

LODI UNIFIED SCHOOL DISTRICT

Rule 6144.1

Instruction

Challenged Material

The principal and/or library media specialist receiving a complaint regarding learning resources shall try to resolve the issue informally.

1. The principal and/or certificated library media specialist shall explain to the complainant the school's selection procedure, criteria, and qualifications of those persons selecting the resource.
2. The principal and/or certificated library media specialist shall explain the particular place the questioned resource occupies in the education program, its intended education usefulness, and additional information regarding its use.
3. If the complainant wishes to file a formal challenge, a copy of the district Selection of Learning Resources policy and a Citizen's Request for Reconsideration of Instructional Materials form (Exhibit 6144.1) shall be handed or mailed to the party concerned by the principal.

Request for Formal Reconsideration

Preliminary Procedures

1. The principal or library media specialist at each site will keep on hand and make available Citizen's Request for Reconsideration of Instructional Materials forms. All formal objections to learning resources must be made on these forms.
2. The Request for Reconsideration of Instructional Materials form shall be signed by the complainant and filed with either the principal or library media specialist, who will forward it to the principal.
3. The appropriate Assistant Superintendent and the Coordinator of Media Services shall be informed of the formal complaint received.
4. Requests for reconsideration of instructional materials shall be referred to a district reconsideration committee for re-evaluation of the resource.

Reconsideration Committee

1. Upon receipt of a request for formal reconsideration of a learning resource, the Superintendent or his designee shall:
 - a. Appoint a Reconsideration Committee including the following membership as appropriate:
 - (1) one representative administrator appointed by the Associate Superintendent;
 - (2) one member of the school teaching staff chosen by the school staff;
 - (3) one member of the curriculum staff;
 - (4) one certificated library media specialist;
 - (5) one member of the school advisory committee chosen by the school advisory committee or parent group; and
 - (6) at the secondary level one student selected by the student council.
 - b. Name a convener of the Reconsideration Committee.
 - c. Arrange for a Reconsideration Committee meeting within 30 working days after the complaint is received.
2. The Reconsideration Committee may choose to consult district support staff and/or interested individuals who examined the entire challenged resource.
3. The Reconsideration Committee shall review the challenged resource and judge whether it conforms to the principles of selection outlined in the Policy 6161.1, Selection of Learning Resources.

Resolution

1. The Reconsideration Committee shall:
 - a. examine the entire challenged resource;
 - b. determine professional acceptance by reading critical reviews of the resource;
 - c. weigh values and faults and form opinions based on the material as a whole rather than on passages or sections taken out of context;
 - d. discuss the challenged resource in the context of the educational program;
 - e. discuss the challenged item with the individual complainant and other interested individuals when appropriate;
 - f. prepare a written report;
 - g. immediately submit committee report to the Associate Superintendent, inform site principal and library media staff and notify complainant and other interested individuals of committee recommendations.

2. The written report shall be retained by the school principal, with copies forwarded to the Associate Superintendent. A minority report from dissenting committee member(s) may also be filed.
3. Written reports, once filed, are confidential and available for examination by board members and appropriate officials only.
4. The decision of the Reconsideration Committee is binding for schools at that level.
5. Notwithstanding any procedure outlined in this policy, the complainant shall have the right to appeal any decision of the Reconsideration Committee to the Board of Education as the final review panel.

Guiding Principles

1. Any resident or employee of the school district may raise objection to learning resources used in a school's educational program despite the fact that the individuals selecting such resources were duly qualified to make the decision, followed the proper procedure, and observed the criteria for selecting learning resources.
2. The principal should review the selection and challenge procedures with the teaching staff annually. The staff should be reminded that the right to object to learning resources is one granted by policies adopted by the Board of Education.
3. No parent has the right to determine reading, viewing, or listening matter for students other than his/her own children.
4. When learning resources are challenged, the principles of freedom to read, listen, and view must be defended.
5. Under most circumstances, access to challenged material shall not be restricted during the reconsideration process.
6. The major criterion for the final decision is the appropriateness of the material for its intended educational use.
7. A decision to sustain a challenge shall not necessarily be interpreted as a judgment of irresponsibility on the part of the professionals involved in the original selection and/or use of the material.

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Page 4

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