

500 INSTRUCTIONAL, continued

- 502 Appeal Process for Contested Materials
- R502.1 When a written complaint about materials managed by the ESD is received by the ESD, the ESD Superintendent or his/her designee shall be notified of the nature of the concern and the source.
- R502.2 Materials managed by the ESD shall be defined as those materials:
- 1) Circulated by the ESD Instructional Materials Cooperative (IMC).
  - 2) Used to provide direct services to students by the ESD teachers, instructional aides or other personnel.
  - 3) Used as part of a grant or program administered by the ESD.
- R502.3 The ESD Superintendent or his/her designee will notify the superintendent of the school district where the complainant resides that a complaint has been received.
- R502.4 The ESD Superintendent or his/her designee will contact the concerned individual(s) and attempt to clarify any misunderstandings.
- R502.5 The complainant will be given the opportunity to view the contested material at a time that will not interfere with use of the material by teachers.
- R502.6 If the complainant requests withdrawal of the contested material, he/she will be given a "Citizen's Request for Reconsideration of Instructional Materials" form to be completed and returned to the ESD Superintendent or his/her designee.
- R502.7 Upon receipt of the completed "Citizen's Request for Reconsideration of Instructional Materials" form, the ESD Superintendent or his/her designee will review the form and order the establishment of an ad hoc IMC Review Committee for Contested Instructional Materials.

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- R502.8 The IMC Review Committee for Contested Instructional Materials will be established by the ESD Superintendent or his/her designee, with advice and recommendations from the Superintendents' Executive Advisory Committee or its designee(s).
- R502.9 The committee should, but need not necessarily, consist of:
- A representative of the ESD Curriculum Directors
  - A principal from either a secondary or elementary school as deemed appropriate
  - A classroom teacher
  - Two citizens representing the community
  - A member of the Media Specialist Advisory Committee
  - A member of the ESD staff
- The ESD Superintendent or his/her designee will appoint a chairman and secretary from the committee members.
- R502.10 The chairman shall set a time and a place for an open meeting regarding the disputed material.
- R502.11 Such meeting shall normally be held no later than thirty (30) days after a "Citizen's Request for Reconsideration of Instructional Materials" form is received.
- R502.12 The chairman shall notify the complainant, appropriate staff members and local media of the time and place of the meeting. Such notification shall include an invitation to present relevant information.
- R502.13 The chairman shall assemble such data including reviews and professional opinions of the materials, teacher's objectives in using the materials, and the specific objections of the complainant as may be necessary for the IMC Review Committee for Contested Instructional Materials to properly perform its function. Meetings shall be open to the public. The committee shall consider the contentions of all parties concerned.

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- R502.14 The chairman has the authority and responsibility to establish a process and conduct the meeting in a manner that facilitates a fair and expedient resolution to the concern. The material shall be reviewed and judged as to conformity with instructional goals and the selection criteria stated in Administrative Regulation 501. Decisions shall be by majority vote of the committee.
- R502.15 The IMC Review Committee will report its recommendations to the ESD Superintendent within six (6) weeks of its appointment. The recommendation may state that the materials:
- 1) Should remain in use
  - 2) Should remain with restriction
  - 3) Should remain with directions for use
  - 4) Be removed from use
- R502.16 The Superintendent or his/her designee shall notify the complainant in writing of the committee's recommendation. If the complainant is not satisfied with the disposition of the complaint, the procedure described in the ESD Administrative Regulation R102.4e shall be followed to present the complaint to the ESD Board of Directors.

## **Amendments to R502**

Entire policy amended 9-22-87

R502.1 amended 3-26-91

R502.2 amended 3-26-91

R502.3 amended 3-26-91

R502.4 amended 3-26-91

R502.6 amended 3-26-91

R502.7 amended 3-21-89

R502.8 amended 3-26-91

R502.9 amended 3-26-91

R502.11 amended 3-26-91

R502.12 amended 3-21-89

R502.15 amended 3-26-91

R502.16 amended 3-21-89; 3-26-91