

CHAPTER 4.00 - CURRICULUM AND INSTRUCTION

INSTRUCTIONAL MATERIALS SELECTION

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All classroom instructional materials, used in the Lafayette County Schools including State-adopted single source textbooks, instructional aids, and other supplementary materials, for the first time shall undergo an evaluation. This evaluation shall determine the suitability of the materials for information being taught in the classroom in relationship to State standards, curriculum frameworks, and district programs, as well as with state and district performance standards.

- I. Evaluation of Instructional Materials. The Superintendent shall establish a District Review Committee and develop procedures for the review and evaluation of instructional materials. The District Review Committee will include content area teachers, one or more parents of children at content grade level and district personnel. Meetings of the District review committee convened for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the School Board must be noticed and open to the public in accordance with s. 286.011 F.S. The staff involved in this process shall recommend to the Superintendent the instructional materials that address the goals and objectives for adopted courses of study and the course descriptions established by State Board Rule as well as the state and district performance standards for submission to the Board for adoption. The instructional materials shall be from the State-adopted instructional materials list if there has been a State adoption or from publishers and other resources if there has not been a State adoption.

- II. Adoption of Instructional Materials. The following procedures for the adoption of instructional materials apply only to those instructional materials that serve as the major content tool and basis for instruction for each student in the core subject areas of mathematics, language arts, social studies, science, reading, and literature:
 - A. Prior to final adoption, student editions of the recommended instructional materials will be made accessible for review online for at least twenty (20) calendar days before consideration by the School Board.
 - B. Public notice of the materials being considered for adoption shall specifically list the materials and how they can be accessed.
 - C. The School Board shall conduct an open noticed public hearing to receive comment on recommended materials prior to adoption.

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- D. The School Board shall conduct an open, noticed public meeting to approve an annual instructional materials plan to identify any instructional materials that will be purchased. The public meeting will take place on a different date after the public hearing.
- E. The School Board shall receive comment at the public hearing and meeting as prescribed by policy.
- F. The School Board must select, approve, adopt, or purchase all materials as a separate line item on the action agenda.
- G. The following procedures shall apply to all objections to instructional materials adopted by the School Board.
 - 1. The parent or a resident of the County, as defined by Florida Statutes, may contest the district school board's adoption of a specific instructional material by filing a written objection using the form that is available in each school office, the Superintendent's office, or on the District website.
 - 2. The form must be signed by the parent or resident of the county, include the required contact information, and state the objection to the instructional material based on the criteria stated in Florida Statutes s. 1006.31(2) or 1006.40(3)(d).
 - 3. The written objection must be filed within thirty (30) calendar days of the adoption of the material. A complainant who does not complete and return the form within the required time shall receive no consideration. The statement shall include the following information:
 - a. Author, compiler, or editor;
 - b. Publisher;
 - c. Title;
 - d. Reason for objection;
 - e. Page number of each item challenged; and
 - f. Signature, address and telephone number of person making the complaint.
 - 4. Within thirty (30) days after the initial thirty-day period has expired, the School Board shall conduct at least one public hearing before an unbiased and qualified hearing officer on all petitions timely received during the thirty-day time period. The petitioner(s) shall

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be notified in writing of the date and time of the hearing at least seven (7) days prior to the hearing. The hearing must provide sufficient procedural protections to allow each petitioner an adequate and fair opportunity to be heard and present evidence to the hearing officer.

5. The contested material shall be made available to the public online at least seven (7) days before the hearing.

6. The decision of the School Board, after convening a hearing, shall be final and not subject to further review or petition.

H. The Superintendent shall annually submit to the Commissioner of Education a report identifying each material the District received an objection to pursuant to s. 1006.40(3)(d) and the specific objections raised; the material that was removed or discontinued as a result of an objection; and the grade level and course for which the removed or discontinued material was used.

III. Evaluation and Adoption of Other Classroom Instructional Aids and Materials. The following procedures will be followed in the evaluation, selection, and use of additional instructional aids for classroom use that have not been adopted by the State Board of Education, and approved for use:

A. When teachers, groups of teachers, or academic departments determine that the need exists for new or additional classroom instructional aids, they shall review available items and seek input and assistance, when appropriate, from parents, students, and other lay members of the community, and determine which instructional aid or aids best meet instructional needs.

B. After making this determination, they shall prepare a written rationale for each instructional aid, which includes, but is not limited to, the following:

1. The class(es) or age group(s) that the instructional aid is appropriate.
2. How the use of the instructional aid will meet the curriculum objective(s).
3. The way(s) in which the instructional aid will be used to meet the curriculum objective(s).
4. Problems, if any, of style, tone, content or theme inherent in the instructional aid, and the way(s) in which these problems will be addressed during the instructional process.

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5. Other appropriate instructional aids available for individual students to use in place of the one selected.
 6. Where applicable, supporting professional materials which were used in selecting the instructional aid.
- C. The rationale shall be submitted to the principal. The principal shall review the rationale to determine whether it demonstrates that the instructional aid is consistent with the district goals and with the school and course objectives. Within ten (10) working days, the principal shall recommend, in writing, the approval or the rejection of the instructional aid, or shall return the rationale to the teacher for revision. If the instructional aid is recommended for rejection or returned for revision, the principal shall state the reasons in writing. Upon resubmission of a revised rationale by the teacher, the principal shall make a decision for recommendation or rejection within ten working days. The principal shall submit the recommendation to the Director of Curriculum and the Superintendent. If the instructional aid is rejected by the Director of Curriculum and the Superintendent, the teacher shall have ten (10) working days from the date of rejection to file a written request for review by the School Board.
- D. The Superintendent shall submit a written list of any instructional aids that have been submitted by teachers and rejected by a principal, the Director of Curriculum or by the Superintendent, and not appealed by the teacher. The list shall state the reasons for the rejection of each instructional aid.
- E. The rejection at any level, of the use of an instructional aid shall be for that academic year only. Any instructional aid previously rejected, at any level may be resubmitted in any subsequent year.
- F. Materials approved shall be deemed appropriate for use at the grade level requested and may be used at higher levels throughout the district providing that the curriculum sequence is maintained.
- G. A parent, as defined by Florida Statutes, may object to his/her child's use of a specific instructional material or an adult student may object to the use of a specific material in his/her instructional program. The parent or adult student may request a conference with the principal or principal's designee to discuss the use of the material.
- H. The complainant will be provided with the District's policies and procedures for the selection of instructional materials. The principal or designee will

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explain the use of the material in the instructional program and answer questions from the individual.

- I. If the issue is not resolved at the conference, the complainant will be provided with the form to file a written objection and an explanation of the process that will be followed.
- J. Within ten (10) working days of such filing, parents of other students in the class(es) involved or potentially affected in that school shall be notified in writing by the principal that a challenge has been initiated.
- K. School-level Instructional Appeals Committee. The Appeals Committee shall consist of two teachers selected by the Superintendent from that particular school, two teachers selected by the principal from that particular school and three (3) parents of the school to evaluate the challenged materials and to make recommendations of any changes. The principal shall notify the Superintendent and the instructional materials coordinator when a committee is convened. Meetings of the committees convened for the purpose of resolving an objection by a parent or resident, must be noticed and open to the public in accordance with s. 286.011.
- L. If the challenged material is for a course required by s. 1003.46, s. 1003.42(2), or is identified by State Board of Education rule the challenged material shall remain available for circulation during the reconsideration process. If the challenged material is subject to an objection on the basis of being prohibited under s.847.012 or if it depicts or describes sexual conduct as defined in s. 847.001(19), must be removed within 5 school days of receipt of the objection and remain unavailable to students of that school until the objection is resolved.
- M. Challenged materials shall be read and re-evaluated by the committee, considering the specific objections raised. The committee shall report its decision within fifteen (15) working days. The committee recommendations shall address whether the challenged material is consistent with the selection criteria outlined herein. The Committee shall have no authority to determine curriculum. Within ten (10) working days of receiving the recommendations of the Committee, the principal shall make a decision whether to retain the material or remove the material. The principal shall take into account the Committee's recommendations when making his/her decision.

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- N. The complainant shall be informed in writing concerning the principal's decision.
1. If the principal determines the challenged material be retained, the complainant shall be notified in writing within five (5) working days. The Complainant shall be given a copy of the decision of the Committee's decision and a copy of the procedures for filing an appeal.
 2. If the principal determines that the challenged material be removed, then the complainant, the teacher(s), the students in the class, and the parents of the students in the class where the complaint was initiated, shall be notified in writing within five (5) working days of the decision at the same time the decision will be referred to the District's Instructional Material Review Committee.
- O. District-Level Appeals. An appeal of a principal's determination to retain challenged materials must be filed with the principal within five (5) working days of notification of that determination and shall include a specific statement of the complainant's grounds for disagreement with the principal's determination. Copies of the appeal shall be furnished to the teacher(s) and the parents of the students in the class where the complaint was initiated within five working days of the filing of the appeal.
- P. A committee shall be appointed by the Superintendent to review the appeal. The Superintendent shall designate the Curriculum Director as being responsible for the organization of this review committee according to School Board policies. The committee's recommendations shall be submitted to the Superintendent within fifteen (15) working days. A committee member shall not be selected from the school where the challenged materials originated. The district level committee will include:
1. District Level Staff Member. One staff member from the level or special area where the material has been challenged.
 2. Two Principals. One principal shall be appointed from each level (elementary, middle, and high school). However, only the principal from the same level as the school at which the challenge originates shall serve on the review panel for the particular material.
 3. Grade Level Instructional Staff Member. One instructional staff member who is a department head, grade level chair or team

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- leader from the same level (elementary, middle, or high school) at which the challenge originates.
4. Three Teachers. Three teachers from the same level at which the challenge originates shall be appointed by name.
 5. Four Parents. One shall be a parent of an elementary school student, one shall be a parent of a middle school student and two shall be the parents of high school students.
- Q. The committee's review shall be treated objectively, unemotionally, and in a businesslike manner and shall be conducted in the best interest of the students, the school, and the community. Efforts shall be made to meet with citizens who register concerns to consider their objections. Meetings of the committees convened for the purpose of resolving an objection by a parent or resident, must be noticed and open to the public in accordance with s. 286.011.
- R. The complainant shall be informed, in writing, in fifteen (15) working days after the committee's recommendation is received by the Superintendent.
- S. A School Board appeal may be requested by the complainant when the school and district-level appeals do not satisfactorily resolve the concerns. The School Board shall review recommendations from the school and district-level committees and shall render the final decision on the complainant's concern.
- T. The decision to remove challenged material from use shall, unless otherwise determined by the School Board, be effective at the grade level at which the material is in use and all lower grades.
- U. If a parent disagrees with the determination made by the school board, a parent may request the Commissioner of Education to appoint a special magistrate. The special magistrate shall determine facts relating to the school district's determination, consider information provided by the parent and the school district, and render a recommended decision for resolution to the State Board of Education within 30 days after receipt of the request by the parent. The State Board of Education must approve or reject the recommended decision at its next regularly scheduled meeting that is more than 7 calendar days and no more than 30 calendar days after the date the recommended decision is transmitted. The costs for the special magistrate shall be borne by the school district.

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- V. Parents shall have the right to read passages at a Board Meeting from any material used for instructional purposes under 1006.28(2)(a)2 that is subject to an objection. If the school board denies a parent the right to read passages due to content that meets the requirements under s. 847.012 or is pornographic, the school district shall discontinue the use of the material.

- W. If the School Board finds any other material contains prohibited content depicting or describing sexual conduct as defined in s. 847.001(19) (unless such material is for a course required by s. 1003.46, s. 1003.42(2), or identified by State Board of Education rule), that does not meet the students' needs and ability to comprehend the material presented or is inappropriate for the grade level and age group for which the material is used, the school district shall discontinue the use of the material for any grade level or age group where the use is inappropriate or unsuitable.

- X. Classroom Libraries. Materials in this category presently in the classroom which have been approved for classroom use shall remain available for continuing use by students. Materials acquired to replace or duplicate books or other materials which have already been approved may be made available for student use without resubmission of their titles to the school's media center. When new materials are added to the classroom library, a list of said new materials shall be submitted to the school's media center. Teachers shall apply the selection criteria set forth in Policy #4.13 - Educational Media Materials Selection.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED:

**1001.43, 1006.28, 1006.29(5),
1006.31, 1006.32, 1006.40 F.S.**

HISTORY:

**ADOPTED: _____
REVISION DATE(S): _____
FORMERLY:**