

OBJECTION TO INSTRUCTIONAL MATERIALS

Members of the school district community may object to the instructional and library materials utilized in the school district and ask for their use to be reconsidered.

It is the responsibility of the superintendent, in conjunction with the principals, to develop administrative regulations for reconsideration of instructional materials. Information related to the process for reconsideration of instructional and library materials will be made available on the district's website.

For purposes of prohibiting access to instructional materials, Iowa law has defined instructional materials to mean either printed or electronic textbooks and related core materials that are written and published primarily for use in elementary school and secondary school instruction and are required by a state educational agency or district for use by students in the student's classes by the teacher of record. Instructional materials does not include lesson plans.

Legal Reference: Iowa Code §§ 279.8; 74; 280.3, .14; 301 (2007).  
281 I.A.C. 12.3(12).

Cross Reference: 213 Public Participation in Board Meetings  
402.5 Public Complaints About Employees  
602 Curriculum Development  
605 Instructional Materials

Approved 11/12/18

Reviewed \_\_\_\_\_

Revised 08/14/2023

## INSTRUCTIONS TO THE RECONSIDERATION COMMITTEE

The policy of this school district related to selection of learning materials states that any member of the school district community may formally challenge instructional and library materials used in the district's education program. This policy allows those persons in the school and the community who are not directly involved in the selection of materials to make their own opinions known. The task of the reconsideration committee is make an informed recommendation on the challenge. The meetings of the committee may be subject to the open meetings law.

The most critical component of the reconsideration process is the establishment and maintenance of the committee's credibility in the community. For this purpose, the committee is composed of a combination of community members and licensed employees as detailed in 605.3R1. The community should not, therefore, infer that the committee is biased or is obligated to uphold prior professional decisions. For this same reason, a community member will be selected to chair the committee.

The reconsideration process, the task of this committee, is just one part of the selection continuum. Material is purchased to meet a need. It is reviewed and examined, if possible, prior to purchase. It is periodically re-evaluated through updating, discarding, or re-examination. The committee must be ready to acknowledge that an error in selection may have been made despite this process. Librarians and school employees regularly read great numbers of reviews in the selection process, and occasional errors are possible.

In reconsidering challenged materials, the role of the committee, and particularly the chairperson, is to produce a climate for meaningful discussion of disparate views. The committee should begin by finding items of agreement, keeping in mind that the larger the group participating, the greater the amount of information available and, therefore, the greater the number of possible approaches to the problem.

This committee may, at its discretion, hear an oral presentation from the complainant to the committee to expand and elaborate on the complaint. The committee may listen to the complainant, to those with special knowledge, and any other interested persons. In these discussions, the committee should be aware of relevant social pressures which are affecting the situation. Individuals who may try to dominate or impose a decision must not be allowed to do so. Minority viewpoints expressed by groups or individuals must be heard, and observers must be made to feel welcome. It is important that the committee create a calm, nonvolatile environment in which to deal with a potentially volatile situation. To this end, the complainant will be kept informed of the progress of the complaint.

The committee will listen to the views of all interested persons before making recommendations. In deliberating its recommendation, the committee should remember that the school system must be responsive to the needs, tastes, and opinions of the community it serves. Therefore, the committee must distinguish between broad community sentiment and attempts to impose personal standards. The deliberations should concentrate on the appropriateness of the material. The question to be answered by the committee is, "Is the material appropriate for its designated audience at this time?"

The committee's final recommendation will be (1) to remove the challenged material from the total school environment, (2) to take no removal action, or (3) to agree on a limitation of the educational use of the materials.

The committee chairperson will instruct the secretary to convey the committee's recommendation to the office of the superintendent. The recommendation should detail the rationale on which it was based. A letter will be sent to the complainant outlining the outcome

## RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

- A. A member of the school district community may raise an objection to instructional materials used in the school district's education program despite the fact that the individuals selecting such material were duly qualified to make the selection and followed the proper procedure and observed the criteria for selecting such material.
1. The school official or employee receiving a complaint regarding instructional materials will try to resolve the issue informally. The materials generally will remain in use pending the outcome of the reconsideration procedure.
    - a. The school official or employee initially receiving a complaint will explain to the individual the board's selection procedure, criteria to be met by the instructional materials, and qualifications of those persons selecting the material.
    - b. The school official or employee initially receiving a complaint will explain to the individual the role of the objected material in the education program, its intended educational purpose, and additional information regarding its use. In the alternative, the employee may refer the individual to the teacher-librarian who can identify and explain the use of the material.
  2. The employee receiving the initial complaint will advise the building principal of the initial contact no later than the end of the school day following the discussion with the individual, whether or not the individual has been satisfied by the initial contact. A written record of the contact is maintained by the principal in charge of the attendance center. Each building principal shall inform employees of their obligation to report complaints.
  3. In the event the individual making an objection to instructional materials is not satisfied with the initial explanation, the individual is referred to the principal or to the teacher-librarian of the attendance center. If, after consultation with the principal or teacher-librarian, the individual desires to file a formal complaint, the principal or teacher-librarian will assist in filling out a Reconsideration Request Form in full and filing it with the superintendent.
- B. Request for Reconsideration
1. A member of the school district community may formally challenge instructional materials on the basis of appropriateness used in the school district's education program. This procedure is for the purpose of considering the opinions of those persons in the school district and the community who are not directly involved in the selection process.
  2. Each attendance center and the school district's central administrative office will keep on hand and make available Reconsideration Request Forms. Formal objections to instructional materials must be made on this form.
  3. The individual will state the specific reason the instructional material is being challenged. The Reconsideration Request Form is signed by the individual and filed with the superintendent.
  4. The superintendent will promptly file the objection with the reconsideration committee for re-evaluation.

## RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

5. Generally, access to challenged instructional material will not be restricted during the reconsideration process. However, in unusual circumstances, the instructional material may be removed temporarily by following the provisions of Section B.6.d. of this rule.
6. The Reconsideration Committee
  - a. The reconsideration committee is made up of six members.
    - (1) One licensed employee designated annually, as needed, by the superintendent.
    - (2) One teacher-librarian designated annually by the superintendent.
    - (3) One member of the administrative team designated annually by the superintendent.
    - (4) Three members of the community appointed annually, as needed, by the board.
  - b. The committee will select their chairperson and secretary.
  - c. The committee will meet at the request of the superintendent.
  - d. Special meetings may be called by the board to consider temporary removal of materials in unusual circumstances. A recommendation for temporary removal will require a two-thirds vote of the committee.
  - e. Notice of committee meetings is made public through appropriate publications and other communications methods.
  - f. The committee will receive the completed Reconsideration Request Form from the superintendent.
  - g. The committee will determine its agenda for the first meeting which may include the following:
    - (1) Distribution of copies of the completed Reconsideration Request Form.
    - (2) An opportunity for the individual or a group spokesperson to talk about or expand on the Reconsideration Request Form.
    - (3) Distribution of reputable, professionally prepared reviews of the challenged instructional material if available.
    - (4) Distribution of copies of the challenged instructional material as available.
  - h. The committee may review the selection process for the challenged instructional material and may, to its satisfaction, determine that the challenge is without merit and dismiss the challenge. The committee will notify the individual and the superintendent of its action.
  - i. At a subsequent meeting, if held, interested persons, including the individual filing the challenge, may have the opportunity to share their views. The committee may request that individuals with special knowledge be present to give information to the committee.

## RECONSIDERATION OF INSTRUCTIONAL MATERIALS REGULATION

- j. The individual filing the challenge is kept informed by the reconsideration committee secretary on the status of the Reconsideration Request Form throughout the reconsideration process. The individual filing the challenge and known interested parties is given appropriate notice of meetings.
- k. At the second or a subsequent meeting the committee will make its final recommendation. The committee's final recommendation may be to take no removal action, to remove the challenged material from the school environment, or to limit the educational use of the challenged material. The sole criterion for the final recommendation is the appropriateness of the material for its intended educational use. The written final recommendation and its justification are forwarded to the board, the individual and the appropriate attendance centers. The superintendent may also make a recommendation but if so, it should be independent from the committee's.

Following the superintendent's decision with respect to the committee's recommendation, the individual or the chairperson of the reconsideration committee may appeal the decision to the board for review. Such appeal must be presented to the superintendent in writing within five days following the announcement of the superintendent's decision. The board will promptly determine whether to hear the appeal.

- l. A recommendation to sustain a challenge will not be interpreted as a judgment of irresponsibility on the part of the individuals involved in the original selection or use of the material.
- m. Requests to reconsider materials which have previously been reconsidered by the committee must receive approval of two-thirds of the committee members before the materials will again be reconsidered.
- n. If necessary or appropriate in the judgment of the committee, the committee may appoint a subcommittee of members or nonmembers to consolidate challenges and to make recommendations to the full committee. The composition of this subcommittee will approximate the representation of the full committee.
- o. Committee members directly associated with the selection, use, or challenger of the challenged material are excused from the committee during the deliberation of the challenged instructional materials. The superintendent may appoint a temporary replacement for the excused committee member, but the replacement must be of the same general qualifications as the member excused.
- p. Persons dissatisfied with the decision of the board may appeal to the Iowa Board of Education pursuant to state law.

RECONSIDERATION OF INSTRUCTIONAL AND LIBRARY MATERIALS

REQUEST FORM

Request for re-evaluation of printed or multimedia material to be submitted to the superintendent.

REVIEW INITIATED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State \_\_\_\_\_ Zip Code \_\_\_\_\_ Telephone \_\_\_\_\_

School(s) in which item is used \_\_\_\_\_

Relationship to school (parent, student, citizen, etc.) \_\_\_\_\_

BOOK OR OTHER PRINTED MATERIAL IF APPLICABLE:

Author \_\_\_\_\_ Hardcover \_\_\_\_\_ Paperback \_\_\_\_\_ Other \_\_\_\_\_

Title \_\_\_\_\_

Publisher (if known) \_\_\_\_\_

Date of Publication \_\_\_\_\_

MULTIMEDIA MATERIAL IF APPLICABLE:

Title \_\_\_\_\_

Producer (if known) \_\_\_\_\_

Type of material (filmstrip, online resource, motion picture, etc.) \_\_\_\_\_

PERSON MAKING THE REQUEST REPRESENTS: *(circle one)*

Self \_\_\_\_\_ Group or Organization \_\_\_\_\_

Name of group \_\_\_\_\_

Address of Group \_\_\_\_\_

RECONSIDERATION OF INSTRUCTIONAL AND LIBRARY MATERIALS REQUEST FORM

1. What brought this item to your attention?

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2. To what in the item do you object? (please be specific; cite pages, or frames, etc.)

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3. In your opinion, what harmful effects upon students might result from use of this item?

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4. Do you perceive any instructional value in the use of this item?

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5. Did you review the entire item? If not, what sections did you review?

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6. Should the opinion of any additional experts in the field be considered?

\_\_\_\_\_ yes                      \_\_\_\_\_ no

If yes, please list specific suggestions: \_\_\_\_\_

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7. To replace this item, do you recommend other material which you consider to be of equal or superior quality for the purpose intended?

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RECONSIDERATION OF INSTRUCTIONAL AND LIBRARY MATERIALS REQUEST FORM

8. Do you wish to make an oral presentation to the Review Committee?

\_\_\_\_\_ Yes (a) Please contact the Superintendent

(b) Please be prepared at this time to indicate the approximate length of time your presentation will require. Although this is no guarantee that you'll be allowed to present to the committee, or that you will get your requested amount of time.

\_\_\_\_\_ Minutes.

\_\_\_\_\_ No

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Signature



REQUEST TO PROHIBIT A STUDENT FROM ACCESSING SPECIFIC INSTRUCTIONAL MATERIALS

Request to prohibit a student from checking out certain instructional materials to be submitted to the superintendent. Please complete one form per student.

REQUEST INITIATED BY \_\_\_\_\_ DATE \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City/State \_\_\_\_\_ Zip Code \_\_\_\_\_ Telephone \_\_\_\_\_

Name of affected student \_\_\_\_\_

Requester's Relationship to Student (must be parent/legal guardian) \_\_\_\_\_

BOOK OR OTHER PRINTED MATERIAL TO PROHIBIT STUDENT FROM ACCESSING:

Author \_\_\_\_\_ Hardcover \_\_\_\_\_ Paperback \_\_\_\_\_ Other \_\_\_\_\_

Title \_\_\_\_\_

Publisher (if known) \_\_\_\_\_

Date of Publication \_\_\_\_\_

MULTIMEDIA MATERIAL TO PROHIBIT STUDENT FROM ACCESSING:

Title \_\_\_\_\_

Producer (if known) \_\_\_\_\_

Type of material (filmstrip, motion picture, etc.) \_\_\_\_\_

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Signature

SAMPLE LETTER TO INDIVIDUAL CHALLENGING INSTRUCTIONAL OR LIBRARY  
MATERIALS

Dear:

We recognize your concern about the use of \_\_\_\_\_ in our school district. The school district has developed procedures for selection of instructional materials but realizes that not everyone will agree with every selection made.

To help you understand the selection process, we are sending copies of the school district's:

1. Instructional goals and objectives,
2. Instructional and Library Materials Selection policy statement, and
3. Procedure for reconsideration of instructional and library materials.

If you are still concerned after you review this material, please complete the Reconsideration Request Form and return it to me. You may be assured of prompt attention to your request. If I have not heard from you within one week, we will assume you no longer wish to file a formal complaint.

Sincerely,