



Book	Policy Manual
Section	2000 Program
Title	CHALLENGES TO ADOPTION OR USE OF INSTRUCTIONAL, LIBRARY, OR READING LIST MATERIALS
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2522 - CHALLENGES TO ADOPTION OR USE OF INSTRUCTIONAL, LIBRARY, OR READING LIST MATERIALS

The following individuals may contest the adoption of a specific instructional material, or object to the use of specific material used in a classroom, made available in a school library, or included on a reading list:

- A. parent of a student in the district; and
- B. resident of the county.

For purposes of this policy, "parent" means a parent of a student enrolled in the District's schools. "Resident" means a person residing in the county who has maintained their residence in Florida for the preceding year, has purchased a home that is occupied by them as their residence, or has established a domicile in Florida pursuant to F.S. 222.17.

Contest of School Board's Adoption

Filing a Petition

A parent or resident must file a petition with the Board within thirty (30) calendar days after the Board's adoption of specific instructional material, on a form provided by the Board. The petition form shall be publicly available by visiting any school in person or by accessing the link on the Board's website. The petition must be signed by the parent or resident, include the required contact information, and state the objection to the instructional material based on the criteria set forth in F.S. 1006.31(2) or 1006.40(3)(d).

Timeframe for Hearing

When the thirty (30) calendar day period following Board adoption of the instructional material in question has expired, the Board will conduct at least one (1) open public hearing before an unbiased and qualified hearing officer for all timely petitions received.

Hearing Officers

Hearing officers are not employees or agents of the District with the exception of any agreement entered into for purposes of conducting the hearings set forth herein. Hearing officers shall be selected annually by the Board from a list of candidates provided by the Superintendent.

Procedures for Hearings

Petitioners will have an adequate and fair opportunity to be heard and present evidence to the hearing officer. Hearings shall be conducted as follows:

- A. The petitioner may make an opening statement.
- B. The District's representative may make an opening statement.
- C. The petitioner may present evidence (including documents and testimony from witnesses) that instructional material does not meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S.

1006.283(2)(b)8., 9., and 11.

- D. The District representative may present evidence (including documents and testimony from witnesses) that the instructional material does meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8., 9., and 11.
- E. The petitioner may make a closing statement.
- F. The District representative may make a closing statement.

Within fourteen (14) days of the date of the hearing, the hearing officer shall submit a recommended order to the Board. The Board shall consider the recommended order and enter a final order at a publicly noticed Board meeting. If the petitioner proves that the instructional material does not meet the criteria required under F.S. 1006.28, or contains prohibited material under that statute, the material shall be removed in accordance with Florida law. The Board's decision is final and not subject to further petition or review.

Hearings under this policy are not subject to the provisions of F.S. Chapter 120.

Objections to Material Used in Classrooms, Made Available in School Library, or Included On a Reading List

Parents and residents of the county may object to the use of a specific instructional material in the classroom, made available in a school library, or included on a reading list, based on the criteria set forth in F.S. 1006.28(2)(a)2. or F.S. 1014.05(1)(c).

Parents and residents of the county should make any such objection in writing to the principal on the form prescribed by the District, identifying the specific instructional material and stating the basis for the objection.

The principal will review the objection and may meet with the teacher or parents/resident, or both, in an attempt to resolve the objection, using an alternative instructional material. If the objection is not resolved to the objector's satisfaction, the principal shall refer the matter to the appropriate District-level curriculum supervisor.

The District-level curriculum supervisor will meet with the objector and attempt to resolve the objection. The objector is further permitted to provide any evidence it desires to the District-level curriculum supervisor to consider as set forth in F.S. 1006.28(2)(a)2. a. and b. If the objection is not resolved to the objector's satisfaction, the matter may be appealed within fifteen (15) business days of receipt using the appeals process below.

Appeals Process for Objections to Material Used in Classrooms, Made Available in the School Library, or Included On a Reading List

All challenges under this policy shall be addressed as follows:

- A. The complaint's original complaint form shall be used as the basis for appeal.
- B. Upon receipt of the information, the Superintendent after advising the Board of the complaint, shall appoint a review committee which shall consist of:
 1. Regional Superintendent supervising the school bringing the challenge;
 2. Senior Coordinator for Library Media Services;
 3. Director of Curriculum and Instruction and/or Curriculum Specialist (representative of content area);
 4. A teacher from the appropriate content area and level - Secondary should have an English/Language Arts teacher;
 5. A Library Media Specialist representative of the grade level of the material in question;
 6. Three (3) parents - (one (1) SAC committee member from the school bringing the challenge, two (2) SAC committee members representing the same grade division in the District); and
 7. Board member representing the school bringing the challenge.
- C. The Superintendent shall be an ex officio member of the committee.
- D. The committee, in evaluating the questioned material, shall be guided by the following criteria:
 1. the appropriateness of the material for the age and maturity level of the students with whom it is being used
 2. the accuracy of the material
 3. the objectivity of the material
 4. the use being made of the material

- E. The material in question will not be available for use pending the committee's recommendation to the Superintendent.
- F. The committee's recommendation shall be reported to the Superintendent in writing within fifteen (15) business days following the formation of the committee. The Superintendent will advise the complainant, in writing, of the committee's recommendation and their recommendation.
- G. The complainant may appeal this decision, within thirty (15) business days, to the Board through a written request to the Superintendent, who shall forward the request and all written material relating to the matter to the Board.
- H. The Board will review the case, including all evidence proffered by the complainant, during a publicly noticed Board meeting. The Board shall announce during the meeting whether the challenged material meets the requirements of this Policy. The complainant shall submit any additional evidence for the Board's consideration no later than seven (7) days before the meeting at which the Board will consider the challenge.

No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.

The Board shall discontinue use of any material challenged under this policy if it contains content that is pornographic or prohibited under F.S. 847.012, is not suited to student needs and their ability to comprehend the material presented, or is inappropriate for the grade level and age group for which the material is used.

The decision of the Board shall be final.

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[F.S. 119.071](#)

[F.S. 212.183](#)

[F.S. 1001.215](#)

[F.S. 1002.22](#)

[F.S. 1003.485](#)

[F.S. 1006.28](#)

[F.S. 1006.28 through 1006.42](#)

[F.S. 1008.22](#)

[F.S. 1008.25\(5\) \(a\)](#)

[F.S. 1008.25 \(5\) \(c\)](#)

[F.S. 1014.05](#)

[F.A.C. 6A-6.03028](#)

[34 C.F.R. Part 300](#)