

Instruction

ADMINISTRATIVE REGULATIONS ON INSTRUCTIONAL RESOURCES EQUIPMENT, BOOKS AND MATERIALS TEXTBOOKS AND WORKBOOKS

6161AR

Responsibility for Selection

The word “material,” as used in this policy statement, includes: books, periodicals, pamphlets, pictures, films, videos, computer software, audio recordings, multimedia CD-ROMS; online databases and all other materials, print and non-print, which are used by the students and faculties of the Fairfield Schools and stored within the school facilities.

- **Textbook and other Classroom Materials**

The Board of Education, Fairfield, Connecticut, delegates authority for the recommendation of instructional materials through the Superintendent of Schools, to the Director of Curriculum, Instruction and Assessment, the building principals and the classroom teachers for those materials selected for distribution on the system level. The final adoption of textbooks shall be made by the Board of Education in keeping with BOE Policy #6161.

- **Library Media Materials**

The Board of Education, Fairfield, Connecticut, delegates authority for the selection of library media materials through the Superintendent of Schools, to the building principals, and then to the library media specialists for those materials housed in the Library Media Centers at the building level and to the Director of Curriculum, Instruction and Assessment and the Library Media Program Leader for those materials selected for distribution on the system level.

- **Classroom Libraries + Privately Owned Collections**

Classroom libraries are funded by the district and qualify as instructional materials for the language arts curriculum. All resources are selected by the district Curriculum Leaders for language arts in collaboration with site-based language arts specialists and classroom teachers. Materials in Classroom Libraries as well as in privately purchased collections for classroom use must meet the criteria for all textbook purchases.

Instruction

ADMINISTRATIVE REGULATIONS ON INSTRUCTIONAL RESOURCES EQUIPMENT, BOOKS, AND MATERIALS TEXTBOOKS AND WORKSBOOKS (continued)

6161AR

Criteria for Selection

The selection of materials is a continuous process because of the universal acquisition of new knowledge and information, revision of curriculum content and the publication of new materials. The selection process is as follows:

- A. Program Leaders and classroom teachers may be aided in the final selection of books and materials, including those found on summer reading lists, by consulting authoritative reviews, recommended lists, and standard bibliographic tools. It is recommended that materials be previewed or examined if evaluative, reliable reviews are not available. It is further recommended that non-print materials be previewed prior to purchase.
- B. Teachers, administrators, citizens, and students may recommend materials for selection. Parents are encouraged to review summer reading lists. Concerns related to these lists are to be addressed to the building administrator. The proper procedures for addressing those concerns, as outlined below, shall be followed.
- C. The following evaluative criteria should be used as a guide when selecting materials for purchase:
 1. a high standard of quality in factual content and are appropriate to the ability and needs of the students
 2. the educational significance of the materials
 3. the contribution made to the curriculum and/or the interests of the students
 4. the reputation and significance of the author, producer, and the publisher
 5. the validity, currency, and appropriateness of the material
 6. the contribution the material makes to the breadth of representative viewpoints on controversial issues
 7. a high degree of potential user appeal
 8. a high artistic quality and/or literary style
 9. the quality and variety of format
 10. the value is commensurate with cost and/or need
 11. the timeliness or permanence of the materials
 12. the integrity of the materials

Instruction

**ADMINISTRATIVE REGULATIONS ON
INSTRUCTIONAL RESOURCES
EQUIPMENT, BOOKS, AND MATERIALS
TEXTBOOKS AND WORKBOOKS (continued)**

6161AR

Criteria for Selection (continued)

D. The following evaluative criteria are used as they apply:

1. Learning resources shall support and be consistent with the general educational goals of the state and district and the aims and objectives of individual schools and specific courses.
2. Learning resources shall meet high standards of quality in factual content and presentation.
 - a. Learning resources shall be appropriate for the subject area and for the age, emotional development, ability level, learning styles, and social development of the students for whom the materials are selected.
 - b. Physical format and appearance of learning resources shall be suitable for their intended use.
 - c. Learning resources shall be designed to help students gain an awareness of our pluralistic society.
 - d. Learning resources shall be designed to motivate students and staff to examine their own duties, responsibilities, rights, and privileges as participating citizens in our society, and to make informed judgments in their daily lives.
 - e. Learning resources shall be selected for their strengths rather than rejected for their weaknesses.
 - f. The selection of learning resources on controversial issues will be directed toward maintaining a diverse collection representing various views.

Instruction

**ADMINISTRATIVE REGULATIONS ON
INSTRUCTIONAL RESOURCES
EQUIPMENT, BOOKS, AND MATERIALS
TEXTBOOKS AND WORKBOOKS (continued)**

6161AR

Criteria for Selection (continued)

E. Criteria for Selection of Controversial Materials

The following criteria should be considered when selecting potentially controversial materials. All materials need to be age and developmentally appropriate.

1. Materials on controversial issues represent a particular point of view, and a sincere effort should be made to select equally representative materials covering contrasting points of view.
2. Materials selected will not unfairly or inaccurately portray or disparage a person's physical characteristics, disabilities, or any particular race, religion, gender, ethnicity, sexual orientation or family structure. A writer's expression of a certain viewpoint is not to be considered a disparagement when it represents the historical or contemporary views held by some person or group.
3. Materials on religion are chosen to explain rather than convince and are selected to represent the field as widely as necessary for school purposes.
4. The selection of materials on political theories, ideologies, or on public issues is directed toward maintaining a balanced collection representing various views.
5. In a literary work of established quality, the use of profanity or the treatment of sex is not an adequate reason for eliminating the materials from school use.
6. Materials on physiology, physical maturation or personal hygiene should be accurate and in good taste.

Instruction

ADMINISTRATIVE REGULATIONS ON INSTRUCTIONAL RESOURCES) EQUIPMENT, BOOKS, AND MATERIALS TEXTBOOKS AND WORKBOOKS (continued)

6161AR

Withdrawal of Materials Process and Procedure

Occasional objections to a selection may occur by individuals. If a complaint is made or materials are requested to be withdrawn, the following procedure will be used:

- A. Explain that no commitments can be made at this time.
- B. Invite the complainant to discuss their objections with the building administrator and the library media specialist for the purpose of resolving the issue.
- C. Inform the complainant of the option to file an objection in writing and offer to have them complete the proper questionnaire (see Appendix B) so that they may submit a formal complaint to the building principal.
- D. The principal of the building, upon receiving the complainant's request, will then inform the Superintendent of Schools, the Deputy Superintendent, the Director of Curriculum, Instruction and Assessment, the Coordinator of Library Media and, if appropriate, the specified program leader. The material in question will remain in use pending the resolution of the process.
- E. The building administrator will
 - read and examine the materials in question.
 - prepare a report after consulting with the library media specialist and classroom teacher when appropriate. Selection criteria and curriculum objectives should be reviewed in this process.
 - file copies of the report with the Superintendent of Schools, the Deputy Superintendent and the appropriate program leader
- F. The Superintendent of Schools will submit their recommendations to the complainant within two weeks with a copy going to the building administrator, classroom teacher, and the program leader, as applicable.
- G. At all times, maintain a professional and courteous demeanor.

Appendix A

RECOMMENDATION FOR TEXTBOOK ADOPTION

Title of Book: _____

Series: _____

Author: _____ Publisher: _____

Author's Credentials: _____

Date of Copyright: _____ List Price: _____ Weight of Book: _____

Proposed Use – Basic Text: _____ Supplemental Text: _____

Curriculum or Course: _____

Grade: _____ Reading Level of Text: _____

Number of Copies to be Purchased: _____

Date of last adoption: _____

Reason(s) for Recommendation:

Date: _____

Headmaster / Principal

Curriculum Leader / Liaison

Deputy Superintendent

Action of Board of Education
Date _____

Completed FORM AND BOOK should be in the Office of the Deputy Superintendent by the first day of the month in which the Board will initially receive the book for review.

Appendix B

REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL MATERIALS

Fairfield Public Schools has delegated the responsibility for selection and evaluation of library/educational resources to the school library media specialist/curriculum committee, and has established reconsideration procedures to address concerns about those resources. Completion of this form is the first step in those procedures. If you wish to request reconsideration of school or library resources, please return the completed form to the Principal of the appropriate school.

Name	Date
Address	City
State	Zip
Phone	email
Do you represent yourself or an organization?	

1. Resource on which you are commenting:

Book Textbook Video Display Magazine Library Program Audio
Recording Newspaper Electronic information/network Other (please specify):

Title

Author/Producer

2. What brought this resource to your attention?

3. Have you examined the entire resource?

If not, what parts have you examined?

4. What concerns you about the resource? (use other side or additional pages if necessary)

5. Are there resource(s) you suggest to provide additional information and/or other viewpoints on this topic?

6. What would you like done about the resource material(s)?

Do not allow my child access _____ Withdraw it from all students _____

7. Do you wish to be present when the committee reconsiders these resource material(s)?

Appendix C

Copyright and Fair Use

One of the rights accorded to the owner of copyright is the right to reproduce or to authorize others to reproduce the work in copies or phonorecords. This right is subject to certain limitations found in sections 107 through 118 of the copyright act ([title 17, U.S. Code](#)). One of the more important limitations is the doctrine of “fair use.” Although fair use was not mentioned in the previous copyright law, the doctrine has developed through a substantial number of court decisions over the years. This doctrine has been codified in section 107 of the copyright law.

Section 107 contains a list of the various purposes for which the reproduction of a particular work may be considered “fair,” such as criticism, comment, news reporting, teaching, scholarship, and research. Section 107 also sets out four factors to be considered in determining whether or not a particular use is fair:

1. the purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for or value of the copyrighted work.

The distinction between “fair use” and infringement may be unclear and not easily defined. There is no specific number of words, lines, or notes that may safely be taken without permission. Acknowledging the source of the copyrighted material does not substitute for obtaining permission.

The 1961 *Report of the Register of Copyrights on the General Revision of the U.S. Copyright Law* cites examples of activities that courts have regarded as fair use: “quotation of excerpts in a review or criticism for purposes of illustration or comment; quotation of short passages in a scholarly or technical work, for illustration or clarification of the author's observations; use in a parody of some of the content of the work parodied; summary of an address or article, with brief quotations, in a news report; reproduction by a library of a portion of a work to replace part of a damaged copy; reproduction by a teacher or student of a small part of a work to illustrate a lesson; reproduction of a work in legislative or judicial proceedings or reports; incidental and fortuitous reproduction, in a newsreel or broadcast, of a work located in the scene of an event being reported.”

Copyright protects the particular way an author has expressed himself; it does not extend to any ideas, systems, or factual information conveyed in the work.

The safest course is always to get permission from the copyright owner before using copyrighted material. The Copyright Office cannot give this permission.

When it is impracticable to obtain permission, use of copyrighted material should be avoided unless the doctrine of “fair use” would clearly apply to the situation. The Copyright Office can neither determine if a certain use may be considered “fair” nor advice on possible copyright violations. If there is any doubt, it is advisable to consult an attorney.

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101 Independence Ave. S.E.
Washington, D.C. 20559-6000
(202) 707-3000

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