

# I-7: Administrative Procedures

## Curriculum and Instructional Materials



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### REFERENCES

- [Board Policy I-7](#)
- [Board Policy I-22: Use of Copyrighted Materials](#)
- [Form I-7: Request for Reconsideration of Instructional Material](#)
- [Form I-7: Request for Reconsideration of Library Media Materials](#)
- [Form I-7: Request for Sensitive Material Determination](#)

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### DEFINITIONS

**Instructional Materials:** Systematically arranged content in text, digital, Braille and large print, and audio formats which may be used within the state curriculum framework for courses of study by students in district schools; examples include textbooks, workbooks, computer software, online or internet courses, CDs, DVDs, and multiple forms of communication media. These materials may be used by students, teachers, or both as principal sources of study to cover any portion of the course.

**Parent:**

For purposes of these administrative procedures and the corresponding board policy, "parent" means:

- A. a biological or adoptive parent;
- B. a legal guardian or other individual legally authorized to make educational decisions for the child;
- C. an individual, with whom the child lives, who is acting as a parent in the absence of a natural parent or a guardian;
- D. a foster parent if the authority of the biological or adoptive parents to make educational decisions on the child's behalf has been terminated or specifically limited by a court order;
- E. in the absence of any individual qualified under parts A-D, a surrogate parent appointed pursuant to the Individuals with Disabilities Education Act; and/or
- F. a stepparent if the stepparent is present on a day-to-day basis with the natural parent and child, and the other parent is absent from the home. A stepparent who is not present on a day-to-day basis in the home of the child does not have rights under Family Educational Rights and Privacy Act (FERPA) with respect to the child's education records. Stepparents without guardianship of a child do not have the authority to enroll or register a child in school.

"Parent" does not include the state or any political subdivision of government.

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### PROCEDURES FOR IMPLEMENTATION

#### I. Guidelines for Speakers and Presenters

- A. All speakers and presenters for student groups:
  - 1. must demonstrate a connection to the grade-level content standards if occurring during the school day/classroom time;
  - 2. must demonstrate appropriate professional experience, licensing, and/or credentialing that directly relates to the topic under discussion;
  - 3. must understand the social and emotional development of students, and age-appropriate language and conversation;
  - 4. must demonstrate a clear understanding of state law/rule and board policy about acceptable topics and boundaries;
  - 5. should never be left alone with students without a licensed district employee present;
  - 6. for certain presentations, prior parent permission must be obtained (See I-12: Administrative Procedures, Human Sexuality and Instruction, Section III.B.3); and
  - 7. must be approved by the principal before meeting with students.
- B. The above requirements apply not only to guest speakers/presenters, but also to district employees who are presenting to a group of students in an area or on a topic that is outside of their assigned job responsibilities.

#### II. Review and Selection of Textbooks and Instructional Materials

- A. All instructional materials must be reviewed and recommended prior to being used or purchased.
- B. Materials posted on the Utah State Board of Education Recommended Instructional Materials (RIMS) searchable database will be considered appropriate for use or purchase unless the district has limited the selection of materials for a specific area.
- C. District-level instructional review committees also review and recommend instructional materials for use in district courses of study.

- D. Recommended instructional materials must:
  - 1. be consistent with the Utah Core requirements;
  - 2. be mapped and aligned to the Utah Core and state adopted assessments, if planned for use as primary materials;
  - 3. provide an objective and balanced viewpoint on issues;
  - 4. be appropriate to varying levels of learning and include enrichment and extension possibilities;
  - 5. reflect the pluralistic character and culture of the American people, and provide accurate representation of diverse groups;
  - 6. be accurate, factual, high quality, research-based, and proven to be effective in supporting student learning;
  - 7. be arranged chronologically, systematically, or both;
  - 8. reflect contributions from authors, artists, or appropriate experts in the field that represent diverse viewpoints, ethnic and cultural backgrounds, and experiences.
  - 9. be free from sexual, ethnic, age, gender, or disability stereotyping and bias; and
  - 10. be of acceptable technical quality.
- E. District-level review of instructional materials for adoption will be done approximately every seven years, upon direction from the board, and/or when a new state core standard is adopted. Unless a change of circumstances requires an earlier re-examination of the instructional material, approval is effective until the next review cycle.
- F. A district curriculum supervisor or coordinator will organize district-level instructional material review committees. These committees will include teachers from various schools and grade levels and parent representatives. Parents reflective of the school's community, who have a student who attends a district school will be included on each committee. Funding to support each committee's work will be provided from the budget of the curricular area for which materials are being reviewed.
- G. Review committees will:
  - 1. Study the core standards for the areas being reviewed in order to become familiar with the content area's standards, objectives, and indicators.
  - 2. Establish criteria and a rubric for reviewing materials for recommendation.
  - 3. Establish a timeframe for the review process.
  - 4. Review instructional materials to determine which will be formally evaluated.
  - 5. Review instructional materials and select one to three instructional packages to recommend.
  - 6. Submit books that are being recommended for purchase to the board for approval.
- H. Given that all materials must be reviewed prior to purchase to ensure appropriateness for use in district courses of study, schools may request that individual materials be reviewed at any time. Schools may ask the district's Teaching and Learning department to initiate a review process.
- I. Advanced placement, international baccalaureate, concurrent enrollment, and college-level materials will not generally be reviewed for recommendation at the state or district level. Schools, under the direction of the principal, are expected to review these materials for appropriateness consistent with program requirements, state law and board policy.
- J. All curriculum that the district uses shall be readily available for parents to view at the school where the curriculum is being utilized.
  - 1. Parents will be notified annually of how to access the district's adopted curriculum, and information on how to access this information will be made available on the district's website.

### **III. Purchase of Instructional Materials**

- A. All instructional materials must be purchased in a manner consistent with the Utah Procurement Code and applicable board policies and administrative procedures.
- B. As part of any procurement contract for the purpose of purchasing core instructional materials, the district shall include National Instructional Materials Accessibility Standard contract language in all contracts with publishers.

### **IV. Equivalence in Curriculum Materials and Instructional Supplies**

- A. Supplies are allocated at the same amount per student for each district site.
- B. All district schools shall be provided with the same level of base funding per student for curriculum and instructional materials.
- C. The executive director of teaching and learning shall maintain records of the quantity and quality of instructional materials and equipment at each school.

### **V. Parent Notification of and Objections to Instructional Materials**

- A. All teachers should list the instructional materials they intend to use in the open disclosure documents provided to parents and students at the beginning of the school year. (See, Section I in the I-8: Administrative Procedures, Student Progress and Academic Achievement, for more information about open disclosure requirements.)

- B. Materials that may be considered controversial under prevailing community standards should be specifically noted in a teacher's open disclosure document. Parents should be given sufficient advance notice that such materials will be used to instruct their students so that interested parents may review the materials.
- C. Some materials, specifically those concerning human sexuality education, require parental permission for use in the classroom. See, Board Policy I-12: Human Sexuality Education, and its accompanying administrative procedures.
- D. Parents should, in a timely manner and in accordance with the procedures outlined in Section VI below, inform teachers of any materials they do not wish their children to use. Students will not be forced to use any instructional material deemed objectionable by their parents unless such material and the use thereof is required by state law or board policy for graduation.

**VI. Procedures to Express Concerns and to Request Reconsideration of Instructional Material**

- A. Parents are encouraged to initially discuss their concerns about any instructional material being used in the classroom with the appropriate teacher.
- B. The teacher should meet with the parents to discuss their concerns, the reason for the selection, and, if appropriate, offer a mutually acceptable alternative.
- C. If the parents are not satisfied with that outcome, they may submit a written explanation of their concern(s) with the instructional material(s) to the school principal.
- D. The principal will inform the parents, i.e., complainant, of the intended use of the questioned material and its relevance to the core standards. The principal may involve appropriate personnel in the explanation of the selection procedure, criteria, and the qualifications of those who reviewed and recommended the material.
- E. In the event the complainant is not satisfied with the initial explanation, he or she may complete a Request for Reconsideration of Instructional Material form and submit it to the principal.
  - 1. All formal objections to instructional material must be reported on this form and can be filed only by a parent of a student enrolled in the district.
  - 2. Within 10 business days, the superintendent, or designee, will forward the form and the request to the reconsideration committee for evaluation.
  - 3. The reconsideration committee will be composed of the following district employees, and will be appointed by the superintendent:
    - a. the executive director of teaching and learning or designee, acting as chair;
    - b. a principal;
    - c. two parents who are reflective of the school community;
    - d. a content specialist; and
    - e. at least two classroom teachers.
  - 4. At its first meeting, which will be open to the public, the reconsideration committee will:
    - a. distribute copies of the completed request form;
    - b. distribute copies of the challenged material as available;
    - c. give the complainant, or spokesperson, an opportunity to talk about the request; and
    - d. provide reputable professional views of the material, when available.
  - 5. At a second or subsequent meeting, the committee will make its recommendation in a portion of the meeting that is open to the public.
  - 6. The committee's recommendation may be to take no action, or to remove all or part of the challenged material.
  - 7. The written recommendation and its justification will be forwarded to the superintendent.
  - 8. The superintendent will consider the committee's recommendation and make a decision.
    - a. The superintendent will notify the complainant by letter of his/her decision and any resulting district action.
    - b. For informational purposes only, the superintendent's decision will be forwarded to the board.
  - 9. If the complainant is not satisfied with the decision, within 10 calendar days of receiving the superintendent's decision, the complainant must send a written request to the board president that the matter be reconsidered by the board.
    - a. Upon receipt of such request, the board will place the matter on its agenda within the next four board meetings.
    - b. The board will decide whether or not to uphold the superintendent's decision.
  - 10. Questioned material purchased through normal selection procedures will usually remain in use throughout the reconsideration process. In exceptional circumstances, the reconsideration committee, at its initial meeting, may temporarily suspend use of the material pending final determination by the superintendent or board.

## VII. Procedures to Request Determination Regarding Sensitive Instructional Materials

- A. For purposes of this part only, "instructional material"
  - 1. means a material, regardless of format, used:
    - a. as or in place of textbooks to deliver curriculum within the state curriculum framework for courses of study by students; or
    - b. to support a student's learning in the school setting.
  - 2. includes reading materials, handouts, videos, digital materials, websites, online applications, and live presentations.
- B. For purposes of this part only, "school setting":
  - 1. means in a classroom, in a school library, or on school property; and
  - 2. includes the following activities that are sponsored or required by the district or a school:
    - a. an assembly;
    - b. a guest lecture;
    - c. a live presentation; or
    - d. an event.
- C. For purposes of this part only, "sensitive material"
  - 1. means an instructional material that is pornographic or indecent material as that term is defined in Utah Code §76-10-1235.
  - 2. does not include an instructional material:
    - a. that the district selects under Utah Code §53G-10-402;
    - b. for medical courses;
    - c. for family and consumer science courses;
    - d. for another course that USBE exempts in state board rule.
- D. Sensitive materials are prohibited in the school setting.
- E. A school may not:
  - 1. adopt, use, distribute, provide a student access to, or maintain in a school setting sensitive materials; or
  - 2. permit a speaker or presenter in the school setting to display or distribute sensitive materials.
- F. If parents believe that an instructional material being used in a classroom constitutes sensitive material, they may submit their concerns in writing to the school principal.
- G. The principal may consult with the executive director of teaching and learning, and they may choose to remove the material from the school setting if they immediately identify the material as sensitive material under the law.
- H. If the complainant wishes to pursue having the district review the instructional material in order to determine whether it constitutes prohibited sensitive material, the complainant may complete a [Request for Sensitive Material Determination](#) form and submit it to the executive director of teaching and learning.
  - 1. In order to challenge an instructional material as sensitive material, the parent must have a child enrolled in the school where the instructional material is located.
  - 2. Each parent can only challenge two instructional materials per year.
  - 3. All formal requests for review must be made using this form and can be filed only by a parent of a student enrolled in the district.
- I. Within 10 school days, a review committee will be formed to review the challenged material.
- J. The committee will be composed of the following individuals:
  - 1. the executive director of teaching and learning or designee, acting as chair;
  - 2. a principal;
  - 3. two parents from the school community;
  - 4. a content specialist; and
  - 5. at least two classroom teachers.
- K. The district will take reasonable steps to protect the confidentiality of the sensitive material review process and committee members (e.g., protecting names and other personally identifiable information).
- L. At its first meeting, the committee will:
  - 1. distribute copies of the completed request form;
  - 2. distribute copies of the challenged material as available;
  - 3. provide reputable professional views of the material, when available; and
  - 4. determine the amount of time needed for a thorough review of the challenged material.
    - a. The entire review should be completed within 60 school days unless extenuating circumstances exist. If circumstances warrant a longer review period, the executive director of teaching and learning will notify the complainant of the reason for the delay and the revised timeline.
- M. The committee will read, view, or listen to the challenged material and determine whether it believes the instructional material is sensitive material as that term is defined in Utah Code §76-10-1235.

- N. The committee may consult with the district's executive director of policy and legal services and shall refer to trainings and guidance issued from the Utah State Board of Education and the Utah Attorney General's Office in making its recommendation.
- O. At a second or subsequent meeting, the committee will make its recommendation as to whether the instructional material constitutes sensitive material and should be prohibited in the school setting.
  - 1. The written recommendation and its justification will be forwarded to the superintendent.
- P. The superintendent will consider the committee's recommendation and make a decision.
  - 1. The superintendent will notify the complainant by letter of the decision and any resulting district action.
  - 2. The superintendent's decision constitutes final administrative action.
  - 3. For informational purposes only, the superintendent's decision will be forwarded to the board.
- Q. Questioned material purchased through normal selection procedures will usually remain in use throughout the reconsideration process. In exceptional circumstances, the reconsideration committee, at its initial meeting, may temporarily suspend use of the material pending final determination by the superintendent.
- R. Once a final decision has been made on the instructional material, that decision shall stand for three years and during that three-year period, the material will not be subject to reconsideration or further review.

### **VIII. Review and Selection of Library Media**

- A. The certified library teacher assigned to the school and the school principal, working in cooperation with staff members, will be responsible for the selection of materials for school library media centers. This includes materials acquired through grants, book fairs, and other donations.
  - 1. A library teacher holds either a master's degree or an endorsement in library media science and is qualified to make selections in a responsible and professional manner.
- B. It is not possible for a library teacher to read all library media center collection items, including but not limited to books, reference sources, magazines, and other media materials.
  - 1. Books and other media are evaluated based on credible reviews from professional publications, professional recommendations, and other professional sources.
  - 2. When books are received at the school, additional evaluation may be appropriate.
- C. Library materials are available on a self-selection basis. The library teacher, library media assistants, teachers, or other staff members may assist students in locating library media materials.
  - 1. Reading lists recommending titles for selection are available from many sources, including, but not limited to, professional journals, student book clubs, reading associations, teachers, library teacher, commercial companies, and other sources. These lists are not approved by the library teacher, school administration or district personnel.
  - 2. Shared responsibility for the reading, listening, and viewing of library media materials and accessing internet resources by students rests with their parents, the library teacher, and school staff members. The parents are invited to consult with the library teacher to find materials they feel are appropriate for their children.
  - 3. The district recognizes the right of parents to restrict their children's access to materials they deem inappropriate. A parent desiring to restrict his/her own child's access to specific library books or materials shall advise the child of the restriction.
- D. Materials selected should support the core standards and interests of students, staff, and families, taking into account the diverse interests, age levels, ability levels, learning styles, and emotional and social development levels. Materials should encourage appreciation for both informational and recreational reading, viewing, or listening.
- E. The selection of library media materials will be based on a combination of the following criteria:
  - 1. educational significance;
  - 2. contribution and relevance to the core standards and goals of the school
  - 3. identified interests of the students;
  - 4. validity, currency, and reliability;
  - 5. accuracy, timeliness and/or permanence;
  - 6. readability and accessibility to intended audience;
  - 7. favorable reviews found in standard selection sources;
  - 8. high degree of potential user appeal, including varied interests that reflect religious, ethnic, and cultural backgrounds;
  - 9. artistic quality and literary style;
  - 10. age appropriateness;
  - 11. representation of opposing sides of controversial issues;
  - 12. reputation and significance of author, producer, or publisher;
  - 13. variety of format with efforts to incorporate emerging technologies;

14. compatibility with currently owned hardware (for non-print resources);
  15. quality and value are commensurate with cost and/or need;
  16. uniqueness, diversity, and/or heritage of the state, region, or group
  17. support of English language learners;
  18. support of special needs students; and
  19. favorable recommendations from professional personnel.
- F. If an item does not meet an acceptable combination of these criteria, it will not be added to the collection.
- G. Library teachers, with possible assistance from classroom teachers, administrators, and/or authorized staff members, will review all donated materials prior to placement in the school library media centers based on the criteria listed above. If the item does not meet an acceptable combination of these criteria, it will not be added to the library collection. Potential donors are encouraged to meet with the appropriate library teacher prior to making any donation.
- H. The library teacher should regularly evaluate the collection in order to ensure that the library learning center is fulfilling its mission to provide materials to meet patrons' interests and needs.
1. The library teacher should maintain a consideration file for future purchases. This file should reflect school needs, staff recommendations, and reviews.
  2. The library teacher should also create a plan for careful weeding of the school library collection, taking into account the item's copyright marker, content, and physical condition, the number of circulations, and whether the item has been superseded by a newer copy.

## **IX. Reconsideration of Challenged Library Media Materials**

- A. School Level
1. Formal objections to library media materials can be filed only by a district employee, student, or parent of a student enrolled at the school where material is located
  2. Each parent can only challenge two instructional materials per year.
  3. Each school shall organize a Library Media Review Committee for the purpose of reviewing library media materials when appropriateness is challenged. Membership on the committee will be updated at the start of each school year and shall include:
    - a. On an elementary level, the principal, who will chair the committee, the school library teacher, an early elementary teacher, an upper elementary teacher, and two parents.
    - b. On a secondary level, the principal, who will chair the committee, the school library teacher, two teachers from different departments, and two parents.
  4. Challenges to local school library media materials shall be submitted in writing to the appropriate school principal on a Request for Reconsideration of Library Media Materials form. The form is available on the district library technology and media page.
  5. The principal or designee, as chair of the school committee, shall call a committee meeting to review a submitted Request for Reconsideration of Library Materials. Each committee member shall receive a copy of the challenge and the challenged material prior to the meeting. Committee members shall read the challenged material prior to the committee meeting.
  6. The school committee as a whole shall discuss the challenged material based on the selection provisions outlined in Section VIII.E of these procedures and the written challenge. The school committee shall determine by majority vote the disposition of the challenged material. Disposition options include:
    - a. If the challenged material meets appropriate selection criteria, it shall remain in the collection for full circulation.
    - b. If the challenged material does not meet appropriate selection criteria, the committee shall submit to the District Library Media Review Committee a recommendation to restrict access or remove the challenged material in the specific school media center. This recommendation shall include the specific restriction requested and supporting reasons for the restriction.
      - i. In accordance with the procedures below, the District Library Media Review Committee shall convene to determine if the challenged material should also be removed from district circulation.
  7. The school principal shall send a letter to the challenger explaining the decision of the committee and the challenger's option to appeal, if needed, to the District Library Media Review Committee. A copy of the letter and all supporting documents and information shall be sent to the district library supervisor.
  8. Challenged material purchased through the district's normal selection procedures will usually remain available throughout the reconsideration process. In exceptional circumstances, the reconsideration committee, at its initial meeting, may temporarily suspend use of the material pending final determination by the committee.

9. Once a final decision has been made on the instructional material, that decision shall stand for three years and during that three-year period, the material will not be subject to reconsideration for further review.

**B. District Level**

1. The District Library Media Review Committee shall serve as the appeals board on issues related to library media materials not satisfactorily resolved at the school level. A District Library Media Review Committee shall include the library supervisor, who will chair the committee, and the following individuals from either an elementary or secondary school (equating to the level of the school submitting the challenge): a school administrator, a library teacher, two teachers, and three parents. The committee should not include members from the school who conducted or participated in the school challenge.
2. Challenges to media materials may be referred to the District Library Media Review Committee as follows:
  - a. The school Library Media Review Committee shall submit challenged material with a recommendation to restrict access to the material in the school media center, including the specific restriction requested and supporting reasons for the restriction. The school must submit a copy of the original Request for Reconsideration of Library Media Materials form, a copy of the principal's letter to the challenger, any additional information used in the school committee's decision, and the challenged material to be reviewed.
  - b. The challenger may appeal the decision to the District Library Media Review Committee. Within five school days of receiving the decision, the challenger must submit a written request for review to the District Library Media Review Committee that includes a copy of the original Request for Reconsideration of Library Media Materials form and a copy of the principal's letter to the challenger. The school must submit the challenged material to be reviewed.
3. The library supervisor, as chair of the District committee, shall call a committee meeting to review the appeal from the school level. Each committee member shall receive a copy of the challenge and the challenged material prior to the meeting. Committee members shall read the challenged material prior to the committee meeting.
4. The District committee as a whole shall discuss the challenged material based on the selection provisions outlined in Section VIII.E of these procedures and the written challenge and determine by majority vote the disposition of the challenged material. Disposition options include:
  - a. If the challenged material meets appropriate selection criteria, it shall remain in the collection for full circulation.
  - b. If the challenged material does not meet appropriate selection criteria, the committee shall restrict access to the challenged material in the specific school's media center or district-wide. Restrictions may include restricting access to specified grade levels; restricting access to adults; and/or restricting access in a manner deemed appropriate by the District Library Media Review Committee.
5. The library supervisor shall send a letter to the challenger and the school principal explaining the decision of the committee and the challenger's option to appeal to the superintendent.
6. If a challenger is not satisfied with the District Library Media Review Committee decision, the challenger may appeal the decision to the superintendent, who may review the challenged material and either affirm or change the decision of the District Library Media Review Committee.
7. The decision of the superintendent will be final.
8. Once a final decision has been made on the instructional material, that decision shall stand for three years and during that three-year period, the material will not be subjected to reconsideration or further review.

**X. Audio-Visual Materials and Appropriateness Standards**

- A. The district recommends that teachers show or play only those segments of audio-visual materials which illustrate the topic or content being taught.
- B. eMedia, available through the Utah Education Network (UEN), allows for streaming or downloading of audio-visual materials purchased by the Utah Instruction and Media Consortium (UIMC). The library teacher may be contacted to facilitate this process.
- C. Rented or personally owned audio-visual materials brought into schools from outside the district media center collection may be shown or played in classrooms provided that such materials support the core standards, are shown "face to face," and have been pre-approved in writing by school administration.
- D. Commercially produced films or videos that meet the requirements specified in Sections A through B above may be shown in district schools subject to the following conditions:
  1. Elementary schools, grades pre-K-3, may show only media rated "G" by the Motion Picture Association of America (MPAA).
  2. Elementary and/or middle schools, grades 4 through 8, may only show "G" rated media without parental permission, or "PG" rated media with parent signed permission.
  3. High schools may show only "G," "PG," and "PG-13" rated media.

4. Commercially produced films or videos rated "R," "NC-17," or "X" may not be shown in schools, either in whole or in part, under any circumstances.
  5. Non-rated films or videos must be reviewed for applicability to the Utah Core Standards, content, and appropriateness for student use.
    - a. The school principal and/or the principal's designee (an administrator, licensed media specialist, or licensed educator) must review the materials and make a rating recommendation consistent with MPAA standards. Refer to the MPAA site at <https://www.mpa.org/film-ratings>.
    - b. Based on the resulting recommendation, a school principal will give final approval for approved uses of non-rated media in the school. A written verification of review and approval for each non-rated media item must remain on file at the school location.
- E. Commercially produced musical recordings, on any media, which carry a Parental Advisory Label from the Recording Industry Association of America (RIAA) may not be played in schools, either in whole or in part, under any circumstances. Refer to the RIAA website at: <https://www.riaa.com/resources-learning/parental-advisory-label/>.