

## EDUCATIONAL PROGRAM

### Series 600

#### ADMINISTRATIVE REGULATION RECONSIDERATION OF INSTRUCTIONAL MATERIALS No. 605.3R1

- A. Any resident within the school district's boundaries, parent/guardian of a student who is currently enrolled in the district, or employee of the district may raise an objection to instructional or library materials used in the school district's education program. While the individuals recommending the selection of such material were duly qualified to make the selection and followed the proper procedure and observed the criteria for selecting such material; the district must be ready to acknowledge that an error in selection may have been made despite this process. School employees regularly read great numbers of reviews in the selection process, and occasional errors are possible.
  1. The complainant will address the complaint at the lowest organizational level of licensed staff. Often this will be the classroom teacher.
  2. The school official or employee receiving a complaint regarding instructional or library materials will try to resolve the issue at the lowest organizational level. The materials generally will remain in use pending the outcome of the reconsideration procedure.
    - a. The school official or employee initially receiving a complaint will explain to the individual the district's selection procedure, criteria to be met by the instructional materials, and qualifications of those persons selecting the material.
    - b. The school official or employee initially receiving a complaint will explain to the individual the role of the objected material in the education program, its intended educational purpose, and additional information regarding its use. In the alternative, the employee may refer the individual to the teacher-librarian who can identify and explain the use of the material.
    - c. The school official or employee receiving the initial complaint will direct the complainant to complete the Request for Reconsideration of Instructional and Library Materials Form. Schools officials will offer to assist the complainant in completing the form, but if a complainant refuses to complete the form, the complaint will be deemed invalid and no further action taken.
- B. Request for Reconsideration
  1. Any resident within the district's boundaries, parent/guardian of a student who is currently enrolled in the district, or employee of the district may formally challenge instructional materials on the basis of appropriateness used in the school district's education program. This procedure is for the purpose of considering the opinions of those persons in the school district and the community who are not directly involved in the selection process.
  2. Each attendance center and the District Office will keep on hand and make available Reconsideration Request Forms. Formal objections to instructional materials must be made on this form.

3. The individual will state the specific reason the instructional or library material is being challenged. The Reconsideration Request Form is signed by the individual and filed with the Associate Superintendent.
4. The Associate Superintendent will promptly file the objection with the reconsideration committee for re-evaluation.
5. Generally, access to challenged instructional material will not be restricted during the reconsideration process. However, in unusual circumstances, the instructional material may be removed temporarily by following the provisions of Section B.6.d. of this rule.
6. The Reconsideration Committee
  - a. The reconsideration committee is made up of up to eight members (per grade level of inquiry as needed).
    - 1) One licensed employee designated annually, as needed, by the superintendent.
    - 2) One teacher-librarian designated annually, as needed, by the superintendent.
    - 3) One member of the administrative team designated annually, as needed, by the superintendent.
    - 4) Three members of the community appointed annually, as needed, by the board.
    - 5) Two students, selected annually, as needed, at the building principal's discretion considering the nature of the request for consideration and the age of the students.
  - b. The committee will select their chairperson and secretary.
  - c. The committee will meet at the request of the Associate Superintendent.
  - d. The committee may make a recommendation to the Board for temporary removal of instructional materials while the committee considers the request for reconsideration. Such a recommendation requires a two-thirds vote of the committee members who are present.
  - e. Notice of committee meetings is made public through appropriate publications and other communications methods. Meeting notices shall provide a means for interested persons to submit written comment to the committee. The committee will strive for transparency and involvement of the school district community in the process. However, the committee may choose to meet privately to deliberate on a request at its discretion.
  - f. The committee will receive the completed Reconsideration Request Form from the Associate Superintendent.
  - g. The committee will determine its agenda for one or more meetings to consider the request which shall include:
    - 1) distribution of copies of the completed Reconsideration Request Form;
    - 2) an opportunity for the individual who filed the request to talk about or expand on the Reconsideration Request Form, if requested by the individual, with a 15 minute time limit;
    - 3) distribution of written feedback from interested parties, if any; and

- 4) distribution of copies of the challenged instructional materials if available.

At its discretion, the committee may also provide an opportunity for any resident within the district's boundaries, parents/guardians of students currently enrolled in the district, or employees of the district to speak about the request. The committee may also distribute reputable, professionally prepared reviews of the challenged instructional material if available.

- h. The committee may review the selection process for the challenged instructional materials and may, to its satisfaction, determine that the challenge is without merit and dismiss the challenge. The committee will notify the individual and the superintendent of its action.
- i. If the committee provides an opportunity for residents within the district boundaries, parents/guardians of students who are currently enrolled in the district, or employees of the district to provide public comment on the reconsideration request such comments shall be limited in duration. Speakers will be limited to 3 minutes, with a total allotted time for public comment of 60 minutes. Speakers should be reminded that comments should be respectful and appropriate for the setting. Public notice will be given for the meeting at least 24 hours in advance.
- j. The individual filing the challenge is kept informed by the reconsideration committee secretary on the status of the Reconsideration Request Form throughout the reconsideration process.
- k. The committee's final recommendation may include any of the following:
  - (1) to take no removal action; or
  - (2) to agree on a limitation of the educational use of the materials; or
  - (3) to remove the challenged material from the total school environment; or
  - (4) to provide alternative choice that supports meeting learning target.

The sole criterion for the final recommendation is the appropriateness of the materials for its intended educational use. The written final recommendation and its justification are forwarded to the Superintendent and the individual making the request. The Superintendent may approve the recommendation or may make a different recommendation independent from the committee's, within five (5) working days of receiving the recommendation.

Following the superintendent's decision, either the individual making the request or the chairperson of the reconsideration committee may appeal the decision to the Board. Such appeal must be presented to the Superintendent and Board Secretary in writing within five (5) working days following the Superintendent's decision. The board will promptly determine whether to hear the appeal. If the Board declines, the decision of the Superintendent will be final.

- l. A recommendation to sustain a challenge will not be interpreted as a judgment of irresponsibility on the part of the individuals involved in the original selection or use of the material.

- m. Requests to reconsider materials which have previously been reconsidered by the committee must receive approval of two-thirds of the committee members before the materials will again be reconsidered.
- n. If necessary or appropriate in the judgment of the committee, the committee may appoint a subcommittee of members or nonmembers to consolidate challenges and to make recommendations to the full committee. The composition of this subcommittee will approximate the representation of the full committee.
- o. Committee members directly associated with the selection, use, or challenger of the challenged material are excused from the committee during the deliberation of the challenged instructional materials. The superintendent may appoint a temporary replacement for the excused committee member, but the replacement must be of the same general qualifications as the member excused.
- p. Persons dissatisfied with the decision of the board may appeal to the Iowa Board of Education pursuant to state law.

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