Eastern Suffolk BOCES
Educational Services That Transform Lives

Board

Controversial Issues & Objection to Instructional Materials and Controversial Issues

First Supervisory District of Suffolk County
201 Sunrise Highway
Patchogue, New York 11772

Eastern Suffolk BOCES recognizes the right of ESBOCES community members to voice concerns and objections about instructional materials and the discussion of controversial issues. This policy addresses how those concerns and objections can be raised.

Definitions

For purposes of this policy, the following definitions apply.

Controversial issues means questions, subjects, or problems which can create a difference of opinion. They can include issues which may have political, social, environmental, or personal impacts on students and/or the wider community: locally, nationally, or internationally.

Instructional material means any print or non-print material with instructional content or an instructional function that is used to facilitate formal or informal learning either in the classroom, library media center, or elsewhere in ESBOCES. Examples of instructional materials include, but are not limited to: textbooks; workbooks; hardcover and paperback books; ebooks; online databases; DVDs; streaming videos; sound recordings; magazines; newspapers; pamphlets; pictures; charts; games; kits; maps; models; microforms; slides; specimens; and transparencies.

Textbook means a text, or a text-substitute, that a student is required to use in a particular class or program of ESBOCES. Textbooks include:

1. Books, or book substitutes, including hardcover or paperback books, workbooks, or manuals; and
2. Courseware or other content-based instructional materials in an electronic format.

Instructional Materials Selection and Controversial Topics and Material

3. Responsibility

    a. The Board has authority to prescribe curriculum in ESBOCES and to designate the textbooks to be used in ESBOCES.

    b. The Board delegates the authority for the selection of materials to the instructional staff. Textbooks selected by appropriate instructional staff shall be recommended to the District Superintendent, Chief Operating Officer, or designee who will present such recommendations to the Board for approval.

2. Objectives of Selection

    a. The selection should reflect and help implement the basic functions of a quality Eastern Suffolk BOCES program. The materials chosen should:

        i. provide teachers and students with materials that will support and enrich the curriculum and

        ii. enable and encourage students to further develop their full potential as creative and responsible individuals by meeting and stimulating the greatest possible diversity of interest and abilities.

    b. To fulfill these two basic functions, endeavor should be made to provide easy access to a cataloged and comprehensive selection of a variety of materials at appropriate levels of difficulty to:

        i. generate an understanding of American freedom and a desire to preserve those freedoms through the development of informed and responsible citizenship;

        ii. develop intellectual and practical skills, literacy and aesthetic taste and discrimination in choice of materials;

        iii. foster a breadth and depth of insight that will stimulate growth of ethical standards and a sensitivity of social, intellectual, and aesthetic values;

        iv. encourage students to locate, use, and evaluate as much material as possible on opposing sides of controversial issues so that they may develop, under guidance, the practice of critical examination and thinking;

        v. fairly represent the many religious, ethnic, and cultural groups and their contribution to our American heritage; and

        vi. encourage the professional growth of the faculty.

    c. Controversial Topics and Material

        All instructional curriculums will undoubtedly include controversial topics or materials at one time or another. For purposes of this policy, a controversial topic is one to which an individual formally objects as being inappropriate for use in a public school classroom.

Objections to Instructional Material

The parent of a student cannot compel the Board to use a particular textbook or discontinue the use of a particular textbook. Further ESBOCES may not be compelled to assign an alternate curriculum to a student based upon a parent's disapproval of classroom assignments. Students may be able to be excused from instruction in very limited circumstances outlined in law and regulation.

ESBOCES community members who have questions or concerns about instructional materials are encouraged to bring these questions and concerns to instructional staff and/or the school library media specialist(s).

ESBOCES community members who wish to formally object to instructional materials must submit their objections in writing to the Superintendent. ESBOCES staff who object to instructional materials must follow the same process as all ESBOCES community members. Challenged instructional materials will remain in use and/or circulation until a final decision has been made. The Board will be informed of any objection the Superintendent receives.

The Superintendent will designate a review committee to investigate and evaluate the challenged instructional material. The committee will include, among others, the school library media specialist from the building where the objection originated and the building principal. The committee will evaluate the challenged material according to the ESBOCES criteria for the evaluation and selection of instructional materials.

The review committee will submit a written report of the results of their review to the Superintendent within 60 days of receipt of the formal written objection.

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

If subsequent objections after an appeal are issued for the same material within a period of five years, the Superintendent can deny the objection based on the previous review and decision.

Controversial Issues

Controversial issues may be studied as part of the curriculum. Instructional staff will present these issues in their classrooms in an impartial and objective manner. It is expected that a library media center's collection, both print and digital, will include items that are considered to be controversial.

Instructional staff wishing to call upon outside speakers to present on controversial issues are required to work with the building principal who will keep in mind the obligation to present balanced viewpoints. The building principal will inform the Superintendent of the presentation on the controversial issue prior to it occurring.

Any objection to how a controversial issue is being taught, including the use of a guest speaker, should be directed to the building principal who will consult with appropriate instructional staff to address the objection.

If the objection is related an instructional material being used in the teaching of a controversial issue, the process requesting reconsideration of library or instructional materials should be followed. Objections to instructional materials by ESBOCES community members must be submitted in writing to the Superintendent. If the objection is related to the curriculum or New York State learning standards, the building principal will address the matter with the individual(s) raising the objection.

References:
Administrative Regulation 7220R.1 – Controversial Issues
Education Law §§ 701, 711, 809, 1604, 1709, 1804, 2503, and 3204
8 NYCRR §§ 16.2 and 135.3

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