



Book	FHSD REGULATIONS
Section	6000 INSTRUCTIONAL SERVICES/ 6200 Instruction
Title	Challenged Materials
Code	6241
Status	Active
Adopted	June 15, 2000
Last Revised	November 19, 2020
Prior Revised Dates	February 2015

### **Public Complaints about the Curriculum and Instructional or Media Materials**

Any resident or employee of the District may formally challenge learning resources used in the District's educational program on the basis of appropriateness. This procedure is for the purpose of considering the opinions of those persons in the schools and the community who are not directly involved in the selection process.

The Board of Education approves the curriculum and the related materials. Principals/designees, in consultation with their staff, may approve appropriate supplementary materials. This regulation addresses complaints about materials (Board and administration approved), not the curriculum or the instructional methodology.

### **Administrative Procedures for Public Complaints about the Curriculum and Instructional or Media Materials**

Any resident or employee of the District may raise objection to learning resources used in a school's educational program despite the fact that the individuals selecting such resources were duly qualified to make the selection, followed the proper procedure and observed the criteria for selecting learning resources.

The principal should review the selection and objection rules with the teaching staff at least annually. The staff should be reminded that the right to object to learning resources is one granted by policies enacted by the Board.

The Board recognizes that parent(s)/guardian(s) have the right to determine that individual materials in the learning commons collection or of a supplementary nature may not be appropriate for their child. Parent(s)/guardian(s) requests that such material not be given to their children shall be honored. The principal, after consulting with the appropriate staff and the parent(s)/guardian(s), will make every effort to provide alternative supplementary materials that meet the curriculum or assigned requirements yet still meeting the fiscal responsibility of the District. No parent(s)/guardian(s) have the right to determine reading, viewing or listening matter for students other than their own children.

The District supports the LIBRARY BILL OF RIGHTS, adopted by the American Library Association. When learning resources are challenged, the principles of the freedom to read/listen/view must be defended as well.

Access to challenged material shall not be restricted during the reconsideration process.

The major criterion for the final decision is the appropriateness of the material for its intended educational use.

A decision to sustain a challenge shall not necessarily be interpreted as a judgment of irresponsibility on the part of the professionals involved in the original selection and/or use of the material.

### **Selection Criteria for Learning Resources**

Though there are specific criteria for selection of all types of learning resources/media and for all subject areas, the general criteria to be applied to all acquisitions are:

- a. Educational significance
- b. Age appropriateness of materials
- c. Need and value to the collection and to the curriculum
- d. Reputation and significance of author or producer
- e. Clarity, adequacy, and scope of text or audiovisual presentation
- f. Validity, accuracy, objectivity, currency, and appropriateness of text or audiovisual presentation
- g. Organization and presentation of contents
- h. High degree of readability and/or comprehensibility
- i. High degree of potential user appeal
- j. High artistic quality and/or literary style
- k. Quality format
- l. Value commensurate with cost and/or need
- m. Physical integrity

### **Request for Informal Reconsideration**

The school receiving a complaint regarding a learning resource shall try to resolve the issue informally. The principal and other appropriate staff member(s) shall explain to the questioner the school's selection procedure, criteria and qualifications of those persons selecting the resource.

The principal and other appropriate staff member(s) shall explain the particular place the questioned resource occupies in the educational program, its intended educational usefulness, and additional information regarding its use, or refer the party to someone who can identify and explain the use of the resource.

If the questioner wishes to file a formal challenge, a copy of the District's Procedures for Public Complaints about the Curriculum and Instructional or Media Materials and a Request for Reconsideration of Learning Resources form shall be handed or mailed to the concerned party by the principal and returned within a 14- calendar day period.

### **Request for Formal Reconsideration**

#### **Preliminary Procedures**

Each school will keep on hand and make available Request for Reconsideration of Learning Resources forms. All formal objections to learning resources must be made on these forms.

The Request for Reconsideration of Learning Resources form shall be signed by the questioner and filed with the Director of Student Learning.

The formal request must be received within a 14-calendar day period after the form has been given or mailed to the individual seeking reconsideration.

The principal of the elementary or secondary school shall be informed of the formal complaint received.

The Request for Reconsideration shall be referred to a Reconsideration Committee for reevaluation of the resource.

#### **The Reconsideration Committee**

Upon receipt of a request for formal reconsideration of a learning resource, the Director of Student Learning in conjunction with the principal shall appoint a Reconsideration Committee including the following membership as appropriate:

- Parent/guardian or patron who filed the complaint
  
- Two members of the school teaching staff who are assigned to the grade level or subject area for which the challenged material was selected
  
- Two students (for high school only)

- Two library media specialists (one library media specialist from the school of the challenged material and one from another school in the District). The library media specialists selected from another school in the District shall represent the same grade level(s) as the library media specialist from the school of the challenged materials.
- A Board of Education member.
- Four lay persons whose selection will occur as follows:
  - An email will be sent to parents on Parent Involvement Committees at the appropriate level explaining process and requesting volunteers
  - If more volunteer than are needed, a random draw will occur.
  - If fewer volunteers than needed respond, other building Parent Committees will be approached, as well as parent representatives from Strategic Planning Committees.
  - Two of the four lay persons will be parents of students at that level.
- A principal from the school of the challenged material.
- The Director of Curriculum and Assessment.
- Other committee members as deemed appropriate by the Director of Curriculum and Assessment
- The Director of Curriculum and Assessment will arrange for a Reconsideration Committee meeting within a thirty (30) calendar days.

The Director of Curriculum and Assessment shall serve as the chairperson of the Reconsideration Committee. The committee chairperson will be the only member of the Reconsideration Committee allowed to review the complaint form initially. All committee members will be allowed to review the complaint form after they have examined and/or read the questioned material.

The Reconsideration Committee shall examine and/or read the challenged resource and judge whether it conforms to the principles of selection outlined in the District's Selection Criteria for Learning Resources procedures.

## **Resolution**

The Reconsideration Committee shall:

- Examine and/or read the challenged resource;
- Determine professional acceptance by reading critical reviews resource;
- Weigh positives and negatives and form opinions based on the material as a whole rather than on passages or sections taken out of context;
- Discuss the challenged resource in the context of the educational program;
- Prepare a written report which states the decision, rationale for the decision, and the official vote (without identifying votes of individual members of the committee).
- Recommend that the questioned materials be retained without restriction; retained with restriction; or not retained

The written report, along with a letter outlining appeal processes, shall be mailed to the questioner within five days of the Reconsideration Committee's conclusion.

The written report prepared by the Reconsideration Committee chairperson shall be retained by all District library media specialists. Any material, once upheld from challenge, cannot be re-challenged for five years. A copy of the report will be available to the public upon request. The District reserves the right to charge for copies of the reconsideration.

The decision of the Reconsideration Committee is binding for the individual school as well as other schools at that level (i.e., all elementary, middle and high schools). All decisions of Reconsideration Committee shall be provided to the Board (at a regularly scheduled meeting) designated as an informational item.

Notwithstanding any procedure outlined in this Regulation, the questioner, other members of the community not originally involved in the initial complaint or any member of the community shall have the right to appeal any decision of the Reconsideration Committee in writing to the Board as the final review panel. To appeal, the questioner has fourteen (14) calendar days from the date of the written report to send a letter to the Board appealing the decision of the Reconsideration Committee. Upon appeal, the Board will review the Reconsideration Committee Report and render a decision following the approved Challenged Materials policy.

June 15, 2000  
Revised February 2015  
Revised November 2020