Complaints Concerning Instructional Resources

Original Adopted Date: 11/13/1969 **|** **Last Revised Date**: 08/22/2023

Step 1: Informal Complaint

Complaints concerning instructional resources will be accepted only from staff, district residents, or the parents/guardians of children enrolled in a district school. The principal receiving a complaint regarding learning resources shall try to resolve the issue informally.

1. The principal and/or library media specialist shall explain to the complainant the school's selection procedure, criteria, and qualifications of those persons selecting the resource.

2. The principal and/or library media specialist shall explain the particular place the questioned resource occupies in the education program, its intended education usefulness, and additional information regarding its use.

3. If the complainant wishes to file a formal challenge, a copy of the district Selection and Evaluation of Instructional Materials (Policy 6161.1) and Request for Reconsideration of Instructional Resources Form (Exhibit 1312.2) shall be handed or mailed to the party concerned by the principal.

Step 2: Formal Complaint

If the complainant is not satisfied with the principal's initial response, they shall present a written complaint to the principal. Complaints regarding printed material shall name the author, title, and publisher and shall identify the objection by page and item numbers. In the case of nonprinted material, written information specifying the precise nature of the objection shall be given. Complainants shall sign all complaints and provide identifying information so that the district is able to make a proper reply. Anonymous complaints will not be accepted.

Upon receiving a complaint, the principal shall acknowledge its receipt and answer any questions regarding procedure. The principal then shall notify the Superintendent or designee and the certificated employee(s) involved with the complaint.

During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached. However, upon request of the parent/guardian who has filed the complaint, their child may be excused from using challenged materials until a resolution has been reached. The certificated employee shall assign the student an alternate material of equal merit.

Step 3: Superintendent Determination

The Superintendent or designee shall determine whether a review committee should be convened to review the complaint.

If the Superintendent or designee determines that a review committee is not necessary, the Superintendent shall issue a decision regarding the complaint.

Step 4: Review Committee

If the Superintendent or designee determines that a review committee is necessary, the Superintendent shall appoint a committee composed of:

- two grade level or subject area teachers, (one from Area 1 & Area 2)
- two appropriate site administrators, (one from Area 1 & Area 2)
- two parents, (one from Area 1 & Area 2)
- one grade level or subject area certificated coach,
- one certificated school librarian (a non-voting advisory role only)

The review committee shall review the criteria specified in Board policy, and applicable state and federal law, and shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.

Within 30 days of being convened, the review committee shall summarize its findings in a written report. The Superintendent or designee shall notify the complainant of the committee's decision within 15 days of receiving the committee's report.

Step 5: Appeal to the Governing Board

If the complainant remains unsatisfied, the complainant may appeal the Superintendent's or the review committee's decision to the Board. The Board's decision shall be final.

Legal References:

EDUCATION CODE:
18111 Exclusion of books by governing board
35010 Control of district; prescription and enforcement of rules
35186 Williams uniform complaint procedures
44805 Enforcement of course of studies; use of textbooks, rules and regulations
51501 Subject matter reflecting on race, color, etc.
60000-60005 Instructional materials; legislative intent
60040-60048 Instructional requirements and materials
60119 Public hearing on sufficiency of materials
60200-60206 Elementary school materials
60226 Requirements for publishers and manufacturers
60400-60411 High school textbooks
60510-60511 Donation of sale of obsolete instructional materials

MANAGEMENT RESOURCES:
CA DOE Program Advisories 1002.90 Selection of Instructional Materials, CIL: 90/91-02
California Department of Education Publication, Standards for Evaluation of Instructional Materials with Publication Respect to Social Content, 1986 edition, revised 2001

WEBSITES:
CSBA District and County Office of Education Legal Services
California Department of Education, Curriculum and Instruction
CSBA

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