

**DISTRICT CODE: 606  
INSTRUCTIONAL RESOURCES SELECTION/RETENTION**

*Policy reflects Minnesota statute and aligns with other District 270 policies.*

**I. PURPOSE**

The purpose of this policy is to provide direction for selection of instructional materials.

**II. GENERAL STATEMENT OF POLICY**

The School Board recognizes that selection of instructional materials is a vital component of the School District's curriculum. The School Board also recognizes that it has the authority to make final decisions on selection of all instructional materials.

**III. RESPONSIBILITY OF SELECTION**

- A. While the School Board retains its authority to make final decisions on the selection of instructional materials, the School Board recognizes the expertise of the professional staff and the vital need of such staff to be primarily involved in the recommendation of instructional materials. Accordingly, the School Board delegates to the superintendent, or the superintendent's designee, the responsibility to direct the professional staff in formulating recommendations to the School Board on other instructional materials, including digital content.
- B. In reviewing instructional materials during the selection process, the professional staff shall select materials which:
  - 1. Support the mission and standards of the district's education programs;
  - 2. Consider the needs, development, age and maturity of students;
  - 3. Are culturally responsive, gender-inclusive, and reflective of all students.
  - 4. Enable all students to affirm their own cultural roots, value diversity and understand and respect persons of different backgrounds and prepare students for citizenship in a global society.
  - 5. Fit within the constraints of the School District budget;

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6. Permit grade-level instruction for students to read and study America's founding documents, including documents that contributed to the foundation or maintenance of America's representative form of limited government, the Bill of Rights, our free-market economic system, and patriotism; and
  7. Do not censor or restrain instruction in American or Minnesota state history or heritage based on religious references in original source documents, writings, speeches, proclamations, or records.
- C. The director of Teaching and Learning, shall be responsible for developing procedures and guidelines to establish an orderly process for the review and recommendation of instructional materials by the professional staff. Such procedures and guidelines shall provide opportunity for input and consideration of the views of students, parents and other interested members of the school district community. This procedure shall be coordinated with the School District's curriculum development and review efforts and may utilize advisory committees.

### **IV. SELECTION OF INSTRUCTIONAL MATERIALS**

- A. The director of Teaching and Learning, shall be responsible for keeping the School Board informed of progress on the part of staff and others involved in the instructional materials review and selection process.
- B. The superintendent or the superintendent's designee shall present a recommendation to the School Board on the selection of other instructional materials after completion of the review process as outlined here and the curriculum development policy.

### **V. RECONSIDERATION OF INSTRUCTIONAL MATERIALS**

- A. Public education in a democracy is committed to facilitate the educational growth and equal educational opportunity of all learners. The freedom to learn and the corresponding freedom to teach are basic to a democratic society. To this end, the Board of Education of District 270 supports the principles of intellectual freedom inherent in the First Amendment of the Constitution of the United States. Commitment to these beliefs requires the School Board and staff of the Hopkins School District to work diligently toward providing instructional resources that place principle above personal opinion and reason above prejudice.
- B. The Board recognizes instructional resources are chosen to support the District's mission and content standards to meet the needs of the diverse learners.
- C. The Board recognizes that differences of opinion exist. A member of the school community may request to review instructional materials and upon completion of review can request a reconsideration of the use of certain instructional materials.
- D. The director of Teaching and Learning shall be responsible for the development and periodic review of the guidelines and procedures for the reconsideration of instructional materials.

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Adopted: February 4, 1993

Revised: January 22, 2004

Revised: November 3, 2005; September 16, 2010, October 1, 2015, March 19, 2019

**Regulations begin on next page.**

**DISTRICT CODE: 606 - REGULATIONS  
INSTRUCTIONAL RESOURCES SELECTION/RETENTION**

**I. PROCEDURES FOR INSTRUCTIONAL RESOURCES**

A. Description of Resources Covered by the Policy

Instructional resources are defined as anything which is read, listened to, manipulated, observed or experienced by students as part of the instructional process. Resources may be consumable or non-consumable and may vary greatly in the kind of student response they stimulate.

B. Outline of Process Used in Selection/Retention of Materials

In selecting/retaining resources for instructional programs, professional personnel will:

1. evaluate the existing resources for educational suitability
2. assess curricular needs
3. preview or examine the actual item whenever possible
4. select/retain resources for their strengths
5. consider networking arrangements
6. consult reputable, professionally prepared selection/retention aids.
7. consider the impact on student data, with specific attention given to student data privacy.
8. perform due diligence with appropriate and/or applicable copyright permissions.

The selection/retention of major instruction resources will be an open process to encourage communication with the community and to seek recommendations for acquisition from faculty, students and community members. Final decisions on the selection/retention of resources shall rest with the professional personnel in accordance with the Policy.

Selection/Retention is to be considered an ongoing process which is to include the removal of resources no longer appropriate and the replacement of lost and worn resources still of educational value.

For instructional resources not adopted by the District, professional personnel have the right to use resources they believe will increase effectiveness in meeting the objectives of the course. Professional personnel recognize the responsibility to use good judgment in the selection/retention of resources.

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The teacher who is in doubt concerning the advisability of using certain resources in the classroom will consult with the department leader, building principal and/or the appropriate curriculum and instruction coordinator.

Gift resources shall be judged by the criteria listed in the preceding section and should be accepted or rejected on the basis of those objectives.

### C. Criteria for the Selection/Retention of All Educational Resources Including Gifts.

- Resources shall be selected/retained for their strengths in serving students and staff and shall be judged as a whole rather than rejected for their weaknesses.
- Resources shall be selected/retained which represent a diversity of views and expression in order to promote critical thinking and objective evaluation. Selection/Retention of a work does not constitute agreement with the content.
- Resources selected/retained shall be appropriate to the level of students while considering curriculum objectives and availability of resources.
- Resources selected/retained shall be consistent with the educational goals of the district and the objectives of the individual schools and specific courses.
- Resources selected/retained shall be appropriate for the age, social development, and maturity of the users.
- Resources shall attempt to reflect the history, culture and perspectives of societies, inclusive of women and men, individuals and groups from various racial, cultural, ethnic, social, gender, religious backgrounds, and persons with disabilities. In cases where instructional resources are used in a formal setting, they are used in a manner that helps students gain insights into the existence of bias in both print and non-print resources.
- Resources shall provide information on differing sides of issues so that users may develop the practice of critical analysis.
- Resources shall provide a background of information which will motivate students to examine their own attitudes and behavior, to comprehend their duties, responsibilities, rights and privileges as participating citizens in their society, and to make intelligent judgments in their daily lives.

## II. RECONSIDERATION PROCEDURES

### A. Statement of Procedure and to Whom It Applies

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Administrative Rules and Regulations attendant to this policy provide procedures by which residents, students, parents, guardians or employees may request reconsiderations of instructional resources. In the event that resources are challenged on these grounds, the First Amendment rights of the Constitution of the United States of America are of primary importance.

### B. Origin of Complaint

A complaint is defined as any written or verbal statement of opposition to a resource by requesting that it be excluded, included or restricted. A complainant is a resident, parent, guardian, adult student or employee of the School District who objects to the inclusion or exclusion of instructional resource(s) in the District's educational program. Only a complainant may issue a complaint.

### C. Step by Step Procedure When a Complaint Occur

Step 1. The complainant shall be directed and assisted in meeting with the appropriate teacher, media specialist or instructor for an informational meeting regarding the use of the resource in question.

The staff member shall immediately advise the department leader and the school principal of the complaint and then attempt to resolve the issue informally in a respectful manner.

If the complainant is a parent, guardian or adult student and does not agree with the closure of the complaint or request for reconsideration, the parent, guardian or adult student may make reasonable arrangements with school personnel for alternative instruction as directed in Minnesota Statute 121.608:

## **PARENTAL REVIEW OF THE CONTENT OF INSTRUCTIONAL MATERIALS**

"Subdivision 1. (7) a procedure for a parent , guardian, or an adult student, 18 years of age or older, to review the content of the instructional materials to be provided to a minor child or to an adult student and, if the parent, guardian, or adult student objects to the content, to make reasonable arrangements with school personnel for alternative instruction. Alternative instruction may be provided by the parent, guardian, or adult student if the alternative instruction, if any, offered by the School Board does not meet the concerns of the parent, guardian, or adult student. The School Board is not required to pay for the costs of alternative instruction provided by a parent, guardian, or adult student.

School personnel may not impose an academic or other penalty upon a student merely for arranging alternative instruction under clause (7). School personnel may evaluate and assess the quality of the student's work. "

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Step 2. If the complainant is not satisfied with the outcome of the informational meeting, the staff member involved in the meeting shall advise the complainant that continued concerns should be taken to the building or program administrator.

Step 3. If the complainant contacts the building or program administrator, the administrator, the curriculum leader and/or the curriculum coordinator for the area and the staff member involved at Step 1 will meet with the complainant to explain the school's selection policy and procedures, the criteria used for the selection currently in use, the place the resource in question occupies in the educational program and the qualifications of the person(s) who made the resource selection. An attempt will be made to resolve the issue informally in a respectful manner.

If the complainant does not agree with the closure of the complaint or request for reconsideration, the complainant may make reasonable arrangements with school personnel for alternative instruction as directed in Minnesota Statute 121.608. See Step 1 above for wording of MN Statute.

Step 4. A written record of the complaint, completed by the principal, including name of complainant, title of the resource, description of the complaint and synopsis of the event will be given to the Director of Curriculum and Instruction (Appendix D).

Step 5. If the complaint remains unresolved, the administrator will provide the complainant with the "Statement of Concern About Instructional Resources" form which may be completed by the person with complaint and returned to the building or program administrator (Appendix E).

If the complaint does not arise from activity at any particular building, the "Statement of Concern About Instructional Resources" can be initiated with the director of Curriculum and Instruction.

### D. Process for Written Complaints

1. Upon receipt of the "Statement of Concern About Instructional Resources" form, the building or program administrator will send copies of the form to the director of Curriculum and Instruction and the appropriate district curriculum coordinator.
2. The Director of Curriculum and Instruction will notify the Reconsideration Committee of the objection and set a meeting date. The Director of Curriculum will provide the Committee with copies of the complaint and will also provide opportunities for the committee to read, view or listen to the questioned resource. The goal of the Committee will be to provide a timely and fair review of resources consistent with Constitutional protections.

The Reconsideration Committee shall be appointed yearly and consist of eleven (11) members from Hopkins School District 270 as follows:

- One building principal or assistant principal selected by the superintendent.

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- One elementary teacher elected/selected by the HEA.
- One secondary teacher elected/selected by the HEA.
- One professional media person elected/selected by the K-12 media staff.
- Four district residents selected by the superintendent.
- The Director of Curriculum and Instruction.
- At least one member knowledgeable of or with specific training in diversity education.
- One student from Hopkins High School elected/selected by the student senate who will serve as an advisory member.

Should any Reconsideration Committee member be involved with a questioned resource, a temporary replacement from his/her category shall be appointed according to procedures adopted by the Committee at its first meeting of the year. Once a decision on the question resource has been made, the member shall return as a participating member of the Committee.

3. The Committee shall examine the questioned resource in its entirety and determine professional acceptance of the resource by reading critical reviews, weighing values and faults and forming opinions on the resources as a whole rather than on passages or selections taken out of context. The Committee will discuss the resource in the context of the educational program and hear testimony. The person filing the complaint form will have opportunity to address the Reconsideration Committee. The Reconsideration Committee may go into executive session to review findings.
4. At the second or subsequent meeting, as desired, the Reconsideration Committee shall make its decision by majority rule in open session. In the case of a tied vote, the objection shall be denied. A report of the resolution of the issue will be sent to the complainant, appropriate district personnel and the superintendent and School Board.
5. The decision shall be binding for the individual school or as specified in the report by the Reconsideration Committee.
6. If either the complainants or staff are not satisfied by the Reconsideration Committee's conclusions, they may file a written appeal with the School Board. Appeals must be made within ten (10) school days after formal notification of the decision.
7. Students and teachers may continue to use resources under reconsideration until a decision is made restricting its use. However, individual students involved in the complaint will not be required to use the resources which are under reconsideration. Should they choose this option, Minnesota Statute 121.608 applies: See II, C, Step 1.

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8. Reconsideration Committee meetings will be conducted according to procedures adopted by the committee at its first meeting each year. Copies of the procedures will be available upon request from the director of Curriculum and Instruction.
9. Resources that have been reconsidered following a formal complaint will not be reconsidered again for three years unless a challenge is substantially different from a previous challenge. Individuals and groups who challenge an item that has been reconsidered within the past three years will be given a copy of the Reconsideration Committee's recommendation and any Board decision in the matter. If the Board did not reconsider the matter previously, the citizen may request a re-consideration by the Board.

### **III. IMPLEMENTATION OF POLICY AND PROCEDURE REVIEW**

- A. The communications coordinator and principals will work together to develop ways to inform students, parents and community members of the Policy and simple ways to access the Procedures. Examples: District Calendar, Student and Parent Handbooks.
- B. The Director of Curriculum and Instruction and the District Media/Technology coordinator will work with principals and instructional staff on implementation of the Policy and Procedures.
- C. Ongoing review and evaluation are necessary to keep Administrative policies vital and current. Therefore, it shall be the responsibility of the Director of Curriculum and Instruction to conduct a review of the procedure at least every five (5) years.

**Appendix begins on next page.**

**DISTRICT CODE: 606 – E-1**  
**INSTRUCTIONAL RESOURCES SELECTION/RETENTION**

**A POLICY ON THE FREEDOM TO TEACH, TO LEARN, AND TO EXPRESS IDEAS IN THE PUBLIC SCHOOLS**

The freedoms to teach, to learn, and to express ideas without fear of censorship are fundamental rights held by public school teachers and students as well as all other citizens. These freedoms expressed and guaranteed in the First Amendment to the U.S. Constitution, must be preserved in the teaching/learning process in a society of diverse beliefs and viewpoints and shared freedoms. Public schools must promote an atmosphere of free inquiry and a view of subject matter reflecting a broad range of ideas so that students are prepared for responsible citizenship. However, criticism of educational resources and teaching methods and the advocacy of additional educational resources are also essential First Amendment rights of students, faculty, parents, and other members of the community.

Public school personnel should:

1. Select curriculum, teaching methods, resources, and resources appropriate to the educational objectives and the maturity and skill levels of the students based on their professional competence as educators and according to established school board policies and procedures. However, teachers should not be allowed to indoctrinate students with their own views.
2. Provide students with access to a broad range of ideas and viewpoints.
3. Encourage students to become decision makers, to exercise freedom of thought, and to make independent judgments through the examination and evaluation of relevant information, evidence, facts, and differing viewpoints.
4. Support students' rights to present their ideas even if some people might find the ideas objectionable.
5. Discuss issues, including those viewed by some as controversial, since such discussion is essential to students' development of critical thinking and other skills which prepare them for full participation as citizens in a democratic society.

Each school district board of education should adopt a written policy reflecting the principles included in this policy and stating the criteria, the personnel, and the process to be used to select and to reevaluate curriculum and educational resources and make the policy available to members of the school community and the public.

Individuals or groups outside the public schools should not be allowed to:

1. Use the public schools to indoctrinate students with particular viewpoints or beliefs.
2. Determine which viewpoints will be presented or avoided in public schools.

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3. Require the disciplining of professional staff for including issues or resources considered controversial in their classes if the reasons for including them are educationally sound.

Adopted by the Minnesota Board of Education: March 12, 1985

**DISTRICT CODE: 606 – E-2**  
**INSTRUCTIONAL RESOURCES SELECTION/RETENTION**

**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.

1. 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.
2. 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.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. 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

Amended February 2, 1961, June 27, 1967, and January 23, 1980, by the ALA Council.

**DISTRICT CODE: 606 – E-3**  
**INSTRUCTIONAL RESOURCES SELECTION/RETENTION**

**Access to Resources and Services in the School Library Media Program**  
**An Interpretation of the**  
**LIBRARY BILL OF RIGHTS**

The school library media program plays a unique role in promoting intellectual freedom. It serves as a point of voluntary access to information and ideas and as a learning laboratory for students as they acquire critical thinking and problem solving skills needed in a pluralistic society. Although the educational level and program of the school necessarily shape the resources and services of a school library media program, the principles of the LIBRARY BILL OF RIGHTS apply equally to all libraries, including school library media programs.

School library media professionals assume a leadership role in promoting the principles of intellectual freedom within the school by providing resources and services that create and sustain an atmosphere of free inquiry. School library media professionals work closely with teachers to integrate instructional activities in classroom units designed to equip students to locate, evaluate, and use a broad range of ideas effectively. Through resources, programming, and educational processes, students and teachers experience the free and robust debate characteristic of a democratic society.

School library media professionals cooperate with other individuals in building collections of resources appropriate to the developmental and maturity levels of students. These collections provide resources which support the curriculum and are consistent with the philosophy, goals, and objectives of the School District. Resources in school library media collections represent diverse points of view and current as well as historic issues.

Members of the school community involved in the collection development process employ educational criteria to select resources unfettered by their personal, political, social, or religious views. Students and educators served by the school library media program have access to resources and services free of constraints resulting from personal, partisan, or doctrinal disapproval. School library media professionals resist efforts by individuals to define what is appropriate for all students or teachers to read, view, or hear.

Major barriers between students and resources include: imposing age or grade level restrictions on the use of resources, limiting the use of inter library loan and access to electronic information, charging fees for information in specific formats, requiring permissions from parents or teachers, establishing restricted shelves or closed collections, and labeling. Policies, procedures and rules related to the use of resources and services support free and open access to information.

The School Board adopts policies that guarantee student access to a broad range of ideas. These include policies on collection development and procedures for the review of resources about which concerns have been raised. Such policies, developed by persons in the school community, provide for a timely and fair hearing and assure that procedures are applied equitably to all expressions of concern. School library media professionals implement district policies and procedures in the school.

Adopted July 2, 1986, by the ALA Council





