

INSTRUCTIONAL RESOURCES AND MATERIALS

Code **IJ** Issued **9/09**

Purpose: To establish the board's vision for instructional materials and the basic structure for parental examination of certain materials.

Instructional materials are all materials designed for use by students and their teachers as a learning resource. They may be printed or non-printed and may include books, audiovisual materials and kits.

The professional staff will have primary responsibility for the selection of instructional materials and resources. They will seek the involvement of parents/legal guardians and other community members in selecting instructional materials. The selection of instructional materials will follow state board of education regulations as well as other legal requirements. All materials will support the schools' educational philosophy, goals and objectives. The board will handle challenges to materials as provided in policy KEC.

Parental inspection of certain materials

Parents/legal guardians of district students have the right to inspect all instructional materials including teacher's manuals, films, tapes, software or other supplementary materials which will be used in connection with any survey, analysis or evaluation as part of any applicable program. The district will make the materials available for inspection at appropriate locations.

The district will not require any student to submit to a survey, analysis or evaluation that reveals information prohibited by law as cited in the references below.

The district will give parents/legal guardians and students annually, at the beginning of the school year, a general notice of their rights under the law as well as after any change in district policy regarding these matters.

Surveys/Activities involving students

Any survey project involving students and/or their records must have the prior written approval of the superintendent or his/her designee. Specific notice will be given to parents/legal guardians of students who are actually scheduled to participate in certain covered surveys/activities.

Except as specified below, prior written parental consent is not required when students participate in district-approved studies (including standardization samples) or when information is disclosed to organizations conducting studies for the purpose of developing, validating or administering standardized tests, administering student aid programs and/or improving instruction, as long as students and/or their parents/legal guardians are not personally identified and the records are destroyed when no longer needed for the prescribed purpose.

Written parental consent must be secured before students are required to participate in any survey, analysis or evaluation that reveals information concerning the following that is funded in whole or in part by a program of the U. S. Department of Education.

- political affiliations or beliefs of the student or student's parent/legal guardian
- mental and psychological problems of the student or student's family
- sexual behavior or attitudes
- illegal, anti-social, self-incriminating or demeaning behavior
- critical appraisals of other individuals with whom respondents have close family relationships
- legally recognized privileged or analogous relationships, such as with lawyers, doctors or ministers

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- religious practices, affiliations or beliefs of the student or the student's parents/legal guardians
- income, (other than as required by law to determine program eligibility for participation in a program or for receiving financial assistance under such program)

Additionally, parents/legal guardians must receive notice and an opportunity to opt a student out of participation in the following.

- any other protected information survey, regardless of funding
- any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent and not necessary to protect the immediate health and safety of a student, except for hearing, vision or scoliosis screenings, or any physical exam or screening permitted or required under state law
- activities involving collection, disclosure or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others

Parents/Legal guardians **may inspect**, upon request and before administration or use, the following.

- protected information surveys of students
- instruments used to collect personal information from students for any of the above marketing, sales or other distribution purposes
- instructional material used as part of the educational curriculum

Adopted 8/13/91; Revised 10/11/94, 4/12/05, 9/8/09

Legal references:

A. 20 U.S.C. Code, Section 1232h, as amended:

1. SEC.439.

- (a) All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the children.
- (b) No student shall be required, as part of any applicable program, to submit to a survey, analysis or evaluation that reveals information concerning --
 - (1) political affiliations;
 - (2) mental and psychological problems potentially embarrassing to the student or his family;
 - (3) sex behavior or attitudes;
 - (4) illegal, anti-social, self-incriminating and demeaning behavior;
 - (5) critical appraisals of other individuals with whom respondents have close family relationships;
 - (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - (7) religious practices, affiliations or beliefs of the student or student's parents; or
 - (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.
- (c) educational agencies and institutions shall give parents and students effective notice of their rights under this section.