

Katy Independent School District
Checklist for Reconsideration of Instructional Resources
Instructional Materials

Type of Resource <input type="checkbox"/> Instructional Material <input type="checkbox"/> Classroom Library Book <input type="checkbox"/> Website
Title of Resource or Website
Author, Editor, or Compiler, if Appropriate
Date of Committee Review

Section A. Complainant Input

(The Complainant has 10 minutes to present to the committee.)

1. What are the key points regarding the complainant's request for reconsideration?

Section B. Committee Selection Criteria Review

<p>2. The committee moderator will check any selection criteria below that a simple majority of the committee agrees the instructional resource meets.</p> <ul style="list-style-type: none"><input type="checkbox"/> 1. Enrich and support the curriculum consistent with the general educational goals of the state and District, the aims and objectives of individual schools and specific courses, and the District and campus improvement plans.<input type="checkbox"/> 2. Are appropriate for the subject area and for the age, ability level, learning styles, interests, and social and emotional development of the students for whom they are selected.<input type="checkbox"/> 3. Meet high standards for artistic quality, literary style, authenticity, educational significance, factual content, physical format, presentation, readability, and technical quality.<input type="checkbox"/> 4. Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives. [See also EMB regarding instruction about controversial issues.]<input type="checkbox"/> 5. Promote literacy.<input type="checkbox"/> 6. Balance cost with need.<input type="checkbox"/> 7. To the extent possible, while ensuring instruction in the Texas Essential Knowledge and Skills (TEKS), be designed to develop each student's civil knowledge according to Texas Education Code 28.002 (h), (h-1) and (h-2), including:<ul style="list-style-type: none">a. An understanding of:<ul style="list-style-type: none">(1) The fundamental moral, political, and intellectual foundations of the American experiment in self-government;(2) The history, qualities, traditions, and features of civic engagement in the United States;(3) The structure, function, and processes of government institutions at the federal, state, and local levels; and(4) The founding documents of the United States;b. The ability to:<ul style="list-style-type: none">(1) Analyze and determine the reliability of information sources;(2) Formulate and articulate reasoned positions;
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- (3) Understand the manner in which local, state, and federal government works and operates through the use of simulations and models of governmental and democratic processes;
 - (4) Actively listen and engage in civil discourse, including discourse with those with different viewpoints; and
 - (5) Participate as a citizen in a constitutional democracy by voting.
- c. An appreciation of:
- (1) The importance and responsibility of participating in civic life;
 - (2) A commitment to the United States and its form of government; and
 - (3) A commitment to free speech and civil discourse.

Has at least one criterion been selected?

- Yes – Continue to Section C.
- No – Review the Board Policies at EF and EFA. Continue to Section G.

Section C. Elementary School Material

No instructional materials in elementary schools shall contain depictions of sexual acts or simulations of such acts, implied or otherwise. This includes explicit or non-explicit written descriptions, depictions, or illustrations of sexual acts, except for the purposes of teaching students (as may be approved by parents) to avoid and report molestation. See Texas Education Code 33.021. No instructional materials shall include visual depictions or illustrations of explicit frontal nudity.

Is the instructional material at an elementary school?

- Yes – Continue to next question.
- No – Continue to Section D.

Does the instructional material contain any of the above items?

- Yes – See the Board Policies at EF and EFA. Continue to Section G.
- No – Continue to Section D.

Section D. Harmful Material

Does the material include “harmful” material as defined by Penal Code 43.24(a)(2)?

Penal Code 43.24(a)(2)

(2) “Harmful material” means material whose dominant theme taken as a whole:

- (A) appeals to the prurient interest of a minor, in sex, nudity, or excretion;*
- (B) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable for minors; and*
- (C) is utterly without redeeming social value for minors.*

Is the instructional material “harmful”?

- Yes – Refer to the Board Policies at EF and EFA. Continue to Section G.
- No – Continue to Section E.

Section E. Obscene Material

Does the material include “obscene” material as defined by Penal Code 43.21(a)(1)?

Penal Code 43.21(a)(1)

a) *In this subchapter:*

(1) *“Obscene” means material or a performance that:*

(A) *the average person, applying contemporary community standards, would find that taken as a whole appeals to the prurient interest in sex;*

(B) *depicts or describes:*

(i) *patently offensive representations or descriptions of ultimate sexual acts, normal or perverted, actual or simulated, including sexual intercourse, sodomy, and sexual bestiality; or*

(ii) *patently offensive representations or descriptions of masturbation, excretory functions, sadism, masochism, lewd exhibition of the genitals, the male or female genitals in a state of sexual stimulation or arousal, covered male genitals in a discernibly turgid state or a device designed and marketed as useful primarily for stimulation of the human genital organs; and*

(C) *taken as a whole, lacks serious literary, artistic, political, and scientific value.*

Is the instructional material “obscene?”

- Yes – See the Board Policies at EF and EFA. Continue to Section G.
 No – Continue to Section F.

Section F. Sexually Explicit Materials

Does the material include “sexually explicit” material as defined by Texas Education Code 33.021(a)?

“In this section, “sexually explicit material” means any communication, language, or material, including a written description, illustration, photographic image, video image, or audio file, other than library material directly related to the curriculum required under Section 28.002(a), that describes, depicts, or portrays sexual conduct, as defined by Section 43.25, Penal Code, in a way that is patently offensive, as defined by Section 43.21, Penal Code.

TX Penal Code 43.21 (See Section D.)

TX Penal Code 43.25 (2)

“Sexual conduct” means sexual contact, actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sado-masochistic abuse, or lewd exhibition of the genitals, the anus, or any portion of the female breast below the top of the areola.

Is the instructional material “sexually explicit”?

- Yes – See the Board Policies at EF and EFA. Continue to Section G.
 No – Continue to Section G, Committee Decision.

Section G. Committee Members and Decision

Committee Member	Position	Decision
Name of Member:	Moderator	Non-voting Member
Name of Member:	Principal	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	District Professional	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	Campus Educator	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	Parent	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	Parent	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	Parent	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove
Name of Member:	Parent	<input type="checkbox"/> Retain <input type="checkbox"/> Relocate <input type="checkbox"/> Remove

Section H. Committee Decision Summary

<p>Recommendation by Review Committee</p> <p><input type="checkbox"/> Instructional material is appropriate to retain for use.</p> <p><input type="checkbox"/> Instructional material should be relocated to one or more of the levels of campuses. Appropriate for : <input type="checkbox"/> Elementary <input type="checkbox"/> Junior High <input type="checkbox"/> High School</p> <p><input type="checkbox"/> Instructional material shall be removed.</p>
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