

1st Reading: 05/29/2007, 2/5/2018
2nd Reading: 9/24/2007, 2/26/2018
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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 superintendent 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;
 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 superintendent 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 superintendent 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 superintendent 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

Parents, guardians or adult students, 18 years of age or older, can review the content of Instructional resources used in the classroom. Arrangements to review resources can be made with school personnel at any time. School personnel will notify parents regarding the use of instructional resources known to be controversial. This notification will be sent in a timely manner, so that parents have the opportunity to review the resource and/or select alternative instruction prior to its use in the classroom.

- A. If the parent, guardian or adult student objects to the content of the instructional materials, alternative instruction may be requested.
- B. Alternative instruction may be provided by the parent, guardian, or adult student if the alternative instruction that is offered by the school board, does not meet the concerns of the parent, guardian, or adult student. In consultation with the instructor, the alternative instruction must meet the unit learning objectives.
- C. The school board is not required to pay for the costs of alternative instruction provided by a parent, guardian or adult student.
- D. School personnel may not impose an academic or other penalty upon a student merely for arranging alternative instruction. School personnel may evaluate and assess the quality of the student's work.

VI. CHALLENGE PROCEDURE

- A. Statement of Procedure and to Whom it Applies

Administrative rules and regulations attendant to this policy provide procedures by which students, parents, guardians or employees may request reconsideration of instructional resources. In the event that resources are challenged on these grounds, the First Amendment Rights of the Constitution of the United States of America are of primary importance. These rights are further delineated in the Library bill of Rights of the American Library Association and in the Minnesota Board of Education's Policy on the Freedom to Teach, to Learn, and to Express Ideas in the Public School.

B. Origin of Challenge

A Challenge is defined as a written statement of opposition to a resource requesting that it be excluded, included, or restricted. A challenger must be a parent, guardian, adult student or employee of the school district who objects to the inclusion or exclusion of instructional resource(s) in the district's educational program. Only a challenger may issue a challenge.

C. Step by Step Procedure When a Challenge Occurs

Step 1: The challenger will be directed and assisted in a meeting with the appropriate teacher(s), library media specialist(s), curriculum director, or instructor(s) for an informational meeting regarding the use of the resource in question.

The staff member will immediately advise the school principal or designee of the challenge and then attempt to resolve the issue informally in a respectful manner.

Step 2: After reading or viewing the challenged material in its entirety, the challenger will be given a copy of this policy and may submit a "Statement of Concern about Instructional Resources" form to the principal of the school involved. The certified personnel involved will submit to the principal a "Staff Response to Challenged Resources" form within five (5) working days of receipt of the "Statement of Concern about Instructional Resources". The principal will inform the superintendent and other appropriate personnel of the challenge. A complete copy of the "Staff Response to Challenged Resources" will be provide to challenger.

Step 3: Upon receipt of the completed forms, the principal will request review of the challenged material by a Resource Review Committee within fifteen (15) working days. It will be up to the discretion of the involved principal whether or not the challenged resource be used during the reconsideration process. The membership of the committee will be composed of the principal, the Director of Curriculum and Assessment, 2 parent members of the Curriculum Advisory Committee, students (where appropriate), and three teachers appointed by the principal. No committee member will be a party to the challenged resource's request for reconsideration.

Step 4: Upon receipt of the completed forms, the Resource Review Committee will take the following steps:

- a) Read, view or listen to the resource in its entirety;
- b) Invite the challenger and certified staff to the meetings of the committee as observers if they wish to be present for purposes of clarification;
- c) Check general acceptance of the resource by reading reviews and consulting recommended lists;
- d) Determine the extent to which the resource supports the curriculum and the curriculum selection process;
- e) Review the “Statement of Concern” and “Staff Response to Challenged Resources” in the presence of the certified staff and challenger if they wish to be present to observe the proceedings;
- f) Complete the “Resource Review Committee Response” form, judging the material for its strength and value as a whole and not in part;
- g) Present a written decision to the challenger within twenty (20) working days of the principal’s receipt of the “Statement of Concern about Instructional Resources” form following the initial resources review committee meeting.

Step 5: If either party is not satisfied with the decision of the Resource Review Committee, the decision may be appealed to the school board through the superintendent. The school board shall notify the challenger when the challenge will be considered by the board. Any decision made by the school board will be final.

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)

Cross References: MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)