

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Program Services Division: Education Programs Rule: Library and Instructional Resources ACA: 4-JCF-5E-02 Statutes: N/A	Effective Date: 4/15/15 Page: 1 of 2 Replaces: GAP.380.9151, 12/15/08
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RULE

(a) **Purpose.**

This rule ensures that each Texas Juvenile Justice Department (TJJD) school provides a wide range of learning resources at various levels of difficulty that appeal to a variety of interests and represent different points of view to support, enrich, and assist in meeting the needs of the youth and teachers in the education program.

(b) **Definitions.**

Learning Resource--any print, video, or other material with instructional content or an instructional function.

(c) **Responsibility for Learning Resources Selection.**

The selection of learning resources is made by a Library and Media Review Committee (LMRC) at each school, which is composed of:

- (1) professional education staff;
- (2) librarians;
- (3) teachers or aides trained in the use of reviewing sources; and
- (4) administrators.

(d) **Selection Criteria.**

- (1) The LMRC selects learning resources that:
 - (A) stimulate growth in factual knowledge, literacy, appreciation, aesthetic values, and societal standards that will promote lifelong learning and reading habits;
 - (B) present opposing sides of controversial issues so that youth may develop, with guidance, the practice of critical analysis and the ability to make informed decisions in their daily lives;
 - (C) enrich and support the curriculum, taking into consideration the varied interests, abilities, learning styles, and maturity levels of the youths;
 - (D) provide a background of information that will motivate students and staff to examine their own attitudes and behavior, to comprehend their duties, responsibilities, rights, and privileges as participating citizens in our society, and to make intelligent judgments in their daily lives;
 - (E) are representative of religious, ethnic, social, and cultural groups and their contribution to our national heritage and the world community; and
 - (F) are of various formats (i.e., print, non-print, and electronic);
 - (G) support and are consistent with the educational goals of the state and TJJD as well as the goals and objectives of the individual facility and the courses taught;

(H) are appropriate for the subject area, special treatment needs, age, emotional development, ability level, learning styles, and social development; and

(I) meet high standards of quality in:

- (i) presentation;
- (ii) physical format;
- (iii) educational significance;
- (iv) readability;
- (v) authenticity;
- (vi) artistic quality and/or literary style; and
- (vii) factual content.

(2) TJJJ facilities will not show videos with an R-rating or any other rating designed for audiences age 17 or older. No video may be shown to youth without the approval of the principal.

(e) Request for Reconsideration of Learning Resources.

(1) Any youth or person on behalf of a youth may challenge a facility's use of a learning resource if he/she feels the material will have a negative or harmful impact on a youth. Any such challenge applies only to the facility where the challenge is filed.

(2) To challenge a learning resource, the complainant must file an informal reconsideration request on the agency-provided form. The principal must respond to the request.

(3) If the informal request does not resolve the issue to the complainant's satisfaction, the complainant may file a formal reconsideration request on the agency-provided form.

(4) Upon the receipt of a formal reconsideration request, the principal must form a reconsideration committee, which is composed of:

- (A) a teacher from the area of concern and/or grade level;
- (B) a program supervisor;
- (C) a case manager appointed by the facility superintendent or designee; and
- (D) the principal.

(5) The reconsideration committee must review the challenged material, decide if it conforms to the selection criteria outlined in this rule, and issue a written decision.

(6) The complainant may appeal the decision of the reconsideration committee by submitting an appeal of the agency-provided form to the TJJJ superintendent of education. The superintendent of education must respond to the appeal in writing.

See [EDU.17.31](#) for implementation procedures.