

INSTRUCTION

Review and Challenge of Instructional Materials by Adult Students or Parents/Legal Guardians of Minor Students

Instructional materials (whether basal, supplemental), library materials used for instructional purposes, or materials provided by the teacher from a personal collection) may be challenged by an adult student currently enrolled in the School Division and taking the class or the parent/legal guardian of a minor student currently enrolled in the School Division and taking the class.

Requests to review or challenge sexually explicit instructional materials must follow Policy 6-11 and not this Regulation. Requests to review or challenge library materials of general interest must follow Regulation 6-65.2 and not this Regulation.

An adult student or the parents/legal guardians of a minor student (hereinafter “complainant”) may review any instructional material used as part of the student’s educational curriculum in a course in which the student is currently enrolled. Upon a request by a complainant to review such material, the principal or designee will make such material available within five (5) business days. If the instructional material is not provided within such time, the complainant may appeal such denial to the School Board under Policy 5-6 and Regulation 5-6.2.

A. School Level Review and Challenge

If a complainant challenges instructional material under this Regulation, the following procedure will be used at the school level.

1. Upon the receipt of a complaint, the principal or designee will schedule a conference with the complainant and the staff member using the material. All parties at this conference will be apprised in advance of the material being challenged and provided adequate time for review of materials.
2. At the conference, the parties will consider the complainant’s concerns regarding the instructional material as well as the staff member’s reasons for assigning or providing the instructional materials. The staff member will explain whether alternative instructional materials can be offered in lieu of the assigned or provided instructional materials.
3. If the complainant requests the material be withdrawn from use for the complainant’s student, the principal or designee may honor the request if , at the principal or designee’s determination, the substitution of other instructional material is appropriate and shall notify the complainant in writing of this decision within five (5) school days. Deference to the complainant’s requests should be granted for the individual student assigned or provided instructional materials when reasonable and adequate alternative materials are available.

4. When a complainant challenges the appropriateness of the instructional material for use with other students, the principal or designee, after consulting with knowledgeable staff members, will determine in writing whether the instructional materials should be used with other students in the instructional program.

5. Material may not be withdrawn from use with other students unless the decision is made to do so after following the process in this Regulation.

5-6. The principal or designee will inform the Library Media Specialists of any student restriction regarding the challenged material.

B. Superintendent Level appeal

1. The complainant may file an appeal of the principal's or designee's decision regarding assignment of or providing of instructional materials to the student or other students by submitting an Appeal of Request for Reconsideration of Instructional Materials to the Chief Academic Officer (CAO) or designee.
2. Such Appeal of Request for Reconsideration must be filed with the CAO within three (3) business days of receipt of the principal's notification in A 4.
3. Instructional materials under review will remain in use until the complaint process is completed.
4. The CAO or designee may establish an ad hoc committee or standing committee to review Superintendent Level appeals under this Regulation. Such committee will provide a written recommendation to the Superintendent or designee within thirty-five (35) business days. Such written recommendation will include an assessment of the assigned instructional material, the curriculum objectives supported by the assigned material, the availability and suitability of alternative or substitute materials, and other relevant information.
5. Within ten (10) business days of receipt the Committee's recommendation, the Superintendent or designee may accept the complainant's request regarding challenge or accept or alter the Committee's recommendation. Such decision shall be in writing and the School Board will be copied on the decision.
6. The Superintendent's or designee's decision will be final and there will be no right of appeal.

Related Links

School Board [Policy 5-6](#)

School Board [Regulation 5-6.1](#)

Approved by Superintendent: July 16, 1991

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APPROVED AS TO
LEGAL SUFFICIENCY

Harold K. ...
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