

## Instruction

**SUBJECT: OBJECTION TO INSTRUCTIONAL AND LIBRARY MATERIALS**

Objections to instructional materials by community members must be submitted in writing to the District Superintendent on form #8330F -- Request for Re-Evaluation of Instructional and Library Materials. The BOCES will not respond to petitions, verbal challenges, or public or component district demands unless there is sufficient information to justify such a challenge. The BOCES will not consider any objections to instructional materials unless form #8330F has been fully completed. Each item being challenged must be submitted on a separate #8330F form. A community member or community organization may only have one materials challenge active at a time. In the case of multiple challenges being received, priority will be given to those challenges brought by students or parents/guardians of students in member districts or subscribers to a cooperative service under which the challenged material is made available.

Challenged instructional materials will remain in use and/or circulation until a final decision has been made.

**Review Process**

- 1) Upon receipt of form #8330F, the District Superintendent will designate a review committee to investigate and evaluate the challenged instructional material. The School Library System Director will lead the review committee.

The review committee will be comprised of component district and BOCES staff.

- 2) Review committee members will all be given the challenged material to read, watch, and/or listen to in its entirety. The review committee will evaluate the challenged material according to the BOCES' criteria for the evaluation and selection of instructional materials. The review committee's evaluation will also consider the:
  - a. Principles of freedom to read and freedom from censorship;
  - b. Culturally Responsive-Sustaining (CR-S) Education Framework (Framework);
  - c. American Library Association's (ALA) *Library Bill of Rights* and statement on *The Freedom to Read*;
  - d. Relevant laws, regulations, and/or policies as provided by the School Library System Director in consultation with counsel.

- 3) Within 60 days of receipt of form #8330F—or, in the case of a queue of pending challenge forms, within 60 days of completing the previous matter in the queue— the review committee will submit a report and any supporting evidence of its findings in writing to the District Superintendent. The report need not be unanimous and may be composed of separate majority and minority reports.
- 4) The District Superintendent will provide the review committee's findings and decision in writing to the individual who submitted the objection.

### **Appeals**

Appeals of decisions by the review committee must be submitted in writing to the District Superintendent who will then submit the appeal to the Board for action.

(Continued)

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**SUBJECT: OBJECTION TO INSTRUCTIONAL AND LIBRARY MATERIALS (Cont'd.)**

All Board members will be given the challenged material to read, watch, and/or listen to in its entirety. The Board will evaluate the challenged material according to the BOCES' criteria for the evaluation and selection of instructional materials. The Board's evaluation will also consider the:

- 1) Principles of freedom to read and freedom from censorship;
- 2) Culturally Responsive-Sustaining (CR-S) Education Framework (Framework);
- 3) American Library Association's (ALA) *Library Bill of Rights* and statement on *The Freedom to Read*;
- 4) Relevant laws, regulations, and/or policies and consultation with counsel if needed.

The Board or administration may not remove books from a library media center solely to restrict access to certain social, political, and moral ideas of which the Board disapproves.

Within 60 days of receipt of the appeal, or in the case of a pending queue of appeals, within 60 days of resolving the prior appeal, the Board will direct the District Superintendent on the action to be taken with the challenged material. Once a final decision has been made, additional substantively similar challenges seeking to limit or remove access to the same instructional material will not be considered again for a period of three years.

**Records Management and Retention**

All documents pertaining to an objection and any subsequent appeal will be maintained and archived in accordance with applicable record retention schedules and as outlined in any records management policies, regulations, and/or procedures.

NOTE: Refer also to Regulation #8320R -- Selection of Instructional and Library Materials

