



Collection Development Standards – Frequently Asked Questions

Where can I find the new collection development standards for school libraries?

The collection development standards for school libraries are published in the [Texas Administrative Code \(13 Tex. Admin. Code §4.2\)](#), available online through the Secretary of State's website.

Why did TSLAC adopt mandatory collection development standards for school libraries?

In 2023, the Texas Legislature passed House Bill 900 (88th R.S.), also known as the READER Act. This legislation requires TSLAC to adopt standards, approved by a majority vote of the State Board of Education, for school library collection development that a school district shall adhere to in developing or implementing the district's library collection development policies.

TSLAC drafted the collection development standards in collaboration with members of the State Board of Education and staff from the Texas Education Agency and with input from educators, librarians, and parents. In addition to public testimony at various commission meetings, public feedback was solicited during the period of public comment for the proposed rule. The State Board of Education and the Texas State Library and Archives Commission approved the new standards in December 2023, and they became effective January 3, 2024.

What is the timeline for districts to comply with the new standards?

HB 900 specifies that "a school district shall adhere to [the standards for school library collection development] in developing or implementing the district's library collection development policies." TSLAC recommends that district library administrators review their current collection development policy as soon as practicable to determine compliance, with the goal of making needed updates as soon as feasible. For districts that do not currently have a collection development policy, we recommend districts begin working immediately

on a policy. We have created a checklist to assist in the process and will be providing additional resources.

What resources will TSLAC make available to help districts implement the new standards or have questions answered?

TSLAC is working to develop additional resources to assist districts in developing their own policies to comply with the collection development standards. These resources, which will be published on the TSLAC website, will include an optional collection development policy template and guidance documentation for school boards and district staff. Additionally, TSLAC plans to facilitate online training opportunities regarding the collection development standards in the spring and summer of 2024.

What needs to be included in a district's collection development policy?

The collection development standards provide complete information about what information is required to be included in a district's collection development policy. School districts may add any procedures to these minimum requirements so long as the added procedures do not conflict with the standards in the rule. As a courtesy, [TSLAC has developed a checklist](#) that districts may use as an optional resource to assist districts in developing or revising their collection development policies. **This checklist is not a substitute for carefully reading and applying the collection development standards.**

Do the new standards apply to classroom libraries as well?

Yes. As specified in HB 900, the mandatory standards require a school library collection development policy to "be required for all library material available for use or display, including material contained in school libraries, *classroom libraries*, and online catalogs."

Should teachers wish to develop classroom libraries, it is the responsibility of the district to ensure compliance with the district's school library collection development policy.

What if materials are donated or purchased with personal funds?

The collection development standards do not exempt library materials that are donated or purchased with personal funds.

What do the collection development standards require regarding parental involvement?

As specified in HB 900, the mandatory standards require that a school library collection development policy must:

- Recognize that parents are the primary decision-makers regarding their student's access to library material;
- Ensure schools provide library catalog transparency, including but not limited to:

- o Online catalogs that are publicly available; and
- o Information about titles and how and where materials can be accessed;
- Recommend schools communicate effectively with parents regarding collection development, including, but not limited to:
 - o Access to district/campus policies relating to school libraries;
 - o Consistent access to library resources; and
 - o Opportunities for students, parents, educators, and community members to provide feedback on library materials and services.

Furthermore, when evaluating materials for inclusion in a school library, a district may consider recommendations from parents, guardians, and local community members.

Finally, the standards require that a district’s reconsideration process should ensure that any parent or legal guardian of a student currently enrolled in the school district or employee of the school district may request the reconsideration of a specific item in their school district’s library catalog.

How can a district comply with the standard that the selection and acquisition of materials is managed by a certified school librarian or properly trained professional library staff?

Where possible, a district should ensure that a professional librarian certified by the State Board for Educator Certification (“certified school librarian”) is responsible for selecting and acquiring library materials. If a district does not employ a certified school librarian, or if a certified school librarian is unavailable to carry out these responsibilities, a district should designate another professional library staff member who is trained on proper collection development standards to complete this work.

Does the lawsuit challenging HB 900 impact the collection development standards?

The Fifth Circuit Court of Appeals’ recent ruling does not affect the new collection development standards as a whole. Districts are still required to institute a collection development policy addressing the minimum standards in the rule. However, the ruling does carry implications for two provisions in the rule as discussed below.

The Fifth Circuit recently affirmed the preliminary injunction prohibiting the application or enforcement of several provisions of the Education Code as added by HB 900 relating to ratings by library material vendors. Because of this injunction, library material vendors are not currently required to comply with those provisions. The injunction *does not* encompass Education Code, §33.021, which requires school districts to adhere to the collection development standards adopted by the Texas State Library and Archives Commission in developing or implementing the district’s library collection development policies.

The collection development standards include references to two statutes that are currently encompassed by the injunction. Under §4.2(c)(5), a collection development policy must “[i]nclude a process to determine and administer student access to material rated by library material vendors as “sexually relevant” as defined by Education Code, §35.001 consistent with any policies adopted by the Texas Education Agency and local school board requirements.” Under §4.2(c)(7)(B), a collection development policy must “[p]rohibit the possession, acquisition, and purchase of . . . library material rated sexually explicit material by the selling library material vendor under Education Code, §35.002[.]” Because of the injunction, library material vendors are not currently required to rate materials; therefore, these two provisions of the collection development standards are effectively inoperative at this time. However, school districts may wish to begin considering how to incorporate and implement these requirements if the statutes become enforceable and, under §4.2(i), school districts are always free to add procedures to local policies that do not conflict with the minimum requirements established in §4.2.

In addition, it is important to reiterate that the other provisions in the collection development standards prohibiting the possession, acquisition, and purchase of harmful material, as defined by Penal Code, §43.24, and library material that is pervasively vulgar or educationally unsuitable as referenced in *Pico v. Board of Education*, 457 U.S. 853 (1982) are not impacted by the lawsuit and remain in effect.

Because legal proceedings regarding this matter are ongoing, district staff are advised to consult with their legal counsel with any questions specific to their policy implementation.