

RECONSIDERATION OF INSTRUCTIONAL MATERIALS

A. A resident of the Maquoketa Valley school district may raise an objection to instructional materials used in the school district's educational 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 materials.

1. The school official or employee receiving a complaint regarding instructional materials shall try to resolve the issue informally. The materials shall remain in use pending the outcome of the reconsideration procedure.

a. The school official or employee initially receiving a complaint, shall explain to the individual the district'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 shall explain to the individual the particular place the objected material occupies in the educational program, its intended educational usefulness, and additional information regarding its use. As an alternative, the employee may refer the individual to the Director of School Improvement who can identify and explain the use of the material.

2. The employee receiving the initial complaint shall advise the 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 shall be maintained by the principal in charge of the attendance center.

3. In the event the individual making an objection to instructional materials is not satisfied with the initial explanation, the individual shall be referred to the principal for the attendance center or to the Director of School Improvement. If, after consultation with the principal or Director of School Improvement, the individual desires to file a formal complaint, the principal or Director of School Improvement will assist in filling out a Reconsideration Request Form in full and filing it with the superintendent.

B. Request for Reconsideration:

1. A resident of the Maquoketa Valley school district may formally challenge instructional materials on the basis of appropriateness used in the school district's educational 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 administration 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 shall state the specific reason the instructional material is being challenged. The Reconsideration Request Form shall be signed by the individual and filed with the superintendent.

4. The superintendent shall promptly file the objection and material in question with the Reconsideration Committee for re-evaluation.

5. Generally, access to challenged instructional material shall 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 shall be made up of nine members.

(1) Two licensed employees designated by the superintendent.

(2) The Director of School Improvement.

(3) One member of the administrative team designated by the superintendent.

(4) Three members of the community designated by the board of directors.

(5) Two high school students selected by the high school principal.

b. The committee shall select their chairperson and secretary.

c. The committee shall meet at the request of the superintendent.

d. Special meetings may be called by the superintendent to consider temporary removal of materials in unusual circumstances. Temporary removal shall require a two-thirds vote of the committee.

e. Notice of committee meetings shall be made public through appropriate publications and other communication methods.

f. The committee shall receive the completed Reconsideration Request Form from the superintendent.

g. The committee shall 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, 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.

j. The individual filing the challenge shall be 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 shall be given appropriate notice of such meeting.

k. At the second or a subsequent meeting the committee shall make its decision. The committee's final recommendation will 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 criteria for the final decision is the appropriateness of the material for its intended educational use. The written recommendation and its justification shall be forwarded to the superintendent for appropriate action, the individual and the appropriate attendance centers.

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 of Directors 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 of Directors will promptly determine whether to hear the appeal.

l. A recommendation 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.

m. Requests to reconsider materials which have previously been reconsidered by the committee must be submitted to the Board of Directors. The Board will determine whether or not to convene another Reconsideration Committee.

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 shall approximate the representation of the full committee.

- o. Committee members directly associated with the selection, use, or challenger of the challenged material shall be 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 shall be of the same general qualifications of the member excused.
- p. Persons dissatisfied with the decision of the Board may appeal to the State Board of Education pursuant to state law.

LEGAL REFERENCE:

DATE OF ADOPTION: December 9, 1981

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MAQUOKETA VALLEY COMMUNITY SCHOOL DISTRICT
DELHI, IOWA 52223