

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

Related Entries: ABA-RC, BLB, IGP-RA, IGT-RA, IIB, ITA-RA

Responsible Office: Chief Academic Officer

Evaluation and Selection of Instructional and Library Materials

I. PURPOSE

To establish the procedures for the evaluation and selection of core and supplemental instructional materials and library materials

To establish a procedure for current parents/guardians of Montgomery County Public Schools (MCPS) students, current MCPS students, and/or MCPS staff to request a reconsideration of previously approved instructional and library materials for use in MCPS, compliant with Maryland law

II. DEFINITIONS

- A. *Core instructional materials* are those materials that are directly aligned with the MCPS curriculum and designated for use as a primary source of instruction for students in a specific course or unit of study within a course or curriculum.
- B. *Supplemental instructional materials* are used to extend or support instruction.
- C. *Library materials* are intended to develop an appreciation of literature and pursuit of reading for academic success and personal enjoyment, consistent with MCPS Regulation ITA-RA, *School Library Media Programs*. Library materials include those in school and classroom libraries. Any library material used in an instructional lesson must be evaluated as instructional material.

IV. PROCEDURES

- A. General
 - 1. Prior to use, instructional and library materials, including donated materials, intended for use with or by MCPS students, must be evaluated and selected by MCPS professional staff who shall include, as appropriate, teachers, content specialists, school library media specialists, the coordinator/supervisor of each subject area, and/or other staff designated by

the associate superintendent of the Office of Curriculum and Instructional Programs (OCIP).

2. The OCIP Evaluation and Selection Unit establishes procedures and provides guidance to MCPS offices, schools, and programs regarding the review and evaluation of all core and supplemental instructional and library materials prior to purchase.
3. Core instructional materials are provisionally approved for a period of 30 calendar days during which staff, students, and parents/guardians of current students may examine the materials in the Evaluation and Selection Unit. Comments may be provided using MCPS Form 281-15, *MCPS Review of 30-Day Shelf Core Instructional Materials*. Comments will be reviewed by the coordinator/supervisor of the relevant subject area.

B. Identification of Materials

1. Vendors/publishers may only solicit the sale of materials to the Evaluation and Selection Unit, not directly to school staff (See also MCPS Regulation ABA-RC, *Vendors on or Near School Premises*). Any vendors/publishers who contact other staff to solicit the sale of materials should be directed to the Evaluation and Selection Unit.
2. MCPS-certificated staff are encouraged to identify newly published instructional and library materials through professional activities such as conferences and professional development.
3. The Evaluation and Selection Unit is available to obtain preview and evaluation copies of newly published and updated instructional and library materials on behalf of certificated staff.

C. Evaluation of Instructional and Library Materials

The Maryland State Department of Education requires that schools use an equity lens to evaluate instructional and library materials, as required in the Code of Maryland Regulations (COMAR), 13A.01.06.03, *Educational Equity*, and affirmed in Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. All materials should be appropriate for the age, learning style, and social, emotional, and intellectual development of the students for whom the materials are intended.

1. Evaluation of Instructional Materials
 - a) Core instructional materials must be evaluated and selected by Subject-Area Evaluation and Selection Committees using MCPS Form 365-25, *Record of Evaluation for Instructional Materials*, for districtwide use by all schools or programs offering a particular course or curriculum.
 - b) Supplemental instructional materials must be evaluated by at least two certificated staff members, including a teacher in the content area, using MCPS Form 365-25, *Record of Evaluation for Instructional Materials*.
 - c) Instructional materials should, in their overall effect, make a positive contribution to the MCPS program and directly align with the MCPS curriculum.
 - d) Criteria that shall be applied to the evaluation of all instructional materials are as follows:
 - (1) Materials shall be directly aligned with the MCPS curriculum and relevant to and reflective of the multicultural society and global community.
 - (2) Materials shall avoid negative attitudes, stereotypes, caricatures, epithets, and dialects (except in historical or literary contexts). However, this prohibition will not be used to prevent responsible discussion of such language images or symbols for educational purposes, consistent with Board Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*.
 - (3) As appropriate, the materials shall provide students with the opportunity to investigate, analyze, and evaluate social issues.
 - (4) Instructional materials shall take the following into account:
 - (a) Age/grade appropriateness (in the case of motion media, Motion Picture Movie Association age ratings must be applied when applicable)
 - (b) Recency – Copyright date

(c) Clarity, conciseness, and understandability

2. Evaluation of Materials for the Comprehensive Health Education Program

Instructional materials that support the Family Life and Human Sexuality components of the MSDE comprehensive health education curriculum are evaluated and approved as set forth in state law and MCPS Regulation IGP-RA, *Comprehensive Health Education Instructional Program*.

3. Evaluation of Library Materials

- a) Approval of library materials requires the review and signature of one school library media specialist and one certificated staff member (e.g., school library media specialist, teacher, administrator) using the *Database of Accountable Evaluations*.
- b) School library media specialists may use reviews from professional school library journals to evaluate library materials.
- c) When evaluating new school library materials, the following criteria shall be taken into account:
 - (1) Support and enrich the curriculum
 - (2) Support students' personal interests and learning
 - (3) Meet high standards for accuracy and literary, artistic, and aesthetic quality in a variety of literary genres
- d) Unless specific uses are designated through the evaluation and selection process, they are approved for self-selection by all students for free-choice or independent reading or research. Library materials may be used as read-alouds to promote authors, genres, or other literacy programming.

D. Review of Approved Instructional and Library Materials

- 1. OCIP content specialists and school-based staff will review, on an ongoing basis, all instructional materials in schools based on curriculum objectives and revisions, datedness of material, out-of-print items, challenge to authenticity, and comparative market prices.

2. Each MCPS school library media specialist, in conjunction with other certificated staff, will review their school media center collection on an ongoing basis.
- E. Resolution of Concerns about Approved Core and Supplemental Instructional Materials and Library Materials
1. Current MCPS students, parents/guardians of current MCPS students, and MCPS staff should first direct questions or concerns about core or supplemental instructional materials or library materials used in their schools to the staff using those materials (e.g., the teacher or school library media specialist). Concerns not resolved with the teacher or school library media specialist should be directed to the school principal.
 - a) The principal/designee is responsible for facilitating a conversation to determine the nature of the concern, and specifically whether the concern is about the use of the material for a purpose other than that for which it was approved, or about the material itself. The Evaluation and Selection Unit is available to support the principal/designee.
 - b) If it is determined that the material was used in a manner other than that for which it was approved, the coordinator of the Evaluation and Selection Unit will assist the principal in identifying appropriate staff in the Office of School Support and Improvement and/or the Office of Curriculum and Instructional Programs (OCIP) to address the approved use of the material.
 2. If it is determined that the material was used as approved, the Evaluation and Selection Unit is the designee of the OCIP associate superintendent for further resolution of the concern and possible reconsideration of the material(s).
- F. Reconsideration of Instructional Materials and Library Materials
1. Any material that has been reconsidered within the past five years will not be reconsidered. The earlier determination will stand.
 2. Maryland law requires that materials under review due to an objection shall remain available for use by students and school staff until the review process has concluded.
 3. If the material has not been reconsidered within the last five years, the coordinator will –

- a) open a case file, request from the principal or school library media specialist all pertinent documentation concerning the request as appropriate, and review correspondence and notes of their efforts to resolve the concern, and
 - b) contact the individual and seek a resolution of the concern through collaborative dialogue and reasonable problem-solving methods.
4. No forms or formal documentation of this informal process are required. However, the coordinator shall make and retain a record of communication with the individual and efforts to resolve the concern, and specifically note any referral to another office for assistance.
5. If a resolution is not achieved with the Evaluation and Selection Unit coordinator, the individual may request a reconsideration of the material to the coordinator using MCPS Form 281-18, *MCPS Request for Reconsideration of Instructional and/or Library Materials*.
6. Within 10 work days of receiving the form, the Evaluation and Selection Unit coordinator –
 - a) may schedule a meeting with the individual requesting the reconsideration to clarify any questions regarding their request,
 - b) will appoint an ad hoc Subject-area Evaluation and Selection Committee to reconsider the material, establish a date for the committee to complete its work, and
 - c) notify the individual of the estimated timeline.
7. The coordinator will –
 - a) convene a committee composed of MCPS professional staff that includes, as appropriate, school library media specialist(s), teacher(s), principal(s), counselor(s), subject coordinator(s), and one librarian from the public sector other than MCPS, such as from the Montgomery County Public Library; and/or
 - b) conduct any additional research requested by the committee.

8. The committee will –
 - a) examine the material that is the subject of the review, the documentation provided, and any other documentation the committee deems appropriate; and
 - b) make a recommendation to the OCIP associate superintendent and the chief academic officer that includes the rationale for the committee’s recommendation, directly and clearly addresses the concerns raised in the request for review, and summarizes the key information on which their recommendation was based.
9. The OCIP associate superintendent and the chief academic officer will review the committee’s recommendation, make a determination about the material, and notify the individual in writing of their determination.
 - a) Possible determinations may include but are not limited to affirming the continued use of the material, clarifying selected courses or age groups approved for continued use of the material, or deselecting the material from use.
 - b) Appropriate MCPS staff, including the principal or school library media specialist, will be notified in writing on the status of the reconsidered material and the outcome of the review.
10. The individual may appeal the decision to the superintendent of schools.

H. Appeals

1. Appeal to the Superintendent of Schools

The Office of District Operations, Division of Appeals is the superintendent of schools’ designee for appeals of decisions to the chief academic officer regarding core and supplemental instructional materials and library materials. To appeal the decision of the chief academic officer, the appellant may contact the Division of Appeals within 15 calendar days of the notification of the determination.

2. Appeal to the Board of Education Policy BLB, *Rules of Procedure in Appeals and Hearings*

The decision of the superintendent of schools may be appealed to the Board of Education, as set forth in Board Policy BLB, *Rules of Procedure in Appeals and Hearings*

Related Sources: Annotated Code of Maryland, Education Article, 4-142, 7-106, and 7-910; Code of Maryland Regulations 13A.01.06.03, 13A.05.02.13.H and M, 13A.06.06; and 13A.09.10.13.

Regulation History: Formerly Regulation No. 3652, October 16, 1980; revised November 23, 1999; updated office titles June 1, 2000; revised September 20, 2005; technical update for compliance with COMAR, March 29, 2023; revised September 9, 2024.

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.

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| <p>For inquiries or complaints about discrimination against MCPS students***</p> <p>Director of Student Welfare and Compliance Office of District Operations Student Welfare and Compliance 15 West Gude Drive, Suite 200, Rockville, MD 20850 240-740-3215 SWC@mcpsmd.org</p> | <p>For inquiries or complaints about discrimination against MCPS staff***</p> <p>Human Resource Compliance Officer Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org</p> |
| <p>For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973</p> <p>Section 504 Coordinator Office of School Support and Improvement Well-Being and Student Services 850 Hungerford Drive, Room 257, Rockville, MD 20850 240-740-3109 504@mcpsmd.org</p> | <p>For staff requests for accommodations under the Americans with Disabilities Act</p> <p>ADA Compliance Coordinator Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org</p> |
| <p>For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff***</p> <p>Title IX Coordinator Office of District Operations Student Welfare and Compliance 15 West Gude Drive, Suite 200, Rockville, MD 20850 240-740-3215 TitleIX@mcpsmd.org</p> | |

*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), The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107, 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) mcpsinterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.