

602.1R1 OBJECTION OF INSTRUCTIONAL AND LIBRARY MATERIALS - RECONSIDERATION OF INSTRUCTIONAL AND LIBRARY MATERIALS - ADMINISTRATIVE REGULATIONS

Any member of the school district may raise objection to instructional materials used in the district's educational program despite the fact that the individuals selecting such material were duly qualified to make the selection and followed the proper procedure and observed the criteria for selecting such material.

The school official or employee receiving a complaint regarding instructional materials will try to resolve the issue informally. The materials shall remain in use pending the outcome of the reconsideration procedure.

The school official or employee initially receiving a complaint shall:

- A. explain to the complainant the board's selection procedure, criteria to be met by the instructional materials, and qualifications of those persons selecting the material.
- B. explain the role of the objected material in the educational program, its intended educational purpose, and additional information regarding its use.
- C. In the alternative, the employee may refer the individual to the teacher-librarian who can identify and explain the use of the material.

The employee receiving the initial complaint will advise the building principal of the initial contact no later than the end of the school day following the discussion with the individual, whether or not the individual has been satisfied by the initial contact. A written record of the contact is maintained by the principal in charge of the attendance center. Each building principal shall inform employees of their obligation to report complaints.

In the event that the individual making an objection to instructional materials is not satisfied with the initial explanation, the complainant is referred to the principal or teacher-librarian of the attendance center. At this time the building principal will inform the complainant of the directions for completion of the formal, written complaint. If, after consultation with the principal or teacher-librarian, the individual desires to file a formal complaint, the principal or teacher-librarian will assist in filling out a Reconsideration Request Form in full and filing it with the superintendent.

Request for Reconsideration

Any member of the school district community may formally challenge instructional materials used in the district's education 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.

Each attendance center and the school district's central office will keep on hand and make available the Reconsideration Request Forms. All formal objections to instructional materials must be made on this form.

The individual will state the specific reason the instructional material is being challenged. The Reconsideration Request Form is signed by the individual and filed with the superintendent.

The superintendent shall promptly file the objection with the reconsideration committee for re-evaluation.

Generally, access to challenged material shall not be restricted during the reconsideration process. However, in unusual circumstances, the material may be removed temporarily by following the provisions in Section B.6.d. of this rule.

The Reconsideration Committee

The committee shall consist of eight members:

1. One licensed employee designated annually, as needed, by the superintendent.
2. One teacher-librarian.
3. One member of the administrative team is designated annually by the superintendent.
4. Three members from the community are appointed annually, as needed, by the board.

The committee shall select their chairperson and secretary.

The committee will meet at the request of the superintendent.

The board may call special meetings to consider temporary removal of materials in unusual circumstances. A recommendation for Temporary removal shall require a two-thirds vote of the committee.

Notice of committee meetings shall be made public through appropriate publications and other communications methods.

The committee shall receive all reconsideration request forms from the superintendent.

The committee will determine its agenda for the first meeting which may include the following:

1. Distribute copies of the completed Reconsideration Request Form.
2. Give the individual or group spokesperson an opportunity to talk about and expand on the Reconsideration Request form.
3. Distribute reputable, professionally prepared reviews of the challenged material when available.
4. Distribute copies of challenged materials as available.

The committee may review the selection process for the challenged instructional material 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.

At a subsequent meeting, if held, interested persons, including the individual filing the challenge, may have the opportunity to share their views. The committee may request that individuals with special knowledge be present to give information to the committee.

The individual filing the challenge is kept informed by the reconsideration committee secretary concerning the status of the Reconsideration Request Form through the committee reconsideration process. The individual filing the challenge and known interested parties is given appropriate notice of meetings.

The complainant and known interested parties shall be given appropriate notice of reconsideration committee meetings.

At the second or subsequent meeting, as desired, the committee shall make its final recommendation. The committee's final recommendation may be to take no removal action, to remove all the challenged material from the total school environment, or to limit the educational use of the challenged material. The sole criteria for the final recommendation is the appropriateness of the material for its intended educational use. The written final recommendation and its justification shall be forwarded to the board, the individual, and the appropriate attendance center. The superintendent may also make a recommendation but if so, it should be independent from the committee's.

Following the superintendent's decision with respect to the committee's recommendation, the individual or the chairperson of the reconsideration committee may appeal the decision to the board for review. Such appeal must be presented to the superintendent in writing within five days following the announcement of the superintendent's decision. The board will promptly determine whether to hear the appeal.

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

Requests to reconsider materials that have previously been before the committee must receive approval of two-thirds of the committee members before the materials will again be reconsidered.

If necessary or appropriate in the judgment of the committee, the committee may appoint a subcommittee of members or non-members to consolidate challenges and to make recommendations to the full committee. The composition of this subcommittee shall approximate the representation on the full committee.

Committee members directly associated with the selection, use, or challenger of the challenged material shall be excused from the committee during the deliberation on challenged instructional materials. The superintendent may appoint a temporary replacement for the excused committee member, but such replacement shall be of the same general qualifications of that person(s) excused.

Any person dissatisfied with the decision of the Board may appeal to the Iowa Department of Education pursuant to state law.