

## **FAQ on challenging a book**

### **1. Who may challenge a book or instructional resource?**

A parent of a student, any employee, or any resident may formally challenge an instructional resource used in the educational program on the basis of appropriateness.

### **2. Does a challenge have to go through a formal reconsideration committee?**

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

- i. 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 resource.
- ii. The principal or designee shall explain the intended educational purpose of the resource and any additional information regarding its use.
- iii. If appropriate, the principal or designee may offer a concerned parent an alternative instructional resource to be used by that parent's child in place of the challenged resource.
- iv. If the complainant wishes to make a formal challenge, the principal or designee shall provide the complainant a copy of this policy and a form to request a formal reconsideration of the resource.

### **3. How does formal reconsideration of a book or instructional material work?**

All formal concerns regarding library materials shall be submitted on the form provided by the Charter. The completed and signed form shall be submitted to the Charter-level library supervisor or designated administrator. The Charter level Director of Instructional Technology and Library Services shall appoint a reconsideration committee, within ten business days, that shall review the challenged material and determine whether it conforms to the principles of selection set out in this policy.

The reconsideration committee shall include both Charter and campus-level professional staff, including at least one member who has experience using the challenged resource with students or is familiar with the content of the challenged material, and two parents of students. The Superintendent or designee shall chair the committee.

The total voting committee membership shall be an uneven number. The complainant will not be a member of the committee, but the complainant's written submission will be thoughtfully considered by the committee. Prior to the committee meeting, each committee member will read a copy of the library material in question. All committee members shall review the submitted written concern.

The committee will review all items on the checklist for reconsideration of Library Materials. After working through the checklist for reconsideration of library materials and any deliberations the committee feels necessary, committee members will vote on the disposition of the library material being considered.

**4. Can a formal challenge be appealed if the challenger doesn't like the decision of the committee?**

Appeal of Reconsideration Committee. The complainant may appeal the decision of the reconsideration committee by filing the appropriate Charter grievance form.

**5. What does the formal reconsideration committee consider when coming to a decision?**

The major criterion for the final decision on challenged library material is the appropriateness of the resource for its intended educational use. The plurality opinion in *Bd. of Educ. v. Pico*, 457 U.S. 853 (1982) uses the standard that no challenged instructional resource shall be removed solely because of the ideas expressed therein. The opinion allows the removal of materials because they are pervasively vulgar or based upon the lack of educational suitability of the library material in light of the instructional curriculum. Further, a determination of appropriateness will include a review of and compliance with 47 U.S.C. §254(h)(5), Texas Penal Code §43.24(a)(2), and Texas Penal Code §43.24(b).