

**COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS**

**Intent**

The Governing Board takes great care in the adoption of instructional materials and includes parent and community representation on the District Instructional Materials Review Committee. However, the Board is aware that all adopted materials and other supplementary materials selected by teachers may not be acceptable to all students, their parent/guardians, or other District residents. This policy specifically addresses complaints concerning instructional materials.

**Definitions**

1. Instructional Material

Instructional material means all material designed or selected for use by students and their teachers as a learning resource which will help students acquire facts, skills, or opinions or to develop cognitive processes. Instructional materials may be printed or non-printed and may include textbooks, supplementary textbooks, library books, multimedia, computer software, and other instructional material and equipment.

2. Basic Instructional Material

Basic instructional material means instructional materials designed or selected for use by students as a principal learning resource and which meet the goals of the adopted curriculum and related State Frameworks.

3. Supplementary Instructional Material

Supplementary instructional materials mean instructional materials designed or selected to serve, but not limited to, one or more of the following purposes, for a given subject at a given grade level:

- a. To provide more complete coverage of a subject or subjects included in a given course.
- b. To provide for meeting the various learning ability levels of students in a given age group or grade level.
- c. To provide for meeting the diverse educational needs of students who are acquiring English as a second language.
4. To provide for meeting the educational needs of culturally-diverse students.

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### Procedure

1. Informal Level
  - a. Initial complaints or objections concerning instructional materials shall be directed to the principal of the school where such materials are in use.
  - b. The principal shall notify the teacher(s) using the materials of the nature, extent, and source of the complaint and the teacher(s) shall have the opportunity to meet with the complainant and principal, or principal's designee, and participate in an attempt to resolve the complaint at the informal level.
2. Written Statement of Complaint
  - a. If the complaint is unresolved at the informal level, the complainant will be notified in writing by the principal of his/her right to file a written complaint.
  - b. Written complaints will be made by completion of the "Citizen's Request For Reconsideration of Instructional Materials" form and will be filed at the school site where the materials are in use. Copies of the complaint will be distributed to the Superintendent, principal, teacher(s), and complainant.
  - c. The school principal shall attempt to resolve the issue(s) described in the written complaint and shall notify the Superintendent of the status of the complaint.
  - d. Individual students may be excused from using challenged materials after the parent/guardian has presented a written complaint. The teacher will then assign the student alternate materials.
  - e. Use of the challenged materials by a class, school, or the District shall not be restricted unless so directed by the Superintendent, or Superintendent's designee, as described in III, C, (3) of this policy.
3. Reviewing Committee
  - a. If the complaint is unresolved, the Superintendent will appoint a Reviewing Committee to consider the complaint and review the instructional materials involved.

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- b. The Reviewing Committee shall consist of at least five members, including a District office administrator, the District librarian, and a school site administrator, teacher, and parent from the same level (elementary, middle, or secondary) where the material(s) are in use, but not from the school where the complaint was filed. The Coordinator, Special Projects and Grants, shall serve as the Reviewing Committee chairperson.
  - c. During the time the written complaint is being considered, the Superintendent may allow the materials to continue to be used or may suspend the use of the materials until the complaint is resolved.
  - d. The Reviewing Committee shall, as appropriate, consider: the educational philosophy of the District; the professional opinions of mainstream teachers of the subject and to other competent authorities; review of the materials by reputable bodies; the teacher's stated instructional objectives in using the materials. the objections of the complainant; and, if necessary, hear personal testimony of the complainant, teacher using the materials, or other interested parties.
  - e. The Reviewing Committee shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the students in the classroom.
4. Resolution of the Complaint
- a. The Reviewing Committee shall submit to the Superintendent a written summary of its findings, including recommendations for resolution of the complaint.
  - b. Upon receipt of the Reviewing Committee's report and recommendations, the Superintendent shall render a decision in the matter and the Superintendent, or Superintendent's designee, shall send written notification of the decision to the complainant, Reviewing Committee, and school where the materials are in use.
5. Appeal of Resolution
- a. The Board believes the Superintendent and staff are well qualified to consider complaints concerning instructional materials and generally accept the Superintendent's decision in these matters. However, if there is a dispute concerning the Superintendent's judgement, the complainant may appeal the matter to the Board of Trustees at a regularly scheduled Board meeting, in accordance with Brown Act provisions.

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- b. In the case of an appeal, the Superintendent, or Superintendent's designee, will notify the complainant and Reviewing Committee of the date when the appeal will be considered by the Board of Trustees. The decision of the Board of Trustees will be the final resolution of the complaint.

*(cf. 4324 - Uniform Complaint Procedures)*

*(cf. 6136 - Controversial Issues)*

*(cf. 6160 - Instructional Materials Adoption: Selection and Evaluation)*

*Legal Reference:*

EDUCATION CODE

*18111 Exclusion of books by governing board*

*35010 Control of District; prescription and enforcement of rules*

*60003 Power of governing board to select instructional materials*

*60040-60047 Content requirements for instructional materials*

*60200-60206 Elementary school materials - selection and adoption*

*60260 Legislative intent for ordering instructional materials*

*60262 Involvement of teachers, parents and community in instructional material selection*

*60400-60404 Secondary school textbooks - selection and adoption*

*Management Resources:*

CDE PROGRAM ADVISORIES

*10021.09 Selection of instructional materials, cil 90/91-02 (1/85, 6/85, 5/86, 9/88) 12/90 C. 1993 California School Boards Assoc.*