

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.

11 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, as defined in policy 3200, Selection of Instructional Materials, following~~
18 ~~procedures provided by the school or superintendent. The term “instructional materials”~~
19 ~~Instructional materials does not include academic tests or assessments. Some materials~~
20 ~~available through the Internet and used in individual classes to provide up-to-date~~
21 ~~information or information on current events may not be available for advance review;~~
22 ~~however, Parents who would like to inspect and review instructional materials should~~
23 ~~make a request in writing to the principal. The principal shall schedule a mutually~~
24 ~~agreeable date and time for the parent to come into the school to review the materials.~~
25 ~~All efforts should be made to schedule the time as soon as possible but no later than 10~~
26 ~~business days from the date of the request. All materials used in reproductive health and~~
27 ~~safety education shall be available for review as provided in policy 3540, Comprehensive~~
28 ~~Health Education Program.~~

29 30 **B. PARENTAL OBJECTION TO MATERIALS**

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32 Parents may submit an objection regarding the use of particular instructional materials in
33 writing to the principal, who will then refer the objection to the district-level media and
34 technology advisory committee for review. The committee will review the objection and
35 render a decision regarding the use of the material. While additional input from the
36 community may be sought, the board believes professional educators are in the best
37 position to determine whether a particular instructional material is appropriate for the age
38 and maturity of the students and for the subject matter being taught.
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40 If the committee determines that any material violates constitutional or other legal rights
41 of the parent or student, the committee shall either remove the material from instructional
42 use or accommodate the particular student and parent. Before any material is removed,
43 the committee shall ensure that the curriculum is still aligned with current statewide

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44 instructional standards and articulated from grade to grade. If an objection made by a
45 parent or student is not based upon constitutional or legal rights, the committee may
46 accommodate the objection after considering the effect on the curriculum; any burden on
47 the school, teacher, or other students that the accommodation would create; and any other
48 relevant factors. Books and other instructional materials may be removed from the
49 school media collection only for legitimate educational reasons and subject to the
50 limitations of the First Amendment.

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52 The decision of the committee may be appealed to the superintendent. The decision of
53 the superintendent may be appealed to the board.

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

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60 The superintendent shall develop the necessary administrative procedures to implement this
61 policy.

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63 Legal References: U.S. Const. amend. I; 20 U.S.C. 1232h; N.C. Const. art. I, § 14; *Board of*
64 *Educ. v. Pico*, 457 U.S. 853 (1982); G.S. 115C art. 8 pt. 1; 115C-45, -47, -76.25(a)(5), -76.35(b),
65 -76.40, -98, -101

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67 Cross References: **Parental Involvement (1310/4002)**, Goals and Objectives of the Educational
68 Program (policy 3000), Curriculum Development (policy 3100), Selection of Instructional
69 Materials (policy 3200), Comprehensive Health Education Program (policy 3540)

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71 Adopted: November 19, 2015

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73 Revised: February 19, 2018 (legal references only); [DATE]