

INSTRUCTIONAL MATERIAL REVIEW AND PARENT INVOLVEMENT PROCEDURE

Regulation Code: 3210-P

The primary objective of each school's library media and technology program is to enrich and support the instructional program of the school. The media and technology program makes available through the school's collections, a wide range of print, nonprint, and technology on varying levels of difficulty based upon different needs, interests, and viewpoints. Per Board Policies 3200, *Selection of Instructional Materials*, the ultimate responsibility for selection and retention of educational materials is delegated to professional staff under the direction of the Superintendent. Thus, the Superintendent retains final authority. This procedure is intended to provide general guidance in determining whether the retention of certain instructional materials is appropriate following an administrative review as part of 1) a parental objection under Policy 3210 or 2) an administrative review undertaken at the direction of the Superintendent.

Media Coordinators are responsible for aligning the selection of resources relevant to the school's media collection and purchasing plans. District media and/or curriculum personnel will review selections for consistency with the curriculum, media collection and purchasing plans, and the grade and developmental levels of the students for whom the resources will be available. In addition, the school district recognizes and respects the essential role of parents and legal guardians in the education and development of their student(s). Thus, this procedure also addresses parent resources and parent rights with regards to certain instructional materials.

A. Review Process

If an instructional material is challenged under Policy 3210, it shall be reviewed in a manner consistent with Policy 3210 and this procedure. In addition, the Superintendent may elect to use the process set-forth in this procedure as part of an administrative review of any supplementary material.

The review process shall proceed in the following order:

- 1) A parent or guardian may request that their child's teacher permit their student to utilize an alternative material for any class assignment. Such a request shall be honored.
- 2) A parent or guardian may opt-out of their child being able to access materials in the school media center at any time. Each school will provide the attached opt-out form to parents and guardians at the beginning of each school year and upon request. (See Attachment 1). An opt-out is valid for the current school year only. During a school year, the parent may rescind the opt-out and/or allow their child to check-out a specific supplementary material at any time in writing to the school principal.
- 3) Parent or Guardian may notify the principal of their child's school that they believe an instructional material is inappropriate and should be removed pursuant to Policy 3210. In response to objections to resources in the school media collection, the

Principal shall convene a school-based committee in accordance with Policy 3210. Final School-level decisions shall only apply to that school.

- 4) If the parent or guardian is dissatisfied with a school-level decision, the parent or guardian may file the *Reconsideration of Instructional Material* form with the Superintendent. (See Attachment 2).
- 5) The Superintendent may administratively utilize a Community Book Review Committee (“CBRC”) process. A separate committee may be formed for each resource challenged, and the Superintendent retains the sole authority to determine if a material will be reviewed by a committee. The committee will make a final recommendation to the Superintendent by utilizing the *Community Book Review Rubric* (See Attachment 3).
- 6) Each CBRC shall consist of an equal number of school and non-school employees plus an additional voting member from the Curriculum and Instruction staff of the McDowell County Schools. Each CBRC is an *ad hoc* committee created by the Superintendent to assist in material retention decision at the administrative level. Thus, meetings of the committee are not open to the public and committee members shall complete the rubric without identifying themselves. All documents created by each committee shall be public records pursuant to the N.C. Public Records Act.
- 7) The final decision of the Superintendent to remove or restrict a material from circulation may apply to one or more schools within the district.
- 8) The final decision of the Superintendent is appealable to the Board of Education.
- 9) Once a material has been through a CBRC process, any subsequent objection or other issue related to that resource will be referred directly to the Board of Education for final action in the sole discretion of the Board.
- 10) Materials will be placed on hold during all administrative reviews.
- 11) At each level of administrative review, the committee will provide a justification statement regarding their final decision.

If an educational material is challenged based in part on an asserted violation of State criminal law, the Superintendent or designee shall consult with law enforcement as part of any administrative review. (See Endnote Below).

Finally, in the event that a resource is formally challenged in accordance with this procedure, the administration will post information directly relevant to the district’s review of the content of the resource to assist parents and legal guardians in making informed choices.

Adopted: April 15, 2024

Endnote: Works shall not be pervasively vulgar or obscene. The legal test for “obscenity” as established by the United States Supreme Court is set forth below and all three factors must be answered in the affirmative for a work to be considered as obscenity:

- a. Whether “the average person, applying contemporary community standards”, would find that the work, taken as a whole, appeals to the prurient interest,
- b. Whether the work depicts or describes, in a patently offensive way, sexual conduct or excretory functions specifically defined by applicable state law, and
- c. Whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.

Attachment 1**THIS FORM IS TO BE COMPLETED BY THE PARENT/LEGAL GUARDIAN MAKING THE REQUEST**

Directions: Please complete this form annually online (one per student). Requests will be considered incomplete until this form has been submitted. Please allow 2 school calendar days after submission for processing.

Contact Information of Parent/Legal Guardian Initiating Request

(Stop: You must be the parent or legal guardian of the child for which you are making this request.)

Name: _____

Telephone: (_____) _____ Email _____

Mailing Address: _____ City/State: _____

Zip Code: _____

Student Name: _____ School: _____

Details of Request

PLEASE SELECT ONE OPTION:

☐ 1. Do not allow my child to check out any school library materials from school libraries without my approval of the specific material.

☐ 2. Do not allow my child to check out specific school library materials. *(A list may be attached)*

Title of Material: _____

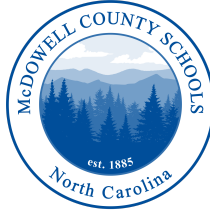
Author: _____ Publication Year: _____

☐ 3. Do not allow my child to check out any materials from school libraries.

Parent/Legal Guardian Signature

Date

Attachment 2



Request For Reconsideration Of School Library Materials Form

THIS FORM IS TO BE COMPLETED BY A PARENT / GUARDIAN MAKING THE REQUEST

In order for your challenge to be processed, you must respond completely to all the following questions.

Contact Information of Parent / Guardian Initiating Request

Requested Initiated By: _____ Telephone: (____)_____

Mailing Address: _____ City/State: _____ Zip Code: _____

Name of Student: _____ Current School Attending: _____

Details of Material

Title of Material: _____ Author/Creator: _____

Material Type: _____ Publication Year: _____ School Location: _____
Material Located in: ☐ School Library ☐ Other

1. Have you discussed the material in question with the principal, and has there been a final school-level decision on your objection?
☐ Yes ☐ No (STOP: You must receive a final school-level decision before you can submit this form)
2. What brought this resource to your attention?

3. Did you read or study the entire body of the material before initiating this request?

☐ Yes

☐ No If you have read or viewed the material, please summarize the topic or theme of the work below:

4. Are students *required* to use this material? ☐ Yes ☐ No ☐ I'm not sure

If the material was used as part of a specific activity or assignment, please summarize the purpose of that assignment as you understand it.

5. To what in the material do you object? Please cite page numbers, quotes, or specific information from the material which supports your objections. Feel free to attach additional pages, if needed.

6. Please identify any reviews of the material which support your objections and include copies.

7. In its place, what material of equal educational quality or literary merit could you recommend that would provide additional information or viewpoints on this topic?

8. For what grades would you recommend this material? ☐ PK-2 ☐ 3-5 ☐ 6-8 ☐ 9-12
☐ None

9. What would you like the school district to do about this material?
- ☐ Do not assign or provide this material to my child
 - ☐ Have the Community Book Review Committee re-evaluate the inclusion of this material in school libraries
 - ☐ Other:

Signature of Parent / Guardian

Date

Attachment 3

**McDowell County Schools
Administrative Procedure Community
Book Review Rubric**

Date _____

Name of Novel _____

After reading the selected novel, review the material using the below criteria. All criteria are to be considered and no single criteria shall be assigned greater weight by the committee. Final decisions shall be based upon a majority of the committee. Each member shall base their individual decision on the totality of criteria. Finally, the following McDowell County Schools Non-Discrimination must be taken into consideration:

Non-Discrimination. The MCS affirms the right of all individuals to be treated with respect and to be protected from intimidation, discrimination, physical harm, and/or harassment. The MCS is committed to nondiscrimination and equal opportunity for all students, parents/legal guardians, staff, visitors, applicants for admission and employment, personnel, and community members who participate or seek to participate in its educational programs or activities. Accordingly, the MCS does not discriminate against any individual on the basis of race, religion, gender, gender identity, sexual orientation, sex, pregnancy, childbirth, or any related medical conditions, color, physical or mental disability, age (40 or older), ancestry, genetic information, national origin, or any other applicable status protected by Title VI, Title VII, Title IX or any other local, state, or federal law.

EDUCATIONAL SIGNIFICANCE	Check all that apply
The novel primarily enriches and supports the development of literacy skills and the standard course of study.	
The novel directly supports the acquisition of related standards. (Educational Significance)	
The novel contributes to improved academic achievement for various learners and learning styles.	
The novel promotes the integration of higher-level thinking skills.	
The novel reflects the interests of students and/or the instructional needs of the school, including character education standards.	
Evidence from the text or standards relating to EDUCATIONAL SIGNIFICANCE:	

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OBSCENITY AND PERVASIVE VULGARITY

Works shall not be pervasively vulgar or obscene. The legal test for “obscenity” as established by the United States Supreme Court is set forth below, and all three factors must be answered in the affirmative for a work to be considered as obscenity:

- a. Whether “the average person, applying contemporary community standards,” would find that the work, taken as a whole, appeals to the prurient interest,
- b. Whether the work depicts or describes, in a patently offensive way, sexual conduct or excretory functions specifically defined by applicable state law, and
- c. Whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value.”

If a majority of the CBRC believes that the work may be considered obscene, the CBRC member appointed from the District’s Curriculum and Instructional Department shall consult with the school attorney regarding the legal test for obscenity and provide the CBRC with further guidance.

As a CBRC member, I believe this work to be “pervasively vulgar.

- ☐ Yes
- ☐ No

Evidence from the text relating to PERVASIVE VULGARITY:

APPROPRIATENESS	K-5	6-8	9-12
The novel is appropriate to the age and grade level of students.			
The novel is appropriate for the maturity level of students.			
The novel is appropriate to the content area.			
Evidence from the text relating to APPROPRIATENESS:			

All information is confidential and anonymous. Based on the rubric rating and evidence presented.

- ☐ This material should be returned to school library circulation.
- ☐ This material should be returned to the school library circulation only for certain age groups, content areas, or grade levels.

Select All That Apply:

Elementary School
☐ K-5

Middle School
☐ 6-8

High School
☐ 9-12

- ☐ Remove this material in its entirety.