

**PARENTAL INSPECTION OF AND
OBJECTION TO INSTRUCTIONAL MATERIALS**

Policy Code: **3210**

1 In policy 3200, Selection of Instructional Materials, the Transylvania County Board of Education
2 (the “board”) establishes a process for the selection of instructional materials to meet State Board
3 of Education requirements and the educational goals of the board. That process provides an
4 opportunity for parental input in the selection of materials.
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6 The board recognizes that despite the opportunity to participate in the selection of materials,
7 parents still may have concerns about instructional materials used in the school system. Thus, to
8 further involve parents in the education of their children, the board also provides opportunities
9 for parents to review instructional materials and a process for parents to use when they object to
10 instructional materials.
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12 **A. PARENTAL RIGHT TO INSPECT MATERIALS**
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14 Parents have a right under federal law to inspect all instructional materials which will be
15 used in connection with any survey, analysis, or evaluation as part of any applicable
16 federally funded programs. Parents ordinarily also may review all other instructional
17 materials following procedures provided by the school or superintendent. The term
18 “instructional materials” does not include academic tests or assessments. Some materials
19 available through the Internet and used in individual classes to provide up-to-date
20 information or information on current events may not be available for advance review;
21 however, all materials used in reproductive health and safety education shall be available
22 for review as provided in policy 3540, Comprehensive Health Education Program.
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24 **B. PARENTAL OBJECTION TO MATERIALS**
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26 Parents may submit an objection regarding the use of particular instructional materials in
27 writing to the principal, who will then refer the objection to the district-level media and
28 technology advisory committee for review. The committee will review the objection and
29 render a decision regarding the use of the material. While additional input from the
30 community may be sought, the board believes professional educators are in the best
31 position to determine whether a particular instructional material is appropriate for the age
32 and maturity of the students and for the subject matter being taught.
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34 If the committee determines that any material violates constitutional or other legal rights
35 of the parent or student, the committee shall either remove the material from instructional
36 use or accommodate the particular student and parent. Before any material is removed,
37 the committee shall ensure that the curriculum is still aligned with current statewide
38 instructional standards and articulated from grade to grade. If an objection made by a
39 parent or student is not based upon constitutional or legal rights, the committee may
40 accommodate the objection after considering the effect on the curriculum; any burden on
41 the school, teacher, or other students that the accommodation would create; and any other
42 relevant factors. Books and other instructional materials may be removed from the

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43 school media collection only for legitimate educational reasons and subject to the
44 limitations of the First Amendment.

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46 The decision of the committee may be appealed to the superintendent. The decision of
47 the superintendent may be appealed to the board.

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49 No instructional materials shall be removed from the classrooms, media collections, or
50 other general use until a final decision regarding the objection is made by the committee
51 and, if applicable, until any subsequent appeals are resolved by the superintendent and
52 the board.

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54 The superintendent shall develop the necessary administrative procedures to implement this
55 policy.

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57 Legal References: U.S. Const. amend. I; 20 U.S.C. 1232h; N.C. Const. art. I, § 14; *Board of*
58 *Educ. v. Pico*, 457 U.S. 853 (1982); G.S. **115C art. 8 pt. 1**; 115C-45, -47, ~~-81~~, -98, -101

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60 Cross References: Goals and Objectives of the Educational Program (policy 3000), Curriculum
61 Development (policy 3100), Selection of Instructional Materials (policy 3200), Comprehensive
62 Health Education Program (policy 3540)

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64 Adopted: November 19, 2015

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66 Revised: [DATE]

