



## Old Rochester Regional School Committee Policy Subcommittee Meeting Minutes

May 10, 2023 AT 4:30 p.m.

SCHOOL COMMITTEE MEMBERS PRESENT: Mary Beauregard (in-person), Marion School Committee, Katherine Duggan (remote), Rochester School Committee, Cristin Cowles (in-person), Mattapoisett School Committee, Frances-Feliz Kearns (in-person), ORR School Committee, Margaret McSweeney (in-person), ORR School Committee and Joseph Pires (remote), ORR School Committee.

SCHOOL COMMITTEE MEMBERS ABSENT: None.

OTHERS PRESENT: Michael S. Nelson (in-person), Superintendent of Schools, Sharlene Fedorowicz (in-person), Assistant Superintendent of Teaching and Learning and Melissa Wilcox (in-person), Executive Assistant to the Superintendent.

*This meeting will be conducted in a hybrid format. School Committee, Administrators and public will have the option of meeting in person in the Superintendent's Conference Room located at 133 Marion Road, Mattapoisett, MA 02739 or via zoom.*

**MEETING TO ORDER at 4:34 p.m. by Ms. Kearns**

### **1. APPROVAL OF MINUTES: March 8, 2023**

**Motion to approve the minutes from March 8, 2023 by Ms. Beauregard**

**Second by Ms. Cowles**

**ROLL CALL: Beauregard: yes, Cowles: yes, Duggan: yes, Kearns: yes, McSweeney: abstain, Pires: yes**

### **2. Review MASC Policy Newsletter – March 2023**

Superintendent Nelson reviewed the most recent MASC Policy Newsletter with the committee. He recommended starting with section A this evening to review MASC recommended additions, deletions and revisions in section A and then for the committee to discuss next steps for the remaining sections. He recommended reviewing by section as many additions, deletions and revisions correspond to each other, rather than looking at all the additions or all of the deletions together. The committee members discussed adding an additional meeting to this school year in order to review the MASC recommendations. They agreed that it will take some time as it is about seven pages of revisions, but many seem to be minor grammatical updates. The committee members would prefer to begin the 23-24 school year with policies up-to-date. The committee asked if grammatical errors could be delegated to Central Office Administration but Superintendent Nelson stated he would need to confirm with MASC. In conclusion, all committee members agreed to try to schedule an additional meeting in June to review grammatical fixes first, section J, then section B, then the remaining sections as time allows.

Next, the members reviewed the MASC recommendation of the addition of AA-1 Regional School District Legal Status.

**Motion by Ms. McSweeney to approve the addition of policy AA-1 Regional School District Legal Status as discussed.**

**Second by Ms. Kearns**

**ROLL CALL: Beauregard: yes, Cowles: yes, Duggan: yes, Kearns: yes, McSweeney: yes, Pires: yes**

Superintendent Nelson continued that the next policy is updated language revisions in AA-School District Legal Status. He explained that the unique structure of Old Rochester Regional School District and Massachusetts Superintendency Union #55 is the reason both AA and AA-1 are both needed and he recommends the changes put forth by MASC.

**Motion by Ms. Kearns to approve the changes to policy AA School District Legal Status as presented.**

**Second by Ms. Beauregard**

**ROLL CALL: Beauregard: yes, Cowles: yes, Duggan: yes, Kearns: yes, McSweeney: yes, Pires: yes**

Superintendent Nelson continued with policy AB The People and Their School District explaining minor revisions of updating the last line to when MASC reviewed in 2022 and removing the note.

**Motion by Ms. Kearns to approve the revisions to AB The People and Their School District as presented.**

**Second by Ms. Beauregard**

**ROLL CALL: Beauregard: yes, Cowles: yes, Duggan: yes, Kearns: yes, McSweeney: yes, Pires: yes**

Superintendent Nelson next explained the updates recommended in policy ACA Nondiscrimination on the Basis of Sex of updated language and addition of a reference along with fixing the hyphen typos on the word programs and the word extend.

**Motion by Ms. Beauregard to approve the revisions to ACA Nondiscrimination on the Basis of Sex as presented.**

**Second by Ms. Kearns**

**ROLL CALL: Beauregard: yes, Cowles: yes, Duggan: yes, Kearns: yes, McSweeney: yes, Pires: yes**

Superintendent Nelson informed the committee that the change in AD Mission Statement is to update language to reflect the change made during the last strategic plan process.

**Motion by Ms. Kearns to approve the changes to AD Mission Statement as presented.**

**Second by Ms. Beauregard**

**ROLL CALL: Beauregard: yes, Cowles: yes, Duggan: yes, Kearns: yes, McSweeney: yes, Pires: yes**

Superintendent Nelson explained the recommended updates to ADC Tobacco Products on School Premises Prohibited from MASC.

**Motion by Ms. McSweeney to approve the revised policy ADC Tobacco Products on School Premises Prohibited as presented.**

**Second by Ms. Cowles**

**ROLL CALL: Beauregard: yes, Cowles: yes, Duggan: yes, Kearns: yes, McSweeney: yes, Pires: yes**

Lastly, Superintendent Nelson informed the committee of the change in the title to policy ACE Nondiscrimination on the Basis of Disability.

**Motion by Ms. McSweeney to approve the change to the title of ACE Nondiscrimination on the Basis of Disability as presented.**

**Second by Ms. Beauregard**

**ROLL CALL: Beauregard: yes, Cowles: yes, Duggan: yes, Kearns: yes, McSweeney: yes, Pires: yes**

### **3. Review Community Member Requests of Policy Revision**

Superintendent Nelson informed the committee that there were two requests to review under Policy BGB – Policy Adoption which allows community members to suggest a new policy or change in an existing policy. The first request was from community member Kathleen LeClair. Ms. LeClair’s emailed request was provided to the members to review along with the current Discipline Code referenced in her request. (Please see Appendix A and B).

Ms. Cowles reviewed the email request and does not agree with Ms. LeClair’s recommendations. Ms. Kearns questioned the potential compliance issues with Massachusetts General Law if the suggested recommendations were removed as the way the current policy is written, it complies. Ms. Duggan discussed taking out the specific offenses mentioned. Ms. Kearns reiterated her concern for compliance if removed.

**Motion by Ms. Cowles to dismiss the requested changes from Ms. Kathleen LeClair**

**Second by Ms. Kearns**

**Discussion:** Mr. Pires commented that he believes the request is presenting a conflict of interest with previous decisions of the school committees. He would like to review rules and compare.

**ROLL CALL: Beauregard: yes, Cowles: yes, Duggan: yes, Kearns: yes, McSweeney: yes, Pires: no**

Superintendent Nelson informed the committee that the second request was from community member Karen Thomas. Ms. Thomas recommended a replacement policy for IJJ/IJK/IJKA/IJL/IJM Selection Policy for Instructional Materials and Programs. Ms. Thomas' email, recommended new policy and the current adopted policy were provided to the members for review. (Please see Appendix C, D and E.)

Ms. Cowles commented that it appears the request is to delete the current policy and replace with her suggested policy. Ms. Cowles did some research online and found this same policy in a school district in Pennsylvania. Upon further research she reviewed documents discussing negative feedback from parents, employees and the American Civil Liberties Union of Pennsylvania. Ms. Cowles continued that news articles stated the district in Pennsylvania has spent over \$1 million in response to this policy. She voiced concern that if it is a Pennsylvania policy, it does not reflect current Massachusetts regulations and laws.

**Motion by Ms. Cowles to dismiss the request to replace the IJJ/IJK/IJKA/IJL/IJM Selection Policy for Instructional Materials and Programs**

**Second by Ms. Beauregard**

**Discussion:** Mr. Pires commented that he would like to get clarification if the requester is asking to move items to district level for approval and include parents. Ms. Duggan stated it seems like an entirely new policy. Mr. Pires stated he would like to send it back for more clarification.

**ROLL CALL: Beauregard: yes, Cowles: yes, Duggan: yes, Kearns: yes, McSweeney: yes, Pires: no**

**ADJOURNMENT**

**Motion to adjourn at 5:11 p.m. by Ms. Cowles**

**Second by Ms. Kearns**

**ROLL CALL: Beauregard: yes, Cowles: yes, Duggan: yes, Kearns: yes, McSweeney: yes, Pires: yes**



## Fwd: Request for change in Student Handbook

1 message

Mike Nelson <mikenelson@oldrochester.org>  
To: Melissa Wilcox <melissawilcox@oldrochester.org>

Tue, May 9, 2023 at 10:05 PM

Michael S. Nelson  
Superintendent of Schools  
Old Rochester & MA Sup. Union #55  
508-758-2772 x1956  
#WEareOR  
Sent from my iPhone

Begin forwarded message:

**From:** Kathleen LeClair <>  
**Date:** March 14, 2023 at 6:59:42 PM EDT  
**To:** "Michael S. Nelson" <mikenelson@oldrochester.org>  
**Subject:** Request for change in Student Handbook

Dear Mike, exercising my rights as a community member under Policy BGB Policy Adoption, section (h) and request urgent and immediate review of the following sections of the Student Handbook.

If our school committee and the administration are going to take the position that pornography will be available in our school libraries and sexual content will be included in our curriculum, under no circumstances should any student be disciplined for being in possession of pornography under The Discipline Code, nor for any of the activities described below under the Sexual Harassment Policy.  
In the interest of protection of all our students, these items must be removed immediately.

There will not be double standards and mixed messages sent to our children, you all either support children being exposed to sexualized materials or you don't.

Please inform me if there is any additional information you need in order for this to go for immediate review.

Sincerely,  
Kathleen LeClair

### THE DISCIPLINE CODE

Possession of any form of pornography (sexting is considered a form of pornography according to Massachusetts Law)

### SEXUAL HARASSMENT POLICY

Sexual epithets, jokes, written or verbal references to sexual conduct, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess.

- Discussions of one's own sexual activities or inquiries into others' sexual experiences.
- Displaying sexually suggestive objects, pictures, cartoons.

**THE DISCIPLINE CODE**

It is essential that all students accept personal responsibility for maintaining high standards of conduct, including the observance of all school rules and regulations. The purpose of disciplinary measures short of expulsion is corrective, to encourage students to improve their conduct. The ultimate goal of the discipline code of the school is to guarantee students' respect for the person and property of themselves and others.

ORRHHS rules and regulations are based on a system of progressive discipline. This means that an administrator has the discretion to significantly increase penalties in the cases of second and third offenses. In determining the severity of the penalty or suspension, the administrator may consider all relevant factors, including but not limited to the following:

- The student's previous disciplinary record.
- The severity of disruption of the educational process.
- The degree of danger to self, others, and the school in general.
- The degree to which the student is willing to change their inappropriate behavior.

**CATEGORY ONE OFFENSES**

1. Use, possession, distribution, purchase or sale, or attempt to use, possess, distribute, buy or sell, alcohol, or any substance purported to be alcohol (M.G.L. c. 272, s. 40A)
2. Physical violence, including fighting
3. Vandalism or malicious destruction of or damage to public or private property
4. Theft
5. Assault
6. Sexual harassment (M.G.L. c. 157, s. 1)
7. Intimidation, that is, threatening or putting a person in fear for their safety
8. Any criminal acts, whether a misdemeanor or felony
9. Possession of a weapon or a hoax device or a facsimile of a weapon or any unauthorized object such as a laser pointer that could be injurious to health or safety or could damage the school facility (M.G.L. c. 266, s. 102A 1/2)
10. Intentional or reckless actions which create a reasonable likelihood that the health, safety, or well-being of students, faculty, or others may be endangered
11. Under the influence of drugs and/or alcohol
12. Possession of any object that may be used as drug paraphernalia
13. Participation in any form of hazing (M.G.L. c. 269, s. 17-19)
14. Possession of fireworks
15. Unauthorized purchase or sale of any item
16. Cheating or Plagiarism
17. Falsely activating a fire alarm, setting a fire, making a bomb threat or any other threats or actions that place any person or the school in harm (M.G.L. c. 269, s. 13)
18. Misuse of computer hardware or software or copy machines
19. Use of vulgar, profane, disrespectful acts or language to any staff member or student or at any time in school
20. Disturbance of school or public assembly (M.G.L. c. 272, s. 40)
21. Civil rights violations or hate crimes (This range of behavior extends to graffiti to threats to actual assaults and is directed to an individual (or group) because of the individual's race, color, creed, religion, national origin, ethnic background, disability, sex, gender identity, or sexual orientation)
22. Smoking, including the use or possession of any tobacco, smokeless tobacco products, or electronic cigarettes; possession of cigarette lighters, matches or other types of flammable igniters is also prohibited, and such materials will be subject to confiscation
23. Videotaping of any person, including students and teachers, without their permission

24. Possession of any form of pornography (sexting is considered a form of pornography according to Massachusetts Law)

### **CATEGORY ONE CONSEQUENCES**

Discipline imposed for Category One violations may include one or more of the following:

- Suspension out of school for up to ten (10) days.
- Loss of student privileges, including participating in school activities.
- Referral to the Superintendent of Schools for review and possible imposition of more stringent sanctions.
- Assignment to in-school suspension. Restitution or restoration will be required of the student when deemed appropriate by the school. The student's parent/guardian/caregiver(s) will be notified and a parent/guardian/caregiver conference held. The Superintendent of Schools, the School Committee, and the police may also be notified for a violation of any of the above. Any violation of category one offenses, but not limited to category one offenses, suspected to be criminal in nature, will immediately be reported to the police.
- Saturday School
- If the student commits a second offense within this category, they may be referred to the Superintendent for a hearing and possible permanent expulsion.

### **CATEGORY TWO OFFENSES**

1. Insubordination (refusal to cooperate)
2. Refusal to do school work
3. Throwing food
4. Disruption of a class, detention, or any other school activity to the point of being sent from that class or activity
5. Disruption or other disorderly conduct while assigned to in-school suspension
6. Unexcused absence from school or class
7. Leaving classes or school grounds without permission
8. Repeated (three or more) violations of school rules, regulations, or procedures otherwise subject to Category Three discipline
9. Participation in a walkout
10. Failure to attend detention
11. Throwing snowballs or any object on the school property
12. Receiving five detentions in one term or eight detentions in one academic year
13. Forging signatures, notes, or official documents, but not limited to report cards, field trip permission forms, dismissal notes, tardy notes, bus notes, and passes
14. Truancy
15. Bus Conduct Referrals
16. Being in an unauthorized area or using school property equipment without permission
17. Multiple students in one bathroom stall or in an unsupervised space

### **CATEGORY TWO CONSEQUENCES**

Discipline imposed for Category Two violations may include one or more of the following:

- Suspension out of school for up to five (5) days.
- Loss of student privileges, including the privilege of participating in school activities (such as Prom, athletic events, dances).

- Assignment to in-school suspension. Restitution or restoration will be required of the student when deemed appropriate by the school. The student may be referred to guidance. The student's parent/guardian/
- caregiver(s) may be notified and a parent/guardian/ caregiver conference held. The Superintendent of Schools may also be notified.
- Saturday School

For any subsequent offense within this category, the student is subject to more severe discipline, including Category One consequences.

### **CATEGORY THREE OFFENSES**

1. Tardiness to school more than three (3) times in a marking period
2. Failure to follow one's schedule as published
3. Failure to follow rules and procedures regarding tardiness, absences, or dismissal not otherwise subject to discipline under Category One or Two
4. Failure to pay for athletic equipment broken or not returned
5. Use of electronic media and communication devices
6. Failure to sign in when arriving tardy to school
7. Card playing
8. Failure to follow any other rule, regulation or procedure set forth in the handbook or published in the daily bulletin whose violation is not otherwise identified as a Category One or Category Two offense
9. Behavior that interferes with the smooth, orderly, and efficient running of the school which is not otherwise subject to Category One or Category Two offense
10. Possession of a water pistol or the like
11. Unauthorized use of the elevator
12. Gum chewing
13. Eating food or consuming anything other than water in the classroom or bathroom
14. Having a vehicle without a school parking tag on school property
15. Failing to sign in to study, library or computer rooms
16. Misuse of a graphing or any other calculator
17. Failure to return school-issued materials, i.e. textbooks, library books, etc.
18. Wearing backpack in school without administration approval

### **CATEGORY THREE CONSEQUENCES**

Discipline imposed for Category Three violations may include one or more of the following:

- A warning.
- Loss of student privileges, including the privilege of participating in school activities.
- Assignment to one or more after-school detention sessions.
- Assignment to in-school suspension.
- Pass restriction. Tardiness to school more than three (3) times in a marking period or any subsequent tardiness in a marking period may result in pass restriction.
- Restitution or restoration will be required of the student when deemed appropriate by the school.

Subsequent violations within this category will subject the student to more severe discipline, including Category Two sanctions. If violations continue after Category Two consequences have been imposed, the student may be subject to Category One consequences.

### **DUE PROCESS**

The Discipline Code at ORRHHS is administered within the guidelines set forth by the U.S. Supreme Court with regards to due process for students.

The Supreme Court held that the Due Process clause of the Fourteenth Amendment to the United States Constitution requires that a student facing temporary (up to ten days) suspension from a public school be given oral and/or written notice of the charge(s) against them, explanation of the basis for accusation(s), and an opportunity to present their version of the facts. In addition, the court held that unless the student's continued presence at school endangers persons or property or "threatens disruption of the academic process", the hearing must precede rather than follow their suspension.

The court pointed out that due process does not require that hearings in conjunction with suspensions be trial-like in nature. Therefore, school officials are not required to give the student an opportunity to secure counsel, to confront and cross examine witnesses supporting the charges or to call their other supporting witnesses.

Before a student is suspended from school, they are first given an informal hearing by an administrator who will attempt to contact a parent/guardian/ caregiver. If a student is assigned to in-school suspension and the current work is given to the student, the work must be done. During the time of out-of-school suspension, a student may not participate in any extracurricular activities.

### **THE APPEAL PROCESS**

The Discipline Code holds students, parent/guardian/caregiver(s), and the school accountable for appropriate school behavior. It is not the intent of the Discipline Code to be unreasonable punitive toward students for unusual or extenuating circumstances. Therefore, an appeal process has been developed for those extraordinary situations.

The parent/guardian/caregiver must write a letter to the Building Principal. This letter will request a review of the circumstances. Parent/guardian/ caregiver(s) must submit their letter of appeal within 48 hours from the time of suspension. Upon receiving the appeal letter, the Principal will set up an appeals meeting to review the facts of the case. A response by the Principal will be rendered within 24 hours of the appeals meeting.



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## Fwd: Policy Revision for Instructional Materials and Programs

1 message

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**Mike Nelson** <mikenelson@oldrochester.org>  
To: Melissa Wilcox <melissawilcox@oldrochester.org>

Tue, May 9, 2023 at 10:07 PM

Michael S. Nelson  
Superintendent of Schools  
Old Rochester & MA Sup. Union #55  
508-758-2772 x1956  
#WEareOR  
Sent from my iPhone

Begin forwarded message:

**From:** KAREN THOMAS <>  
**Date:** March 15, 2023 at 12:46:17 PM EDT  
**To:** [mikenelson@oldrochester.org](mailto:mikenelson@oldrochester.org)  
**Subject:** Policy Revision for Instructional Materials and Programs

Good Afternoon Mike,  
Based on **Policy BGB - Policy Adoption** as a community resident of Rochester I have attached a revised policy for **Instructional Materials and Programs** that I would like brought to the Policy subcommittee and to the School Committee for consideration. I feel very strongly the current situation we find ourselves in is justification for change. There has been much discussion about educational suitability of library materials, what is developmentally appropriate for minors and what is not appropriate such as sexualized content, profanity, brutality, and vulgarity. Parents/guardians and taxpayers want and need more visibility and access of information to what is being put in the library.

Thank-you and look forward to hearing back when this will be discussed.

Karen Thomas

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**File: IJJ/IJK/IJKA/IJL/IJM - SELECTION POLICY FOR INSTRUCTIONAL MATERIALS AND PROGRAMS****Objectives**

The District seeks to provide library materials that would be of the greatest support to its educational objectives for minor students in the District. The District's libraries exist to facilitate research and learning by furnishing materials that are of requisite quality, suitable for educational goals, worthwhile for the limited amount of time available to students, and most appropriate for minor students. The District's libraries do not exist to provide universal coverage but instead to provide materials aimed at its pedagogical goals and for the interest, information, and enlightenment of minor children, not adults. The school library is not a public forum, nor is the goal to encourage views from private speakers/authors. Since school and classroom libraries are viewed as places for voluntary inquiry, library materials must be treated differently from instructional materials used in the classroom. This policy provides criteria for the selection, removal, and replacement of library materials, focused on maximizing transparency with parents and community members while meeting student needs to provide supplemental enrichment in their learning with appropriate materials. Through the provision of these library materials, the District recognizes that parents hold an essential role in the education of their children and have the right to guide what their children read.

**Definitions**

**Library materials**, whether held in a formal school library or in a classroom, shall include all materials that are made available to students through the school library system and that are not otherwise approved as instructional resources through policy **IJ Instructional Material**. Library materials are for independent use by students and faculty outside of the District's core educational program. While instructional materials and library materials are both considered instructional resources, they are not the same, and the terms shall not be used interchangeably.

**Responsibility for Selection and Acquisition Process**

Recommendations for new material and reorders of existing material shall be made by the District-level library supervisor or similar administrator designated by the Superintendent. Such recommendations may be based on their own expertise or based on recommendations from librarians, administrators, teachers, other District personnel, parents, and community members. Gifts and donations of library materials must go through the same process prior to approval by School Committee and materials must align with the same selection criteria as purchased materials.

The District-level library supervisor or Superintendent's designees shall then give a list of recommendations to the Superintendent or designees.

After the Superintendent or designees' initial approval the recommended list shall be provided to the School Committee and posted on the Districts' website for 30 days to allow parents, guardians, employees, and member of the community to submit written comment on the recommended list prior to the final approval. The Superintendent or designee shall make a final recommendation list based on the public comments and submit to the School Committee for final approval based on a majority vote. The final list shall then be processed for order. As the new materials are received, they shall be checked against a master list of materials ordered.

Selection of materials is an ongoing process that includes the periodic replacement or repair of materials still of educational value.

### **Avoiding Inappropriate Material**

The District recognizes there exists a vast array of materials with rich educational content. It is the District's objective to choose material that provides such rich educational content appropriate to students in the District over material that may provide similar content but with elements that are inappropriate or unnecessary for minors in a school setting.

Sexualized content that falls short of material prohibited by criminal laws is nonetheless generally inappropriate and/or unnecessary for minors in school. Parents/guardians have a wide range of options outside of the District's library system to introduce their child to sexualized content they deem appropriate for their child's age. As such, the District will prioritize inclusion of quality materials suitable for educational goals and worthwhile for the limited amount of time available to students that do not contain sexualized content.

#### ***Elementary School Libraries***

**No materials in elementary libraries shall contain:**

- visual or visually implied depictions of sexual acts or simulations of such acts,
- explicit or implied written descriptions of sexual acts, or
- visual depictions of nudity or implied nudity.

#### ***Middle School Libraries***

**No materials in middle school libraries shall contain:**

- visual or visually implied depictions of sexual acts or simulations of such acts,
- explicit written descriptions of sexual acts, or
- visual depictions of nudity-not including materials with diagrams educating about anatomy for science and health instruction or content relating to classical works of art.

In selecting library materials for middle school students, the selectors shall seek to prioritize the selection of materials that do not contain other sexualized content, such as implied written description of sexual acts or implied nudity.

#### ***High School Libraries***

No materials in High school libraries shall contain:

- visual or visually implied depictions of sexual acts or simulations of such acts, or
- explicit written descriptions of sexual acts

In selecting library materials for high school students, the selectors shall seek to prioritize the selection of materials, which do not contain other sexualized content, such as explicit descriptions of sexual acts or visual depictions of nudity.

*Prioritization Process:*

When seeking approval from the District-level library supervisor or Superintendent's designee for any library materials containing explicit written descriptions of sexual acts or visual depictions of nudity that would be available to high school students or, in the case of middle school students, materials that contain an implied written description of sexual acts or implied nudity, the librarian involved in the collection development process must notify the District-level library supervisor or Superintendent's designee that such sexualized content is present in the material and offer potential alternative options from which to choose, which cover similar pedagogical purposes for the resource but which do not contain the aforementioned sexualized content.

District libraries must also comply with the Children's Internet Protection Act (CIPA) as specified in 47 U.S.C. §254(h)(5), including technology protection measures, and all state and federal laws relating to the prohibition on pornographic and other harmful materials for minors.

The District shall also contract with third party providers of electronic materials who will provide resources to students in compliance with the goals of this policy.

**Criteria for Selection**

The District-level library supervisor or Superintendent's designee shall work cooperatively with library staff, faculty, and the administration to select material consistent with this policy. To ensure parental engagement, the District shall make the selection process of library materials readily available for parental review, with a list of all library materials posted on-line on the District's website, and the content of all materials available for direct review during reasonable hours specified for such review.

Each item selected shall:

1. Support and enrich the curriculum and/or students' personal interests and learning;
2. Be appropriate for the subject area and for the age, intellectual development, and ability level of the students for whom the materials are selected; and
3. For non-fiction resources, incorporate accurate and authentic factual content.

Prior to any material being selected for recommendation for inclusion by the District-level library supervisor or Superintendents' designees to the School Committee the potential library material shall have been reviewed by the District-level supervisor or individual(s) designated by the supervisor.

### **Optimizing Library Resources**

A good collection development plan must include weeding. The process of weeding is a key part of assessing the collection. It helps keep the collection relevant, accurate, and useful, and it facilitates more effective use of space in the library. A thorough weeding is accomplished at least once every fifth year. Criteria for weeding of materials include poor physical condition, outdated content, and/or lack of circulation. Lost, damaged, or worn books are not automatically replaced. The decision to replace materials is based on availability and continued relevance; also considered are the availability of duplicates, the number of other books on the same subject, the availability of more recent or better material, more appropriate material, and the continued demand for the book in question. All materials are selected to provide a balanced collection. A wide range of recognized classics should be maintained in each library.

### **Challenge Procedures**

A parent/guardian of a District student or any District resident may formally challenge library material on the basis of appropriateness. The school receiving a complaint about the appropriateness of a library material shall try to resolve the matter informally through a telephone conference or meeting between the complainant and the school librarian, designated campus administrator, or District-level library supervisor. The conference may also include other necessary staff members as deemed appropriate by District-level library personnel.

If the complainant wishes to file a formal request for reconsideration, a copy of this policy shall be provided to the complainant by District-level library supervisor or appropriate administrator with instructions to submit the information requested below.

All formal concerns regarding library materials shall be submitted to the District-level library supervisor or Superintendent's designees, and shall state: 1) the complainant's name and contact information, 2) the name/author of the library resource, 3) cite page numbers and specific information in the material to support the objections, 4) offer suggestions as to replacements that are of equal or better merit and which convey the same or similar educational purpose that may have led to the objected material being included in the library in the first place, 5) and state whether the complainant is requesting a reevaluation of the material's inclusion by the District-level library supervisor or Superintendent's designees or is simply making a request that the material not be assigned to or checked out by the complainant's child.

The District-level library supervisor or Superintendent's designees shall review the complaint and the challenged material and determine whether it conforms to the principles of selection set out in this policy.

The major criterion for the final decision on challenged library material is the appropriateness of the resource for its intended educational use and intended audience of minor students. The plurality opinion in *Bd. of Educ. v. Pico*, 457 U.S. 853 (1982), uses the standard that no challenged instructional resource shall be removed because of the ideas expressed therein. Removal of materials may be based upon the lack of educational suitability of the library material, lack of appropriateness for minors such as sexualized content, and for pervasive profanity or vulgarity. It need not rise to the levels of obscene material or material which would violate criminal laws in order to warrant replacing the material with, better options.

When a decision has been reached, the appropriate District-level administrator shall notify the complainant. The decision shall be in written form, dated, and provided to the complainant within ten (10) district business days of the decision. All other appropriate staff members will be informed of the reconsideration and the outcome.

Specific library material that has withstood the formal challenge process and remains in the library will not be the subject of an additional formal challenge within one (1) year of the final date of determination. Furthermore, material removed pursuant to the challenge process will not be returned to the library without meeting the criteria for selection as outlined in this policy. The District shall verify previous decisions prior to convening a reconsideration committee. The complainant may appeal the decision of the district-level library supervisor or Superintendent's designees to the School Committee.

### **Opportunity for Parent Review**

In recognizing that parents/guardians hold an essential role in the education of their children and have the right to guide what their children read, each library shall maintain a printed list of materials onsite and on the school library website that shows what has been selected as well as what is slated for acquisition. Audio-visual materials are to be made available to parents for in-person review, upon request, on the same basis as printed materials are made available. Parents/guardians have the right to review student school records, including but not limited to books checked out by their child.

### **Other Parental Considerations**

In school libraries, students are afforded the opportunity to self-select texts as part of literacy development. While librarians are trained in selecting materials in accordance with Board policy and the outlined selection criteria and may provide guidance to students in selecting texts, the ultimate determination of appropriateness for a minor lies with the parents/guardians. School librarians, or designated campus administrators, are to encourage parents/guardians to share any considerations regarding their students' book selections. Parents/guardians may contact the campus librarian directly and/or complete an online form for library book or content opt-out decisions. School librarians will honor and accommodate individual requests by parents, within reason, which may include restricting specific titles or books.

## **IJJ/IJK/IJKA/IJL/IJM - SELECTION POLICY FOR INSTRUCTIONAL MATERIALS AND PROGRAMS**

### OBJECTIVES

#### **For the School District:**

Instructional materials are selected by the school district to implement, enrich, and support the educational program for the student. Materials must serve both the breadth of the curriculum and the needs and interests of the individual students. The district is obligated to provide for a wide range of abilities and to respect the diversity of many differing points of view. To this end, principles must be placed above personal opinion and reason above prejudice in the selection of materials of the highest quality and appropriateness. All curriculum materials must have intellectual merit and be free of simplistic and demeaning generalizations as well as bias, discrimination and stereotyping on the basis of race, color, gender identity, sex, religion, national origin and sexual orientation. The checklist for evaluating instructional material and programs should be utilized by the implementation committee when reviewing materials and programs.

#### **For the Library Media Center:**

The main objective of the selection procedure is to provide students with a wide range of educational materials on all levels of difficulty and in a variety of formats, with diversity of appeal, allowing for the presentation of many different points of view.

The objective of the library media center is to make available to faculty and students a collection of materials that will enrich and support the curriculum and meet the needs of the students and faculty.

Although many points must be examined, the School Committee directs the staff to be mindful of the following considerations:

- The needs of all learners must be provided for.
- Attention should be given to gender roles depicted in the materials.
- The textbook and textbook support materials should lead the student and teacher beyond the textbook into a wide variety of other materials and educational experiences.
- If the textbook deals with problems and issues of our times, it should present and encourage examination of varied points of view.
- Because textbooks are selected for several years' use, special attention also shall be given their physical characteristics, durability, format and price.

### RESPONSIBILITY FOR SELECTION

The ultimate responsibility for all print and non-print materials used in all library media centers and instructional material and programs rests on the individual school committees of the towns and the region.

Responsibility for the selection of instructional material and programs for newly revised curricular shall be made by the Curriculum Implementation team chaired by the Curriculum Coordinator with approval from lead teachers/departmental coordinators, building principals and Instructional Council, chaired by the Assistant Superintendent. Responsibility for the selection of instructional material and programs for mid-cycle curricular shall be made by departmental teams in conjunction with the Curriculum Coordinator and at the elementary level shall be made by a sub-committee which will include the Principal/Asst. Principal, the Curriculum Coordinator, lead teacher, and grade level representatives. The responsibility for selection of school library materials shall rest with the professional library staff through the building principal. The library media specialist will work cooperatively with staff members to interpret and guide the application of the policy in making day-to-day selections.

To ensure a well-balanced coverage of subjects, opinions, formats and a wide range of materials, the library collection will be developed systematically to support the curriculum, the state frameworks, and the diverse interests and needs of the students and staff.

## PROCEDURES

### **Coordination**

Recommendations from administrators, faculty, students and parents shall be gathered and considered when appropriate. The responsibility for coordinating requests as well as selecting and purchasing library media materials rests with the library media specialist.

### **Selection Aids**

The library media specialist will use reputable, unbiased, professionally prepared selection aids. The following recommended sources shall be consulted in the selection of materials, but selection is not limited to these sources:

- Children's Catalog
- Elementary School Library Collection
- Bulletin of the Center for Children's Books
- Horn Book
- Booklist
- School Library Journal
- Reference Books for School Libraries
- Wilson's Junior High School Catalog
- Wilson's High School Catalog

### **Previewing**

When possible, efforts shall be made to provide opportunities for library personnel and faculty to preview materials before purchase.

### **Gifts and Sponsored Materials**

Gift materials and sponsored materials shall be evaluated by the standard selection criteria and shall be accepted or rejected by those criteria.

### **Replacements**

Replacements will be purchased for worn, damaged, weeded, or missing materials basic to the collection when possible and needed.

### **Lost or Damaged Materials**

Patrons are responsible for all materials borrowed. If materials are lost or damaged, patrons are responsible for replacing the items.

### **Weeding**

Significant amounts of material that no longer meet the needs of the school impede patrons in the efficient selection of appropriate material. Weeding out materials that are no longer useful is therefore as important as the initial selection of materials. De-selection should be carried out in accordance with the same principles and policies that determine selection.

### **Position on Intellectual Freedom**

The Old Rochester School Committees subscribe in principle to the statements of policy on library philosophy as expressed in the Library Bill of Rights of the American Library Association,. The principles of intellectual freedom expressed in the Library Bill of Rights are inherent in the First Amendment of the Constitution of the United States. In the event library materials are questioned, the principles of intellectual freedom shall be defended.

### **PROCEDURE FOR CHALLENGED MATERIALS**

Despite the quality of the selection process, occasional objections to curriculum materials may be made. No questioned material shall be removed from the school library media center or classroom material/programs pending a decision through the complaint process. In the case of a complaint, the procedure for filing a request for review of materials and books shall be used. (File: [LJ-R](#))