MODEL POLICY #20

RIGHT TO REVIEW INSTRUCTIONAL MATERIALS AND RELATED DOCUMENTS

Why Adopt This Policy?

It is a requirement under federal law that parents may access the instructional materials used in the education of their children. While this seems like a straightforward statement and an easy process, many school districts struggle with implementation. This policy helps clarify the process of reviewing instructional materials by providing a clear definition of instructional materials and an easy-to-understand process for parents to view those materials.

Policy

Parents shall have the right to access, upon request, the instructional materials used in the education of their children. In this policy, "instructional materials" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the internet). This includes copyrighted materials used by a teacher, materials created by a teacher, materials available to or accessible by students but not required in the education of the child, and any tests or assessments.

For purposes of this policy, "education of the child" includes classes the child is currently enrolled in, any in-school activity required by the school or District, and any other program the student opts to participate in. For purposes of this policy, a test or assessment is an evaluation to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students.

The District values and encourages transparency between parents and the school, and therefore the District shall make every effort to be as transparent as possible.

Tests or assessments administered to District students may be reviewed in such a way so as not to compromise the integrity of the test or assessment or invalidate the results. For instance, a test or assessment may not be reviewed before it is administered to a student unless it would reveal information concerning:

1. political affiliations or beliefs of the student or his/her parents or family members;
2. medical, health information, mental or psychological problems of the student or his/her parents or family members;" as "medical or health information or mental or psychological problems of the student or his/her parents or family members;

3. sex behaviors or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or his/her parents;
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The Superintendent shall provide reasonable notification to parents and students of their rights to review instructional materials.

The District will develop and adopt policies, in consultation with parents, for granting such a request within a reasonable time period. The District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes.

The Board encourages parents to engage with their child's teachers and school administrators and believes that access to educational materials is vital to effective communication.

For purposes of this policy, the term "parent" includes a legal guardian or other person who is legally responsible for the welfare of the child (such as grandparent or stepparent with whom the child lives).

Legal Analysis

See 20 U.S.C. § 1232h. Federal law requires that parents be allowed to inspect, upon request, any instructional material used as part of the educational curriculum for the student. *See* 20 U.S.C. § 1232h(c). This policy enhances parents' rights to review instructional materials.

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