

<b>FREDERICK COUNTY PUBLIC SCHOOLS</b>	<b>Reg. No. 500-39</b>
<b>Subject: RECONSIDERATION OF INSTRUCTIONAL MATERIALS ALREADY IN USE</b>	<b>Issued: 9/1/93</b>
<b>Preparing Office: OFFICE OF THE SUPERINTENDENT</b>	<b>Amended: 6/13/12</b>

I. Policy 501

II. Procedures

A. Definitions – For the purpose of this regulation, the following definitions are provided:

- Board - Board of Education of Frederick County, Maryland
- Complainant - Community member of Frederick County, Maryland
- Essential Curriculum - Written curriculum prepared by Frederick County Public Schools staff and approved by the Board. Essential curriculum is reviewed by the Curriculum and Instruction Committee and approved by the Board.
- Essential Curriculum Guides - Prepared by Frederick County Public Schools staff to implement the adopted essential curriculum and may include activities, resources, etc.
- Foundation Textbooks - Narrowly construed to mean the primary text resources for teaching the essential curriculum. Accompanying student workbooks and electronic format texts (E-books, etc.) are included in this definition.
- In Principle – (i.e., substantively evaluated) Means that a complaint falls into a category that has been substantively addressed in a prior decision.
- Materials Already in Use - Includes library media materials and all materials used for instructional purposes or planning, except for textbooks under consideration.
- Supplemental Textbooks - Text resources, including electronic format texts (E-books, etc.) intended as supplements to the foundation text for teaching the essential curriculum.
- Teaching Materials - Includes items not contained in the definition of textbooks. They are a secondary source of information used by teachers to enrich and re-teach the essential curriculum. Teaching materials are used at the discretion of the individual teacher, and the decision is one of instructional strategy.

B. Reconsideration of Instructional Materials Already in Use

1. Upon receipt of a complaint, the deputy superintendent will initially determine the appropriate staff member to meet with the complainant and attempt to answer any questions and resolve differences.

2. If the complainant maintains opposition to use of the material, the complainant may complete the attached "Request for Reconsideration of Instructional Material" form. It is also available at [www.fcps.org/forms](http://www.fcps.org/forms) Contested material will remain in use during the reconsideration process. Parents may request that alternative material be provided to their child.
3. Upon receipt of the reconsideration form, the deputy superintendent will confer with staff and determine whether the issues were covered in principle by previous decisions.
4. Upon receipt of staff's recommendation and the "Request for Reconsideration of Instructional Material," the deputy superintendent will study the request to determine if the matter has been covered in principle by a previous decision. If it is determined that the matter has not been covered in principle, the deputy superintendent may appoint a reconsideration committee or, may refer it directly to the Superintendent as described in paragraph 5. If it is determined that the matter has been covered in principle, the deputy superintendent will typically not appoint a reconsideration committee and will refer the matter directly to the Superintendent with a recommendation.
5. If the deputy superintendent has recommended that a reconsideration committee not be formed, the Superintendent will review the deputy superintendent's recommendation and the request for reconsideration. The Superintendent will either: (1) request the deputy superintendent convene a reconsideration committee; or (2) render a written decision and notify all individuals who filed a "Request for Reconsideration of Instructional Material" accordingly.

#### C. The Committee and Its Deliberations

1. Composition of the Committee
  - a. Reconsideration committees will be appointed as needed by the deputy superintendent, who will request staff to convene a committee within 30 school days of receiving the complaint.
  - b. Each committee may be composed of at least nine members to include:
    - (1) Four to five staff members
      - One curriculum specialist
      - One administrator
      - Two teachers
      - One media specialist when the complaint involves a library media material
    - (2) Five community representatives
      - Four parents of students enrolled in Frederick County public schools
      - One citizen (who may also be a parent) knowledgeable in the subject area involved
    - (3) Two high school students (grades 9-12) when the matter deals with a secondary level instructional material
  - c. Alternate members may be selected by the deputy superintendent. In the event a member of a committee cannot serve for a particular review, an alternate may be selected for that review so that the representative balance of the group will be

maintained. However, the deputy superintendent may elect not to select an alternate if it would result in a significant delay to the process.

- d. The committee shall serve until the specific challenge has been resolved. If there are additional challenges to the material or challenges to supplementary, similar, or related materials, the original committee may be reconvened.

2. Deliberations

- a. The committee will meet and receive testimony from the complainant and staff concerning the contested material. Additionally, the committee may, at its discretion, receive oral or written testimony from proponents of the material. Barring extenuating circumstances, the committee will establish procedures governing the hearing and deliberations and will render its report within 45 school days after receiving final testimony.

- b. The committee will issue a written report in the following format:

- (1) Response to specific complaint
- (2) Evaluation of contested material
  - (a) Relationship to curriculum and to Board policy
  - (b) Relationship to established criteria for selection of instructional material
- (3) Signatures of committee members affixed to majority and minority opinions
- (4) Committee's report given to the deputy superintendent

- 3. The deputy superintendent will provide the report and a recommendation to the Superintendent within seven working days of receipt of the committee's report.

- 4. The Superintendent will render a decision within five working days of receipt of the committee's report and the recommendation of the deputy superintendent. The Superintendent will provide written notification of the decision to the complainant.

- D. The complainant may appeal the Superintendent's decision per Board Policy 105.

- E. No further re-evaluation will be made for at least two years after the Board has rendered a decision.

Approved:

*Original signed by*

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Theresa R. Alban  
Superintendent