

INSPECTION OF AND OBJECTION TO INSTRUCTIONAL MATERIALS AND SUPPLEMENTARY MATERIALS

Policy Code:

3210

Though the board strives to provide instructional and supplementary materials that will support and enrich the curriculum and enhance student learning, the board recognizes that parents, teacher and community members still may have concerns about certain instructional and supplementary materials used in the school system. The board respects the right of to review instructional and supplementary materials, those terms are defined in policy 3200, Selection of Instructional Supplementary Materials, and provides a processes for objecting to the use of specific instructional or supplementary materials.

For purposes of this policy, all references to “parent” include a parent, legal guardian, legal custodian, or other caregiver adult authorized to enroll a student under policy 4120, Domicile or Residence Requirements.

A. PARENTAL RIGHT TO INSPECT MATERIALS

Parents may review all instructional and supplemental materials. Instructional and supplementary materials do not include academic tests or assessments. Parents who would like to inspect and review instructional or supplementary materials should make a request in writing to the principal identifying the ~~instructional~~ materials the parent is seeking to inspect. Within 10 business days of receiving the request, the principal shall either (1) provide access to the requested information or (2) provide an extension notice to the parent that, due to the volume or complexity of the request, access to the information will be provided no later than 20 business days from the date of the parent’s request. Access will be provided by supplying the parent with a copy of the materials or by scheduling a mutually agreeable date and time for the parent to come into the school to review the materials. All materials used in reproductive health and safety education shall be available for review as provided in policy 3520/6150, Comprehensive Health Education Program.

B. OBJECTION TO MATERIALS

1. Objections to School System Use of Materials

a. Informal Resolution of Concerns

The board encourages informal resolution of concerns regarding instructional or supplementary materials used in the school system. Any parent of a student enrolled in a school in the school system, teacher employed by the board, or resident of the geographic area served by the school system who has concerns about an instructional or supplementary material used in a school is encouraged to bring that concern to the principal before submitting a formal challenge. The board believes that many concerns can be resolved promptly through open communication with school administration.

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b. Challenges to Materials

A parent of a student enrolled in a school in the school system, a teacher employed by the board, or a resident of the geographic area served by the school system may submit a challenge alleging that a specific instructional or supplementary material is: (1) obscene; (2) inappropriate to the age, maturity, or grade level of the students; or (3) except for library books, not aligned with the standard course of study. The challenge must be submitted in writing to the board. The board will use a community media advisory committee to investigate and evaluate the challenge.

Members of the community media advisory committee will be appointed by the superintendent and include, at minimum: (1) three principals, including a principal from a high school, a middle school, and an elementary school; (2) three teachers, including a teacher from a high school, a middle school, and an elementary school; (3) a parent of a student in high school or middle school and a parent of a student in elementary school; and (4) three school library media coordinators, including a coordinator from a high school, a middle school, and an elementary school.

Within two weeks of the filing of the challenge, the community media advisory committee shall hold a hearing and provide the challengers an opportunity to present their concerns to the committee. The committee may, in the committee's discretion, request additional information on the subject matter at the hearing from experts employed by the school system. Within two weeks of the hearing, the committee shall make a recommendation to the board on whether the challenge has merit and whether the challenged material should be retained or removed as unfit material. The committee's determination will be limited to considerations of whether the material is unfit on the specific grounds of the material being: (1) obscene; (2) inappropriate to the age, maturity, or grade level of the students; or (3) not aligned with the standard course of study.

At the next meeting of the board after the community media advisory committee's recommendation is received, the board will determine whether the challenge has merit and whether the challenged material will be retained or removed as unfit material. The board, at all times, has sole authority and discretion to determine whether a challenge has merit and whether challenged material should be retained or removed. The decision of the board is not appealable.

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2. Objections to an Individual Student's Use of Materials

a. Religious-Based Objections

A religious-based objection to an individual student's use of an instructional or supplementary material will be addressed in accordance with policy 3510, Religious-Based Exemptions from School Programs.

b. Objections to Materials Used in Reproductive Health and Safety Education

If a student's parent objects to the student's use of instructional or supplementary materials used in reproductive health and safety education instruction or in separate instruction on the prevention of STDs, including HIV/AIDS, or the avoidance of out-of-wedlock pregnancy, the parent may opt the student out of participation in the instruction in accordance with policy 3540, Comprehensive Health Education Program.

c. Objections to the Use of Certain Library Books

Any request by a student's parent that the student be prohibited from borrowing certain library books will automatically be granted. The request must be made in writing to the principal and identify by title the library book(s) that the student may not borrow. For purposes of this policy, library books are defined as electronic, print, and nonprint resources, excluding instructional materials, held in a formal school library or in a classroom for independent use by students and school personnel outside of the standard course of study for any grade or course. The titles of all library books at a school may be accessed through a searchable web-based catalog displayed on the homepage of the school's website.

d. Other Objections to an Individual Student's Use of Materials

Even if an instructional or supplementary material is fit for use by most students, a student's parent still may have concerns about that individual student's use of the material. If a student's parent objects to the student using a specific instructional or supplementary material, and the objection does not fall under subsection B.2.a., B.2.b., or B.2.c., above, the parent first should discuss the matter with the student's teacher in an effort to reach a resolution informally. If the parent is not satisfied with the teacher's response, the parent should request an informal review of the matter by the principal. If the parent is not satisfied with the informal review, the parent may file a grievance in accordance with policy 1740/4010, Student and Parent Grievance Procedure. In determining whether to accommodate an objection, school officials shall consider the effect on the curriculum; any

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burden on the school, teacher, or other students that the accommodation would create; and any other relevant factors.

The superintendent shall develop the necessary administrative procedures to implement this policy.

Legal References: U.S. Const. amend. I; 20 U.S.C. 1232h; N.C. Const. art. I, § 14; *Board of Educ. v. Pico*, 457 U.S. 853 (1982); G.S. 115C art. 8 pt. 1; 115C-45, -47, -76.25(a)(5), -76.35(b), -76.40, -85.1, -98, -98.1, -98.5, -101

Adopted: 07/16/2001

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