

During the 2021-22 school year, public schools across the country faced public scrutiny of their library catalogues, and it seems that issue has already resurfaced for the 2022-23 school year.

School districts in Ohio are already receiving public records requests for their library catalogues, presumably as part of an effort to challenge some of the libraries' inventory. Here are a few things to keep in mind if your district receives one of these requests:

- If you maintain an electronic catalogue of your libraries' contents, that list is public record and you will have to provide it. If you do not maintain such a catalogue, you can tell the requester that there is no responsive record.
- **Do not remove any books from your libraries in response to, or in anticipation of, these types of requests.** There are significant First Amendment implications to removing library books, and districts have far less leeway to remove library books than they do to change curricular materials. The US Supreme Court has recognized that local school board discretion is not absolute and must be exercised within the bounds of the First Amendment. With regard to library books, this means boards cannot remove books from school libraries for the purposes of restricting viewpoints or because the board disapproves of the content in the book. Your district likely has a policy setting forth a process for challenging and reviewing books in your libraries. (For NEOLA districts, that is Policy 9130; for OSBA districts, it is Policy KLB.)
- Review your library catalogue list with counsel to prepare for likely challenges and public commentary once you release your list of books. Work with board counsel, union leadership and your librarians to prepare staff members for public questions and criticism, and create a plan for responding through central office to public concerns regarding library books.

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