

Adopted: February 9, 2004

Revised: October 23, 2006

606 TEXTBOOKS AND INSTRUCTIONAL MATERIALS

I. PURPOSE

The purpose of this policy is to provide direction for selection of textbooks and instructional materials.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that selection of textbooks and instructional materials is a vital component of the school district's curriculum. The school board also recognizes that it has the authority to make final decisions on selection of all textbooks and instructional materials.

III. RESPONSIBILITY OF SELECTION

- A. While the school board retains its authority to make final decisions on the selection of textbooks and instructional materials, the school board recognizes the expertise of the professional staff and the vital need of such staff to be primarily involved in the recommendation of textbooks and instructional materials. Accordingly, the school board delegates to the Director of Curriculum and Instruction the responsibility to direct the professional staff in formulating recommendations ~~to the school board~~ on textbooks and other instructional materials.
- B. In reviewing textbooks and instructional materials during the selection process, the professional staff shall select materials which:
 - 1. Support the goals and objectives of the education programs;
 - 2. Consider the needs, age and maturity of students;
 - 3. Foster respect and appreciation for cultural diversity and varied opinion;
and
 - 4. Fit within the constraints of the school district budget;
 - 5. Are in the English language. Another language may be used, pursuant to Minn. Stat. § 124D.61;
 - 6. Permit grade-level instruction for students to read and study America's founding documents, including documents that contributed to the

foundation or maintenance of America's representative form of limited government, the Bill of Rights, our free-market economic system, and patriotism; and

7. Do not censor or restrain instruction in American or Minnesota state history or heritage based on religious references in original source documents, writings, speeches, proclamations, or records.
- C. The Director of Curriculum and Instruction shall be responsible for developing procedures and guidelines to establish an orderly process for the review and recommendation of textbooks and other instructional materials by the professional staff. Such procedures and guidelines shall provide opportunity for input and consideration of the views of students, parents and other interested members of the school district community. This procedure shall be coordinated with the school district's curriculum development effort and may utilize advisory committees.

IV. SELECTION OF TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIALS

- A. The Director of Curriculum and Instruction shall be responsible for keeping the school board informed of progress on the part of staff and others involved in the textbook and other instructional materials review and selection process.
- ~~B. The Director of Curriculum and Instruction shall present a recommendation to the school board on the selection of textbooks and other instructional materials after completion of the review process as outlined in this policy.~~

V. RECONSIDERATION OF TEXTBOOKS OR OTHER INSTRUCTIONAL MATERIALS

- A. The school board recognizes differences of opinion on the part of some members of the school district community relating to certain areas of the instruction program. Interested persons may request an opportunity to review materials and submit a request for reconsideration of the use of certain textbooks or instructional materials.
- B. The Director of Curriculum and Instruction shall be responsible for the development of guidelines and procedures to identify the steps to be followed to seek reconsideration of textbooks or other instructional materials.
- C. The Director of Curriculum and Instruction shall present a procedure to the school board for review and approval regarding reconsideration of textbooks or other instructional materials. When approved by the school board, such procedure shall be an addendum to this policy.

Legal References: Minn. Stat. § 120A.22 Subd. 9 (Compulsory Instruction – Curriculum)
Minn. Stat. § 120B.235 (American Heritage Education)
Minn. Stat. § 123B.02, Subd. 2 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09, Subd. 8 (School Board Responsibilities)
Minn. Stat. § 124D.59-124D.61 (Limited English Proficiency)
Minn. Stat. § 127A.10 (State Officials and School Board Members to be Disinterested; Penalty)
Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)
Pratt v. Independent Sch. Dist, No. 831, 670 F.2d 771 (8th Cir. 1982)

Reconsideration Procedure

I. Intent

The Becker School District believes in the principles of intellectual freedom. The intent of this procedure is to provide parents and guardians the opportunity to review instructional resources, register concerns, or receive alternative instruction. The intent is not to interfere with the rights of others to receive instruction, nor does it exempt the student from meeting performance standards. All parents/guardians and district employees shall adhere to this procedure for the reconsideration of materials.

II. Initial response

When a parent or guardian has a concern about an instructional resource, that concern may be directed to either the teacher or building principal. If the concern is directed to the teacher, the building principal should be notified of the concern by the teacher. If the concern is directed to the building principal, he/she shall likewise notify the teacher. If discussion between the parent/guardian and the teacher do not resolve the concern, a meeting shall occur between the parent/guardian and the teacher and principal to allow the parent/guardian to express the concern and to allow the teacher to explain the selection rationale for the material and its intended use in the curriculum. If these explanations do not resolve the issue, the teacher may offer an alternative resource. While an alternative may be offered, the student must complete the learner outcomes and performance standards for which the resource was initially selected.

III. Formal Complaint

If the issue is still not resolved, the principal will inform the parent of the policy and procedure for the reconsideration of a resource, and the parent/guardian will be given provided with the Request for Reconsideration of Resources, which should be completed by the parent (Appendix A) to fill out and returned to the Director of Curriculum and Instruction. Use of the questioned material shall not be restricted during the reconsideration process.

IV. Procedures

Upon receipt of the ~~complaint~~ Request For Reconsideration Of Resources form from the ~~complainant~~ parent or guardian, The Director of Curriculum and Instruction will provide copies to: ~~copies are sent to:~~ the department chairperson or grade level chairperson, the teacher in whose class the materials were used, the building principal, the superintendent of schools, and the review committee.

The complainant should be notified by letter that the form has been received, that the review of the objectionable materials is commencing and the date, time, and place of the public hearing.

V. Review Committee

There shall be separate K-5 and 6-12 review committees. The review committees are to be developed from a pool of parents and will be comprised of three community members, appointed by the School Board for alternating years for a three-year term, ~~and one BEA representative, and one media specialist or curriculum specialist, and the director of Curriculum and Instruction as determined by the building principal concerned.~~ superintendent.

A moderator, who is not a member of the committee, will be appointed by the Superintendent and will be asked to conduct an ~~announced~~ hearing, notice of which shall be posted at least three days in advance of the hearing, and which will be open to the public. The procedures listed below will be followed:

1. Persons who wish to testify on the issue shall ~~be registered~~ before the meeting. Registration will commence 30 minutes before the meeting begins and conclude when the meeting begins. The moderator will determine the amount of time available for persons wishing to testify depending upon the number of registrants.
2. ~~The~~ Written documentation of positions will be accepted by the committee.
3. The committee shall have the right to question presenters, but are not to discuss the merits of the argument.
4. The committee will reconvene at another time or in another location upon completion of the testimony to consider the testimony and documents received and ~~make an evaluation~~ develop a recommendation regarding of the material in question.
5. At the completion of their deliberation, ~~they the committee~~ will ~~make~~ provide a written report to the School Board, with supporting documentation and a recommended ~~suggest~~ course(s) of action using Appendix C.
6. The School Board ~~then~~ will act ~~votes~~ upon the recommendation.
7. In the event of a tie School Board vote, the Review Committee's recommendation will be enacted and the material may not be challenged again for two calendar years.
8. The committee shall submit all accumulated documentation, notes, testimony records, and meeting minutes to the ~~clerk of the School Board~~ Superintendent for filing.

VI. Resolution

Once ~~a~~ the Reconsideration Process has been completed, ~~is through the process~~, the material may not be challenged again for two calendar years. If a material is removed, ~~it may be reintroduced to the Committee for the~~ Reconsideration of Resources process may be initiated by a parent or guardian for inclusion in the curriculum after two calendar years.

**REQUEST FOR RECONSIDERATION OF RESOURCES
(APPENDIX A)**

Request initiated by _____ Date _____
Address _____ Phone _____

Resource of concern

Author _____

Title _____

Type of resources _____

(book, video, sound recording, textbook etc.)

Location _____

(School building)

1. Have you read, reviewed or listened to the entire selection? ____yes ____no
2. Specific concerns regarding the resource in question: (Please cite specific passages, pages, scenes, sections etc.)
3. Why do you object to this material?
4. What would you like the school to do about this material?
5. In its place, what material would you recommend?

(Signature)

(Date)

Please return this form to the Director of Curriculum and Instruction.

(Office use) cc: Superintendent, Building Principal

_____ Department Chairperson or Grade Level Chairperson

_____ Teacher

_____ Review Committee

PRINCIPLES GUIDING THE REVIEW COMMITTEE PROCESS (APPENDIX B)

Principles guiding the committee's discussion and decision

1. The work shall be evaluated based on its merit as a whole rather than evaluating individual pages or sections.
2. If the work that is being challenged is part of instructional curricula, the work shall be evaluated within its context in the curriculum and consideration will be given to its instructional purpose.
3. If the material that is being challenged is a part of the library collection, the committee will bear in mind the instructional difference between library materials and curriculum materials being directly taught. In the event that library materials are questioned, the principles of intellectual freedom, the right to access of materials, and the integrity of the certified staff must be upheld while reevaluating the material in question.
4. Education must reflect the diversity and debate inherent in a democratic society.
5. The ratings system developed and employed in the music, motion picture, and television industries should not be the only guide for determining the suitability of materials to be used in classroom instruction.
6. The committee will take reviews and/or awards into consideration.
7. The committee may take into consideration the material's use in other school districts.
8. The committee will consider the developmental appropriateness of the material for the age group with which it is being used.
9. The committee will consider the philosophy and goals of the School District.
10. The School District respects the right of every parent to make decisions regarding materials that are appropriate for their child and is willing to make accommodations to provide alternative instruction for a child regarding materials that the parent may find objectionable. The District also respects each child's right to not have those decisions made for them by other parents.

**Resolution Report
(Appendix C)**

Author: _____

Title: _____

Type of Resource: _____

This decision was made on the day of _____, 20____ .

☐ Retain

☐ Remove

☐ Limit use to: _____

This decision is recommended for ☐ specific site ☐ entire district

Members of the committee were:

_____ (Chair) _____
