

NHCS Reconsideration Procedures for Instructional Materials

Instructions for an Instructional Materials Challenge

Directions for a Challenge

- 1) Parent/Guardian should begin by communicating concerns to the appropriate staff member (teacher or school library media coordinator (SLMC)). If concerns are not resolved, the parent contacts the school principal.
- 2) Principal will reply to the parent and continue to work towards a solution that meets the needs of their child. If parental concerns are not resolved, principal provides a Request for Reconsideration of Resources form to the parent and information on where the parent can review NHCS [Board Policy 3210](#).
- 3) The completed form must be submitted to the principal, who will then include the school Media and Technology Advisory Committee (MTAC) chairperson to set up the team's next meeting date. The principal will also inform the executive director that a request for reconsideration has been submitted.
- 4) Once the Request for Reconsideration Form is received, the school MTAC will convene and follow the procedures below.

Note: Parents should receive communication from the MTAC committees in the language preference indicated in the Student Information System.

School Level Media and Technology Advisory Committee (MTAC) Procedures

The composition of the School MTAC is defined in NHCS [Board Policy 3200, Section C](#). The School Library Media Coordinator (SLMC) will serve as the chairperson of the MTAC for a reconsideration request. If the school does not have a SLMC, the principal will assign a chairperson.

The following procedures will be followed:

The MTAC chairperson will:

- Communicate the estimated timeline for MTAC review to the principal.
- Convene the MTAC and share the procedure for material review.
- Organize and keep track of all documents used by the committee to share with the district level MTAC in the case of an appeal.

The MTAC members will:

- Review policy [3210](#)
- Examine (read, listen to, or view) the challenged material and the complaint.

- Weight merits against alleged faults to form opinions based on the material as a whole and not on passages isolated from context.
- Survey reviews of the material from professional reviewing sources.
- Evaluate the challenged material according to [NC General Statute 115c-98 \(b1\)](#), to determine whether it is:
 - educationally unsuitable
 - pervasively vulgar
 - or inappropriate to the age, maturity, or grade level of the students.
- Reach a simple majority decision with the chairperson abstaining from the vote. In the case of a tie, the chairperson will cast the deciding vote. There are four possible outcomes after the review:
 - Take no action
 - Remove the material from instruction/circulation
 - Place the material at another school level
 - Regulate the material's availability
- The chairperson will write a response to the complainant within 5 school days of the MTAC vote.
 - The response will be delivered by the Principal to the complainant in writing, using email read receipt or certified mail.
 - A copy will be submitted by the Principal to their Executive Director.
 - The decision will be shared with school staff.

If upon receiving the MTAC decision, either party is dissatisfied with the decision, they have 15 school days to file a Request for Review of a Building-Level Decision form with the Superintendent.

District Media and Technology Advisory Committee Procedures

The composition and chairperson of the District MTAC is determined by the Superintendent. It is recommended that the Director of Curriculum and Instruction chair challenges related to curriculum materials and the Lead SLMC chair challenges related to library materials.

The following procedures will be followed:

The District MTAC chairperson will:

- Communicate the estimated timeline for MTAC review to the Superintendent.
- Convene the MTAC and share the procedure for material review.
- Organize and keep track of all documents used by the committee to share with the superintendent/board members in the case of an appeal.

The District MTAC members will:

- Examine (read, listen to, or view) the challenged material and the complaint.

- Weight merits against alleged faults to form opinions based on the material as a whole and not on passages isolated from context.
- Survey reviews of the material from professional reviewing sources.
- Review the decision of the School MTAC.
- Evaluate the challenged material according to NC General Statute 115c-98 (b1), to determine whether it is:
 - educationally unsuitable
 - pervasively vulgar
 - or inappropriate to the age, maturity, or grade level of the students.
- Reach a simple majority decision with the chairperson abstaining from the vote. In the case of a tie, the chairperson will cast the deciding vote. The district MTAC will select from the following options:
 - Uphold School MTAC Decision
 - Overturn School MTAC Decision
 - Retain the material
 - Remove the material from instruction/circulation
 - Place the material at another school level
 - Regulate the material's availability
- The chairperson will write a response to the request for reconsideration within 5 school days of the MTAC vote.
 - The response will be delivered to the Superintendent.
 - The Superintendent will review the findings and recommendations of the District MTAC and send a written decision to the complainant and the School Principal.

If upon receiving the District MTAC decision, either party is dissatisfied with the decision, they have 15 school days to file a Request for Review of a District-Level Decision form to petition the New Hanover County School Board of Education for a hearing.

NHCS School Board Procedures

The NHCS Board has final authority and discretion to determine whether a challenge has merit and to determine the retention, removal, or restriction of the challenged material.

The School Board members will:

- Examine (read, listen to, or view) the challenged material and the complaints.
 - Weight merits against alleged faults to form opinions based on the material as a whole and not on passages isolated from context.
 - Survey reviews of the material from professional reviewing sources.
- Review the decision of the School and District MTACs.

After examination of the material and MTAC decisions, the NHCS Board may grant or deny a

hearing at its discretion.

- If the Board denies the petition for a hearing, the decision of the Superintendent is final.
- If the Board grants a hearing, the following procedures shall apply.

Hearing Procedures:

The Board shall have the authority to determine the procedure to be followed for such appeals including the authority to determine the manner in which the evidence will be presented, the length of the hearing, and other procedural matters.

Options for the presentation of evidence include:

- Written documentation only
- Live witness testimony in which the complainant, district representative(s) and/or others are allowed to make oral statements

The School Board members will:

- Evaluate the challenged material according to NC General Statute 115c-98 (b1), to determine whether it is:
 - educationally unsuitable
 - pervasively vulgar
 - or inappropriate to the age, maturity, or grade level of the students.
- Reach a simple majority decision. The board will select from the following options:
 - Uphold District MTAC Decision
 - Overturn District MTAC Decision
 - Retain the material
 - Remove the material from instruction/circulation
 - Place the material at another school level
 - Regulate the material's availability

The Board or the board's attorney will write a response to be shared with all concerned parties within 5 school days of the hearing.

The NHCS School Board's decision is final.

Request for Reconsideration of Resources (School-Level)

Name of parent/guardian making request _____

Telephone _____ Address _____

Email _____ Are

you a parent or guardian in this school _____ Child's Grade Level/Course _____

School _____

Title of Item _____

Author/Artist/Composer, etc. _____ Publisher _____

Copyright date, edition, etc. _____

Have you reviewed NHCS Board Policy 3200 and 3210? _____

Have you discussed your concern with your child's teacher, media coordinator and/or principal?

If yes, what was the outcome of this discussion? _____

Did you read, listen to or view the entire material? _____

If no, why not? _____

On which of these are you basing your request for reconsideration?

- educationally unsuitable
- pervasively vulgar
- or inappropriate to the age, maturity, or grade level of the students.

What evidence supports your claim? (use additional paper if space is needed):

What authoritative resources did you consult? List sources: _____

Is there any other information you would like to share with the committee about your child as they consider this request? _____

Other comments: _____

Signature _____ Date _____

Submit this completed form to your School Principal

Request for Reconsideration of Resources (District-Level Appeal of School's Decision)

Name of parent/guardian/staff member making request _____

Telephone _____ Address _____

Email _____ I am

Original Complainant Teacher/Media Coordinator Parent of child in school/course School _____

Title of _____

Item _____

Author/Artist/Composer, etc. _____ Publisher _____

Copyright date, edition, etc. _____

Did you read, listen to or view the entire material? _____

If no, why not? _____

Have you read the Building-level MTAC decision regarding this material? _____

What aspect of the decision are you requesting be reviewed? _____

What evidence supports your request? _____

What additional information would you like the committee to consider? _____

Signature _____ Date _____

Submit this completed form to the NHCS Superintendent

Request for Reconsideration of Resources (Petition to the NHCS Board to Appeal District-Level Decision)

Name of parent/guardian/staff making request _____

Telephone _____ Address _____

Email _____ I am

Original Complainant Teacher/Media Coordinator Parent of child in school/course School _____

_____ Title of

Item _____

Author/Artist/Composer, etc. _____ Publisher _____

Copyright date, edition, etc. _____

Did you read, listen to or view the entire material? _____

If no, why not? _____

Have you read the District-level MTAC decision regarding this material? _____

What aspect of the decision are you requesting be reviewed? _____

What evidence supports your request? _____

What additional information would you like the committee to consider? _____

Signature _____ Date _____

*Submit this completed form to the Superintendent to petition the New Hanover County
School Board of Education for a hearing*