

INDEPENDENT SCHOOL DISTRICT 196
Rosemount, Minnesota
Educating, developing, and inspiring our students for lifelong success.

Series Number 603.4AR Adopted February 1978 Revised September 2025

Title Reconsideration of Instructional Resources

1. Definition

- 1.1 A request for reconsideration is defined as any written or verbal statement from a district resident, parent or guardian of a district student, adult student or district employee who requests that a specific instructional resource be excluded or restricted in one or more district schools. The routine removal of resources by education professionals in circumstances in which resources are no longer appropriate, out-of-date, damaged, worn or lost is not subject to the reconsideration process.
- 1.2 Requests for reconsideration of instructional resources shall be made to the appropriate teacher, media specialist or principal.
- 1.3 Requests for reconsideration of library materials are subject to Administrative Regulation 603.6AR, Library Materials. Formal requests for reconsideration of library materials shall follow the reconsideration process described in sections 3-7 herein.

2. Administrative Response to a Reconsideration Request

- 2.1 The current status of the instructional resource(s) in question will be unchanged throughout the review process.
- 2.2 A teacher or media specialist who receives a reconsideration request shall immediately inform and consult with his or her principal, who will contact the person who made the request.
- 2.3 The principal, in consultation with the teacher or media specialist has the authority to agree to exclude or restrict a specific instructional resource only for the children of the individual who made the request, not for any other students.
 - 2.3.1 If a resolution is reached that concerns only the children of the individual who made the request or that does not affect other students, the issue is closed.
 - 2.3.2 If the person who made the request is a parent or guardian of a district student or adult student, he or she may make reasonable arrangements with the principal for alternative instruction, as described in Minnesota Statute 120B.20 and district Policy 603, Section 5, Parent Review of Instructional Materials.
- 2.4 If the matter is not resolved described above, or if the individual requests that material be excluded or restricted for students other than his or her own children, the principal will meet with the concerned individual and give the person the opportunity to complete district procedure 603.4P, Request for Reconsideration of Instructional Resources, and provide the individual with this regulation and district regulation 603.3AR, Selection of Instructional Resources.
- 2.5 The principal will notify all staff members in his or her school who are directly affected by the request, his or her director, other principals in the district and if it concerns library materials, the district technology specialist. If the resource is from a library/media center collection, the district technology specialist will notify other media specialists throughout the district.
- 2.6 The principal will acknowledge, in writing, receipt of a written request for the reconsideration of instructional resources, and send a copy of the request, any related correspondence and his or her acknowledgment to the director of elementary education or director of secondary education (as appropriate) within five work days.

- 2.7 The director of elementary education or director of secondary education will assemble the appropriate Reconsideration Review Committee and send the members copies of the challenged resources and the reconsideration request within 20 work days. The committee will meet within 10 work days after members are selected or as soon thereafter as possible.

3. Reconsideration Review Committees

- 3.1 There will be two review committees: one to respond to requests applicable to grades PK-5 and one to respond to requests applicable to grades 6-12+. The director of elementary education will facilitate the grades PK -5 committee; the director of secondary education will facilitate the grades 6-12+ committee.

- 3.2 The review committee for grades PK -5 will include:

- 3.2.1 Five residents (one each from the attendance areas for Apple Valley, Eagan, Eastview and Rosemount High Schools, and one at-large) appointed by the superintendent from recommendations submitted by principals. The appointments will take into consideration the need for a balanced representation by age of child and location of residence. The residents shall not have any direct business relationship with the district or a district school (for example, as an employee, substitute employee or consultant);
- 3.2.2 Three teachers assigned to elementary schools in separate high school attendance areas, appointed by the superintendent from recommendations submitted by elementary school principals;
- 3.2.3 An elementary school principal, appointed by the superintendent, from a different school than the media specialist, and
- 3.2.4 An elementary school media specialist, appointed by the superintendent, from a different school than the principal.
- 3.2.5 An individual who works at the school where the request originated will not serve on the committee to review that resource.

- 3.3 The review committee for grades 6-12+ will include:

- 3.3.1 Five residents: one appointed by the superintendent from a middle or high school from each high school attendance area and one other at-large, from recommendations submitted by the principals. The residents shall not have any direct business relationship with the district or a district school (for example, as an employee, substitute employee or consultant);
- 3.3.2 A middle or high school administrator, appointed by the superintendent, from a different school than the media specialists;
- 3.3.3 Two media specialists appointed by the superintendent, one from a middle school and one from a high school, from recommendations submitted by middle and high school principals;
- 3.3.4 One middle school teacher and one high school teacher, appointed by the superintendent from recommendations submitted by the middle and high school principals, and
- 3.3.5 Two high school students, neither from the school where the reconsideration request originated, appointed by the superintendent from recommendations submitted by the high school principals.

- 3.3.6 A committee member who works at the school where the request originated will not serve on the committee to review that resource.

4. Reconsideration Committee Review Process

- 4.1 A representative from the persons or groups requesting the reconsideration, and the relevant teacher, media specialist or one person representing the group involved in the selection of the resource will be invited to meet with the appropriate Reconsideration Review Committee to present their positions in the matter.
 - 4.2 The committee will review the resource in question, taking into consideration the criteria used to select the resource originally and the quality of the material as a whole (not just the issues presented by the person who filed the request). The committee may consult individuals, organizations, and other resources with relevant professional knowledge.
 - 4.3 The committee will discuss the reconsideration request at a meeting that members of the public may observe, and come to a decision in response to the request. Committee members will vote by secret ballot and a record of the vote tally will be kept. In case of a tie vote, the request will be denied.
 - 4.4 Recommendations of the committee for grades PK-5 will be binding on all elementary schools.
 - 4.5 Recommendations of the committee for grades 6-12+ will be binding on all middle schools when a middle school resource is reconsidered, and on all high schools when a high school resource is reconsidered.
 - 4.6 Report of Action Taken -- The action taken, with accompanying rationale, will be communicated in writing to the person(s) involved with and affected by the request by the director of elementary education or director of secondary education. He or she will send the final decision and supporting documentation to the principals and the superintendent, who will forward it to the school board.
5. **Reconsideration of Recently Reconsidered Resources** -- If a formal request for reconsideration is filed about a resource that has been reconsidered in the past three years, the person making the request will be given a copy of the Reconsideration Review Committee's recommendation and any board decision in the matter. If, after reading the documentation from the last time the resource was reconsidered, the person making the request raises issues that were not raised about that resource in a reconsideration request in the last three years and would like the resource to be reconsidered by the committee, it will be reconsidered again.

6. Communication

- 6.1 The director of elementary education or director of secondary education will inform the superintendent and the district communications director about any formal reconsideration request he or she receives from a school so that district employees, the public and the board can be informed about it. Requests shall be publicized on the district website, and shall specify the resource in question, but not mention the name of the person making the request.
- 6.2 The director of elementary education or director of secondary education will inform the superintendent and the district communications director about the committee's response to the reconsideration request, and that response will be publicized to district employees and the public. The superintendent will share the information with the board and announce the decision at the next regularly scheduled board meeting.

7. Appeal

- 7.1 If the person who filed the initial reconsideration request, or another district resident or employee, is not satisfied with the committee's decision, within 10 work days of the decision being announced at a board meeting, he or she may ask to have the matter placed on the agenda of a regularly scheduled meeting of the board within the next 60 days.
- 7.2 The board may choose to refer the issue to a committee of board members and/or seek public input on the resource in question. If public input is sought, the usual board public input guidelines shall apply. (Refer to district regulation 204.8AR, Public Participation at School Board Meetings, for more information.)
- 7.3 The board or board committee will review the written record and public input (if sought by the board), and may choose to hear from a spokesperson or representative from the Reconsideration Review Committee, a representative of the person who requested the reconsideration and/or a representative of the group involved in the original selection of the material.
- 7.4 The board will take action to uphold or deny the Reconsideration Review Committee's decision at a public meeting. The superintendent will communicate that decision to the person who requested the appeal, the director of elementary education or director of secondary education and principals. If library materials are the subject of the reconsideration request, a challenge report will be submitted pursuant to Administrative Regulation 603.6AR, Library Materials and Minnesota Statute 134.51, Access to Library Materials and Rights Protected.

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- References:
- Minn. Stat. § 120A.22, Compulsory Instruction
 - Minnesota Statute 120B.20, Parental Curriculum Review
 - Minn. Stat. § 123B.02, General Powers of Independent School Districts
 - Minn. Stat. § 123B.09, School Board Responsibilities
 - Minnesota Statute 134.51, Access to Library Materials and Rights Protected
 - Bd. of Educ., Island Trees Union Free Sch. Dist. No. 26 v. Pico, 457 U.S. 853 (1982)
 - Virginia State Bd. of Educ. v. Barnette, 319 U.S. 624, 642 (1943)
 - MSBA/MASA Model Policy, 606, Textbooks and Instructional Materials
 - MSBA/MASA Model Policy, 606.5, Library Materials