COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS BP 1312.2

The Governing Board uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of district staff, parents/guardians, and community members, and, as appropriate, students. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures.

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their student's teacher and/or the school principal. If the situation remains unresolved, a complaint may be filed using the process specified in the accompanying administrative regulation and exhibit1 for classroom instructional materials and exhibit 2 for library materials.

The district shall accept complaints concerning instructional materials only from staff, district residents, or the parents/guardians of students enrolled in a district school. (Education Code 35160)

However, a complaint related to the use or prohibited use of any existing textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library that alleges unlawful discrimination based on a violation of Education Code 243 or 244 shall be filed, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

When deliberating upon challenged materials, the Superintendent, or any designee or committee established by the Superintendent to review the materials, shall consider the degree to which the materials align with the criteria for instructional materials as specified in law, Board policy, and administrative regulation. In addition, such deliberations may consider the educational philosophy and vision of the district; the educational suitability of the materials including the manner in which the materials support the curriculum and appropriateness for the student's age; the professional opinions of teachers of the subject and of other competent authorities and/or experts; reviews of the materials by reputable bodies; the stated objectives in using the materials; community standards; the allegations in the complaint, including the extent to which the objections are based on the dislike of ideas contained in the materials; and the impact that keeping or removing the

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materials would have on student well-being.

The Superintendent, or any designee or committee established by the Superintendent to review the materials, shall not prohibit the continued use of an appropriately adopted textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library on the basis that it contains inclusive and/or diverse perspectives, as specified in Education Code 243.

Additionally, the Superintendent, or any designee or committee established by the Superintendent to the review materials, shall not authorize the continued use of an adopted textbook, instructional material, supplemental instructional material, or curriculum for classroom instruction if the use would subject a student to unlawful discrimination pursuant to Education Code 220.

If the complainant finds the Superintendent's or review committee's decision unsatisfactory, the complainant may appeal the decision to the Board.

Any challenged instructional material that is reviewed by the district shall not be subject to further reconsideration for 12 months, unless required by law.

Complaints related to the sufficiency of textbooks or instructional materials shall be resolved as specified in Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

Policy Reference Disclaimer:
These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State	***Description***
5 CCR 4600-4670	*Uniform complaint procedures*
Ed. Code 1240	*County superintendent of schools; duties*
Ed. Code 18111	*Exclusion of books by Governing board that are sectarian, partisan, or denominational character*
Ed. Code 220	*Prohibition of discrimination*
Ed. Code 240-244	*Prohibition of discrimination; instructional materials*
Ed. Code 35010	*Control of district; prescription and enforcement of rules*
Ed. Code 35160	*Powers and duties of school boards*
Ed. Code 35186	*Williams uniform complaint procedures*

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Ed. Code 44805	*Teacher enforcement of course of studies; use of textbooks, rules and regulations*
Ed. Code 48907	*Exercise of free expression; time, place, and manner rules and regulations*
Ed. Code 48950	*Speech and other communication*
Ed. Code 51204.5	*Social sciences instruction; contributions of specified groups*
Ed. Code 51501	*Nondiscriminatory subject matter*
Ed. Code 51511	*Religious matters properly included in courses of study*
Ed. Code 51933	*Sexual health education and HIV prevention materials*
Ed. Code 60000-60005	*Instructional materials; legislative intent*
Ed. Code 60040-60052	*Requirements for instructional materials*
Ed. Code 60119	*Public hearing on sufficiency of textbooks and instructional materials*
Ed. Code 60200-60213	*Elementary school materials*
Ed. Code 60226	*Requirements for publishers and manufacturers*
Ed. Code 60400-60411	*High school textbooks and instructional materials*
Ed. Code 60510-60511	*Donation or sale of obsolete instructional materials*
Management Resources	***Description***
California Department of Education Publication	*Guidance for Local Instructional Materials Adoption, March 2024*
California Department of Education Publication	*Instructional Materials, FAQ*
California Department of Education Publication	*Standards for Evaluating Instructional Materials for Social Content, 2013*
California Department of Justice Publication	*Guidance to School Officials re: Legal Requirements for Providing Inclusive Curricula and Books, Legal Alert, Jan. 2024*
California School Boards Association Publication	*State Roles, Responsibilities, and Process for Instructional Materials Adoption, Feb. 2024*
California School Boards Association Publication	*Instructional Materials Adoption: Local governing board responsibilities, Fact Sheet, Feb. 2024*
California School Boards Association Publication	*Instructional Materials Adoptions: State and local governing board processes, roles, and responsibilities, Feb. 2024*
Website	*CSBA District and County Office of Education Legal Services*
Website	*Department of Justice*
Website	*California Department of Education, Curriculum and Instruction Resources*
Website	*CSBA*
Website	*U.S. Department of Education, Office for Civil Rights*
Cross References	

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Policy	***Description***
0410	*Nondiscrimination In District Programs And Activities*
1100	*Communication With The Public*
1250	*Visitors/Outsiders*
1250	*Visitors/Outsiders*
1312.1	*Complaints Concerning District Employees*
1312.1	*Complaints Concerning District Employees*
1312.3	*Uniform Complaint Procedures*
1312.3	*Uniform Complaint Procedures*
1312.3-E(1)	*Uniform Complaint Procedures*
1312.3-E(2)	*Uniform Complaint Procedures*
1312.4	*Williams Uniform Complaint Procedures*
1312.4-E(1)	*Williams Uniform Complaint Procedures*
1312.4-E(2)	*Williams Uniform Complaint Procedures*
5145.3	*Nondiscrimination/Harassment*
5145.3	*Nondiscrimination/Harassment*
6000	*Concepts And Roles*
6141	*Curriculum Development And Evaluation*
6141	*Curriculum Development And Evaluation*
6142.6	*Visual And Performing Arts Education*
6142.92	*Mathematics Instruction*
6142.94	*History-Social Science Instruction*
6143	*Courses Of Study*
6143	*Courses Of Study*
6144	*Controversial Issues*
6161.1	*Selection And Evaluation Of Instructional Materials*
6161.1	*Selection And Evaluation Of Instructional Materials*
6161.1-E(1)	*Selection And Evaluation Of Instructional Materials*
6161.11	*Supplementary Instructional Materials*
6161.2	*Damaged Or Lost Instructional Materials*
6163.1	*Library Media Centers*
9000	*Role Of The Board*
9005	*Governance Standards*
9012	*Board Member Electronic Communications*
9200	*Limits Of Board Member Authority*
9322	*Agenda/Meeting Materials*