



Santa Barbara  
**SCHOOL DISTRICTS**

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Date: April 24, 2009  
To: Dr. J. Brian Sarvis, Superintendent  
From: Robin Sawaske, Associate Superintendent *es*  
Subject: Second Reading and Approval of Board Policy, Administrative Regulation, and Exhibit 1312.2, "Complaints Concerning Instructional Materials"

Consent Item:  X

Background

Board Policy, Administrative Regulation, and Exhibit 1312.2, "Complaints Concerning Instructional Materials," were presented to the board for the first reading on April 21, 2009. Board members reviewed and requested changes to be made to the administrative regulation and the exhibit.

Fiscal Impact and Funding Source

No fiscal impact.

Recommendation

The Board of Education approve Board Policy, Administrative Regulation, and Exhibit 1312.2, "Complaints Concerning Instructional Materials."

<b>Attachment(s)?</b>	X	<b>Yes (please attach)</b>		<b>No</b>		<b>PowerPoint</b>		<b>Overhead</b>		<b>Consultant</b>
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Adams Elementary School	Harding Elementary School	Peabody Charter School	Goleta Valley Junior High School	Dos Pueblos High School
Cesar Chavez Charter School	McKinley Elementary School	Roosevelt Elementary School	La Colina Junior High School	La Cuesta Continuation High School
Cleveland Elementary School	Monroe Elementary School	Santa Barbara Charter School	La Cumbre Junior High School	San Marcos High School
Franklin Elementary School	Open Alternative School	Santa Barbara Community Academy	Santa Barbara Junior High School	Santa Barbara High School
		Washington Elementary School		

# Santa Barbara School Districts

## Board Policy

Community Relations

BP 1312.2

### COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

The Board of Education uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of parents/guardians and community members. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures.

*(cf. 6161.1 - Selection and Evaluation of Instructional Materials)*

*(cf. 6161.11 - Supplementary Instructional Materials)*

*(cf. 6163.1 - Library Media Centers)*

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their child's teacher and/or the school principal. If the situation remains unresolved, a complaint may be filed using the process specified in the administrative regulation.

The district shall accept complaints concerning instructional materials only from staff, district residents, or the parents/guardians of children enrolled in a district school.

When deliberating upon challenged materials, the Superintendent and/or review committee shall consider the educational philosophy of the district, the professional opinions of 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, community standards, and the objections of the complainant.

Complainants are encouraged to accept the Superintendent's or review committee's decision. However, if the complainant finds that decision unsatisfactory, he/she may appeal the decision to the Board.

*(cf. 9322 - Agenda/Meeting Materials)*

The district's decision shall be based on educational suitability of the materials and the criteria established in Board policy and administrative regulation.

*(cf. 6144 - Controversial Issues)*

*(cf. 9000 - Role of the Board)*

*(cf. 9005 - Governance Standards)*

When any challenged instructional material is reviewed by the district, it shall not be subject to further reconsideration for 12 months, unless the Superintendent determines that reconsideration is warranted.

Complaints related to sufficiency of textbooks or instructional materials shall be resolved pursuant to the district's Williams uniform complaint procedure at AR 1312.4.

*(cf. 1312.1 - Complaints Concerning District Employees)*

(cf. 1312.3 - Uniform Complaint Procedures)  
(cf. 1312.4 - Williams Uniform Complaint Procedures)

*Legal Reference:*

*EDUCATION CODE*

18111 Exclusion of books by governing board  
35010 Control of district; prescription and enforcement of rules  
35186 Williams Uniform Complaint Procedures  
44805 Enforcement of course of studies; use of textbooks, rules and regulations  
51501 Subject matter reflecting on race, color, etc.  
60000-60005 Instructional materials, legislative intent  
60040-60048 Instructional requirements and materials  
60119 Public hearing on sufficiency of materials  
60200-60206 Elementary school materials  
60226 Requirements for publishers and manufacturers  
60400-60411 High school textbooks  
60510-60511 Donation of sale of obsolete instructional materials

*Management Resources:*

*CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES*

1002.90 Selection of Instructional Materials, CIL: 90/91-02

*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS*

*Standards for Evaluation of Instructional Materials with Respect to Social Content, 1986 edition, revised 2001*

*WEB SITES*

CSBA: <http://www.csba.org>

California Department of Education, Curriculum and Instruction: <http://www.cde.ca.gov/ci>

Policy: SANTA BARBARA SCHOOL DISTRICTS  
Adopted: (date) Santa Barbara, California

# Santa Barbara School Districts

## Administrative Regulation

Community Relations

AR 1312.2

### COMPLAINTS CONCERNING INSTRUCTIONAL MATERIALS

#### Step 1: Informal Complaint

If a staff member, district resident, or parent/guardian of a student enrolled in a district school has a complaint regarding the content or use of any specific instructional material, he/she shall informally discuss the material in question with the principal.

#### Step 2: Formal Complaint

If the complainant is not satisfied with the principal's initial response, he/she shall present a written complaint to the principal. Complaints regarding printed material 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 shall be given. Complainants shall sign all complaints and provide identifying information so that the district is able to make a proper reply. Anonymous complaints will not be accepted.

Upon receiving a complaint, the principal shall acknowledge its receipt and answer any questions regarding procedure. The principal then shall notify the Superintendent or designee and the teacher(s) involved of the complaint.

During the investigation of the complaint, the challenged material may remain in use until a final decision has been reached. However, upon request of the parent/guardian who has filed the complaint, his/her child may be excused from using challenged materials until a resolution has been reached. The teacher shall assign the student an alternate material of equal merit.

#### Step 3: Superintendent Determination

The Superintendent or designee shall determine whether a review committee should be convened to review the complaint.

In general, a committee will only be convened to review challenged materials that are non-state board approved or materials that are not on one of the following lists:

- California Department of Education's (CDE) Recommended Literature lists
- CDE California Reading List, or
- English Learner Supplemental Materials-Curriculum Frameworks and Instructional Materials lists (in accordance with Assembly Bill 1802).

If the Superintendent or designee determines that a review committee is not necessary, he/she shall issue a decision regarding the complaint.

#### Step 4: Review Committee

If the Superintendent or designee determines that a review committee is necessary, he/she shall appoint a committee composed of administrators and staff members selected from relevant instructional and administrative areas. The Superintendent or designee may also appoint community members, scholars,

and/or experts to serve on the committee.

The review committee shall review the criteria specified in Board policy and 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.

Within 30 working days of being convened, the review committee shall summarize its findings in a written report. The Superintendent or designee shall notify the complainant of the committee's decision within 15 working days of receiving the committee's report.

**Step 5: Appeal to the Governing Board**

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

*(cf. 9322 - Agenda/Meeting Materials)*

Regulation: SANTA BARBARA SCHOOL DISTRICTS  
Adopted: (date) Santa Barbara, California



## REQUEST FOR RECONSIDERATION OF INSTRUCTIONAL MATERIALS

This form is for use only by district employees, district residents, or parents/guardians of children enrolled in a district school to challenge the content or use of an instructional material. For complaints regarding sufficiency of instructional materials, please use the Williams Uniform Complaint Procedure complaint form.

Date: \_\_\_\_\_

Name of person filing complaint: \_\_\_\_\_  
*Anonymous complaints will not be accepted.*

Group represented (if any): \_\_\_\_\_

Phone: \_\_\_\_\_ E-mail address (if any): \_\_\_\_\_

Address: \_\_\_\_\_

Material being challenged: \_\_\_\_\_

Title: \_\_\_\_\_

Author: \_\_\_\_\_

Publisher: \_\_\_\_\_ Date of edition: \_\_\_\_\_

Name of school/classroom in which material was used: \_\_\_\_\_

1. Please specifically state the nature of your concern or objection and identify your objection by page, tape sequence, video frame, or words, as appropriate. (Use additional pages if necessary.)
2. Did you read/view the entire selection?
3. If not, what percentage did you read/view, or what parts?
4. For what age group would you recommend this material?
5. What do you feel might be the result if a student reads/views this material?
6. What would you like the school to do about this material?  
 Do not assign it to my child  
 Withdraw it from all students  
 Reconsider it

Signature of complainant \_\_\_\_\_

### FOR DISTRICT USE

Request received by: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

Action taken: \_\_\_\_\_ Date: \_\_\_\_\_