

OSBA Model Sample Administrative Regulation

Code: IIA-AR(4)
Revised/Reviewed:

Reconsideration of School or Classroom Library Materials

Any staff member, student, or their parent or guardian may raise concerns about the materials available to students through the district's school and classroom libraries. This procedure is to provide a forum for those persons in the schools and the community who are not directly involved in the selection process. Access to materials under reconsideration will not be restricted during the reconsideration process.

Concerns and requests for reconsideration alleging a material constitutes protected-class discrimination may be submitted through and will be processed in accordance with the district's discrimination complaint policy and procedures.

Meetings of the reconsideration committee are subject to Public Meeting Law.

This reconsideration process will be completed in its entirety and not subverted or ended prematurely. The person filing the request may withdraw their reconsideration request at any time during the process.

1. Concerns about School or Classroom Library Materials

- a. Any concern made regarding school or classroom library materials by any staff member, student or their parent or guardian, or resident of the district will be made known to the person responsible for the selection. For school library materials, share concerns with the building's designated librarian. For classroom library materials, share concerns with the classroom teacher.
- b. The person responsible for the selection of the material in question will respond and attempt to resolve the issue informally. Alternatively, the person responsible for selection may move the concern to the principal in 1.d. An initial response will be provided within 15 days of receipt of the concern.
- c. If the person who made the inquiry is not satisfied, they can request a meeting with the principal.
- d. The principal will meet with the person, attempt to resolve the concern, and document the meeting. The staff member responsible for selection may be requested to attend this meeting. The principal will issue a follow-up communication about the outcome of the meeting to the person who made the informal inquiry and relevant staff within 10 days of receipt in 1.c.
- e. If the person who made the request is not satisfied with the outcome of the informal inquiry, they may file a written request for reconsideration within 10 days of the conclusion in 1.d. The initial contact from the person and any outcome of a meeting or conversation will be documented and maintained by the principal.
- f. No materials will be removed or restricted from use as a result of an informal concern.

2. Request for Reconsideration of School or Classroom Library Materials

- a. A staff member, student, or their parent or guardian wishing to file a request for reconsideration of school or classroom library materials must complete Step 1 above, prior to filing a request.

- b. All requests for reconsideration will be in writing on the form prepared for this purpose, signed by the complaint, and must be submitted to the principal. If a request for reconsideration involves more than one material, a separate form must be completed for each material. All school offices will make forms available.
- c. Upon receipt of a request for reconsideration, the principal will notify all staff member(s) who are directly involved in the request and a copy will be forwarded to the superintendent or designee.
- d. The principal will, within 15 days, appoint a reconsideration committee.
- e. Use of the material identified in the request for reconsideration will not be suspended during the reconsideration process. Materials will not be removed for discriminatory reasons.

3. Reconsideration Committee

- a. The reconsideration committee will be made up of at least seven members:
 - (1) Two teachers designated by the principal and will be from the grade level of the material under reconsideration;
 - (2) One librarian designated by the principal;
 - (3) One administrator designated by the superintendent or designee;
 - (4) Two parents/guardians or members from the community willing to serve on this committee appointed by the Board;
 - (5) One student selected by the principal.

The person(s) that made the request for reconsideration cannot serve on the committee. The reconsideration committee may include equity, Title IX and/or Section 504 personnel in discussions about requests that relate to an underrepresented group or a protected class.

The committee selected will only serve to consider the material, which is the subject of the request for reconsideration, unless otherwise specified.

4. Procedures for the Reconsideration Committee

- a. Select a chair
- b. The district will provide a staff member to keep minutes of the committee;
- c. Every request for reconsideration will be acted upon by the committee. However, the committee may consider requests with similar concerns together.
- d. Review applicable materials such as Policy IIA, a copy of the district or school library mission statement and professional reviews of the materials being reconsidered, when available.
- e. Be responsible for documenting all proceedings; adhering to established procedures and guidelines; and preparing and representing the recommendations to the principal.
- f. Review the material under reconsideration in its entirety, considering the theme, concept, vocabulary, and illustrations (if any) as they apply to:
 - (1) The material's availability for student selection from the school or classroom library;
 - (2) The alignment of the material with the school or classroom library material selection criteria;
 - (3) The material's reading level and intended audience (literary level to comprehend the words as opposed to controversial topics);
 - (4) The suitability of the material for the students it is available for; and
 - (5) Professional review sources for the title/material, when available.

- g. An opportunity will be provided to the person who filed the request and staff member(s) involved to offer oral or written testimony on the reconsideration; outside consultants, lay people, other staff members, or other individuals may be offered an opportunity to provide oral or written testimony on the reconsideration within such procedures and limitations as may be established by the committee.
- h. The person who made the request will be kept informed by the principal or designee concerning the status of the request throughout the committee process. The person and known interested parties will be given notice of such meetings.
- i. Review and discuss possible options for a decision, including:
 - (1) Continued use of the material as used, with no restrictions;
 - (2) Restricted or modified use of the material in terms of [subject area, grade level, district-wide related to the specific request]; or
 - (3) Removal of the material from the educational setting.

The reconsideration committee will consider the material's suitability in the context in which the request for reconsideration was made.

Following the discussion and review of possible options for recommendation, a committee member may offer a motion outlining the committee's recommendation. Action will be taken on the motion and any subsequent motions within the procedures outlined above and consistent with Oregon law.

The written recommendation and its justification from the committee will be forwarded to the principal within seven days of issuance of the recommendation. Within seven days of receipt of the recommendation by the principal, a copy of the recommendation will be sent by the [principal or designee] to the person who requested the reconsideration and to the Board.

j. Procedures for voting:

- (1) A quorum¹ will be present to act upon any business to come before the committee.
 - (2) All outcomes of motions and votes will be recorded and reported in the minutes of the meeting(s).
 - (3) Only votes of the members present at the time of the vote will be recorded².
 - (4) A vote in the affirmative from a majority of those present is required for a motion to pass.
- k. The decision from the reconsideration committee will be issued within 45 days of receipt of the written request for reconsideration by the principal. The response to the request for reconsideration will include the committee's decision and information regarding an appeal to the superintendent. The decision will be copied to the involved parties, including the principal.

¹ A quorum is a majority (one-half of an odd number of members rounded up to the next whole number; one-half of an even number of members plus one). A quorum of a five-member committee is three; a quorum of a six-member committee is four; a quorum of a seven-member committee is four.

² Committee members may attend virtually. Members attending virtually are considered present for quorum and voting purposes.

5. Appeal to the Superintendent

A decision from the reconsideration committee may be appealed by the person who requested the reconsideration to the superintendent by submission of the appeal to the superintendent within 10 days from issuance of the committee's decision. A copy of all procedural documents, recommendations, and decisions will be made available to the superintendent. The superintendent should review whether the correct procedure was followed. If the correct procedure was followed, the superintendent should affirm the decision of the committee. The superintendent will issue a written decision within 30 days of receipt of the appeal to the involved parties.

If an appeal is made, the decision made by the reconsideration committee remains in effect until the appeal is decided by the superintendent.

The timelines in this administrative regulation may be modified by the district based on the availability of staff and/or committee participants. Notice of a modified timeline must be provided to the person who requested the reconsideration and staff member(s) involved.

Requests for reconsideration of the same materials will not be accepted for at least two calendar years following issuance of a decision on those materials.