Good Foundations Academy

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Instructional Materials Policy

PURPOSE

The purpose of this policy is to establish the parameters by which Good Foundations Academy (the "School") will select, approve, and purchase instructional materials. The purpose of this policy and accompanying procedures is to also set forth the School's process for reviewing challenges to instructional materials.

DEFINITIONS

"Instructional materials" are the resources used by educators to deliver curriculum or support student learning. These materials may be commercially available or School-created and include such materials as textbooks, reading materials, videos, digital materials, websites, online applications, and live presentations. "Instructional materials" do not include learning material used in a concurrent enrollment, advanced placement, or international baccalaureate program or class, or another class with required instructional material that is not subject to selection by the School.

"Sensitive material" means an instructional material that constitutes objective sensitive material or subjective sensitive material. "Sensitive material" does not include the instructional material outlined in Utah Code § 53G-10-103(1)(h)(ii).

"Objective sensitive material" means an instructional material that constitutes pornographic or indecent material, as that term is defined in Utah Code § 76-5c-208, under the non-discretionary standards described in Utah Code § 76-5c-207(1)(a)(i), or (ii), or (iii).

"Subjective sensitive material" means an instructional material that constitutes pornographic or indecent material, as that term is defined in Utah Code § 76-5c-208,under the following factor-balancing standards:

(a) material that is harmful to minors under Utah Code § 76-5c-101;
(b) material that is pornographic under Utah Code § 76-5c-101; or
(c) material that includes certain fondling or other erotic touching under Utah Code § 76-5c-207(1)(a)(i)(C)-(D).

"School community parent" means a parent who has a student currently attending the School, or will have a student enrolled in the School within one year, where the challenged instructional material is being reviewed in accordance with this policy and Utah Code § 53G-10-103(4).

"School setting" means the School's classrooms, library, and property. "School setting" also includes School-sponsored or required activities, including assemblies, guest lectures, live presentations, or other events.

"Stakeholder" for purposes of this policy means:

(a) an employee of the School;
(b) a student who is enrolled in the School;
(c) a parent of a child who is enrolled in the School; or
(d) a member of the School's Board of Directors.

POLICY

The School shall comply with the requirements of Utah law and Utah State Board of Education ("USBE") rule regarding the selection, approval, purchase, and review of instructional materials, including but not limited to Utah Administrative Code R277-468 and R277-469, Utah Code § 53G-10-103 and, when applicable, Utah Code § 53G-5-404.

The School's purpose in managing the selection, approval, purchase, and review of instructional materials is to implement, enrich, and support the School's educational program. It is also to prioritize protecting students from the harmful effects of illicit pornography over other considerations in evaluating instructional materials.

Criteria for Instructional Materials

Instructional materials should contribute to the intellectual development and positive character of students. Instructional materials used by the School shall:

(a) be consistent with the Utah Core standards;
(b) be consistent with the principles of individual freedom as defined in Utah Code § 53G-10-206;
(c) not constitute sensitive material as defined in Utah Code § 53G-10-103;
(d) not be prohibited discriminatory practice as described in Utah Code § 53B-1-118; and
(e) comply with all other applicable state laws and USBE rules.

Selection and Approval of Instructional Materials by the Director

The Board of Directors (the "Board") authorizes the School Director to select and approve instructional materials for the School, except under circumstances where the Board is specifically required by law or a different School policy to approve instructional materials or when the Board decides that the Board, rather than the Director, will approve instructional materials for the School.

The Director shall select and approve instructional materials that meet the criteria set forth in this policy. When considering instructional materials, the Director may review the USBE's recommended instructional materials (RIMs), but the Director is not required to select RIMs if there are other instructional materials available that meet the criteria set forth in this policy.

The Director shall involve School community parents and instructional staff, and the Board in the consideration of instructional materials. The Director has discretion as to how to involve such parents and instructional staff in this process. However, with respect to involving the Board, the Director shall, at a minimum, inform the Board as part of his/her Director's Report at Board meetings of all instructional materials the Director is considering selecting and approving for use at the School. The Board may ask questions, give feedback, and/or provide instruction to the Director about the instructional materials under consideration.

Selection and Approval of Instructional Materials by the Board

If the Board is required by law or School policy to approve instructional materials for use in the classroom, or if the Board otherwise elects to approve instructional materials for use in the classroom, the Board shall do the

following (in order) prior to approving the instructional materials:

(a) post the recommended instructional materials online to allow for public review or, for copyrighted material, make the instructional materials available at the School for public review; and
(b) hold at least two Board meetings where the recommended instructional materials is on the agenda and allow an opportunity at those Board meetings for School educators and parents of students enrolled in the School to express views and opinions on the recommended instructional material.

The Board may approve the recommended instructional materials in an open and regular Board meeting after the requirements above have been satisfied. The vote to approve the recommended instructional materials may occur at the second of the two Board meetings described in subsection (b) above.

In accordance with Utah Code § 53G-5-404(13), the requirements in this section apply only if the Board is approving instructional materials. The requirements do not apply if the Board is not approving instructional materials and instead only the Director is selecting and approving instructional materials (which Utah Code § 53G-5-404(13) refers to as "learning material"). In addition, the requirements in this section do not apply to educators' selection of supplemental materials or resources.

Any instructional materials approved by the Board shall meet the criteria set forth in this policy.

Purchase of Instructional Materials

The School shall follow any applicable purchasing policies and procedures in connection with the purchase of instructional materials, regardless of whether the instructional materials are selected and approved by the Director or by the Board. The School shall identify all costs associated with instructional materials prior to purchasing the instructional materials, including any implementation and professional development costs.

Educator Selection of Additional Supplemental Materials or Resources

Despite the foregoing, educators at the School may select and use supplemental materials or resources in their classroom to augment instructional materials already selected and approved by the Director or the Board so long as each of the following are satisfied:

(a) the educator has reviewed the supplemental materials or resources in their entirety prior to using them in the classroom;
(b) the supplemental materials or resources meet the criteria set forth in this policy; and
(c) the supplemental materials or resources have not previously been prohibited by the Director or the Board.

Contract Requirements

If the School contracts with a third party to provide online or digital materials, the School shall include in the contract a requirement that the provider give notice to the School any time that the provider makes a material change to the content of the online or digital materials, excluding regular informational updates on current events. The School shall also comply with applicable requirements in R277-469 related to School contracts with publishers for instructional materials.

Sensitive Material Review Procedures

Sensitive materials are prohibited in the School setting. In accordance with Utah law, USBE rule, and the

School's administrative procedures, stakeholders may initiate a sensitive material review by the School if they feel an instructional material used by the School constitutes sensitive material.

The Director shall establish administrative procedures that set forth how stakeholders may initiate a sensitive material review by the School and the review process the School will follow. The administrative procedures shall comply with applicable Utah law and USBE rule.