

PUBLIC COMPLAINTS ABOUT THE CURRICULUM OR LEARNING RESOURCES

An Albemarle County citizen or parent of an Albemarle County Public Schools student who has a concern about a learning resource will first discuss the concern with the teacher/staff member and the principal. After a conference with the principal, if the Albemarle County citizen or parent of an Albemarle County Public Schools student requests the material be withdrawn from use for his/her child, the principal may honor the request if he/she determines that the substitution of other instructional material is appropriate. If the concern cannot be resolved, the following process will begin:

1. The principal will:
 - a. inform the complainant that he/she has the right to file a formal complaint;
 - b. provide the complainant with the "Citizen's Request for Reconsideration of Learning Resources" form and review the form and the complaint process with the complainant;
 - c. inform the Superintendent of the situation and forward a copy of the completed form to the Superintendent;
 - d. maintain the materials in use pending a final decision.
2. Within 10 working days (days the central office is open for business) of receiving the "Citizen's Request for Reconsideration of Learning Resources" from the principal, the Superintendent will have staff review the Reconsideration Request to see if issues raised have been covered "in principle" by previous decisions. This staff review and recommendation will be sent to the Superintendent within 10 working days. If it is determined that the issue has been covered "in principle", the Superintendent will either render a written decision or ask that a reconsideration committee be established. If it is determined the issue has not been covered "in principle," a reconsideration committee will be established.
3. The committee will be composed of the following members:
 - a. the Superintendent's Designee, who will serve as the Chairperson of the committee;
 - b. two high school students (if high school materials are involved);
 - c. one teacher, one building principal, and one media specialist who has not previously considered the material for inclusion in the media collection, if

possible;

- d. three community members who are not division employees who are selected from a division wide pool; two of the community members will be parents from the specific level receiving the challenge, i.e., elementary, middle, or high school level. The division wide pool will consist of nominees from each school PTO which will annually name two people to be part of this pool.
4. The committee Chairperson will convene the committee and appoint a secretary responsible for keeping minutes of the committee's proceedings. The purpose of the committee is to examine the disputed materials, to review the written complaint and to make a recommendation concerning the use of the material. The complainant and a representative from the school will be invited to speak directly to the review committee. The committee must make their recommendation to the Superintendent within 20 working days of the establishment of the committee.
5. The reconsideration committee shall:
 - a. read the challenged materials, review the materials in terms of the Criteria for Selection of Learning Resources (Policy IIAB: *Learning Resources Selection and Adoption*), study the complaint form, and read reviews and other pertinent information about the materials;
 - b. attempt to reach a consensus on their recommendation. If consensus cannot be reached, the committee's recommendation will be based on a majority vote. The committee's recommendation will include specific rationale based on the Criteria for Selection of Learning Resources, information on the material from reviews and other sources, and the educational value of the material;
 - c. sign a report of the committee's recommendation prepared for the Superintendent by the Superintendent's Designee, or sign a minority report if applicable;
 - d. send the committee's report, including any minority report, to the School Board's legal counsel for review prior to submission to the Superintendent. The School Board's legal counsel shall advise the Superintendent regarding the recommendation within 10 working days of receiving the reconsideration committee's recommendation.
6. Upon receiving legal counsel's review of the recommendation of the reconsideration committee, the Superintendent has 10 working days to forward his/her written decision and rationale along with a copy of the committee's report(s) to the complainant and the School Board. The recommendation will be postmarked by the 10th working day. The complainant may appeal within 10 working days the decision to the School Board.

7. If the complainant does appeal the decision, the appeal must be in writing and submitted to the Clerk of the School Board. The School Board will consider this within 20 working days of the filing of the appeal.
8. If no appeal is filed:
 - a. If the Superintendent's decision does not cause a change in the use of the material, the School Board may at its discretion review the Superintendent's decision, but shall not be required to do so.
 - b. If the Superintendent's decision causes a change in the use of the material, the School Board shall review the decision. The Board will consider the Superintendent's decision within 20 working days after the 10 working day appeal period has expired.
9. If the School Board reviews the Superintendent's decision, the School Board shall:
 - a. affirm, reverse, or modify the Superintendent's decision. The Board's decision shall be final;
 - b. inform the complainant and the principal in writing of the action taken;
 - c. communicate any changes in the use of material at a School Board meeting, through a media release and through a division-level publication.
10. Any of the time lines set forth in this regulation may be extended by the Superintendent for cause. Any change in this time line will be communicated to the School Board and the complainant.

Adopted: July 1, 1993
Amended: October 10, 1994, July 8, 1996, September 8, 1997; May 11, 1998; February 9, 2006;
January 22, 2015
Reviewed: July 12, 1999

Cross Ref.: Policy IIAB, Learning Resources Selection and Adoption

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It is the responsibility of the School Board to establish and apply the curriculum of the Albemarle County School Division. The selection of learning resources is delegated to the professionally trained personnel employed by the Division. Despite the care taken to select valuable and educationally suitable learning resources for student and teacher use, and despite the qualifications and expertise of the persons involved in the selection process, it is recognized that occasional objections to materials will be made by the public. It is, therefore, the policy of the School Board to provide a channel of communication and procedures for Albemarle County citizens to follow in expressing and resolving concerns about the learning resources, including printed or audio/visual materials and speakers.

Formal complaints about learning resources shall be presented in writing in accordance with the supportive regulations of this policy. The standards and procedure for review shall be consistently applied in recognition of the respective rights and responsibilities of all concerned. Learning resources shall be considered for their educational suitability according to criteria listed in Policy IIAB: *Learning Resources Selection and Adoption* and shall not be proscribed or removed because of partisan or doctrinal disapproval.

All written challenges will be reviewed by staff to determine if the request has been covered “in principle”, meaning the complaint falls into a category about which the Superintendent or School Board has taken a formal position. If it is determined that a matter has been covered “in principle” the Superintendent will not typically call a reconsideration committee. A reconsideration committee will only be called if an issue has not been covered “in principle”, or at the request of the Superintendent. The reconsideration committee makes recommendations to the Superintendent regarding the learning resources. The Superintendent, upon receipt of the committee’s recommendation, will review the complaint and the committee recommendations and forward the committee recommendations and his/her decision to the School Board. The decision of the Superintendent may be appealed to the School Board or reconsidered by the Board, if it votes to do so. No material will be removed or restricted without the approval of the School Board. The decision of the Board will be final.

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CITIZEN'S REQUEST FOR RECONSIDERATION OF LEARNING RESOURCES

Author: _____ Type of Material: _____

Title: _____

Request Initiated by: _____

Address: _____ Telephone: _____

City: _____ Zip Code: _____

Complainant Represents: ___ Self
 ___ Organization (please name: _____)
 ___ Other Group (please identify: _____)

1. To what in the material do you object: (Please be specific; cite instances)

2. What do you feel might be the result of using this material?

3. For what age group would you recommend this material?

4. Is there anything good about this material?

5. Did you read, view or listen to the material in its entirety? What parts?

6. What do you believe is the theme of this material?

7. What would you like your school to do about this material?
 ___ Do not assign it to my child ___ Send it to a committee for reevaluation
 ___ Withdraw it from all students as well as my child

8. In its place, what material of equal quality would you recommend?

Signature of Complainant: _____ Date: _____

Received by: _____ Date: _____

Clerk of the School Board: jjohnston@k12albemarle.org
Physical Address: Clerk of the School Board, 401 McIntire Road, Room 345, Charlottesville, VA 22902
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