Cherokee County School District

Agenda Request Form

Meeting Date	Agenda Item Number
January 19, 2023	C-1

Title

Modifications to Supplementary Materials Selection and Adoption Policy (IFAB) - - on Final Reading

Requested Action

School Board Consideration of Superintendent's Recommendation for Approval of Modifications to Supplementary Materials Selection and Adoption Policy (IFAB) - - on Final Reading

Summary Explanation and Background

O.C.G.A. § 20-2-2-15, was amended by SB226 (2022 Legislative Session) to contain O.C.G.A. § 20-2-324.6, which required the State Board of Education to promulgate a model policy to assist schools and local school systems with establishing a harmful materials complaint process that meets statutory requirements. The law required the promulgation of this model policy by the State Board no later than September 1, 2022, and the adoption of a harmful materials complaint policy by local boards of education and the governing bodies of each charter school by January 1, 2023. The attached reflects application of the statute.

Priority Area

Organizational and Operational Effectiveness

Financial Impact

N/A

Exhibits: (List)

Policy (IFAB)

Source of Additional Information

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I. Professional Responsibility

The purchase of instructional materials is legally vested in the Cherokee County Board of Education. Each person involved with the instructional program is expected to know and to implement School District policies and procedures governing the selection and use of instructional materials and equipment.

The responsibility for planning, developing and coordinating the instructional media program is delegated to the Superintendent and/or a designee or designees. The media specialist is responsible for performing the functions identified in the Georgia School Library Media Specialists Handbook, which can be accessed through the School District website.

The instructional and media personnel will plan cooperatively to ensure optimal opportunities for individual student achievement. Each school will have an annual media plan.

The Superintendent on an annual basis makes the appointment of the District Media Contact Person (DMCP). The DMCP serves as a liaison between the School District and the Georgia Department of Education.

The Superintendent will appoint a School District instructional media committee. The committee is to be composed of administrators, media specialists, teachers, parents, students and community representatives. The committee addresses system media concerns within the framework of existing policies and procedures. The committee meets annually. Additional meetings may be called with permission of the Superintendent.

The principal in each school will appoint an instructional media committee. The committee is to be composed of administration, media specialist, teachers, parents, students, and a community representative(s). The committee will meet biannually. The committee chairperson may call additional meetings after consultation with the principal.

II. Media Program Implementation

A. Program Priorities

Media programs and services for the School District will meet all requirements of the Georgia Board of Education and the accreditation principles of the various accrediting commissions is which the system holds membership. The program will meet the instructional goals of the School District.

Implementation of the media program is the responsibility of the principal and will be based on the Georgia Department of Education's Georgia School

Library Media Specialist Handbook. Each school will have written procedures to implement the School District's media policy.

B. Selection of Instructional Media

The responsibility for the selection of instructional media is delegated to the professionally trained personnel employed by the School District. Selection of media involves principals, teachers, media specialists, students, parents, and appropriate School District personnel.

At the building level, the principal will be responsible for the recommendation of textbooks, consumable materials and library resources to the appropriate School District personnel. The recommendation of the principal may be based upon recommendation from teachers, media specialists and/or the school instructional media committee.

III. Selection – Evaluation of Instructional Materials

Selection and adoption of equipment and materials will be according to rules, regulations, and policies of the State Board of Education and School Board.

Instructional materials and equipment will be carefully selected on the basis of the appropriateness for the purposes and grade level for which they are selected. In order to accomplish this the following criteria are to be used:

1. Overall purpose
2. Relevancy or permanent value
3. Quality of writing/production
4. Readability and popular appeal
5. Authoritativeness
6. Accuracy
7. Reputation of publisher/producer
8. Reputation and significance of Author, etc.
9. Format
10. Price

The principal will recommend the purchase of textbooks based upon need, state and local regulations and recommendations from instructional staff and/or instructional materials committee.

A. Consumable materials are defined as workbooks, classroom periodicals, etc., that are designed to be used only once. The principal will recommend purchase of consumable materials based upon need, state and local regulations and recommendation of the media specialist and/or the instructional materials committee.

B. Media materials and equipment, including gifts and sponsored materials, non-school owned materials, and community resources will be carefully selected on the basis of their potential contribution to the attainment of School District goals and their appropriateness for the purpose and grade level for which they are selected.

The principal will recommend purchase of media materials based upon need, state and local regulations and recommendation of the media specialist and/or the instructional materials committee.

IV. Use of non school owned materials/equipment

Any print or non-print media brought to the school by teachers; students or parents for possible classroom use will be subject to the same criteria as that established for school-owned materials.

In no instance will media and/or equipment be used in such a manner as to violate School Board Policy or the law.

V. Removal of Materials

Out-of-date or no longer useful materials will be withdrawn from the collection periodically. The principal must approve the removal of materials to be discarded.

VI. Copyright Compliance

The School District will adhere to the Federal Copyright Law. (P.L. 94-553).

The Chief Academic Officer will be responsible for keeping abreast of copyright law interpretations and changes. This person will disseminate this information to educators within the School District so that school materials, employees and equipment will not be involved in infringement of this law.

VII. Challenged Media

The School Board acknowledges the right of parents and other citizens to raise questions through established procedures when materials appear inappropriate for public school use.

Though care is taken to select valuable materials for students and teachers, there may be occasional objections by the public as to the selections that have been made.

In the event that a complaint is made, the following procedures will be followed:

A. Definitions

1. Harmful to Minors – As outlined in O.C.G.A. § 20-2-324.6, that quality of description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:
    i. Taken as a whole, predominantly appeals to the prurient, shameful, or morbid interest of minors;
    ii. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and
    iii. Is, when taken as a whole, lacking in serious literary, artistic, political, or scientific value for minors.
2. Designee – A school or system administrator designated by the school principal to conduct the complaint resolution process.
3. Parent – parent, legal agent, legal guardian, or kinship caregiver.
4. Permanent Guardian – An individual appointed as a guardian of a minor pursuant to Part 5, Article I of Chapter 2 of Title 29.

B. Complaint Resolution Process Requirements

1. Complaint Submission
    i. Complaints alleging that material that is Harmful to Minors has been provided or is currently available must be submitted by the Parents or Permanent Guardians of a student enrolled in the school. Complaints must be submitted in writing to the principal of the school where the student is enrolled.
    ii. Complaints shall provide a reasonably detailed description of the material that is alleged to be harmful to minors.

2. Complaint Review Procedures
    i. Within seven (7) business days of receiving a written complaint, the school principal or his or her Designee will review the complaint and take reasonable steps to investigate allegations in the complaint, including, but not limited to, reviewing the material that is alleged to be harmful to minors, if it is available.
    ii. The school principal or his or her Designee shall determine whether the material that is the subject of the complaint is harmful to minors.
    iii. The school principal or his or her Designee will determine whether student access to the material that is the subject of the complaint should be removed or restricted.
    iv. Within ten (10) business days of receiving the complaint, unless another schedule is mutually agreed to by the Parent or Permanent Guardian and the school principal or his or her Designee, the school principal or his or her Designee shall confer with the Parent or Permanent Guardian and inform him or her whether the material that is the subject of the complaint was determined to be harmful to minors, and whether student access to such material will be removed or restricted.

3. Appeals Process
   i. Appeals of the school's principal's or his or her Designee's determinations of the complaint allegations shall be subject to full administrative and substantive review by the (local) Board of Education, which shall also include the ability of the Parent or Permanent Guardian to provide input during public comment at a regularly scheduled board meeting.
   ii. Unless another time frame is mutually agreed upon by the Parent or Permanent Guardian and the (local) Board of Education, the review and final disposition of the appeal by the (local) Board of Education shall be completed within thirty (30) calendar days of receiving the written appeal.
   iii. The title of the material submitted for appeal that is determined by the (local) Board of Education to be not harmful to minors shall be published on the website of the (local) Board of Education within fifteen (15) business days from the date of such determination and shall remain on the website for a period of not less than twelve (12) months.
   iv. A Parent or Permanent Guardian may request access to appealed materials that are physical in nature and accessible to their student in the student's school media center. A Parent or Permanent Guardian must abide by the school's policies and procedures when requesting and reviewing such material.

~~A. The school staff member receiving the complaint will explain the selection process utilized and the procedures for challenged materials, but make no commitments as to personal opinion, etc. Written documentation of this contact will be filed with the school principal.~~

~~B. In the event that the person making an objection to material is not satisfied with the initial explanation, the person will be referred to the principal who will explain the selection and reconsideration process and refrain from expressing personal opinion.~~

~~1. If, after consultation, the complainant desires to file a formal complaint, a copy of the challenged material form will be given to the complainant by the principal.~~

~~2. The principal will inform the complainant that the form must be completed in its entirety and submitted to the principal. It must be emphasized to the complainant that incomplete forms will be considered invalid and will not be recognized.~~

~~3. After the challenged materials form is completed and signed by the complainant, it is to be filed with the principal and copies sent to the appropriate School District personnel.~~

~~4. When referred to the School District instructional media committee, at a minimum the committee will do the following:~~

~~a. Read and examine materials referred to it;~~
~~b. Check general acceptance of the materials by reading reviews;~~
~~c. Compare values and faults against each other and form opinions based on the materials as a whole and not on passages pulled out of context;~~
~~d. Meet to discuss the material and to prepare a report on it; and,~~
~~e. Present the report to the appropriate personnel.~~

~~5. In the event that the above procedures do not satisfy the complainant, the matter may be referred to the School Board. The decision of the School Board is the final authority.~~

VIII. Organization of Materials and Equipment

All school-owned print and non-print instructional materials and equipment except basic textbooks, items purchased with categorical funds and items useful only in one specific instructional content area will be organized and made available through the media center.

Organization of materials will be based on nationally recognized system and designs for school media centers. Equipment will be organized so as to provide accurate circulation, maintenance, and inventory records.

IX. Accessibility of Facilities and Resources

Provisions will be made to assure accessibility of the media center for both individual students and groups simultaneously throughout the instructional day during each day of the school year.

Provisions will be made for access to media resources to support instruction in any State Board of Education approved course when offered outside regular instructional time.

Provision will be made through the media specialist to facilitate the use of information sources outside the school, which are available through cooperating agencies.

When the entire class uses the media center, the teacher is the instructional leader. The purpose of the visit is planned cooperatively with the media specialist.

X. Textbook and Instructional Materials Accountability

Once textbooks and instructional materials paid for by public funds are issued to a student; the responsibility for the return of these materials to the school for further use will be the total responsibility of the student and parents or guardians.

When textbooks, library books or other instructional materials are not returned to the school in a form suitable for continued use, it will be the responsibility of the student and the parents/guardians to reimburse the School District for the full replacement cost of the textbook, library book or other instructional materials.

In cases involving damaged books or materials, such materials will become the property of the student and the parents/guardians once the school receives replacement funds. Students who do not pay for books issued to them which have been lost or damaged will not be issued additional books or materials or will not receive diplomas until their debts are settled. In no case will a student be eligible to participate in graduation exercises and activities of the School District if debts related to lost or damaged books or materials remain unpaid.

Students who meet graduation requirements but are ineligible for graduation exercises because of unpaid debts related to textbooks, library books or other instructional materials will receive their official high school diploma by mail along with an official transcript; however, no request for forwarding of transcripts to any source will be honored.

ADOPTED: August 2, 2001
REVISED: July 19, 2018

Cherokee County Board of Education