

## Procedures for Public Concerns/Complaints about Instructional Materials – Regulation

### Purpose

To establish the procedures for reviewing challenges of library materials selected according to the current SVVSD curation criteria.

### Overview

#### Standing and Right to Challenge

The district provides opportunities for the parents or legal guardians of children enrolled in the district who are currently subject to and directly impacted by the required use or availability of a specific material in the school library to initiate challenges to the use or availability of specific material consistent with this board regulation. (collectively, “complainants”). District students or staff members currently subject to and directly impacted by the use or availability of specific materials may also initiate such challenges.

District students, parents/legal guardians, teachers or administrators may file one formal reconsideration request at a time with a school in which they attend, have a student enrolled, or where they work. A parent/legal guardian may restrict their student’s access to specific library materials by providing them with related instructions. As a courtesy, parents/legal guardians may request that a note be added to Destiny, the district’s library system, restricting their student’s access to sensitive titles. District staff, however, are not responsible for enforcing parental or guardian guidance to individual students. Students and district employees may file one formal reconsideration request at a time with a school in which they are enrolled or where they work.

### Definitions

*Challenge:* A request by an individual to restrict the use of, withdraw from use, or expand the use of any library materials, as defined herein.

*Complainant:* An individual district student, parent/legal guardian of a district student, or district teacher or administrator making a challenge to library materials, as defined herein.

*District librarian:* A district-level librarian with a teacher librarian endorsement.

*District Reconsideration Committee:* A committee formed at the request of the Assistant Superintendent of Curriculum and Instruction or their designee to address challenges to library materials that are in more than one school. The District Reconsideration Committee members shall consist of a building-level administrator, the district librarian, a teacher, a reading specialist or language arts teacher or school certified librarian, and a member of the district community, as appointed by the Assistant Superintendent of Curriculum and Instruction or their designee.

Library materials are any books, periodicals, or digital items purchased centrally or accepted as gifts by a school’s library.

*School librarian:* A building-level school librarian with a teacher librarian endorsement.

*School library professional:* A building-level school librarian without a teacher librarian endorsement, including Certified Teachers, Media Techs, and Media Clerks.

*School business day* is when a school's office is open for regular school business.

*District business day* is when a district's office is open for regular school business.

### **Procedures Applicable to All Challenges**

- Complainants interested in challenging materials shall be apprised of the procedures and receive a copy.
- The library material in question shall remain on library shelves and in circulation until a decision is made by the school or District Reconsideration Committee, the Superintendent or designee, or the Board of Education under the Formal Reconsideration Request procedures outlined below.
- Concerns regarding library materials begin with an informal conference at the local school. If the complainant is the school principal, the principal may file a Formal Reconsideration Request in lieu of the informal conference.
- Complainants may request removal, restriction, or expanded access to library materials.
- Challenges are limited to one book or other material per challenge.
- No complainant may file a new challenge until all of that individual's previously filed challenges have been decided.
- No complainant may challenge materials on which the School Board has previously ruled or declined to rule until five or more years after the School Board's decision.
- Failure of the complainant to comply with the requirements of this procedure at any step (including the requirement that the complainant will have read the library material in its entirety) will result in dismissal of the challenge.
- A complainant who believes their challenge was improperly dismissed for procedural reasons may appeal to the Superintendent or designee of the principal or committee's decision. Based on the written record, the Superintendent or designee will decide whether or not the challenge should proceed.

## **PROCEDURES**

### **Informal Conference**

1. Before filing a Formal Reconsideration Request, a complainant must meet with the local principal and the school-certified librarian (if applicable, based on the staffing at that school) to identify the specific library material at issue and discuss the

nature of the concern.

2. A complainant should contact the principal to schedule the informal conference.
3. Upon receipt of a complaint, the principal should schedule the informal conference within ten school business days. The meeting should occur at the school that owns the library material. The purpose of this meeting is for school personnel to gather information to inform a future decision regarding the material, and **no decisions** will be made at the meeting.
4. If the principal cannot schedule the informal conference within this period, the complainant is relieved of the responsibility to meet before filing a Reconsideration Request.
5. The principal shall maintain a written record of the informal conference and any subsequent meetings with the complainant relating to the identified library material and share this information with the district librarian.

#### Filing a Formal Reconsideration Request

1. If the complainant's concern about the library material cannot be resolved in the informal conference, the principal shall provide the complainant with an explanation of the reconsideration process, a copy of this SVVSD Reconsideration Procedure, and the form titled SVVSD Reconsideration Request.
2. The complainant is required to complete and submit the reconsideration form to the principal.
3. The matter is closed if a completed reconsideration form is not submitted.
4. If the book is only in one school at a level, it will be a school-based committee at that school. If the book is at more than one school at the level questioned, it will be a district-based committee- see district details below in step 7.
5. Upon receipt of the completed reconsideration form, the principal shall schedule a formal reconsideration meeting. The initial meeting date of the School Reconsideration Committee and any subsequent committee meeting dates shall take into consideration staff resources. The principal shall notify the following individuals of the initial meeting date of the School Reconsideration Committee:
  - a. Assistant Superintendent of Curriculum and Instruction
  - b. District Librarian
  - c. School Reconsideration Committee
  - d. School librarian or school library professional
6. The School Reconsideration Committee (when the book is only in one school at that level) shall be appointed by the principal and consist of a building-level administrator, the school librarian or the district librarian, a teacher, a reading specialist or language arts teacher, and a member of the district community. The

committee's makeup varies depending on the school, but the number should be odd.

7. The District Reconsideration Committee (when the book is at more than one school at that level) shall be appointed by the Assistant Superintendent of Curriculum and Instruction or their designee and consist of a building-level administrator, the district librarian, a teacher, a reading specialist or language arts teacher or school certified librarian, and a member of the district community.
8. The district librarian will obtain digital or print copies of the material to review by the School or District Reconsideration Committee.
9. The district librarian will provide each School or District Reconsideration Committee member with a packet of information that includes:
  - a. SVVSD library materials curation criteria
  - b. SVVSD Library Materials Reconsideration procedure
  - c. The Library Bill of Rights
  - d. Completed SVVSD Reconsideration Request of Library Material form
  - e. Reviews of the resource being reconsidered
  - f. A list of awards or honors, if any, that the material has received
10. The School or District Reconsideration Committee shall follow these procedures:
  - a. The building-level administrator or Assistant Superintendent of Curriculum and Instruction will chair the committee
  - b. At the initial meeting, committee members will review the information packet, including the School Reconsideration Committee procedures.
  - c. The Assistant Superintendent of Curriculum and Instruction shall keep minutes.
  - d. Before voting, all committee members shall fully review the resource (read the entire work) and the information packet. The committee can use outside expertise if necessary to help in its decision-making process.
  - e. The complainant may choose to, but is not required to, make an initial verbal presentation about the resource under reconsideration. The complainant is asked to provide sources for quotes used during this presentation. The committee chair may choose to give committee members time to ask questions.
  - f. The complainant may not participate in or observe the committee's deliberations.
  - g. During the initial or subsequent meetings, the committee will decide, determined by the simple majority, to retain the resource, move the

resource to a different level, or remove the resource. This will be a secret ballot vote.

- h. The committee's written decision, which should reflect the committee's rationale and can include dissenting perspectives, shall be presented to the following individuals within ten school business days after the decision is made:
  - i. Complainant
  - ii. Assistant Superintendent of Curriculum and Instruction
  - iii. District librarian
  - iv. School librarian or school library professional
- i. A decision to sustain a challenge shall not be interpreted as a judgment of irresponsibility on the part of the professionals involved in the original selection or use of the material.
- j. Decisions on reconsidered materials will stand for five years before new requests for reconsideration of those items will be accepted.
- k. The committee will complete this process in accordance with the District Calendar and the availability of committee members.

#### Appeal to the Superintendent or Designee

1. If the complainant wishes to appeal the decision of the School Reconsideration Committee, he or she must file a written request for appeal with the district librarian.
2. A panel selected and chaired by the Superintendent's designee shall review the appeal and make a recommendation to the Superintendent.
3. The Superintendent or designee shall review the panel's recommendations and render a decision.
4. Decisions on reconsidered materials will stand for five years before new requests for reconsideration of those items will be accepted.
5. Any appeal of the Superintendent's or designee's decision shall be submitted to the Board of Education.

#### Appeal to the Board of Education

1. If the complainant wishes to appeal to the Board of Education (Board), he or she shall file a written request for appeal with the Board following the complainant's receipt of the Superintendent's decision.
2. If the same library material is challenged at a future date, a copy of any final written recommendation, decision, and any Board action in the previous challenge shall be sent to the complainant with an explanation that a previous challenge has resolved the issues raised.

3. Counsel may represent any party at any step of the reconsideration process.
4. This procedure is in addition to all other policies/procedures of the District.
5. No complainant may challenge materials on which the Board has previously ruled or declined to rule until five or more years after the Board's decision.

Adopted: May 8, 2024