

Policy for Reevaluation of Instructional Materials

Sweetwater County School District Number Two defines instructional materials as all materials used within classrooms and all materials circulated from the school library/media center whether they be books, pamphlets, periodicals, study prints, pictures, projectable materials, maps, or electronically accessed (including the Internet), recorded or reproducible materials.

Occasional objections to instructional materials may be made by individuals despite the care taken to select valuable materials for student and teacher use, and the qualifications of persons who select the materials.

To insure that a complainant is given respectful attention and that the integrity of the educational program, the principle of students' right to read, and the professional responsibility of the staff be upheld, the following procedures will prevail:

A. Complaint Procedures

1. The complainant will first contact the professional staff member responsible for selection of the educational resource in questions. Complainants contacting the building principal will be directed to the appropriate professional. The staff member will conference with the complainant and explain the background and educational purposes involved in educational material selection. The staff member will also explain the policy for Reevaluation of Instructional Materials, and discuss the form to be completed if the complainant desires to pursue the matter. A written record of the conference will be submitted to the building principal, including the names of the persons present, date, complaint and outcome of the conference.
2. If the complainant desires to continue the reevaluation process, he/she must fully complete the form for Request for Reevaluation of Instructional Materials, which can be obtained from the building principal and must be returned to the building principal.
3. The complainant then will meet with the professional staff member responsible for selection, and the building principal to review the complaint. All parties will have read (listened to, viewed) the material in its entirety prior to the conference. The principal will keep on file a written report of the group meeting, including date, names, and outcomes.
4. If the complaint is not withdrawn by the complainant, the building principal will forward the completed Request for Reevaluation of Instructional Materials form to the District Curriculum Coordinator. This individual will schedule a conference consisting of the complainant and

the members of the District Reevaluation Committee. In order for a Request for Reevaluation of Instructional Materials to be heard by the Reevaluation Committee, the complainant, the members of the committee, and all persons who testify must have read, viewed and/or listened to the material in its entirety.

B. Disposition of Instructional Material in Questions

1. The instructional material in question will remain available for general use until a decision is made by the District Reevaluation Committee.

C. Reevaluation Committee membership will include:

1. One principal
2. One school library/media specialist
3. One teacher
4. Two Green River High School senior class members
5. Six community representatives/members
6. District Curriculum Coordinator
7. One professional librarian from the Sweetwater County Library system.

D. Selection of Committee Members

1. The District Curriculum Coordinator will serve as chairperson of the committee, making sure all positions on the committee are filled.
2. The Administrative Cabinet is responsible for selecting one Principal to serve each year.
3. The Library/Media Curriculum Committee is responsible for selecting one library/media specialist to serve each year.
4. On committees beginning service in even numbered years, an elementary administrator and a secondary library/media specialist will serve.
5. On committees beginning service in odd numbered years, a secondary administrator and an elementary library/media specialist will serve.

6. The teacher representative will be selected from the building faculties. The school responsible for selecting a representative will change each year on an alphabetical rotation by school name.
 - a. On committees beginning service in even numbered years, an elementary teacher will serve.
 - b. On committees beginning service in odd numbered years, a secondary teacher will serve.
7. The Student Council of Green River High School will elect two senior student representatives to be on the committee.
8. The six community members will be selected by each school from individual school attendance areas.
 - a. On committees beginning service in even numbered years, a community representative will be selected from Truman (1), McKinnon/Washington (1), Monroe (1), Lincoln (1), and Green River High Schools (1).
 - b. On committees beginning service in odd numbered years, a community representative will be selected from Harrison (1), Jackson/Granger (1), Thoman (1), Monroe (1), Lincoln (1), and Green River High School (1).
9. Employees and trustees of School District Number Two are ineligible to serve as citizen representatives on the committee.
10. Two persons residing in the same household may not serve on the Reevaluation Committee at the same time.
11. The District Reevaluation Committee The terms of service for members of the District Reevaluation Committee-will for one school year.
12. The incoming committee should be established no later than the first October Sweetwater County School District No. 2 Board meeting.

E. Term of service

1. No member except the chairperson may be reappointed or reelected to the committee until one year of service has elapsed since his/her last term of service.

F. Duties of the Chairperson of the Reevaluation Committee

1. Establish the committee
2. Inform committee members of their responsibilities and duties
3. Arrange for a meeting place
4. Contact members monthly to communicate whether a meeting will be held
5. Communicate to principals, library/media specialists and the media the proposed agenda and possible action
6. Circulate material being challenged for the committee members to review
7. Select an alternate from the same class or group when a member withdraws and when conflict of interest prevents a quorum
8. Cause minutes to be kept
9. Direct discussion without bias
10. Call witnesses
11. Call for the vote
12. Count ballots (with witnesses)
13. Notify the Superintendent, complainant, and principals of the results by written memo within ten (10) calendar days of the committee's decision
14. File results with the Superintendent of Schools
15. Advise the succeeding chairperson regarding the duties and functions of the chairperson.

G. Duties of Each Committee Member

1. Withdraw in cases of conflict of interest
2. Evaluate materials and testimony
3. Seek additional information regarding materials
4. Vote
5. Notify the chairperson if unable to attend.

H. Meetings of the District Reevaluation Committee

1. The committee will meet as needed to consider challenged materials. Meetings will not be held in June, July, August or September.
2. All meetings will be open to the public
3. Committee members absent for more than two meetings will be removed from the committee. A replacement will be selected by the individual or group who made the original selection.

I. Procedures for Public Meetings

1. Public Testimony

- a. Any person desiring to give testimony to the committee must register with the chairperson seven (7) calendar days prior to the committee meeting.
- b. A total of up to 30 minutes will be allotted representatives of each of the two opposing viewpoints.
- c. A recess will be called at the beginning of the meeting so representatives of opposing viewpoints can organize their speaking time.
- d. The person requesting reconsideration will present first, followed by others supporting that viewpoint, then those of the opposing viewpoint. There will be no second round of presentations
- e. Each person wishing to speak will be recognized by the chairperson.
- f. Each person who testifies to the committee will be required to give his/her name.
- g. There will be no cross-examination between persons testifying.
- h. Individuals who wish to submit written material for consideration by the committee may submit such material to the chairperson seven (7) calendar days prior to the time scheduled for the hearing. The material must be marked with the name and address of the person submitting the documents.

2. Questions

- a. Questions from committee members to persons giving testimony may be offered after the presentation of testimony.
- b. The Committee will address questions from those giving public testimony. The Committee may choose to respond to these questions immediately, or later in the committee's report.

3. Committee Deliberation

- a. Each committee member, in a predetermined order, will be given the opportunity to speak.
- b. A speaker may use not more than three minutes at one turn.
- c. No person can speak a second time until all who wish to speak have been heard.
- d. If a member speaks a second time, it must be to present information of new substance.

4. Voting

- 1. In an instance in which a member of the immediate family of a committee member is involved in the request for reconsideration, or when a member on the immediate family provides testimony related to the request for reconsideration, the individual committee member should request to remove himself/herself from voting.

The chairperson and/or members of the committee will be responsible for calling any known instances to the attention of the committee and requesting that the committee member declare himself or herself ineligible to vote. In the absence of self-declaration in case of possible conflict on interest, the chairperson of the Reevaluation Committee is to ask for pertinent comments from the member in question and to call for a vote by the total committee to declare whether the member is to be disqualified.

- 2. A majority vote of the members of the total committee members present is required to adopt a decision. A minimum of eleven (11) committee members must be present for a vote to be taken.

3. Committee members may make affirmative motions to:
 - a. Make no change.
 - b. Remove the material(s) from each building at the level (elementary, middle school, or high school) at which the initial challenge took place.
4. Voting will be done by uniform anonymous paper ballot, and will be completed no later than one week from the date of the last day of public testimony.
5. Ballots will be tallied by the chairperson and two other committee members selected by the chairperson.

K. Appeal Process

1. If no appeal is filed within thirty (30) calendar days of the reevaluation committee's decision, the decision is binding for three (3) years in each building at the level (elementary, middle school, or high school) at which the challenge was initiated. Materials presented to the reconsideration committee may not be reevaluated at the same level (elementary, middle school, or high school) for a period of (3) calendar years from the date of the committee's decision.
2. The decision of the Reevaluation Committee may be appealed to the Board of Trustees if a party involved in the complaint believes the reevaluation committee has not acted in accordance with the District's reconsideration policy, provided that:
 - a. The appellant has participated in the review and discussion of the work at the Reevaluation Committee meeting(s) and has provided written or verbal testimony.
 - b. The appeal is filed within thirty (30) calendar days of notification of the Committee's decision.
 - c. The appeal is filed on the Reevaluation of Instructional Materials Appeal Form available from the office of the Superintendent; and
 - d. The appeal is specific, citing the section or sections of the reconsideration policy which the appellant believes to have been violated. The appellant must cite reason for such belief.

3. Procedure of Handling Appeals

- a. The appellant and the Reevaluation Committee will be notified of the time and place of the Board meeting at which the appeal will be considered and will be advised of the procedures for the appeal.

4. Procedures for Reevaluation Appeal Hearing

a. Hearing Control

A hearing officer will be designated by the Board. The hearing will be an item on the agenda of a Board meeting. The Reevaluation Committee will provide any available transcripts, excerpts, etc., to the Board members to read two weeks prior to the hearing.

Any persons desiring to speak at the hearing must register with the hearing officer seven (7) days prior to the hearing.

b. Hearing Procedures

Each person who speaks to the hearing will be required to give his/her name. A maximum of 30 minutes including rebuttal time will be offered to each viewpoint group. The group reflecting the appellant's viewpoint will speak first utilizing a portion of its 30 minute allotment for the presentation.

Each viewpoint group, beginning with the appellant representatives, will then have one rebuttal time period which shall not exceed the portion of the 30 minute allotment not used for its presentation.

There will be no cross-examination between representatives of opposing viewpoints.

c. Written Material to the Board

Individuals who wish to submit written material for consideration by the Board may submit such material to the hearing officer two weeks prior to the time scheduled for the hearing. The written material must be marked with the name and the address of the person submitting the written documents.

d. Board Questions

Questions from the Board members to persons giving testimony may be offered after the presentation of arguments.

e. Closing the Hearing

At the end of the time allocated for presentations and rebuttal comments, the hearing officer will thank all involved for their interest and attendance and announce that the Board's decision will be made at the following meeting barring any unusual circumstances.

Unless unusual circumstances exist, the agenda for the next regular Board meeting will include an item for the Board's decision on the appeal. The vote of the Board on the appeal will be made at the meeting.

The Board of Trustees' decision is binding for three (3) years in each building at that level (elementary, middle school, or high school) at which the challenge was made.

Adopted: Date of Manual Recodification

Updated: January 1982

Revised: June 11, 1996

Revised: October 14, 2008

REQUEST FOR REEVALUATION OF INSTRUCTIONAL MATERIALS

(Answer all questions. Users reverse side if necessary)

Name: _____ Date: _____

Address: _____ Phone: _____

Complainant represents:

- Him/herself: _____
- Organization (Name): _____
- Other (Identify): _____

Nature of complaint: _____

What is your objection to the material?: (Be Specific) _____

If a book, given title, author, edition and publisher: (cite pages) _____

Have you read, listened to or viewed the instructional material **IN ITS ENTIRETY?** **Yes**_____ **No**_____

What material might you suggest be added to the collection/curriculum? _____

Complainant: _____ Date: _____

Principal: _____ Date: _____

Professional Staff: _____ Date: _____

ATTACH ADDITIONAL SHEETS AS NECESSARY

Reevaluation of Instructional Materials (1-96)
Appeal Form

The decision of the Reconsideration Committee may be appealed to the Board of Trustees if either party believes the Reconsideration Committee has not acted in accordance with the District's reconsideration policy, provided that:

- a. The appellant has participated in the review and discussion of the work at the Reconsideration Committee meetings (s) and has provided written or verbal testimony.
- b. The appeal is filed within thirty (30) calendar days of notification of the Committee's decision.
- c. The appeal is filed on the official appeal form available from the Office of the Superintendent; and
- d. The appeal is specific, citing the section or sections of the reconsideration policy which the appellant believes to have been violated, and citing reason for such belief.

I wish to appeal the committee's decision on the following instructional material:

I wish to appeal because I believe the following section(s) of the Reconsideration Policy have been violated:

Signed: _____

Address: _____

Phone: _____ Date: _____

ATTACH ADDITIONAL SHEETS AS NECESSARY

Please return this completed form to the Office of the Superintendent.