

PARENTAL INSPECTION OF AND OBJECTION TO INSTRUCTIONAL MATERIALS

Policy Code:

3210

In policy 3200, Selection of Instructional Materials, 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. That process provides an opportunity for parental input in the selection of materials.

The board recognizes that despite the opportunity to participate in the selection of materials, parents still 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 may review all instructional materials, as defined in policy 3200, Selection of Instructional Materials. Instructional materials do not include academic tests or assessments. Parents who would like to inspect and review instructional materials should make a request in writing to the principal. The principal shall schedule a mutually agreeable date and time for the parent to come into the school to review the materials. All efforts should be made to schedule the time as soon as possible but no later than 10 business days from the date of the request. The principal may have an additional 10 business days to respond due to the volume or complexity of the request. 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 submit an objection in writing to the principal regarding the use of particular instructional materials. The principal shall follow the procedures established in Section C. While input from the community may be sought, 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 matter being taught.

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 or principal may be appealed to the District Media Technology Advisory Committee (MTAC). The decision of the District MTAC may be appealed to the board.

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 and despite the qualifications of persons selecting the resources. If a complaint is made on a material other than a state adopted text, the procedures are as follows:

1. The principal shall inform the complainant of the selection procedures and request that the complainant file his/her objections in writing by completing the *Request for the Reconsideration of Instructional Resources* form (see Administrative Regulation 3210R). The complaint shall be forwarded to the school's Media/Technology Advisory Committee ("Building Level Committee"). The Committee shall consist of at least the following individuals: a site-based administrator; a parent; a teacher; and a Coordinator.
2. Upon receipt of a complaint, the Building Level Committee shall conduct the following review:
 - examine the item and the objection;
 - survey reviews of the item in professional reviewing sources when possible;
 - determine the extent to which the item supports the curriculum, weigh the merits against the alleged weaknesses and consider the whole item instead of isolated passages;
 - discuss the item and prepare a written report of the findings and determination;
 - send copies of the report to the school principal and complainant; and
 - The report shall be issued no more than fifteen (15) school days from the time the written objection is filed with the principal.
3. If the complainant is not satisfied with the Building Level Committee's determination, within ten (10) school days of receipt of that determination, the complainant may appeal to the Board of Education by filing a *Request for Review of Building-Level Recommendation* (see Administrative Regulation 3210R). Following the steps outlined in Section Two, the District Media/Technology Advisory Committee will re-examine all documentation from the Building Level Committee and conduct any further investigation as it deems appropriate. Within fifteen (15) school days following receipt of the complainant's appeal, or unless additional time is needed based on further investigation, the Community Committee will prepare a written report of its findings and recommendation and report directly

to the Board of Education.

4. The Board of Education shall review the District MTAC report and conduct any further investigations as it deems appropriate. The Board of Education shall make a final determination within thirty (30) business days after receiving the District MTAC's written report.
5. Unless otherwise stated by the Board of Education, determinations regarding challenged instructional material shall be limited to the individual school and not across the entire school system.
6. No instructional materials shall be removed from the classroom or media collection until the appeal procedure is completed.

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, -76.35(b)(3) -76.40(a) -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)

Replaces Board Policy 650

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