



Book	Policy Manual
Section	Chapter 4.00 - Curriculum and Instruction
Title	Challenged Materials
Code	4.43*
Status	Active
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I. Process for parents or residents of the county to contest adoption of specific instructional material. Parents of students attending a public school in the District or residents may contest the Board's adoption of specific instructional materials as described in the Adoption of Instructional Materials section above. The parent or resident must follow the procedure below to contest the board's adoption of specific instructional material.

- A. The parent or resident must file with the Board within thirty (30) calendar days after the Board's adoption of specific instructional material a petition on a form (Objection to Instructional and/or Media Material). The petition form is publicly available in each school office, the Superintendent's office, or on the District's website.
- B. All concerns shall be presented in writing on the printed form. 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:
 1. Author, compiler, or editor;
 2. Publisher;
 3. Title;
 4. Reason for objection;
 5. Page number of each item challenged; and,
 6. Signature, address and telephone number of person making the complaint.
- C. 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 received during the thirty-day time period. The petitioner(s) shall be notified in writing of the date and time of the hearing at least seven (7) days prior to the hearing.
- D. The contested material shall be made available to the public online at least seven (7) days before the hearing.
- E. The decision of the School Board, after convening a hearing, shall be final and not subject to further review or petition.

II. The following procedures shall be followed for objections to the use of instructional materials:

- A. 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.

- B. The complainant will be provided with the District's policies and procedures for the selection of instructional materials. The principal or designee will explain the use of the material in the instructional program and answer questions from the individual.
- C. 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.
- D. School-level Appeals
 - 1. A committee of teachers, educational media specialists, and other qualified personnel shall be appointed by the principal 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.
 - 2. Challenged materials shall not be removed immediately; however, such materials shall not be available for student use pending a final decision.
 - 3. 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.
 - 4. The complainant shall be informed in writing concerning the committee's recommendations.

E. District-level Appeals

These procedures shall be appropriate for district-level appeals and shall be followed when the complainant disagrees with the decision rendered from the school-level appeal.

- 1. A committee shall be appointed by the Superintendent to review the appeal. The Superintendent shall designate the instructional materials coordinator 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.
 - a. The following shall serve as a review committee for elementary schools
 - i. The chairman of the advisory council or designee;
 - ii. Elementary media specialist;
 - iii. Elementary principal;
 - iv. A curriculum supervisor;
 - v. Three (3) instructional staff members at the elementary level; and,
 - vi. Two (2) parents; as defined by Florida Statutes, of elementary age students.
 - b. The following shall serve as a review committee for secondary schools
 - i. The chairperson of the County-wide Advisory Council or designee;
 - ii. Secondary media specialist;
 - iii. Secondary principal;
 - iv. A curriculum supervisor;
 - v. Three (3) instructional staff members at the secondary level; and,
 - vi. Two (2) parents of secondary age students.
- 2. The committee's review shall be treated objectively, unemotionally, and in business-like manner and shall be conducted in the best interests of the student, the school, and the community. Efforts shall be made to meet with citizens who register concerns to consider their objections.

The complainant shall be informed, in writing, in fifteen (15) working days after the committee's recommendation is received by the Superintendent.

- 3. 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.

STATUTORY AUTHORITY:

1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:

1000.21, 1001.41 1001.43, 1006.28, F.S.

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It is the constitutional duty and responsibility of the Okeechobee County School Board to adopt and provide adequate instructional materials to all students of the District, whether the materials are selected from Florida Department of Education (FDOE) approved materials list or through a local selection program.

I. 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. Public access to recommended materials will be provided 20 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.
- D. The School Board shall conduct an open noticed public meeting, on a date other than the date of the public hearing required by c. (immediately above), to approve an annual instructional materials plan identifying instructional materials that will be purchased.
- E. The School Board shall receive comment at the public hearing and meeting as prescribed by policy.

II. The Assistant Superintendent for Instructional Services of the school will provide to the Superintendent prior to March 31 a list of selected materials planned for purchase for a subject during the first two (2) years of the state adoption cycle. If nonadopted materials are selected, a list of the titles and publishers will be provided with documentation that the selections and reasons for the selections have been reviewed and approved by the School Advisory Council or District Advisory Council.

III. The Superintendent or designee shall notify the Department of Education by March 31 of each year the state-adopted instructional materials that will be requisitioned for use in the District.

IV. The principal is to collect from each pupil or the pupil's parent the purchase price of any instructional material the pupil has lost, destroyed, or unnecessarily damaged and to report and transmit such amounts collected to the Assistant Superintendent of Finance. Upon reasonable effort by the principal to collect the sum, failure to satisfy the debt may result in the suspension of the pupil from participation in extracurricular activities or satisfaction of the debt by the pupil through community service activities at the school site as determined by the principal. The principal may not delay the transfer of a pupil's permanent record or delay the awarding of grades due to failure of payment of assessment on lost, destroyed, or damaged materials.

V. The principal, when requested by the parent of a pupil in the school, shall sell to the parent any instructional materials used in the school. The costs of the materials to the parents would be prorated based on the original purchase price, number of years of adoption, and number of years used.

VI. All money collected from the sale, loss, or damage of instructional materials shall be transmitted to the Finance Department to be deposited in the District school fund and added to the District appropriation for instructional materials.

VII. Principals shall see that all books are fully and properly accounted for annually.

VIII. Instructional materials purchased by District School Board on behalf of dual enrollment students shall be the property of the School Board.

STATUTORY AUTHORITY:
1001.41, 1001.42, F.S.

LAWS IMPLEMENTED:
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