



BILL LEE
GOVERNOR

STATE OF TENNESSEE
DEPARTMENT OF EDUCATION
NINTH FLOOR, ANDREW JOHNSON TOWER
710 JAMES ROBERTSON PARKWAY
NASHVILLE, TN 37243-0375

PENNY SCHWINN
COMMISSIONER

MEMORANDUM

Date: August 11, 2022
To: Directors of Schools and Public Charter School Leaders
From: Christy Ballard, General Counsel
Subject: The Age-Appropriate Materials Act of 2022

[Chapter 744 of the Public Acts of 2022 \(PC744\)](#) enacted the Age-Appropriate Materials Act of 2022, which will be codified as Title 49, Chapter 6, Part 38 of the Tennessee Code. In response to questions the department has received about PC 744, this memorandum includes brief guidance and reminders about the new law.

What action is required by PC 744?

Beginning with the 2022-23 school year, each school operated by a local education agency (LEA) and each public charter school shall:

- Maintain a list of materials in the library collection;
- Adopt a policy for developing and reviewing materials in the library collection; and
 - The policy must include procedures to develop, periodically review, and evaluate feedback regarding the library collection to ensure the collection is appropriate for the age and maturity levels of the students who may access the materials, and suitable for, and consistent with, the educational mission of the school.
- Remove materials determined to not meet the criteria listed above.

What materials are included in library collections for purposes of implementing PC 744?

The following definitions are included in PC 744:

- "Library collection" means the materials made available to students by a school operated by an LEA or by a public charter school, but does not include materials made available to students as part of a course curriculum; and
- "Materials" means books, periodicals, newspapers, manuscripts, films, prints, documents, microfilm, discs, cassettes, videotapes, videogames, applications, and subscription content in any form.

Please note that the definition of library collection is broad and is not limited to materials physically located in the school's library. The definition applies to any materials, regardless of form, made available to students, including materials maintained in a teacher's classroom.

Who should I contact for questions on implementing PC 744?

Determining if a material included in a library collection is "appropriate for the age and maturity levels of the students who may access the materials," and "is suitable for, and consistent with, the educational mission of the school," is a local decision. LEAs and public charter schools should work closely with their local attorneys for specific legal advice on the implementation of the law, including the development and implementation of policies and procedures for the review of materials and feedback received about materials.