

REGULATION

MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries:

IFB, IFB-RA, IGP-RA, IIB, IIB-RA

Responsible Office:

Division of Teaching and Learning; Department of Student Conduct and Appeals.

Curriculum Transparency and Requests to Be Excused from Instruction

I. PURPOSE

To establish clear procedures for Montgomery County Public Schools (MCPS) to (i) identify and ensure ongoing notification of core instructional materials used in the classroom, (ii) permit parents and guardians to review core instructional materials upon request, (iii) allow parents and guardians to identify specific core instructional materials that substantially interfere with a sincerely held religious belief and request that their child be excused from any portion of instruction involving that material, and (iv) ensure alternative instructional materials or assignments are provided in a non-punitive manner for any student whose parent/guardian's request is approved.

For the purpose of this regulation, "core instructional materials" is defined more specifically below in section III., D. Requests made under this regulation apply to specific texts or textbooks and not to entire courses or instructional standards required by law.

II. PHILOSOPHY

MCPS celebrates the diversity of its students, staff and community and is committed to ensuring that instructional materials used in the classroom reflect the lives, experiences, and cultures of our students. MCPS strives to prepare our students to become contributing citizens who think critically and engage in open discussion about real-world issues. MCPS will promote respect for all students and use instructional materials that allow students to see themselves reflected.

Part of embracing the varied backgrounds and beliefs of every MCPS student involves recognizing that students have the right to express their religious or nonreligious beliefs and practices free from discrimination. To that end, MCPS understands that students and families may seek to refrain from participation in specific portions of instruction that substantially interfere with their sincerely held religious beliefs. However, this process is not meant to avoid instruction on the basis of race, gender, politics and other diverse perspectives that may be discussed in the classroom.

All MCPS families deserve transparency and the opportunity to remain informed about the

core instructional materials used in the classroom and should have the right to inspect these materials upon request.

III. DEFINITIONS

- A. **Curriculum:** The total instructional experience of students as detailed in the written curriculum, delivered in the taught curriculum, and measured in the learned (assessed) curriculum.
- B. **Core Curriculum:** Includes the required sequence of instruction in Prekindergarten through Grade 8 in Arts Education, Health Education, Mathematics, Physical Education, Reading/Language Arts, Science, and Social Studies at each grade level and Category 1 courses in Grades 9 through 12, which must be offered and given in each high school regardless of course enrollment. Core curriculum also includes the course of instruction for Fundamental Life Skills.
- C. **Non-core Curriculum:** Includes classes beyond the required course of instruction in Prekindergarten through Grade 8; Category 2 courses in Grades 9 through 12, which must be offered and given in high schools when enrollment reaches 15 or greater; and other courses not defined as core courses.
- D. **Core Instructional Materials:** For the purposes of this regulation, this term is defined as text(s), textbook(s) and videos that are directly aligned with MCPS curriculum that have been designated by the Montgomery County Board of Education and/or the Division of Teaching and Learning for use as a primary and supplemental source of instruction in core curriculum areas.

III. PARENTAL NOTIFICATION

MCPS shall provide families with a comprehensive list of core instructional materials to be used during the school year. These lists will be available electronically, prior to the start of each marking period.

IV. OPPORTUNITIES TO REVIEW INSTRUCTIONAL MATERIALS

Parents and guardians will be provided the opportunity to review core instructional materials upon request. Parents must make this request with a school-based administrator who shall make the Core Instructional Materials available for inspection within seven (7) school days of the request.

V. REQUESTS TO BE EXCUSED FROM SPECIFIC CORE INSTRUCTIONAL MATERIALS

- A. Parents or guardians may submit requests to have their child excused from instruction involving core instructional materials that substantially interfere with a sincerely held religious belief.
- B. Standing – Parents or guardians of children who attend MCPS, who have the right to make educational decisions on behalf of their children and are currently and directly affected by the use of specific core instructional materials, have standing to submit a request to have their child excused from instruction using those texts.

- C. Families must submit a request to opt out of specific core instructional materials by completing MCPS Form 281-26 within the first ten (10) days of the marking period. Families who are new to MCPS must submit their requests within thirty (30) school days of enrollment. The timely submission of the request is necessary in order to allow administrators and teachers to prepare alternatives for the excused student when necessary. MCPS is not obligated to provide alternative text(s) or textbook(s) or excuse the student from instruction under this regulation if the request form has not been submitted and approved.
- D. Once the request is submitted by a parent or guardian, it will be reviewed by the Division of Teaching and Learning. The parent/guardian will be informed that the request is approved or denied within ten (10) school days of submission.
- E. If the request is approved, the student's principal and teachers will be notified and the school will consult with the Division of Teaching and Learning to identify suitable alternative text(s), textbook(s) and/or assignment(s).
- F. Students who are excused from instruction under this regulation may be afforded the opportunity for other academic work during the period of time in which the student would otherwise be participating in the instruction the student is excused from.
- G. Denials – Requests to be excused from instruction under this regulation may be denied if:
 - 1. the request is to be excused from an entire course that is required for graduation;
 - 2. the request is to be excused from instructional standards, objectives, and content required by law;
 - 3. the request would fundamentally alter the required curriculum; or
 - 4. the request is incomplete.

VI. APPEAL PROCEDURES

Parents or guardians whose request to opt out of core instructional materials is denied may appeal the decision within five (5) school days of receiving the denial by submitting their appeal to the Division of Appeals at Divisionofappeals@mcpsmd.org. The appeal must clearly identify a procedural error made by MCPS in the implementation of the procedures outlined in this regulation as a basis for appeal.

MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.*

It is the policy of the state of Maryland that all public and publicly funded schools and school programs operate in compliance with:

- (1) Title VI of the federal *Civil Rights Act of 1964*; and
- (2) Title 26, Subtitle 7 of the Education Article of the Maryland Code, which states that public and publicly funded schools and programs may not
 - (a) discriminate against a current student, a prospective student, or the parent or guardian of a current or prospective student on the basis of race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability;
 - (b) refuse enrollment of a prospective student, expel a current student, or withhold privileges from a current student, a prospective student, or the parent or guardian of a current or prospective student because of an individual's race, ethnicity, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, or disability; or
 - (c) discipline, invoke a penalty against, or take any other retaliatory action against a student or parent or guardian of a student who files a complaint alleging that the program or school discriminated against the student, regardless of the outcome of the complaint.**

Please note that contact information and federal, state, or local content requirements may change between editions of this document and shall supersede the statements and references contained in this version. Please see the online version for the most up-to-date information at www.montgomeryschoolsmd.org/info/nondiscrimination.

For inquiries or complaints about discrimination against MCPS students***	For inquiries or complaints about discrimination against MCPS staff***
Director of Student Conduct and Appeals Division of Equity and Organizational Development 850 Hungerford Drive, Suite 200, Rockville, MD 20850 240-740-3215 SWC@mcpsmd.org	Human Resource Compliance Officer Division of Human Resources and Talent Management Department of Compliance and Investigations 15 West Gude Drive, Suite B400, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973	For staff requests for accommodations under the Americans with Disabilities Act
Section 504 Coordinator Division of Specialized Support Services, Department of School Counseling 850 Hungerford Drive, Room 170, Rockville, MD 20850 240-987-8031 504@mcpsmd.org	ADA Compliance Coordinator Division of Human Resources and Talent Management Department of Compliance and Investigations 15 West Gude Drive, Suite B400, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff***	
Title IX Coordinator Division of Equity and Organizational Development, Department of Student Conduct and Appeals 850 Hungerford Drive, Suite 200, Rockville, MD 20850 240-740-3215 TitleIX@mcpsmd.org	

*This notification complies with the federal *Elementary and Secondary Education Act*, as amended.

**This notification complies with the *Code of Maryland Regulations Section 13A.01.07*.

***Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mccr@maryland.gov; Agency Equity Officer, Office of Equity Assurance and Compliance, Office of the Deputy State Superintendent of Operations, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, MD 21201-2595, oeac.msde@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), 61 Forsyth St. S.W., Suite 19T10, Atlanta, GA 30303, 404-974-9406 and TDD: 800-877-8339, OCR.Atlanta@ed.gov, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or www2.ed.gov/about/offices/list/ocr/complaintintro.html.

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or PIO@mcpsmd.org. Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) mcpainterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.