

REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

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

Responsible Division: Division of Teaching and Learning

Evaluation and Selection of Instructional and Library Materials

I. PURPOSE

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

To establish a procedure to request a reconsideration of previously approved instructional and library materials for use in MCPS, compliant with Maryland law

II. DEFINITIONS

- A. *An individual with standing* for the purposes of this regulation means an eligible student or parent/guardian who has the right to make educational decisions on behalf of their student who is directly and currently affected by –
1. the use of specific integral or supplemental instructional materials in a class in which the student is currently enrolled, or
 2. materials currently available to students in the student’s school or class library.
- B. *Integral 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.
- C. *Library materials* are intended to develop an appreciation of literature and the pursuit of reading and research 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.

- D. *Supplemental instructional materials* are materials that may be used to extend or support instruction.

III PROCEDURES

A. General - Selection of Instructional and Library Materials

1. The Division of Teaching and Learning (DTL)/ Evaluation and Selection Unit establishes procedures and provides guidance to MCPS offices, schools, and programs regarding the review and evaluation of all integral and supplemental instructional materials (hereafter, “instructional materials” unless specified otherwise) and library materials.
2. 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 chief academic officer/designee.
3. Integral instructional materials are provisionally approved for a period of 30 calendar days during which staff, students, and parents/guardians of students with standing may inspect and comment on the materials in the Evaluation and Selection Unit. Comments may be provided using MCPS Form 281-15, *MCPS Review of 30-Day Shelf integral 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 licensed staff are encouraged to identify newly published instructional and library materials through professional activities such as conferences, professional learning opportunities, and professional school library journals.

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 licensed staff.

C. Evaluation of Instructional and Library Materials

The Maryland State Department of Education (MSDE) 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*.

1. Evaluation of Instructional Materials

- a) Integral instructional materials must be evaluated and selected by subject-area evaluation and selection committees of MCPS professional staff 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 licensed 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.
 - (2) Materials shall be relevant to and reflective of the multicultural society and global community.
 - (3) Materials shall meet high standards for accuracy and avoid 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*.

- (4) As appropriate, the materials shall provide students with the opportunity to investigate, analyze, and evaluate social issues.
- (5) Instructional materials shall take the following into consideration:
 - (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 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) All evaluations of library materials utilize the Database of Accountable Evaluations (DAE) to verify consideration of key criteria and provide supporting documentation as appropriate.
- b) Approval of library materials require either:
 - (1) The evaluation and approval signature of one school library media specialist and one additional staff member who is professionally licensed by the MSDE (typically another school library media specialist, a teacher, or a school counselor); or
 - (2) One school library media specialist, who provides a professional review from a designated school library journal as a secondary source of approval.

- b) 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
- c) 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 literature-appreciation programming.

D. Review of Approved Instructional and Library Materials

- 1. Department of Teaching and Learning content specialists and school-based staff will review all instructional materials in schools on an ongoing basis, based on curriculum objectives and revisions, datedness of material, out-of-print items, challenges to authenticity, and comparative market prices.
- 2. Each MCPS school library media specialist, in conjunction with other licensed staff, will review their school media center collection on an ongoing basis.

E. Resolution of Concerns about Approved Integral and Supplemental Instructional Materials and Library Materials

- 1. Individuals with standing must first direct questions or concerns about 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.
- 2. The principal/designee is responsible for facilitating a conversation to determine the nature of the concern and the requested remedy, 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.

- a) 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 Division of School Leadership and Improvement and/or the DTL to address the approved use of the material.
 - b) If it is determined that the material was used as approved, the principal shall contact the Evaluation and Selection Unit, who is the chief academic officer's designee for further support with resolving the concern and possible reconsideration of the material(s).
 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;
 - b) contact the individual and seek a resolution of the concern through collaborative dialogue and reasonable problem-solving methods; and
 - c) 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. No forms nor formal documentation of this informal process are required.
 4. If a resolution is not achieved with the Evaluation and Selection Unit coordinator, the individual may request a reconsideration of the material. The coordinator shall provide MCPS Form 281-18, *MCPS Request for Reconsideration of Instructional and/or Library Materials*, to the person with standing.
 5. No requests for reconsideration will be accepted unless the individual making the request has standing and has sought resolution at the school level first.
- 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. Within 10 workdays of receiving a reconsideration request that meets the criteria in section E above, the Evaluation and Selection Unit coordinator –
 - a) may schedule a meeting with the individual requesting the reconsideration to clarify any questions regarding their request; and
 - 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 notify the individual of the estimated timeline.
4. 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.
5. 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 chief academic officer and the director of Curriculum Implementation and School Support 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.
6. The chief academic officer and director of Curriculum Implementation and School Support 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.
7. The individual may appeal the decision to the superintendent of schools.

H. Appeals

1. Appeal to the Superintendent of Schools

The Division of Equity and Organizational Development/Student Conduct and Appeals is the superintendent of schools' designee for appeals of decisions of the chief academic officer regarding integral and supplemental instructional materials and library materials. To appeal the decision of the chief academic officer, the appellant must contact Student Conduct and Appeals within 15 calendar days of the notification of the determination.

2. Appeal to the Board of Education, as set forth in Board 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; revised November 18, 2025.

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) mcpsinterpretingservices@mcpsmd.org, or MCPSInterpretingServices@mcpsmd.org.