
RULES OF THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA

School Board Policy 6Gx50-8.12

SELECTION AND DISPOSITION OF INSTRUCTIONAL MATERIALS

- A. The Board believes that the selection, challenge, and removal of instructional materials are within its jurisdiction in accordance with appropriate statutory and constitutional laws.
- B. Instructional materials for use in school media centers or classrooms shall be carefully selected, using the criteria outlined in the "Library Bill of Rights" and District procedures for adoption or selection of instructional materials used in schools and shall portray the cultural diversity of our society. Representation on District and School Instructional Materials Committees should reflect the diversity of the District and schools. Training for instructional materials selection should address multicultural education.
- C. Any complaint arising out of the use of materials in a school shall be registered with the principal of the school.
- D. Grievances Concerning Instructional Materials. -- The Superintendent or designee is authorized to establish and administer procedures in accordance with federal and state law to ensure timely and objective review of instructional materials.

STATUTORY AUTHORITY: § 230.23(17); 230.23005, Fla. Stat.

LAWS IMPLEMENTED: § 230.03(2) 230.23(7); 230.33(9); 233.43; Fla. Stat.

HISTORY: 2/18/72; 4/6/83; 2/20/85; 6/16/99

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948, by the ALA Council; amended February 2, 1961; amended June 28, 1967; amended January 23, 1980; inclusion of "age" reaffirmed January 24, 1996.

D-8.122 **SELECTION, CHALLENGE, AND REMOVAL OF INSTRUCTIONAL MATERIALS**

- A. The Board believes that the selection, challenge, and removal of instructional materials are within its jurisdiction in accordance with appropriate statutory and constitutional laws.
- B. Instructional materials for use in school media centers or classrooms shall be carefully selected, using the criteria outlined in the "Library Bill of Rights" and District procedures for adoption or selection of instructional materials used in schools and shall portray the cultural diversity of our society. Representation on District and School Instructional Materials Committees should reflect the diversity of the District. Training for instructional materials selection should address multicultural education.
- C. Any complaint arising out of the use of materials in a school shall be registered with the principal of the school.
- D. Grievances Concerning Instructional Materials. —Any citizen may file a complaint with a school or District concerning the use of instructional materials. Instructional materials being questioned shall remain in use, until the following informal and formal grievance procedures have been completed. Such laboratories, slides, videos, filmstrips, recordings, manipulatives, computer course work, video discs, or other such electronic media, and other commonly accepted instructional tools. Such complaints shall be handled as follows:
 - 1. School Level - Informal. The complainant shall first contact the principal with the complaint. Every effort shall be made by the respective school center to resolve the issue(s) within the following guidelines. The principal and appropriate staff member(s) should meet with the complainant to explain:
 - a. The criteria and selection procedures as outlined elsewhere in District policies and directives; and
 - b. The role which the material in question has in that school's curriculum.If the complainant is not satisfied by the explanation and desires to file a formal complaint, that person may do so as follows:
 - 2. School Level - Formal
 - a. Complete and sign the form "Citizens Request for Review of Instructional Materials", giving the title or titles of the material(s) under criticism and the cause of the complaint.

- b. Give the name of the organization represented by the citizen(s) filing the complaint, if such is the case.
- c. Send the original and one (1) copy of the completed form to the school's principal. The complainant shall retain the third copy.
- d. For materials used only in that school, the completed information will be studied by a School Materials Review Committee ("SMRC"), appointed on an ad hoc basis by the principal with the following provisions:
 - i. The committee shall consist of:
 - (1) Two (2) teachers in the appropriate subject area/grade;
 - (2) A media specialist;
 - (3) An assistant principal;
 - (4) One student (middle/junior and high school only);
 - (5) A counselor if the school has such;
 - (6) Three (3) lay persons, one of whom is to be from the school's advisory council; and
 - (7) The appropriate area representative designated by the Area Executive Director.

The principal or designee may serve ex officio.

- ii. The SMRC will study the information on the form, review the material(s) in question, and render a written recommendation, to the principal based on the following criteria:
 - (1) Educational significance;
 - (2) Need and value to the collection/course;
 - (3) Quality of the writing/production;
 - (4) Readability level;
 - (5) Organization and presentation of content;
 - (6) Relationship to the course of study and curriculum;

- (7) Reputation of the publisher/producer;
- (8) Reputation and significance of the author/artist/producer, et al.;
- (9) Timeliness or permanence;
- (10) Quality format;
- (11) Degree of potential user appeal;
- (12) Valid, accurate, objective, up-to-date and appropriate information.
- (13) Age level appropriateness.

- iii. The SMRC shall meet within ten (10) days from receipt by the principal of the complaint form.
- iv. The SMRC may solicit and/or review comments from appropriate audiences or resource persons.
- v. The principal will make the selection criteria available to interested persons.
- vi. Within five (5) days after receipt of the SMRC recommendation, the principal shall render a written, final, school-level decision and forward same with the SRMC recommendation to the Superintendent, Area Executive Director, Assistant Superintendent for Instruction and Student Services and the party requesting the review.

3. District Level - Formal Appeal. The complainant may appeal the decision of the principal to the Superintendent of Schools in accordance with the following provisions:
 - a. The complainant shall notify the Superintendent in writing of the appeal (appellate) request.
 - b. Within fifteen (15) days from receipt of such request, the Superintendent or designee will review the action taken at the school level and issue an appropriate decision. If the decision does not include further review, the complainant will be so notified and may request an appearance to appeal directly before the Board in accordance with Board Policy.

- c. If the Superintendent finds cause for further review, the complaint shall be submitted to the District Materials Review Committee ("DMRC"), appointed on an ad hoc basis by the Superintendent, with the following provisions:
- i. The committee should consist of:
 - (1) Two (2) teachers in the appropriate subject area/grade;
 - (2) A media specialist;
 - (3) One principal at the appropriate level;
 - (4) One (1) student (middle/junior high and senior high only);
 - (5) Four (4) lay persons, at least one of whom is serving on a school advisory committee council;
 - (6) An Area Executive Director or designee; and
 - (7) One (1) representative at the appropriate level from the Division of Instruction and Student Services.
 - ii. The DMRC will study the information on the form, review the material(s) in question, and make a recommendation to the Superintendent within fifteen (15) days from receipt of the complaint based on criteria as set forth.
 - iii. The DMRC can solicit and/or review comments from the complainant as well as appropriate resource persons.
 - iv. The Public Affairs Office will make the selection criteria and the material(s) in question available to interested persons upon request.
 - v. The recommendation of the DMRC and the basis for that recommendation will be sent to the Superintendent, Assistant Superintendent for Instruction, the principal and complainant.
 - vi. The Superintendent shall make a final administrative decision within five (5) days from receipt of the DMRC recommendation and send a copy of that decision to the principal, Area Executive Director, Assistant Superintendent for Instruction and Student Services and the complainant.

- vii. The complainant may appeal in writing to the Board such decision of the Superintendent and may request an appearance before the Board in accordance with School Board Policy 2.1. The Board, in exercising discretion in this matter, may by majority vote agree to extend the time limit to have the complainant's appeal brought before the Board as a formal agenda item for Board determination at a subsequent Board meeting. The Board's determination to not consider the appeal, or any action arising as a result of consideration of such appeal, shall be the final step in the appeal process.

Material for which a final decision has been rendered may not be challenged for one (1) calendar year from the date of Board action.

- 4. District Adopted Materials - In the case of District adopted materials, the complainant shall follow the procedure set forth.
 - a. Within fifteen (15) days from receipt of such requests, the Superintendent or designee shall review the request for reconsideration and issue an appropriate decision. If the decision does not include further review, the complainant will be so notified and may request an appearance to appeal directly before the Board in accordance with Board Policy.
 - 2. If the Superintendent finds cause for further review, the procedures outlined above shall be followed.

E. School Curricula Grievance. A citizen who wishes to file a complaint against any phase or aspect of the curriculum shall confer with the principal of the school. If the complaint is not resolved by this informal procedure, the citizen may reduce the complaint to writing and file it with the Area Executive Director. If the grievance is not resolved at that level it may be appealed in order to the Superintendent and then to the Board.

STATUTORY AUTHORITY:	§ 230.32, Fla. Stat.
LAWS IMPLEMENTED	§ 230.03(2) 230.23(7); 230.33(9); 233.43; Fla. Stat.
POLICY IMPLEMENTED:	8.12
HISTORY:	4/29/85; 6/18/99