

Selection of Instructional Materials

The authority of the Board of Education primarily places the responsibility for the selection of instructional materials with the professional staff of the school district.

The Associate Superintendent shall establish administrative regulations and procedures pertaining to the selection of instructional materials necessary for teachers to implement the approved curriculum in their classrooms and work effectively with students. The regulations shall also include a procedure for handling concerns or challenges regarding instructional materials utilized in the school district. The Director of Standards Based Instruction has the responsibility for implementing these regulations and procedures.

Instructional materials shall be selected to support the approved curriculum, enhance student learning, and assist students in attaining the goals and objectives of the district's Strategic Plan.

Instructional materials shall be classified into three categories: basic instructional materials, basic supplemental instructional materials, and non-basic instructional materials.

Basic instructional materials are the primary adopted materials to be used in classroom instruction. Basic instructional materials are associated with district curriculum adoptions for district-wide use as a primary means to attain the districts standards and benchmarks.

Supplemental basic instructional materials are other district adopted print and non-print materials (audio-visual, digital and electronically-accessed) that may be used at the discretion of the teacher to enhance, augment or illustrate classroom instruction.

Non-basic instructional materials are resources selected by individual teachers to complement, enrich, or extend the curriculum, to meet diverse needs of students or to meet the rapidly changing circumstances for individual classes. Non-basic instructional materials used for classroom instruction are the responsibility of the teacher using them and the appropriate administrator. Non-basic instructional materials are selected by the classroom teacher utilizing the same selection criteria as the district adopted basic instructional materials and supplemental basic instructional materials.

Critical Race Theory

Pursuant to N.D.C.C. 15.1-21-05.1, a school district may not include instruction relating to critical race theory. In accordance with North Dakota law, critical race theory means "the theory that racism is not merely the product of learned individual bias or prejudice, but that racism is systemically embedded in American society and the American legal system to facilitate racial inequality." As a result, instructional material and District led or sponsored professional development may not include critical race theory.

Selection of Basic Instructional Materials Adopted for Classroom Use

The Director of Standards Based Instruction has the responsibility for coordinating and supervising the selection and adoption process of basic instructional materials that support the goals and objectives as set forth in the course standards.

Teachers and administrators, through the appropriate curriculum study committees, will preview and select basic instructional classroom materials. Selected materials will support the district's philosophy statements and curricular standards and benchmarks. Selected materials will be an extension of best practice educational research. The study committees will follow the district approved curriculum review cycle to study and evaluate proposed instructional materials for district adoption.

Selection Criteria for Instructional Materials

Content:

- Supports FPS Strategic Plan
- Is research-based and reflects best-practice instructional approaches
- Aligns with district and state standards and benchmarks
- Meets a range of needs and characteristics of the intended user: ability levels, reading levels, learning styles, age and social development and special needs
- Written to allow for differentiation of content, process, and product for students at different learning levels
- Presents facts and concepts accurately and objectively
- Stimulates growth in analytical and thinking skills
- Represents diverse points of view
- Represents multi-cultural perspectives
- Is inclusive of and avoids stereotypes and bias with regard to gender, gender identity, national origin, race, color, ancestry, dis/ability, religion, sex, age, culture, sexual orientation, and other status protected by law

Organization and Physical Format:

- Utilizes a logical and user-friendly format
- Uses instructional aids such as tables, graphics, photographs, charts, maps, color, patterns, highlighting, varied typefaces, summaries, and questions

Supplementary Resources:

- Provides integrated supplementary materials including, but not limited to, computer software, online material (See AP 5266), audio-visual resources, and printed material

Teacher Guide and Supporting Materials:

- Employs a user-friendly format and organization
- Offers useful instructional suggestions and activities based on best-practices research
- Provides bibliographies of additional resources
- Includes suggestions and/or tools for assessment

Selection of Supplemental Basic Instructional Materials Adopted for Classroom Use

The Director of Standards Based Instruction and the Library Program Coordinator have the responsibility for supervising the selection of supplemental basic instructional materials, including print and non-print materials (audio-visual, digital and electronically-accessed). Teachers have a primary role in the preview and evaluation of proposed materials. The selection

process for supplemental basic instructional materials will follow the district approved curriculum review cycle and established district procedures.

Any classroom use of supplementary audio-visual or audio materials carrying a motion picture industry rating or the Recording Industry of America Parental Advisory will follow the rating guidelines. Any teacher using rated materials outside of the guidelines will follow the district approved procedure for use (see Appendix 1).

Instructional Use of Copyrighted Materials

Any classroom use of copyrighted supplemental basic materials will adhere to the Fair Use exemption in Copyright Law. In addition to the guidelines listed in the Fair Use exemption of Copyright Law, the district requires that AV materials and software used in district classrooms be part of the district's collection of purchased or legally-licensed materials, selected according to district policy.

Selection of Supplemental Basic Instructional Materials: Library Materials and Shared District Resources

The Library Program Coordinator has the responsibility for coordinating and supervising the selection of materials for the individual library media center collections and district shared collection of print, non-print, audio-visual, digitally formatted and electronically accessed materials. The responsibility for the selection of library media materials at the building level is delegated to the building library media specialist, assisted by the faculty and administration.

Through a system of centralized preview, ordering, processing and distribution, the library media centers and the Department of Instructional Resources (DIR) provide a wide range of student materials to stimulate, expand and satisfy the diverse informational needs and reading interests of students, enriching their instructional experience and helping them fully realize their potential at each stage of their educational, social, and emotional development.

In selecting materials for purchase and/or use, the library media specialist bases their judgment on the valuation of the existing collection and the selection considerations for collection development in library media centers. Selection is an ongoing process which should include removal of materials no longer appropriate and the replacement of lost and worn materials still of educational value.

The selection of materials is carefully done to assure a comprehensive collection appropriate for the users of the library media centers and in accordance with accepted school library collection development considerations and guidelines.

Selection Considerations for Collection Development in Library Media Centers

- Direct or contextual support of curricular goals and objectives;
- Enrichment of basic instructional materials;
- Balance in the existing collection;
- Currency and significance for contemporary society;

- Readability;
- Appeal to interests and needs of students;
- Age, social and emotional development of students;
- Appeal to various learning levels and styles;
- Representation of various interests and viewpoints;
- Availability in other district libraries;
- Price;
- Stability of format;
- Potential demand and use;
- Degree of interest and potential use;
- Presentation of varied points of view for critical analysis;
- Representation of religious, ethnic, and cultural diversity and plurality in society;
- Stimulation of literary appreciation, aesthetic values and ethical standards;
- Reputation of author, artist, composer, producer, publisher;
- Favorable review in reputable and respected review sources and lists of recommended works distributed by reputable sources.
- Consultations with teachers.
- Requests for previewed materials from specialists from departments and grade levels as appropriate. Personal examination of materials.

Additional Considerations in The Selection And Circulation of Library Materials:

Materials included in library media center collections are selected for the student population of each building. In addition to the materials in a specific building, students and staff have access to all the resources of the district through a district union catalog which facilitates inter-library loan.

Library staff will make every effort to respect the expressed concerns or suggested guidelines of the parents/guardians of a student. Parents/guardians may have advisory notes placed on their child's library record limiting the materials their child may check-out.

Library materials will be selected for their strengths, rather than rejected for their weaknesses. Materials are judged and selected as a whole work rather than individual parts.

Whereas non-fiction works deal with factual information and expository discussions, fiction portrays an imaginative view of life as seen by a writer or film maker. A written or filmed work may occasionally take a sensitive topic and treat it in a manner deemed unacceptable by some people. The inclusion of realistic elements of language and plot in a work of fiction should be considered in terms of literary style and the role these elements have in the overall work and their appropriateness for the students served.

Library media specialists and teachers should seek guidance in the selection of fictional materials from reviews in professional journals and books, consultations with other library media specialists and teachers, and personal or electronic examination when possible.

Selection of Non-Basic Instructional Materials by Individual Teachers

Non-basic instructional materials are resources selected by individual teachers to complement, enrich, or extend the curriculum, to meet diverse needs of students or to meet the rapidly

changing circumstances for individual classes. Non-basic instructional materials used for classroom instruction are the responsibility of the teacher using them and the appropriate administrator. Non-basic instructional materials are selected by the classroom teacher utilizing the same selection criteria as the district adopted basic instructional materials and supplemental basic instructional materials.

Gifts and Unsolicited Materials

Gifts and unsolicited materials must support and be consistent with the district's overall philosophy and support the approved curriculum, enhance student learning and assist students in attaining the goals and objectives of the district's Strategic Plan. These materials will be evaluated with the same criteria as are other materials. Gift and unsolicited materials may or may not be accepted.

Confidentiality of Library Records

The confidentiality of individual circulation records is protected by the North Dakota Century Code, chapter 40-38 Library Records - Open records exception:

“Any record maintained or received by a library receiving public funds, which provides a library patron's name or information sufficient to identify a patron together with the subject about which the patron requested information, is considered private and is excepted from the public records disclosure requirements. These records may be released when required pursuant to a court order or a subpoena.”

Reconsideration of Instructional or Library Materials:

The District recognizes that opinions differ regarding the quality and suitability of materials and has an obligation to consider questions and concerns about the quality and suitability of instructional materials.

Review of Instructional or Library Materials

Any resident or employee of the school district may request to review instructional or library materials.

Request For Reconsideration of Instructional or Library Materials

Informal Request for Reconsideration of Instructional or Library Materials

Parents/guardians of school district students directly impacted by the use of instructional or library materials, or students directly impacted by the use of instructional or library materials may request the reconsideration of use of the instructional or library materials. Every effort shall be made to resolve the expressed concerns at an informal building level.

Complaints, expressions of concern, or requests for reconsideration regarding an instructional or library resource made by parents/guardians of school district students directly impacted by the use of instructional or library materials, or students directly impacted by the use of an instructional or library materials shall be addressed to the building principal. The principal will notify the teacher and/or the library media specialist using the material and arrange a meeting of the concerned parents/guardians/student, the teacher and/or librarian.

The principal will meet with the concerned parents/guardians of school district students directly impacted by the use of an instructional or library materials, or student directly impacted by the use of an instructional or library materials and the teacher or librarian using the material, as well as additional staff at the principal's discretion. The principal will explain the district's selection procedure and criteria and will note the qualifications of the staff involved in the selection of the resource. The place and significance of the resource in the educational program and additional information regarding its use shall be given to the individual(s) registering the concern. School personnel will listen to and respond to the concerns of the parent, guardian, student or staff.

All high school (9-12) teachers must include in their course syllabi a listing of the assigned whole class literature/novels that will be read during the course. If additional whole class literature/novels are added to a course after the syllabi has been distributed, all high school (9-12) teachers must send a memo home to parents with the titles of the additional whole class literature/novels. All staff (K-12) must provide alternative literature selections if a parent, guardian, student, or staff expresses a concern about the assigned whole class literature/novel.

Formal Request for Reconsideration of Instructional or Library Materials

If the informal request for reconsideration of an instructional / classroom / library resource is deemed unsatisfactory by the parents/guardians/student bringing the concern, or the teacher and/or the library media specialist using the material, the building principal will see that the parent or guardian or the teacher and/or the library media specialist using the material receives the district form Request for Reconsideration of Instructional or Library Materials (AF 4250-1). The form should be returned to the building principal within 10 student contact days of the conclusion of the informal request for reconsideration. The building principal will forward the form to the Director of Standards Based Instruction within 5 student contact days with a summary of the informal process to that point. Materials shall remain in use pending the outcome of the formal request for reconsideration process.

A copy of the item under consideration may be given to the concerned party. The item must be returned. The borrower will be billed for the replacement cost of the item if it is not returned.

If the deadlines listed in this policy are past, the complainant waves his/her right to move the complaint to the next level.

Formal Reconsideration of Instructional and/or Library Materials Selection

Within 5 student contact days of receipt of a request to formally reconsider the selection of material used in classroom instruction or available to students in the library, the Director of Standards Based Instruction will contact the parent, guardian, student, or staff directly impacted by the use of the instructional material to calendar the review of the material. Formal reconsiderations will be processed in the order in which they are received; multiple formal reconsiderations received by the district may impact the timeline outlined in this policy. No requests for reconsideration of instructional materials will be entertained if the district has already reviewed the matter in the current or previous two school years.

The committee may request input from additional instructional or administrative staff if the selection or use of the material involves a specific grade level, content area, or students with special needs, as well as call on expertise in the community.

The committee will meet as needed to hear the complaint and reconsider its selection for use in the district.

District Materials Review Committee Membership

There will be a standing district committee named to handle requests for reconsideration of classroom and/or library materials. The Director of Standards Based Instruction will facilitate the selection of the standing district committee with input from various groups (e.g. Associate Superintendents, district's principals, district's librarians, district's teachers, PTA representative) to serve two year staggered terms. This committee will meet only as needed. There may be cases, depending on the level from which the reconsideration request is being made in which only some members of the committee will be asked to review a case.

- Associate Superintendent (Adjunct – based on level of material)
- Director of Standards Based Instruction (Committee Facilitator)
- Library Program Coordinator
- Elementary Principal
- Middle School Principal
- High School Principal
- Elementary Librarian
- Middle School Librarian
- High School Librarian
- Elementary Teacher
- Teacher of Special Education
- Middle School Teacher
- High School Teacher
- PTA representative – Elementary
- PTA representative – Middle School
- PTA representative – High School
- Additional district staff as needed

Procedure for Formal Reconsideration by the District Materials Review Committee

- All members of the committee will receive a copy of the request with any supporting materials submitted by the complainant and/or the district.
- All members of the committee will read/view the work.
- The committee will meet with the complainant who will present their concerns about its selection and use.
- The material in question will be viewed as a whole and will not be judged on individual, specific passages.
- The material in question will be reconsidered in light of the district's selection criteria, rationale for selection by district personnel, reviews from accepted sources, general acceptance of the material as well as concerns from the complainant.
- The committee will determine the process by which it will make a decision on the selection and use of the material in question.

- The deliberations of the committee will be closed.
- The committee will make a decision on the selection and use of the material in question. The Director of Standards Based Instruction will prepare a committee report which will be signed by members of the committee.
- A letter of notification of the committee's decision will be sent to the complainant within 10 student contact days of the committee's decision. It will include a copy of the committee report.
- A copy of the report will be sent to the principal and instructor or librarian of the building where the reconsideration request originated.
- A copy of the report will be on file in the offices of the Associate Superintendent and the Library Program Coordinator.

Appeal Of District Committee's Decision on Reconsideration of Challenged Materials:

If the parent, guardian, student, or staff who initiated a formal request for reconsideration chooses to appeal the committee's decision to the superintendent, a request to do so should be submitted in writing to the Director of Standards Based Instruction, within 15 student contact days of receiving the committee's decision, who will forward the appeal request to the Associate Superintendent. The Associate Superintendent will present the appeal request to the Superintendent, whose decision is final.

If the deadlines listed in this policy are past, the complainant waves their right to move the complaint to the next level.

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Request For Reconsideration of Educational Materials

Completion of this form is the first step in the district procedure established for the reconsideration of classroom or library materials. Please return the completed form to the building principal.

Material Type: ___ Book ___ Textbook ___ Newspaper ___ Periodical
 ___ Film ___ Audio Recording ___ Software
 ___ Online Program /Website
 ___ Other

Title of the educational material which you would like to be reconsidered:

Author / Producer:

Copyright Year _____

ISBN _____

What brought this material to your attention?

In what way is the material used?

- ___ Classroom assigned reading / viewing
- ___ Classroom supplemental reading / viewing
- ___ Library – individual checkout

Have you read/examined/viewed the entire resource? (If less than the whole, please explain)

Have you read any reviews about this resource? Who wrote the review and where was it located?

What are your concerns about the use of this resource? Please provide the exact location of the objectionable material (page numbers in a book, screens in a software application, or scenes in a video).

What do you think might result from continued use of this material?

Are there any conditions under which you believe this material might be used with value in the instructional program? Please explain.

Was an alternative available to the student for use in place of this resource? (Please explain)

What do you suggest be done with this material?

What alternatives to this resource can you suggest?

Name of individual requesting reconsideration of educational material:

Name of student for whom the request is being made:

School building attended by student:

Grade level of student:

Teacher-Selected Materials - Guidelines:

The selection, evaluation, and use of teacher-selected instructional materials are the responsibility of the teacher using them and the appropriate administrator.

Any teacher-selected materials used by the classroom teacher, must comply with the district's Selection of Instructional Materials Policy (AP-4250) and the district's Religious Beliefs and Customs Policy (AP-4270).

SELECTION PROCESS**1. Preview/read the entire material.**

2. Answer the following questions.

Does the material:

1. Align with district and state standards, benchmarks, and Essential Learning Outcomes?
2. Meet a range of needs and characteristics of the intended user; ability levels, reading levels, learning styles, age and social development and special needs?
3. Present facts and concepts accurately and objectively?
4. Stimulate growth in analytical and thinking skills?
5. Avoid stereotypes and bias with regard to gender, race, religion, age, culture, and sexual orientation?
6. Have a favorable review in a reputable and respected review source (see media specialist for assistance)?

If the answer is no to any of the questions listed above (1-6), the teacher-selected instructional material should not be used in the Fargo Public Schools.

Does the material:

7. Foster any particular religious tenet or demean any religious beliefs?

If the answer is yes to question seven (7) listed above, the teacher-selected instructional material should not be used in the Fargo Public Schools.



FARGO PUBLIC SCHOOLS
REQUEST FOR PARENTAL PERMISSION
FOR USE OF AUDIO/VISUAL MATERIALS

Dear Parent/Guardian,

I would like to use the AV material(s) listed below in conjunction with the lesson I am teaching on the following concepts:

Synopsis of Content:

Building: _____ Teacher: _____

Date of use: _____ Material Rating (if known): _____

Title of Material: _____

Student Name: _____

Class level/ Subject area: _____

SIGN & RETURN to your student's school if your permission is NOT granted.

Parent/Guardian sign here if you do NOT give permission

Date
Appendix 1

MPAA ABBREV	RATING	DEFINITION	ADD. NOTE
G	General Audiences	All ages admitted	Usable for all students. A video rationale must be submitted to building principal and librarian.
PG	Parental Guidance Suggested	Some materials may not be suitable for children.	A video rationale must be submitted to building principal and librarian. Request for Parental Permission to parent/guardian for elementary students.
PG-13	Parents strongly cautioned	Some materials may not be appropriate for children under 13.	A video rationale must be submitted to building principal and librarian. Request for Parental Permission to parent/guardian for middle school students. Not suitable for children under the age of 13.
R	Restricted – Under 17	Requires accompanying parent or guardian	A video rationale must be submitted to building principal and librarian. Request for Parental Permission to parent/guardian for high school students. Not suitable for elementary or middle school students.
NC-17	No one 17 and under admitted.		Not to be shown in school