

PARENTAL REQUEST TO REVIEW INSTRUCTIONAL MATERIALS

Policy Code:

3210

In policy 3200, Selection of Instructional Materials, the Watauga County Board of Education (the “board”) establishes a process for the selection of instructional materials to meet State Board of Education requirements and the educational goals of the board.

The board recognizes that parents may have concerns about instructional materials used in the school system. Thus, to further involve parents in the education of their children, the board also provides opportunities for parents to review instructional materials and a process for parents to use when they object to instructional materials.

A. PARENTAL RIGHT TO INSPECT MATERIALS

Parents have a right under federal law to inspect all instructional materials which will be used in connection with any survey, analysis, or evaluation as part of any applicable federally funded programs. Parents ordinarily also may review all other instructional materials following procedures provided by the school or superintendent. The term “instructional materials” does not include academic tests or assessments. Some materials available through the Internet and used in individual classes to provide up-to-date information or information on current events may not be available for advance review; however, all materials used in reproductive health and safety education shall be available for review as provided in policy 3540, Comprehensive Health Education Program.

B. PARENTAL OBJECTION TO MATERIALS

Parents may voice a concern by first meeting with the teacher using the material or the Media Center Coordinator if the material is in the media center. During that meeting the parent will share their concerns and the teacher or Coordinator will share the selection process and determine any accommodations that may be made. If the parent is not satisfied, they will meet with the principal. The principal will review the selection process and determine if any other accommodations may be made. During this meeting the principal will share the process outlined in Section C. If after the meeting with the principal, the parent is not satisfied, then they shall follow the procedures outlined in Section C. While input from the community is valuable, the board believes professional educators are in the best position to determine whether a particular instructional material is appropriate for the age and maturity of the students and for the subject being taught.

C. PROCEDURES FOR RECONSIDERATION OF INSTRUCTIONAL RESOURCES

Occasional objections to some resources may be voiced by parents despite the care taken in the selection process, the qualifications of persons selecting the resources, and the accommodations offered to the parent. If a reconsideration request is made on material other than a state adopted text, the procedures are as follows:

1. The parent shall complete the *Parent Request for Building Level Reconsideration of*

Instructional Resources form and return it to the principal.

2. The principal shall forward the completed form to the building level Media and Technology Advisory Committee (MTAC). This committee shall consist of at least a building level administrator, a teacher, a parent, the Media Center Coordinator and an Instructional Technology Facilitator.
3. Materials shall remain in use until and unless a decision is made to withdraw the materials by the Building Level MTAC.
4. Upon receipt of the *Parent Request for Building Level Reconsideration* form, the building level MTAC shall:
 - Review the material in question
 - Review any accommodations offered
 - Interview the complainant, the teacher(s) in control of the content, and other relevant school personnel
 - Survey appraisals of the material in professional reviewing sources
 - Weigh merits against alleged faults to form opinions based on the material as a whole, not on isolated passages based on selection criteria
 - Meet to discuss the findings and prepare a written report and recommendation within 15 school days after receipt of the completed Request for Reconsideration form.
 - File the report with the principal, superintendent, and the complainant within 5 days after the meeting in which the report was written.
 - Retain or withdraw the challenged materials upon completion of this process
 - Materials shall be retained or withdrawn as decided by the Building Level MTAC through the completion of any appeal of that decision.

If the principal or the committee determines that any material violates constitutional or other legal rights of the parent or student, the principal or the committee shall either remove the material from instructional use or accommodate the particular student and parent. Before any material is removed, the principal or the committee shall ensure that the curriculum is still aligned with current statewide instructional standards and articulated from grade to grade. If an objection made by a parent or student is not based upon constitutional or legal rights, the principal or the committee may accommodate the objection after considering the effect on the curriculum; any burden on the school, teacher, or other students that the accommodation would create; and any other relevant factors. Books and other instructional materials may be removed from the school media collection only for legitimate educational reasons and subject to the limitations of the First Amendment.

The decision of the committee may be appealed to the superintendent. Only the parent who initiated the request for review or the teacher/staff member in control of the resource may file an appeal in writing to the superintendent within 10 days of receipt of the Building Level MTAC report. The superintendent shall:

- Review the Building Level report provided as well as the material in question.
- Interview the complainant, the teacher(s) in control of the content, and other relevant school personnel

- Request that a sub group of the District Level Media and Technology Advisory Committee complete the same process as the Building Level MTAC. This District Level committee shall consist of at least a building level administrator, a teacher, a parent, a Media Center Coordinator and an Instructional Technology Facilitator.
- Direct the District Level Committee to provide a written recommendation to the superintendent within 15 days of notice of appeal.
- Within 5 days of receipt of the District Level report, the superintendent shall render a decision to support or reject the Building Level decision and shall report that decision to the complainant and the Board of Education. Materials shall remain retained or withdrawn as determined by the Building Level team until the decision of the superintendent.
- Materials will be retained or removed based on the decision of the superintendent.

The decision of the superintendent may be appealed to the Board of Education as the final level of appeal. Only the parent who initiated the request for review or the teacher/staff member in control of the resource may appeal the decision of the Superintendent. The appeal shall be submitted in writing to the Chair of the Board of Education within 10 days of notification of the Superintendent decision. The Board will review whether the process for *Parent Request for Reconsideration of Instructional Resources* was followed and whether the superintendent used appropriate diligence in rendering a decision. Within 15 days of receipt of the appeal in writing, the Board will announce their findings. If the Board determines that due diligence was not provided, then the superintendent will be directed to reconvene a new subcommittee of the District Level Media and Technology Advisory Committee and to address any concerns noted by the Board.

Materials shall remain retained or withdrawn as determined by the superintendent until the final level of appeal by the Board of Education is completed.

Unless otherwise noted by the superintendent or the board, the decision regarding Request for Reconsideration of Instructional Materials shall apply only to the school where the original request was made and will not apply to other schools in the district.

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, -98, -101

Cross References: Goals and Objectives of the Educational Program (policy 3000), Curriculum Development (policy 3100), Selection of Instructional Materials (policy 3200), Comprehensive Health Education Program (policy 3540)

Adopted: April 11, 2016

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Replaces: Board policy 4.02.40, Selection of Educational Resources, Sections V and VI