

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

The District shall provide a wide range of instructional resources for students and faculty that present varying levels of difficulty, diversity of appeal, and a variety of points of view. Although trained professional staff are afforded the freedom to select instructional resources for their use in accordance with this policy and the state-mandated curriculum, the ultimate authority for approval lies with the Board.

DEFINITIONS

RECONSIDERATION
COMMITTEE

The District "reconsideration committee" referred to in this policy is a committee appointed annually by the Superintendent or designee to hear requests for reconsideration of instructional resources. The committee shall include but not necessarily be limited to an elementary or secondary campus administrator, an elementary or secondary librarian, and an elementary, middle, or high school teacher. Alternates shall be named to serve in place of appointed members whose campus is involved at the informal reconsideration level.

DAYS

The term "days" as used in this policy shall mean days when the District is open for business.

CONCERNED
PARTY

The term "concerned party" as used in this policy shall mean any parent or legal guardian of a District student, 18 year old student, an employee, or any resident of the District.

OBJECTIVES

In this policy, "instructional resources" refers to textbooks, library acquisitions, supplemental materials for classroom use, and any other instructional materials, including electronic resources, used for formal or informal teaching and learning purposes. The primary objectives of instructional resources are to deliver, support, enrich, and assist in implementing the District's educational program. [See EFAA for selection and adoption process of state-adopted instructional materials.]

The Board shall rely on District professional staff to select and acquire instructional resources that:

1. Enrich and support the curriculum, taking into consideration students' varied interests, abilities, learning styles, and maturity levels.
2. Stimulate growth in factual knowledge, enjoyment of reading, literary appreciation, aesthetic values, and societal standards.
3. Present various sides of controversial issues so that students have an opportunity to develop, under guidance, skills in critical analysis and in making informed judgments in their daily lives.

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

4. Represent many ethnic, religious, and cultural groups and their contributions to the national heritage and world community.
5. Provide a wide range of background information that will enable students to make intelligent judgments in their daily lives.

SELECTION CRITERIA

In the selection of instructional resources, especially library acquisitions and supplemental materials for classroom use, professional staff shall ensure that materials:

1. Support and are consistent with the general educational goals of the state and District and the aims and objectives of individual schools and specific courses consistent with the District and campus improvement plans.
2. Meet high standards in presentation, format, readability, content, accuracy, artistic or literary quality, and educational significance.
3. Are appropriate for the subject and for the age, ability level, learning styles, and social and emotional development of the students for whom they are selected.
4. Are designed to provide information that will motivate students to examine their own attitudes and behavior, to understand their rights, duties, and responsibilities as citizens, and to make informed judgments in their daily lives.

Recommendations for library acquisitions shall involve administrators, teachers, other District personnel, and community representatives, as appropriate. Gifts of instructional resources shall be evaluated according to these criteria and accepted or rejected accordingly.

Selection of materials is an ongoing process that includes the removal of resources no longer appropriate and the periodic replacement or repair of materials still of educational value.

CONTROVERSIAL
ISSUES

The selection of library acquisitions on controversial issues shall endeavor to maintain a balanced collection representing various views. Library materials shall be chosen to clarify historical and contemporary forces by presenting and analyzing intergroup tension and conflict objectively, placing emphasis on recognizing and understanding social and economic problems. [See also EMB regarding instruction about controversial issues and EHAA regarding human sexuality instruction]

CHALLENGED
MATERIALS

A concerned party may formally challenge an instructional resource used, or made available for use, in the District's educational pro-

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

gram on the basis of conformity with the selection criteria enumerated in this policy.

INFORMAL
RECONSIDERATION

The school receiving a complaint about the appropriateness of an instructional resource shall try to resolve the matter informally using the following procedure:

1. The principal or designee shall explain the school's selection process, the criteria for selection, and the qualifications of the professional staff who selected the questioned material.
2. The principal or designee shall explain the role the questioned material plays in the educational program, its intended educational usefulness, and any additional information regarding its use.
3. If appropriate, the principal or designee may offer a concerned parent other instructional material to be used by that parent's child in place of the challenged material.
4. If the complainant wishes to make a formal challenge, the principal or designee shall provide the complainant a copy of this policy and a Request for Reconsideration of Instructional Materials form [see EFA(EXHIBIT)].

FORMAL
RECONSIDERATION

For formal reconsideration, the concerned party shall complete and sign the Request for Reconsideration of Instructional Resources form and return it to the principal. The request procedures shall be as follows:

1. Within five days of receipt of the Request of Reconsideration of Instructional Resources form, the principal shall notify the Superintendent or designee who shall then inform the District reconsideration committee of the challenge and send the members materials for review and study. The principal shall identify one or more professionals to present the campus's position to the District reconsideration committee.
2. Within five days of receipt of the request, the concerned party and the District professional selecting or using the instructional resource that represents the campus shall be notified of the date for a hearing where they will be given the opportunity to present their reasons for requesting reconsideration orally or in writing.
3. Within 15 days of receipt of the request the committee shall conduct a hearing to consider the information presented by the concerned party and District professional selecting or using the instructional resource and determine whether the ma-

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

terial meets the criteria and objectives for removal outlined in this policy.

4. Minutes of the committee's hearing reflecting the deliberations and decisions of the committee shall be kept on file. A copy of the minutes shall be sent to the concerned party, the District professional selecting the instructional resource, and members of the committee.
5. The chair of the committee shall notify the concerned party and the District professional selecting or using the instructional resource of the committee's decision within ten days following the hearing.

APPEAL TO THE
SUPERINTENDENT

Either the concerned party or the professional selecting or using the instructional resource may appeal any decision of the District reconsideration committee to the Superintendent or designee by filing a written request with the Superintendent or designee within seven days of the committee's decision. The Superintendent shall obtain a copy of the original complaint, the challenged material, the campus and the District reconsideration committee's decisions with accompanying records, and dates of the informal conference with the principal.

The Superintendent shall review these records and the minutes from the committee's hearings along with any administrative recommendation. The Superintendent's hearing shall not be limited to a review of the committee's hearing record. The Superintendent shall hear and consider all relevant and material evidence submitted by the parties at the hearing. The Superintendent shall hear the complaint within 15 days after the written request is filed with the Superintendent and shall communicate his or her decision within ten days following the hearing.

APPEAL TO THE
BOARD

Either the concerned party or the District professional selecting or using the instructional resource may appeal any decision made at the Superintendent level to the Board by filing a written request with the Superintendent within seven days of the decision. The appeal procedures shall be as follows:

1. Upon receipt of the request, the Superintendent shall cause to be submitted to the Board within ten days a copy of the following:
 - Request for appeal,
 - Original complaint,
 - Principal's decision,

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

- Reconsideration committee's reports and decision,
 - Superintendent's decision,
 - Record of evidence made at the Superintendent's hearing, and
 - Challenged material.
2. The Board shall cause notice of the hearing date to be given to the concerned party within 15 days from the date the notice of appeals is received. The Board hearing shall be held within 30 days from receipt of the notice of the appeal to the Board.
 3. The Board may limit its review of the appeal to the record made at the Superintendent's hearing and oral argument, presented at the Board's hearing.

The appealing party is not entitled as a matter of right to present additional evidence to the Board unless he or she can satisfy the Board they were improperly prevented from presenting such evidence to the Superintendent or that such evidence was newly discovered since or not available for the Superintendent's hearing.

The Board shall render its decision within 15 days from completion of the Board's hearing and review.

GUIDELINES

The following guidelines shall be used by the committee(s), Board, and staff in responding to challenges of instructional resources:

1. Access to challenged material shall not be restricted during the reconsideration process.
2. A parent's ability to exercise control over reading, listening, or viewing matter extends only to his or her own children.
3. When instructional resources are challenged, the principles of the freedom to read, listen, and view must be defended as well.
4. It is important when considering material in a challenge that the entire instructional resource is read by all parties concerned.

CRITERIA FOR
REMOVING OR
LIMITING ACCESS

The following criteria shall be used for removing and limiting access:

1. The major criterion for the decision on challenged materials is the conformity of the material to the selection criteria enumerated in this policy. No challenged library material shall be removed solely because of the ideas expressed therein.

INSTRUCTIONAL RESOURCES
INSTRUCTIONAL MATERIALS

EFA
(LOCAL)

2. A decision to remove or limit access to instructional resources must be content neutral and directly related to legitimate pedagogical concerns. The basis for such decision to remove or limit access shall be sufficiently explained and demonstrated. Political, philosophical, or other ideological objections shall not be the motivating reason(s) to remove or limit the use of or access to instructional resources.