

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 906
Committee Substitute Favorable 5/9/95

Short Title: Appropriate Education Material in Schools.

(Public)

Sponsors:

Referred to:

April 12, 1995

A BILL TO BE ENTITLED

AN ACT TO ENSURE THAT EDUCATIONAL MATERIALS THAT ARE EDUCATIONALLY UNSUITABLE, PERVASIVELY VULGAR, OR INAPPROPRIATE TO THE AGE, MATURITY, OR GRADE LEVEL OF THE STUDENTS ARE REMOVED FROM THE PUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115C-98 reads as rewritten:

"§ 115C-98. Local boards of education to provide for local operation of the textbook program and the selection and procurement of other instructional materials.

(a) Local boards of education shall adopt rules and regulations not inconsistent with the policies of the State Board of Education concerning the local operation of the textbook program.

(b) Local boards of education shall adopt written policies concerning the procedures to be followed in their local school administrative units for the selection and procurement of supplementary textbooks, library books, periodicals, audio-visual materials, and other supplementary instructional materials needed for instructional purposes in the public schools of their units.

1 Local boards of education shall have sole authority to select and procure
2 supplementary instructional materials, whether or not the materials contain commercial
3 advertising, to determine if the materials are related to and within the limits of the
4 prescribed curriculum, and to determine when the materials may be presented to students
5 during the school day. Supplementary materials and contracts for supplementary
6 materials are not subject to approval by the State Board of Education.

7 Supplementary books and other instructional materials shall neither displace nor be
8 used to the exclusion of basic textbooks.

9 (b1) A local board of education may establish a community media advisory
10 committee to investigate and evaluate challenges from parents, teachers, and members of
11 the public to textbooks and supplementary instructional materials on the grounds that
12 they are educationally unsuitable, pervasively vulgar, or inappropriate to the age,
13 maturity, or grade level of the students. The State Board of Education shall review its
14 rules and policies concerning these challenges and shall establish guidelines to be
15 followed by community media advisory committees. These guidelines, at a minimum,
16 shall provide:

17 (1) Each community media advisory committee shall include a majority of
18 members who are representative of the people who reside in the
19 neighborhoods within that local school administrative unit and who are
20 not employees of that local unit.

21 (2) Each committee may make an initial determination of whether a
22 challenge has merit. If the committee determines the challenge has
23 merit, it shall provide for a public hearing of that challenge.

24 (3) The committee shall make a written recommendation to the local board
25 of education on whether the challenged material should be available in
26 or should be removed from the public schools in that local school
27 administrative unit.

28 The local board, at all times, has sole authority and discretion to determine whether a
29 challenge has merit and whether challenged material should be retained or removed.

30 (c) Funds allocated by the State Board of Education or appropriated in the
31 current expense or capital outlay budgets of the local school administrative units, may be
32 used for the above-stated purposes."

33 Sec. 2. This act is effective upon ratification.