

**COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS****Step 1: Informal Complaint**

If a staff member, district resident, or parent/guardian of a student enrolled in a district school has a complaint regarding the content or use of any specific instructional material, they shall informally discuss the material in question with the teacher, certificated teacher-librarian and/or principal.

The teacher-librarian and/or principal shall explain to the complainant the district and/or school's selection procedure, criteria, and qualifications of those persons selecting the resource. (Board Policy 6161.1, 6161.11, 6163.1)

The teacher-librarian and/or principal shall explain the particular place the questioned resource occupies in the educational program, its intended educational usefulness, and additional information regarding its use.

**Step 2: Formal Complaint**

If the complainant is not satisfied with the initial response, they shall present a written complaint to the Associate Superintendent for Educational Services or designee. Complaints regarding printed material shall be provided on the Request for Reconsideration Form 1312.2E. In the case of nonprinted material, written information shall be provided as applicable on the Request for Reconsideration Form 1312.2E. 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 formal complaint, the Associate Superintendent for Educational Services or designee shall acknowledge its receipt and answer any questions regarding procedure.

During the investigation of the complaint, the material under reconsideration remains 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 materials under reconsideration until a resolution has been reached. The teacher 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.

**Step 4: Reconsideration Committee**

Associate Superintendent for Educational Services or designee shall

1. appoint a committee composed of at least five members from the following areas as appropriate:
  - a) One representative administrator appointed by the Associate Superintendent of Educational Services

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- b) One member of the school teaching staff chosen by school staff (with content expertise)
  - c) One member of the Curriculum Council
  - d) One certificated teacher-librarian
  - e) One member of the School Site Council (SSC) chosen by the SSC or parent group
  - f) At the secondary level, one student selected by the Student Council
2. name a chair of the Reconsideration Committee
  3. convene a Reconsideration Committee within 30 working days after the formal complaint is received

**Step 5: The Reconsideration Committee shall**

1. Examine the entire resource
2. Determine professional acceptance by reading critical reviews of the resource
3. Judge whether it conforms to the principles of selection outlined in Board Policies and Reference Documents listed here:
  - Board Policy (BP) 6161.1 Evaluation and Selection of Instructional Materials
  - BP 6161.11 Supplementary Instructional Materials
  - BP 6163.1 Library/Resource Centers
  - The American Library Association’s Library Bill of Rights (2019)
    - Access to Library Resources and Services for Minors: An Interpretation of The Library Bill of Rights (2019)
    - Access to Resources and Services in the School Library: An Interpretation of The Library Bill of Rights (2014)
  - The National Council of Teachers of English’s “The Student’s Right to Read” Resolution (2018)
  - Educational Rights and Requests to Remove Instructional Material (2023)
4. Review the criteria specified in Board policy and determine the extent to which the material under reconsideration supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student.
5. Weight values and faults and form opinions based on the materials as a whole rather than on passages or sections taken out of context
6. Discuss the material under reconsideration in the context of the educational program.
7. Prepare a written report within 30 days of being convened, summarizing its findings. The Superintendent or designee shall notify the complainant of the committee's decision within 15 days of receiving the committee's report and give it to the Associate Superintendent of Educational Services or designee, who shall notify the site principal and library staff of the committee report.

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8. A minority report from the dissenting committee member(s) may also be filed.
9. The decision of the reconsideration committee is binding for the Tracy Unified School District.

#### Step 5: Appeal to the Governing Board

The complainant may appeal the decision to the Board to determine if the reconsideration policy and process were correctly applied.

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#### Legal Reference Education Code

	State	Description
Ed. Code 18111		Exclusion of books by governing board
Ed. Code 35010		Control of district; prescription and enforcement of rules
Ed. Code 35186		Williams uniform complaint procedures
Ed. Code 44805		Enforcement of course of studies; use of textbooks, rules and regulations
Ed. Code 51501		Subject matter reflecting on race, color, etc.
Ed. Code 60000-60005		Instructional materials; legislative intent
Ed. Code 60040-60048		Instructional requirements and materials
Ed. Code 60200-60206		Elementary school materials
Ed. Code 60400-60411		High school textbooks

#### Cross References Board Policy

	Code	Description
1312.3		Uniform Complaint Procedures
1312.3-E		Uniform Complaint Procedures
1312.4		Williams Uniform Complaint Procedures
1312.4-E		Williams Uniform Complaint Procedures
6141		Curriculum Development and Evaluation

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<b>Code</b>	<b>Description</b>
6141	Curriculum Development and Evaluation
6144	Controversial Issues
6161.1	Selection And Evaluation of Instructional Materials
6161.1-E(1)	Selection And Evaluation of Instructional Materials
6161.11	Supplementary Instructional Materials
6163.1	Library Media Centers
9000	Role Of the Board
9200	Limits Of Board Member Authority