

Code No. 605.3R1 RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

A. A member of the school district community may raise an objection to instructional materials used in the school district's education 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.

1. The school official or employee receiving a complaint regarding instructional materials will try to resolve the issue informally. The materials 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 board'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 media specialist who can identify and explain the use of the material.

2. 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. The principal in charge of the attendance center maintains a written record of the contact. Each building principal shall inform employees of their obligation to report complaints.

3. In the event the individual making an objection to instructional materials is not satisfied with the initial explanation, the individual is referred to the principal or to the media specialist of the attendance center. If, after consultation with the principal or media specialist, the individual desires to file a formal complaint, the principal or media specialist will assist in filling out a Reconsideration Request Form in full and filing it with the superintendent.

B. Request for Reconsideration

1. A member of the school district community 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 school district's central administrative 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 material is being challenged. The Reconsideration Request Form is signed by the individual and filed with the superintendent.

4. The 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 eight members.

(1) One licensed employee designated annually by the superintendent.

(2) One media specialist designated annually by the superintendent.

(3) One member of the administrative team designated annually by the superintendent.

(4) Three members of the community appointed annually by the board.

(5) Two high school students, selected annually by the high school principal.

b. The committee will annually select their chairperson and secretary.

c. The committee will meet at the request of the superintendent.

d. Special meetings may be called by the board to consider temporary removal of materials in unusual circumstances. A recommendation for temporary removal will require a two-thirds vote of the committee.

e. Notice of committee meetings is made public through appropriate publications and other communications methods.

f. The committee will receive the completed Reconsideration Request Form from the superintendent.

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

(1) Distribution of copies of the completed Reconsideration Request Form.

(2) An opportunity for the individual or a group spokesperson to talk about or expand on the Reconsideration Request Form.

(3) Distribution of reputable, professionally prepared reviews of the challenged instructional material if available.

(4) Distribution of copies of the challenged instructional material as available.

h. 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.

i. 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.

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. The individual filing the challenge and known interested parties is given appropriate notice of meetings.

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

Following the board'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.

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. The committee acts upon completed and filed Reconsideration Request Forms.

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 is 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.

First Reading: October 15, 2018

Second Reading: November 19, 2018