

POLICY TITLE:	Request for Review & Reconsideration of Learning Materials Review Form Minidoka County Joint School District # 331	POLICY NO: 240.00 PAGE 1 of 3
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Parents/guardians have the right to guide the reading, viewing, and listening of their own children but must likewise give the same right to other parents/guardians. The Board has a constitutional obligation to not remove materials simply because they disagree with subject matter. The First Amendment to the US Constitution encompasses not only freedom to share one's views but also freedom to receive information.

Any parent/guardian of a District student, any student, any employee, or any District resident may formally challenge a specific learning material item used by the District's educational program.

Learning materials, for the purposes of this policy, are not limited to Board approved curriculum but shall also be considered to be any material used in classroom instruction, materials available to students in the classroom, library materials, or any materials to which a teacher might refer a student as part of the course of instruction.

The major criterion for deciding whether to keep or remove a challenged resource is the appropriateness of the resource for its intended educational use. This may include:

1. The appropriateness of the material for the instructional objectives it is used to teach;
2. The appropriateness of the material's level of difficulty; and
3. The appropriateness of the material for the age group(s) with which it is used. Library materials shall be considered in light of their appropriateness for the oldest students who will have access to them.

No library material shall be removed solely because of the ideas expressed therein.

Informal Process

Any individual identified above who wishes to raise a complaint about a piece of learning material should first discuss the matter informally with the teacher, librarian, or other staff member who oversees its use. The patron should explain their objection to the material.

The staff member shall try to resolve the matter informally through such measures as:

1. Explaining the District's materials selection process, the criteria for selection and the qualifications of the professional staff who selected the questioned resource;
2. Explaining the intended educational purpose of the resource, its value as a resource, and any additional information regarding its use; and/or
3. Offering a concerned parent an alternative instructional resource to be used by that parent's child in place of the challenged resource in a manner that complies with Policy 440.00 Parental Rights.

All informal complaints made to staff members of the District shall be reported to the building principal, whether received by telephone, letter, or in personal conversation. If the complainant wishes to make a formal challenge, the staff member shall direct the complainant to this policy.

Formal Process

An eligible party who wishes to make a formal objection should submit their complaint in writing to the principal of the building where the material is in use. Objections can be made by using a form provided by the District. At minimum, the complaint shall reference specific sections of the materials or resources that produced the formal complaint. Vague or incomplete complaints will not be submitted to the learning materials review committee. The building principal shall forward the form to the Superintendent.

The Superintendent may convene a learning materials review committee, who will provide an objective evaluation of the material. The committee shall contain an odd number of members. Members of this committee may include such parties as:

1. Instructional staff who have experience using the challenged resource with students;
2. Other teachers and librarians. If the challenged material was selected by a specific teacher or librarian, that individual will not be selected for the committee. If the District has only one librarian and that librarian selected the material in question, the District may seek to include a librarian from a nearby public library or nearby school district to serve on the committee;
3. Administrators;
4. Parents/guardians of District students, including parents whose children have already graduated; and
5. Any other appropriate individuals selected by the Superintendent.

A person who has submitted a formal complaint regarding a learning material shall not participate in the review of that item as a committee reviewing the material. If the complainant serves on a standing learning materials review committee, they shall recuse themselves from all committee activities related to review of the material.

All members of the committee shall review the challenged resource. They shall also consider written or verbal comments submitted by District students, parents/guardians of District students, District employees, and District residents on the material in question. For library materials, the resource in question must be read or reviewed in full by each committee member. For materials that are a part of material used in classroom instruction, the teacher shall present to the committee on its role within the classroom. Passages or parts of the work in context shall not be considered out of context, and the values and faults of the work should be weighed against each other. Decisions about what action to take regarding the material shall be based on the materials as a whole. Where appropriate, the committee may solicit advice or opinion from other District staff and/or relevant professional organizations of librarians, English teachers, or other appropriate professionals.

The committee shall vote on whether the challenged resource should be kept or removed in accordance with the principles set out in this policy or whether some other change should be made.

If the material under consideration is part of the District's curriculum, and if the committee votes in favor of removing it from the curriculum, the Board shall review the report, and the Board shall determine whether the challenged resource should be kept or removed or whether some

other change should be made. In the case of library material, it shall include a recommendation to:

1. Retain the material in its original location; or
2. Relocate the material to another location, such as a library or classroom that serves older students; or
3. Remove the material entirely.

The committee shall prepare a written report of its findings and provide copies to the Superintendent, the complainant, and to staff members who oversee the use of the resource, that includes both majority and minority opinions on the learning material or library resource under consideration. The report may differ depending on the type of resource being challenged.

The Superintendent shall review the committee's report. If the material under consideration is part of the District's curriculum, and if the committee votes in favor of removing it from the curriculum, the Board shall review the report, and the Board shall determine whether the challenged resource should be kept or removed or whether some other change should be made.

If the material in question is a library resource or other material available to students and not part of the District's Board-approved curriculum, the Superintendent shall determine whether to accept the committee's recommendation or whether some other change should be made. The Superintendent shall notify the complainant of the outcome, including the recommendation of the committee. This decision in this regard may be appealed to the Board.

If an appeal of the Superintendent's decision is made to the Board, the Board has the sole discretion in determining how to handle the complaint review, including but not limited to the Board's option of solely reviewing the committee's report and making a determination or seeking to speak with the parties involved in the complaint during a properly noticed meeting of the Board. The decision of the Board will be final.

Cross Reference: 2425 **Parental Rights**
 2500 **Library Materials**

LEGAL REFERENCE:

ADOPTED: January 19, 1976

AMENDED/REVISED: May 16, 2022; March 27, 2023