

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 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 submit an objection in writing to the principal regarding the use of particular instructional materials in use at the school or schools in which their child or children are enrolled. The principal shall have the school’s media advisory committee review the objection. 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 school’s media advisory committee determines that any material violates constitutional or other legal rights of the parent or student, the school’s media advisory committee shall either make a decision to remove the material from instructional use or to accommodate the particular student and parent. Before any material is removed, the principal or the school’s media advisory 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 committee may decide to 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.

If a parent objecting to the use of instructional materials is dissatisfied with the decision of the school's media advisory committee, the parent should submit a written request for a review of the building level recommendation to the superintendent within one week of receiving the decision of the school's media advisory committee. The superintendent shall transmit the request to the district's Community Media Advisory Committee which will review the school media advisory committee's decision. After completing the review, the Community Media Advisory Committee will provide its recommendation to the superintendent.

The Community Media Advisory Committee will be drawn from the following pool of individuals:

- Directors of instruction connected to grades K-5, 6-8, and 9-12
- The district media director
- The district media specialist
- A media coordinator, principal, teacher, and parent from an elementary school
- A media coordinator, principal, teacher, and parent from a K-8 school
- A media coordinator, principal, teacher, and parent from a middle school
- A media coordinator, a principal, teacher, parent, and student from a high school or early college

The Board will approve the pool of Community Media Advisory Committee members. The Community Media Advisory Committee assigned to hear a particular challenge will be drawn from the pool as set forth below.

- For challenges arising from an elementary school, the Community Media Advisory Committee shall be comprised of the director of instruction connected to grades K-5, the district media director, the district media specialist, the media coordinator, principal, teacher, and parent from an elementary school, and the student from a high school or early college.
- For challenges arising from a K-8 school, the Community Media Advisory Committee shall be comprised of the directors of instruction connected to grades K-5 and 6-8, the district media director, the district media specialist, the media coordinator, principal, teacher, and parent from a K-8 school, and the student from a high school or early college.
- For challenges arising from a middle school, the Community Media Advisory Committee shall be comprised of the director of instruction connected to grades 6-8, the district media director, the district media specialist, the media coordinator, principal, teacher, and parent from a middle school, and the student from a high school or early college.

- For challenges arising from a high school or early college, the Community Media Advisory Committee shall be comprised of the director of instruction connected to grades 9-12, the district media director, the district media specialist, the media coordinator, principal, teacher, and parent from a high school or early college, and the student from a high school or early college.

board will approve all appointments to the Community Media Advisory Committee and shall appoint a chair from among the members listed above. All members of the Community Media Advisory Committee except for parents will be recommended to the board by the superintendent. Parents interested in serving on the Community Media Advisory Committee shall submit an application to the board, and the board will select among members among the applicants. The chair and all committee members shall act in their assigned capacities for one year from the time of appointment. All members will receive initial training on best practices when evaluating objections to instructional materials.

The decision of the Community Media Advisory Committee may be appealed to the board.

The principal shall keep the challenged material in use during the review and appeals period unless the principal determines in collaboration with the superintendent that continued availability and use of the material is likely to cause serious disruption of the educational process and alternative means of avoiding disruption would not be effective.

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, -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)

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