



Code: **R** IIA-AR(3)
Revised/Reviewed:

R Reconsideration of Supplemental Instructional Materials

A staff member **of the district, student** [student] or a parent or guardian **of a student of a school of the district or resident of the district** may raise concern about supplemental instructional materials¹ used in the district's educational program. **This procedure is meant to provide a forum for those persons in the schools and the community who are not directly involved in the selection process.** Access to, or use of, materials under reconsideration will not be restricted during the reconsideration process.

Complaints alleging a material constitutes protected-class discrimination may be submitted through the district's discrimination complaint policy and procedures.

This reconsideration process will be completed in its entirety and not subverted or ended prematurely. The person making a request for reconsideration may withdraw their reconsideration request at any time during the process.

1. Concern

- a.** Any concern made regarding supplemental instructional materials by any staff member, student or their parent or guardian **or resident of the district** will be made known to the [principal].
- b.** The [principal] [or designee] will arrange to meet with the person(s) with the concern [, and may include the staff member(s) most directly involved with its use,] in an effort to resolve the issue informally, within [15] days of receipt of the concern.

The [principal or staff member] will explain to their best ability the particular place the material in question occupies in the educational program and its intended educational usefulness or include someone who can identify and explain the use of the material.

- c.** The [principal] [or designee] will inform the person(s) submitting the concern that if the person is not satisfied with the outcome of the informal inquiry, they may file a written request for reconsideration within [10] days of the conclusion in 1.b. The initial contact from the person and any outcome of a meeting or conversation will be documented and maintained by the [principal].

¹ "Supplemental instructional materials" means instructional materials used as part of the course of study, which are not part of the core instructional materials. They contain materials to supplement and/or differentiate core instruction and are generally teacher selected. These materials are not adopted by the Board. Materials required or assigned to be used as part of a class may be considered supplemental instructional materials, regardless of the source or location of the material.

2. Request for Reconsideration

P a. A staff member **of the district** **student** [student] or parent or guardian **of a student of a school of the district** **or resident of the district** wishing to file a request for reconsideration of supplemental instructional materials must complete Step 1 above prior to filing a request for reconsideration.

b. Only requests for reconsideration from district staff, student, or parent or guardian of a student of a school of the district will be considered. All requests for reconsideration will be in writing [on the form prepared for this purpose], [signed by the person making the request,] and must be submitted to the [principal]. If a request for reconsideration involves more than one material, a separate form must be completed for each material. A request to reconsider multiple titles in a series may be submitted on a single form. All school offices will make forms available.

c. Upon receipt of a written reconsideration request, the [principal] will appoint a reconsideration committee [by random selection] [from a pool of previously identified interested individuals].

d. Use of the material identified in the request for reconsideration will not be suspended **and shall not be removed** during the reconsideration process. Materials will not be removed for discriminatory reasons.

e. The reconsideration committee will convene to consider the request for reconsideration received by the district. The committee will receive the request for reconsideration and copies of related materials and instructions on procedure during this committee meeting.

3. Reconsideration Committee

a. The reconsideration committee shall be made up of at least [seven] members [including, but not limited to]:

- (1) Curriculum and Student Administrator (nonvoting facilitator);
- (2) District Librarian;
- (3) Two teachers;
- (4) One administrator;
- (5) Two members from the community [within the boundaries of the school district];
- (6) One secondary student (optional).

(1) ~~[Two] teacher[s] [designated by the principal] and will be from the grade level of the material under reconsideration;~~

(2) ~~[One librarian designated [annually] by the principal;]~~

(3) ~~[One administrator designated [annually] by the principal;]~~

(4) ~~[[Two] members from the community [having expressed willingness to serve on this committee] appointed by the principal;]~~

(5) ~~[One student selected [annually] by the student council.]~~

[The reconsideration committee may include equity, Title IX, and/or Section 504 personnel in discussions about concerns which relate to an underrepresented group or a protected class.]

[Committee members directly associated with the selection of the material under reconsideration will be excused from the committee. The [principal] may appoint a replacement for the excused committee member, but such replacement will be of the same general qualifications as the person excused.]

[The committee selected will only serve to consider the material, which is the subject of the request for reconsideration, unless otherwise specified. ~~After completion of the reconsideration committee's responsibilities, committee members will be returned to the pool.~~]

4. Procedures for the Reconsideration Committee

- a. [{²}Designate a committee member to keep minutes of the committee.]
- b. Every request for reconsideration will be acted upon by the committee. However, the committee may consider requests with similar concerns together.
- c. [Review applicable materials such as a copy of the district or school mission statement, professional reviews of the materials being reconsidered, when available, state standards and curriculum planning.]
- d. Be responsible for documenting all proceedings; adhering to established policies, procedures and guidelines; and preparing and presenting the recommendations to the [principal].
- e. [Establish a calendar for review of the material.]
- f. Review the material under reconsideration in its entirety, considering the theme, concept, vocabulary, and illustrations (if any) as they apply to:
 - (1) [The suitability of the material for the instructional objectives established for the lesson(s) in which it was used, including its presentation and follow-up;
 - (2) The alignment of the material with the standards and curriculum;
 - (3) The material's reading level and intended audience (literary level to comprehend the words as opposed to difficult topics);
 - (4) The suitability of the material for the students it was used with; and
 - (5) Professional review sources for the title/material, when available.]
- g. An opportunity will be provided to the person who filed the request and staff member(s) involved to offer oral or written testimony on the reconsideration; outside consultants, lay people, other staff members, or other individuals may be offered an opportunity to provide oral or written testimony on the reconsideration within such procedures and limitations as may be established by the committee.
- h. The person who made the request will be kept informed by the principal or designee concerning the status of the request throughout the committee process. The person and known interested parties will be given notice of such meetings.
- i. Review and discuss possible options for decision, including:
 - (1) Continued use of the material as used, with no restrictions;
 - (2) Restricted or modified use of the material in terms of [subject area, grade level, districtwide, related to the specific request];
 - (3) Removal of the material from the educational setting in which it was used.

Any decision to prohibit the use of, or refusal to approve the use of materials, on the basis that the materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260 (1)[, i.e., are Native American, European, African, Asian, Pacific

² {Will the district provide staff to keep minutes or will the committee be responsible for keeping its own minutes?}

Island, Chicano, Latino, Middle Eastern or Jewish descent; have disabilities; are immigrants or refugees; or are lesbian, gay, bisexual or transgender] is prohibited.

[The reconsideration committee will consider the material's suitability in the context in which the request for reconsideration was made.]

Following the discussion and review of possible options, a committee member may offer a motion outlining the committee's [recommendation] [decision]. Action will be taken on the motion and any subsequent motions within the procedures outlined above and consistent with Oregon law.

~~The written recommendation and its justification from the committee will be forwarded to the [principal] within [seven] days of issuance of the recommendation. Within [seven] days of receipt of the recommendation by the superintendent, a copy of the recommendation will be sent by the superintendent or designee to the person who made the request for reconsideration and to the Board.~~

j. Procedures for voting:

- (1) A quorum³ will be present to act upon any business to come before the committee.
- (2) All outcomes of motions and votes will be recorded and reported in the minutes of the meeting(s).
- (3) Only votes of the members present at the time of the vote will be recorded⁴.
- (4) A vote in the affirmative from a majority of those present is required for a motion to pass.

~~Consider whether the committee is authorized to make a recommendation or a decision. If the committee makes only a recommendation, who makes the final decision? This option is the first k. through 5. below (before the "(OR)").~~

~~If the committee makes a decision, is this a final decision, or can it be appealed? If it can be appealed, who makes the decision on appeal? This option is the second k. through 5. below (after the "(OR)").~~

k. [The recommendation from the reconsideration committee will be issued within [45] days of receipt of the written request for reconsideration by the principal. The recommendation will be in writing and include the committee's justification. The recommendation will be provided to the involved parties, including the [principal].]

5. The committee's recommendation will be provided to the [superintendent] [Board] for a final decision of the district. All materials from the reconsideration committee meetings will be made available to the [superintendent] [Board]. [The superintendent will issue a written decision to the

³ A quorum is a majority (one-half of an odd number of members rounded up to the next whole number; one-half of an even number of members plus one). A quorum of a five-member committee is three; a quorum of a six-member committee is four; a quorum of a seven-member committee is four.

⁴ Committee members may attend virtually. Members attending virtually are considered present for quorum and voting purposes.

involved parties within [30] days of receipt of the committee's recommendation.] [The Board will review the recommendation and issue a written decision at a Board meeting, within [30] days of receipt of the recommendation.] The decision of the [superintendent] [Board] is final.]

{OR}

- k. [The decision from the reconsideration committee will be issued within [45] days of receipt of the written request for reconsideration by the principal. The decision will be in writing and include the committee's justification [and information regarding an appeal to the [superintendent]-[Board]]. The decision will be provided to the involved parties, including the [principal]. The [principal] will also communicate the decision to the affected staff [and to the public].
 1. [The committee's decision will be the final decision of the district.]
5. [Appeal to the [Superintendent]-[Board]]

A decision from the reconsideration committee may be appealed by [⁵] the person who requested the reconsideration] to the [superintendent] [Board] by submission of the appeal to the [superintendent] [Board chair] within [15] days from issuance of the committee's decision. A copy of all procedural documents, recommendations, and decisions will be made available to the [superintendent] [Board]. [The Board will review the appeal and information at a Board meeting.] [The [superintendent]-[Board] should review whether the correct procedure was followed. If the correct procedure was followed, the decision of the committee should be affirmed.] [The Board will make a decision regarding the appeal at a Board meeting.] The [superintendent]-[Board] will issue a written decision to the involved parties within [30] days of receipt of the appeal.]

[If an appeal is made, the decision made by the reconsideration committee [is suspended pending the appeal (meaning, if applicable, that the material may remain in use until the appeal decision is made)] [remains in effect until the appeal is decided].]

An item approved for removal shall not be removed until a written explanation from the committee (if the committee agreed to removal) is made available to the public.

The timelines in this administrative regulation may be modified by the district based on the availability of staff and/or committee participants. Notice of a modified timeline must be provided to the person who made the request and staff member(s) involved.

Requests for reconsideration of the same materials will not be accepted for at least [two] calendar year[s] following issuance of a decision on those materials.

⁵ Does the district want to limit who can file an appeal? Consider:

- Communication regarding the reconsideration committee's decision (if any member of the public can file an appeal, should the decision be communicated to the public);
- The impact of the decision (if the decision applies throughout the entire district, should the entire district be able to appeal the decision).)