

PUBLIC COMPLAINTS ABOUT LEARNING RESOURCES – REGULATION

Policy Number: Superintendent File: KEC-R

Resolving complaints about the selection and use of learning resources requires recognition of responsibilities and considerations of the rights of the individual, the student, the community, the building administrator, the teacher, the media specialist, the school, and the Board of Education.

In reviewing complaints, some questions which should be asked to determine whether the complaint identified inconsistencies with the School District's initial selection objectives for the collection as a whole include:

1. Are the learning resources appropriate for instructional use such that they enrich and support attainment of the educational objectives of curriculum, taking into consideration the varied interests, abilities, intellectual development, and maturity levels of the learner?
2. Do the learning resources stimulate growth in 21st Century Skills and promote understanding of self, world or career?
3. Do the learning resources provide a background of information which will enable learners to think critically, collaborate, create or communicate?
4. Do the learning resources contribute to equitable presentation of controversial issues within the overall collection so that learners may practice critical analysis of all media?
5. Are the learning resources representative of the many diverse values, cultures and backgrounds?
6. Do the learning resources promote a comprehensive collection, appropriate for the interests and needs of the users?
7. Do the learning resources encourage enjoyment of reading, viewing, and listening and communication which is appropriate for all levels?
8. Do the learning resources present timely educational and community issues for the school staff and community?
9. Do the learning resources contribute to three or more of the above selection objectives considering the collection in its entirety?

Procedures for Review

Complaints should be resolved at the building level whenever possible. Concerns are often the result of misunderstandings or misinformation and can be resolved through inquiry and discussions with building administrators and/or teachers or library media specialists.

When a complaint is received, the building administrator will check decisions on questioned and challenged learning resources on file at the District Library Media Center (DLMC) to determine whether

the learning resources have been questioned before. If a decision is on file and the challenge is substantially the same, the building administrator shall share that decision with the complainant. If any significant difference is found in the new challenge, or if the learning resource has not been challenged before, the following procedure shall apply:

1. Discussion with Building Administrator

a. The building administrator will hold a conference with the complainant. If the complainant is dissatisfied with results of this initial conference, the building administrator will schedule a building level conference including the complainant, building administrator, teacher, or media specialist/librarian and the library media director or other subject specialist who can identify and explain the use of the resource.

b. If the complainant is dissatisfied with results of the conference or if the proposed action, affects availability of the learning resource to other students, the building administrator will inform the complainant of this regulation and provide the complainant with the form, "Citizen's Request for Reconsideration of Learning Resources."

c. Subject to provisions in this paragraph, upon receipt of the appropriate completed form, the building administrator will forward the form, with a written report of the conference held with the complainant, to the library administrator at the DLMC, media specialist/librarian involved and the citizen. If the complainant, building administrator, teacher, or media specialist/librarian and district library administrator agree on the proposed action which affects the availability of learning resources to other students, the complaint form and building administrator's report of the proposed action shall be forwarded directly to the superintendent or designee. The superintendent or designee may approve the action and then issue his/her decision to the Board, in accordance with paragraph 3, or disapprove, in which case the building administrator's report will be referred to the director of elementary education or director of secondary education to begin the review process as provided below. Any Board member may request that the superintendent's decision, approving the action, be deferred or be effective only until the complaint has proceeded through the complete review process as provided below.

d. If the complaint form requests a remedy that affects availability of the learning resources to other students, the form will be available for public inspection.

2. Review and Recommendation by the Challenged Resources Committee

a. The Assistant Superintendent of Elementary Education, Assistant Superintendent of Secondary Education or their designee will promptly review the form and the report to determine completeness and specificity of the complaint, and schedule a meeting of the Challenged Resources Committee ("Committee").

b. The Committee shall be comprised of three officers of the School District's Accountability Committee (DAC), chairman of the School Advisory Council at the school where the complaint arose, one DAC member, one building administrator, one media specialist, one certified teacher, and one senior high school student. The building administrator, media specialist, and teacher will be selected by the Assistant Superintendent of Elementary Education, Assistant Superintendent of Secondary Education or designee on an ad hoc basis, from schools other than the one involved, giving consideration to geographic diversity, and positions appropriate to the educational level of

the student(s) affected. The student representative shall be an officer of the National Honor Society from the high school within the attendance area of the school where the complaint arose.

c. Oral and/or written testimony for consideration by the Committee will be limited to the complainant or designee, the teacher or media specialist/librarian involved, the building administrator and the appropriate District curriculum administrator. At the request of the Committee or any of these individuals, testimony before the Committee may be given or received in confidence.

d. The Committee will provide a written report and recommendation to the superintendent or designee, after review and consideration of the following: i) written complaint; ii) building administrator's report; iii) available professional reviews; iv) applicable curriculum guides; v) objectives, criteria, and procedure for initial selection of learning resources; vi) testimony received; and vii) merits of the questioned materials or activity taken as a whole.

e. The Committee's review, evaluation, and recommendations shall be limited to the specific matters stated in the Citizen's Request for Reconsideration of Learning Resources.

3. Decision of the Superintendent

The superintendent will review the Committee's report and recommendations and will issue an administrative decision to the Board of Education at least one week prior to the next regular meeting. The superintendent will also inform the complainant, the Committee, and staff members involved of that decision.

4. Alternative Courses of Action

Following consideration of the complaint, the following courses of action are available: no change in status; provide alternative assignment; use with professional guidance; use with parental permission; place at a different grade level or transfer the materials to the District media center; place other limitations upon the use of the materials or the activity; withdraw from use of all students of the school; withdraw from all schools of the District.

5. Appeal to/Review by the Board

The complainant, any other citizen within the School District, or any staff member has the right to appear before the Board of Education at the next regularly scheduled meeting following issuance of the superintendent's decision to appeal or to speak to the superintendent's decision. Any Board member may also request that the decision be reviewed in the absence of any appeal. The Board will consider any appeal or, in the absence of an appeal, close the appeal process at such meeting.

6. Status During Review/Appeal

In the absence of extraordinary circumstances, no action affecting availability to other students of previously approved learning resources shall be taken until such time as the review/appeal process has been completed.

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