

Red = added

~~Red Strikethrough = Removed~~

Black = original content

Policy Code: 3210 Parental Inspection of and Objection to Instructional Materials

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 **and state (SB-49)** 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

1. PROCESS:

Parents may submit an objection in writing to the principal regarding the use of particular instructional materials **using the Request for Reconsideration Form**. **Once the form is received by the school principal**, the school media and technology advisory (MTAC) committee shall review the objection.

If an objection made by a parent or student is not based upon constitutional or legal rights, ~~the principal will work with the parent while going through the review process to~~ accommodate the particular student. ~~and parent. The school committee principal~~ 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.

2. **POSSIBLE OUTCOMES:**

The school-based MTAC committee ~~has four possible outcomes after their review: take no action, remove the material, place the material at another grade-band, or regulate its availability.~~

Before any material is removed, the school committee shall ensure that the curriculum is still aligned with current statewide instructional standards and articulated from grade to grade. Books and other instructional materials may be removed from the school media collection only for legitimate educational reasons (~~set in NC statute as educationally unsuitable, pervasively vulgar, or inappropriate to the age, maturity, or grade level of the students~~) and subject to the limitations of the First Amendment. If the school committee determines that any material violates constitutional or other legal rights of the parent or student, the school committee shall either remove the material from instructional use or accommodate the particular student and parent.

3. **APPEALS:**

The decision of the school committee may be appealed to the district ~~curriculum~~-MTAC committee appointed by the superintendent. ~~The district committee has the same four possible outcomes: take no action, remove the material, place the material at another grade-band, or regulate its availability.~~ Books and other instructional materials may be removed from the school media collection only for legitimate educational reasons (~~set in NC statute as educationally unsuitable, pervasively vulgar, or inappropriate to the age, maturity, or grade level of the students~~) and subject to the limitations of the First Amendment.

Any ~~challenge to further appeal of~~ the decision of the district ~~curriculum~~ MTAC committee will be determined by the board.

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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