sufficient to meet the instructional needs of the staff and students. One centralized library media center can serve two or more organizational units if the units are housed at one site. The library media program is to be based on the combined enrollment and standards for the highest grade unit served.

(b) Prohibition on Pornographic material and Sexualized content in library media program.

The State Board of Education recognizes its duty and responsibility to protect minor students from accessing Pornographic materials and Sexualized content and will implement this duty by exercising the State Board of Education's authority to adopt policies and make rules for public schools. Okla. Const. art. XIII, § 5; 70 O.S. § 3-104(A)(1).

210:35-3-121.1. Definitions. [NEW]

For purposes of this Part (13):

(a) "Library" means a school library, media program, a classroom library, or any other collection of books or other materials, print or digital, that are maintained by a school district or its employees for use by minor students.

(b) "School library" means the official library maintained by a school for use by minor students.

(c) "Pornographic" means:

(1) depictions or descriptions of sexual conduct which are patently offensive as found by the average person applying contemporary community standards, considering the youngest age of students with access to the material,

(2) materials that, taken as a whole, have as the dominant theme an appeal to prurient interest in sex as found by the average person applying contemporary community standards, and

(3) a reasonable person would find the material or performance taken as a whole, lacks serious literary, artistic, educational, political, or scientific purposes or value, considering the youngest age of students with access to the material.

(d) "Sexualized content" means material that is not strictly Pornographic but otherwise contains excessive sexual material in light of the youngest age of students with access to said material.

(e) "School district" or "School" means any public school district and public charter school district that serves students in prekindergarten through twelfth grades in this state.

210:35-3-126. Collection requirements and penalty for noncompliance [AMENDED]

(a) Requirements

(1) There shall be a written policy, approved by the local board, concerning the criteria to be used in the evaluation and selection of materials for the media program. The written policies should contain criteria for selection, responsibility for selection, and guidelines for reconsideration.

(2) The media program shall consist of a balanced collection of print materials, nonprint materials, multimedia resources, and equipment and supplies adequate in quality and quantity to meet the needs of students and staff in all areas of the school's program.

(3) A library of professional materials containing print and multimedia resources shall be available to the staff. The professional library is an organized collection to support the instructional process and continued professional growth.

(4) All media materials and equipment shall be maintained adequately with provisions made for regular replacement of outdated materials and equipment.

(5) The school shall provide a variety and diversity of instructional/learning materials sufficient to accommodate the scope of the program and the individual differences among students.

(6) Instructional/learning materials and equipment shall be available in a sufficient quantity to provide for the number of students involved in learning activities and for the number of teachers in the school.

(7) Records of acquisition, classification, cataloging, circulation, and financing shall be accurate and current. A computerized library catalog or an alphabetically arranged card catalog, using a recognized system, and a shelf list of holdings shall be maintained.

(8) All instructional/learning materials in the school related to the media program shall be listed in a central catalog.

(9) The school shall provide equipment, materials, space, and professional guidance for the staff and students in designing and producing instructional/learning materials.

(10) Within 60 days of the effective date of this rule, and annually every October 1, each School District shall transmit to the State Department of Education a complete listing of all books and other materials available in any School library in that district. An attestation from the Superintendent that a public online Library catalog or catalogs contain a complete and accurate list, along with the website for accessing the relevant Library catalog or catalogs, shall fulfill this requirement.

(11) No Library shall have available to minor students any Pornographic materials or Sexualized content.

(12) Every School District shall have a written policy for reviewing the educational suitability and age-appropriate nature of any material in a Library in the district and for receiving and responding to complaints regarding materials in Libraries in the district.

(13) Nothing in this section shall be construed to prohibit students from reading, owning, possessing, or discussing any book they obtained without the assistance or encouragement of a School District, its employees, or its Libraries; provided, nothing in this Part shall be construed to authorize bringing Pornographic material or Sexualized content on the grounds of any public School district.

(b) Noncompliance

(1) If the State Board of Education makes a finding of willful noncompliance with any requirement of this section, the State Board of Education shall alter the accreditation status of the school district at issue.

(2) If the State Board of Education makes a finding of negligent or reckless noncompliance with this rule, the State Board of Education shall require the school district at issue to comply with this rule within a reasonable timeframe ordered by the State Board of Education.

(3) Failure to comply with an order of the State Board of Education pursuant to paragraph (b)(2) of this section shall constitute willful noncompliance within the meaning of paragraph (b)(1) of this section.

210:35-3-128. Evaluation [AMENDED]

Subject to the requirements and prohibitions of this Part (13), ~~The~~ the media program shall reflect the philosophy of the school. The effectiveness of the program shall be judged on the basis of how it facilitates the instructional program, while ensuring minor students are not exposed to Pornographic material or Sexualized content. There shall be an ongoing evaluation of the effectiveness of the organization, services, and resources of the media program.