

Regulation 1312.2: Complaints Concerning Instructional Materials

Status: DRAFT

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Complaints concerning instructional materials will be accepted only from

Step 1: Informal Complaint

If a staff member, district resident, or the parents/guardians of a student enrolled in a district school, Complaints must be presented has a complaint regarding the content or use of any specific instructional material, such individual shall informally discuss the material in writing with the principal. (Education Code 35160)

Step 2: Formal Complaint

If the complainant is not satisfied with the principal's initial response, the complainant shall present a written complaint to the principal. Complaints regarding printed material must shall name the author, title, and publisher; and shall identify the objection by page and item numbers. In the case of nonprinted material, written information specifying the precise nature of the objection and location of such material shall be given. The statement must be signed and identified in such a way that a proper reply will be possible. Individual students may be excused from using challenged materials after the parent/guardian has presented a written complaint. The teacher will then assign the student alternate materials of equal merit. Use of the materials by a class, school or the district, however, shall not be restricted until so directed by the Superintendent or designee. In order for the district to reply appropriately, complainants shall sign all complaints and provide identifying information. Anonymous complaints will not be accepted.

Upon receiving a complaint, the principal will acknowledge shall provide the complainant with a written acknowledgement of its receipt and answer respond to any procedural questions regarding procedure: the complainant may have. The principal will shall then notify the Superintendent or designee and, the teacher(s) involved of the complaint. The Superintendent or designee will determine whether the complaint should be considered on an individual basis or whether a review committee should be convened. The use of challenged materials by class, school or district shall not be restricted until final disposition has been made by the), and other staff as appropriate review committee. A review committee may be formed under.

During the direction investigation of the complaint, the challenged material may remain in use until a final decision has been reached.

Step 3: Review Committee

The Superintendent or designee shall determine whether to convene a review committee to review the complaint.

If the Superintendent or designee determines that a review committee is necessary, the Superintendent or designee. It shall be appoint a committee composed of the Director of Student Achievement, principal and at least three administrators and staff members selected by the Superintendent or designee from relevant administrative and instructional and administrative areas. In deliberating challenged materials, The Superintendent or designee may also appoint parents/guardians, students, and community members, as appropriate, to serve on the committee.

The Superintendent or designee may provide training to the review committee shall consider the educational philosophy of the district; the professional opinions of other teachers of the subject and of other competent authorities; reviews of the materials by reputable bodies; the teacher's stated objectives in using the materials; and the objections of the complainant. The review committee shall determine the extent to which the challenged material supports the curriculum, the educational appropriateness of the material, and its suitability for the age level of the student. to ensure that the review committee is informed regarding its responsibilities, the criteria to follow when reviewing instructional materials, and applicable laws, Board policy(ies), and administrative regulation(s).

Within 30 days of being convened, the review committee shall summarize its findings in a written report and submit it to the Superintendent or designee for final action. The Superintendent or designee shall notify the complainant in writing of his/her the committee's decision no later than 60 within 15 days after the complaint was filed. If receiving the complaint is not satisfactorily resolved at the local level, the person complaining may appeal to the Assistant committee's report.

Step 4: Superintendent, Educational Services, The Assistant Determination

If the Superintendent will or designee determines that a review the committee recommendation and the complaint charges and review those with the person complaining. Once that is done, the Assistant Superintendent will make his/her decision and inform the person complaining and the Superintendent. If the issue is still not resolved, the person complaining may appeal to the Superintendent. He/she will make a decision, inform the person complaining in writing and inform the Governing Board. The complaining person may, if they wish, appeal still further to the Board whose decision will be final. The Superintendent will inform the complaining person of the Board's final decision. When any challenged instructional material is reviewed by the district, it shall not be subject to any additional reconsideration for 12 months. **County or State-Adopted Material** If the challenged material has been adopted by the County Board of Education, the Superintendent or designee may forward the complaint, without action, to the office of the County Superintendent of Schools for reevaluation and decision. If the questioned material has been adopted by the State of California **committee is not necessary**, the Superintendent or designee may forward the complaint, without action, to the California Department of Education for reevaluation and decision. **shall, in a timely manner, issue a decision regarding the complaint.**

Step 5: Appeal to the Governing Board

If the complainant remains unsatisfied, the complainant may appeal the Superintendent's or review committee's decision to the Board. The Board's decision shall be final.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 1240	County superintendent of schools; duties - https://simbli.eboardsolutions.com/SU/zxiNbLNKXQ1Z3w2H1beZIA==
Ed. Code 18111	Exclusion of books by Governing board that are sectarian, partisan, or denominational character - https://simbli.eboardsolutions.com/SU/fAcJGqFGsvKfW1GDcogDzw==
Ed. Code 220	Prohibition of discrimination - https://simbli.eboardsolutions.com/SU/UuY0xi20LPENZCvpYu9MBA==
Ed. Code 242	Access to information about educational laws and policies regarding right to accurate and inclusive curriculum - https://simbli.eboardsolutions.com/SU/qvasflzlx0uHd0XoTnf4uw==
Ed. Code 243	Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials - https://simbli.eboardsolutions.com/SU/1BiVCh1vc8qbgObiAPSFnw==
Ed. Code 35010	Control of district; prescription and enforcement of rules - https://simbli.eboardsolutions.com/SU/OQVSplusCEZXMhIMKVyv3kBA==
Ed. Code 35160	Powers and duties of school boards - https://simbli.eboardsolutions.com/SU/FFplus3PC2rsgGxvplus8DVSsrkQ==
Ed. Code 35186	Williams uniform complaint procedures - https://simbli.eboardsolutions.com/SU/MDiv2vFqYgd1u6vWMYFnhA==
Ed. Code 44805	Teacher enforcement of course of studies; use of textbooks, rules and regulations - https://simbli.eboardsolutions.com/SU/aspZQpXuVHqirxKV3DzJNw==
Ed. Code 48907	Exercise of free expression; time, place and manner rules and regulations - https://simbli.eboardsolutions.com/SU/KDSjnurLBlr2KdV5numJiQ==
Ed. Code 48950	Speech and other communication - https://simbli.eboardsolutions.com/SU/Q5itwgUPlOTFejGslshDadJ4g==
Ed. Code 51204.5	Social sciences instruction; contributions of specified groups - https://simbli.eboardsolutions.com/SU/oZPEg6h3Qnnndu4eQsmHFg==

Ed. Code 51501	Nondiscriminatory subject matter - https://simbli.eboardsolutions.com/SU/txGfKL89VkvCW7IFg8Emtw==
Ed. Code 51511	Religious matters properly included in courses of study - https://simbli.eboardsolutions.com/SU/iTw7dJByJNReEy9XCHThhg==
Ed. Code 51933	Sexual health education and HIV prevention materials - https://simbli.eboardsolutions.com/SU/lzCkLi03Eyn6g8fhsFib0Q==
Ed. Code 60000-60005	Instructional materials; legislative intent - https://simbli.eboardsolutions.com/SU/0UKX3BpLit7eis8ERdhYqg==
Ed. Code 60040-60052	Requirements for instructional materials - https://simbli.eboardsolutions.com/SU/vqD4yC2hSBZ9a219bpluseIDA==
Ed. Code 60119	Public hearing on sufficiency of textbooks and instructional materials - https://simbli.eboardsolutions.com/SU/wgpZKRQ3ptU4Chh5FQUMmw==
Ed. Code 60200-60213	Elementary school materials - https://simbli.eboardsolutions.com/SU/5jFbFwrbBUT7yMqHe2X3Bg==
Ed. Code 60226	Requirements for publishers and manufacturers - https://simbli.eboardsolutions.com/SU/8bqympLmM6YiYL21AdslshNdw==
Ed. Code 60400-60411	High school textbooks and instructional materials - https://simbli.eboardsolutions.com/SU/0SOZiU7DE6w54kslshsplusKofslshg==
Ed. Code 60510-60511	Donation or sale of obsolete instructional materials - https://simbli.eboardsolutions.com/SU/fyTf3BXojSgWwslshDMhlygzg==

Management Resources References

	Description
California Department of Education Publication	Instructional Materials, FAQ - https://simbli.eboardsolutions.com/SU/6g5DV5psnbEiqKAP9oXYzg==
California Department of Education Publication	Standards for Evaluating Instructional Materials for Social Content, 2013 - https://simbli.eboardsolutions.com/SU/PXAMC00s1hli78ftFNM1JQ==
Website	CSBA District and County Office of Education Legal Services - https://simbli.eboardsolutions.com/SU/UdykszdmPETuDsishXk6R5akQ==
Website	Department of Justice - https://simbli.eboardsolutions.com/SU/kYMplusPKVwKtngiVfOT4AD8Q==
Website	California Department of Education, Curriculum and Instruction Resources - https://simbli.eboardsolutions.com/SU/rse1wvWcofD1nr0Z7Xplus7vw==
Website	CSBA - https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==
Website	U.S. Department of Education, Office for Civil Rights - https://simbli.eboardsolutions.com/SU/xmCPrTcoZle111WmbX10Vg==

Cross References

	Description
0410	Nondiscrimination In District Programs And Activities - https://simbli.eboardsolutions.com/SU/FnDZ7yHITUVLmcPBwcYa4w==
1100	Communication With The Public - https://simbli.eboardsolutions.com/SU/Hywu1plusUHmPznTnAojQejslshg==
1250	Visitors/Outsiders - https://simbli.eboardsolutions.com/SU/0UxfKnDQx8i9V4vageslsh6VA==
1250	Visitors/Outsiders - https://simbli.eboardsolutions.com/SU/AlgI3G2av7RnSyAPrFJsishPg==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/UeCd2AJlxfBU7E37o1kmUg==
1312.1	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/3x1plusj0z5ZLMqRsshsEIT6Q==

1312.1-E PDF(1)	Complaints Concerning District Employees - https://simbli.eboardsolutions.com/SU/eAlz50x7oMx0vq3x9PjTplusg==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/CfApluscpxRIZplusOj2lmuhfqba==
1312.3	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/NaAoUplustLOgdMDg4YyrqkSQ==
1312.3-E PDF(1)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/CGtJ1bS0fJ2qqnQzzY5qbQ==
1312.3-E PDF(2)	Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/hYsgaF9LHjeplus4tInfVHZyg==
1312.4	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/4nKsf7OqCyf78FQ5NpVbbA==
1312.4-E PDF(1)	Williams Uniform Complaint Procedures - https://simbli.eboardsolutions.com/SU/Vouz1byLBrdGQklvsFslshGfg==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/Xtm3uqHMol1KAP4CIBOS3g==
5145.3	Nondiscrimination/Harassment - https://simbli.eboardsolutions.com/SU/Rx7eYWCQJQxyhVGfnTMOBQ==
6000	Concepts And Roles - https://simbli.eboardsolutions.com/SU/VcnDCn9pslshzoAvdQnkvWBslshw==
6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/61Y9cvRslshKoW6mmj04arBBA==
6141	Curriculum Development And Evaluation - https://simbli.eboardsolutions.com/SU/b3H6sslshVg4w5Fn8pgCBjCIA==
6142.6	Visual And Performing Arts Education - https://simbli.eboardsolutions.com/SU/N738O7slshud1oI7mrVlplusSOfw==
6142.92	Mathematics Instruction - https://simbli.eboardsolutions.com/SU/esLsyR41A2MV6HpWvUso8A==
6142.94	History-Social Science Instruction - https://simbli.eboardsolutions.com/SU/kOgxeL28LBIK6rQB9O3AdA==
6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/2rm43307PLCL6tPtEi0B1g==
6143	Courses Of Study - https://simbli.eboardsolutions.com/SU/QSMplusSNCxGfu1or4plus3KUx6A==
6144	Controversial Issues - https://simbli.eboardsolutions.com/SU/uJslsh5tSQtG3KAslshiBtacuigA==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/GmQp0w7DhRvK1m3vP0cXFW==
6161.1	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/36O7I0MprlTMVXSH2aUCslshA==
6161.1-E PDF(1)	Selection And Evaluation Of Instructional Materials - https://simbli.eboardsolutions.com/SU/b9DR42M1EdCAnrzwKB7O8g==
6161.11	Supplementary Instructional Materials - https://simbli.eboardsolutions.com/SU/kWJW4zRME1hY1pHypTRx0g==
6161.2	Damaged Or Lost Instructional Materials - https://simbli.eboardsolutions.com/SU/Dhq11DVtVpluswCAsBzXgW6ow==
6163.1	Library Media Centers - https://simbli.eboardsolutions.com/SU/lwXB8c8GOCzKnQd9nEugsg==
9000	Role Of The Board - https://simbli.eboardsolutions.com/SU/yCFHLIFLUDCtfgpluseQHTjg==

9005	Governance Standards - https://simbli.eboardsolutions.com/SU/DaF2m6ImSeyu1yItj5WuoA==
9012	Board Member Electronic Communications - https://simbli.eboardsolutions.com/SU/hytEYovBqsqMp5UzUoFqvQ==
9200	Limits Of Board Member Authority - https://simbli.eboardsolutions.com/SU/0hKRSAtVLHUI2u41Y5PPKQ==
9322	Agenda/Meeting Materials - https://simbli.eboardsolutions.com/SU/PUk8QGIYGyhN8t44Le3YMw==