

IJL-R - Procedures for Addressing Challenged Materials

Despite the quality of the selection process, occasional objections to instructional materials may take place. Any parent/legal guardian of a student currently enrolled in an SAU 24 school or a student currently enrolled in an SAU 24 school may formally challenge instructional materials and library resources used in the school's education program based on appropriateness.

The procedure concerning challenged materials is outlined below. Its purpose is to provide for a hearing with appropriate action, within the context of the principles of freedom of information, the student's right to access information, and the professional responsibility and integrity of the school faculty.

Upon receiving a complaint:

The Principal, librarian or other professional staff member shall explain to the complainant

- a. the school's selection procedure, criteria, and qualifications of those persons selecting the resource.
- b. the particular place the questioned resource occupies in the educational program, its intended usefulness, and additional information regarding its use, or refer the party to someone who can identify and explain the use of the resource.

If the complainant wishes to file a formal challenge, they will be provided the *Request for Reconsideration* form to fill out. If the form is not returned to the building principal within two weeks of receiving it, the objection will be considered resolved.

An SAU-wide *Reconsideration Committee* will meet twice a year to consider challenged materials. Generally these meetings will occur in November and April. The Committee will be in place before the beginning of the school year and will serve for the academic year. The Assistant Superintendent will chair the committee. In addition to the Assistant Superintendent, the committee will consist of :

- a. An SAU 24 librarian, selected by the Superintendent
- b. An additional five members of the SAU 24 professional staff, selected by the Superintendent for diversity of opinion and relevant expertise and to include at least one person from the Weare, Henniker and John Stark School District and at least one person who works at the elementary level, the middle school level and the high school level.
- c. A member of the building administration from Henniker, Weare or John Stark, selected by the Superintendent.
- d. A member of the school board from each district (Henniker, Weare and John Stark) voted on by their respective Board.
- e. Up to two high school students. Students will participate as non-voting members of the committee. Student will be selected by the Superintendent through an application process.

The Reconsideration Committee shall review the challenged resource and determine whether it conforms to the principles of selection outlined in District policies IJ and IJL - Instructional Materials and Library Resources Selection.

The Reconsideration Committee shall:

- Examine the challenged resource in its entirety
- Determine professional acceptance by reading critical reviews of the resource

- Weigh values and faults, and form opinions based on the material as a whole rather than on passages or selections taken out of context
- Discuss the challenged resource in the context of the educational program
- Discuss the challenged item with the individual complainant when appropriate

A written record of the meeting and vote outcome will be given to all parties concerned, with a copy filed in the SAU and in the school where the objection originates for a minimum of seven years.

The committee's decision may be appealed within 30 days to the school board of the school where the objection originated. If this occurs, the principal will ask the school board to review the committee's report. The school board may remove the item in question, pending board action/decision. The school board will make a final determination in a written report within 45 days

No challenged materials shall be removed from libraries or instructional programming before the process of review is completed. Where applicable, materials considered objectionable may be replaced by alternative materials specifically for the child(ren) of the parent/guardian who objects. Such materials should be mutually agreed upon by the Principal and the parent/guardian. Any cost associated with the alternative instruction shall be borne by the parent/guardian.

Guiding Principles

- Parent/Legal Guardian or student may raise objection to instructional materials and library resources used in educational programs, despite the fact that the individuals selecting such resources were duly qualified to make the selection, followed the proper procedure, and observed the criteria for selecting instructional materials and library resources.
- Curriculum resources that already went through a formal adoption process may not be considered for reconsideration through this process.
- The librarian or Principal should review the selection and objection procedures with the teaching staff annually. The principal or librarian will remind staff that it is the right of individuals to object to instructional materials and library resources granted by policy enacted by the school board.
- No parent/legal guardian has the right to determine reading, viewing, or listening materials for students other than his or her own children.
- The SAU 24 Board supports the Library Bill of Rights and The Freedom to Read Statement, adopted by the American Library Association [Appendixes A and B). When questioners challenge instructional materials and library resources, the District must defend the principles of freedom to read/listen/view.
- No party shall interpret the decision of the committee to sustain a questioner's challenge as a judgment of irresponsibility by the professionals involved in the original selection and/or use of the material.

IJL-R Appendix A – Library Bill of Rights

IJL-R Appendix B – The Freedom to Read Statement

IJL–R Appendix C – Request for the Reconsideration of Instructional Materials and Library Resources Form

IJL-R-Appendix D – Sample Letter Contents to Complainant

See Also:

Policy IJ - Instructional Material Selection

Policy IJL – School Library Selection

Policy IGE – Parental Objection to Specific Course Materials

Policy IHAM – Health Education – Exemption from Instruction

Legal Reference(s):

[RSA 186:11, IX](#)

[20 U.S.C §1232h, \(c\)\(1\)\(C\), Protection of pupil rights](#)

Appendix A:

Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
4. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.
7. All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

© American Library Association Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019. Inclusion of "age" reaffirmed January 23, 1996

Appendix B:

The Freedom to Read Statement

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe

that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

1. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

1. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

1. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters' values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

1. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

1. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

1. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties and deserves all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

** This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers. Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.*

Appendix C:

Request for the Reconsideration of Instructional Materials and Library Resources

**Request for Reconsideration of
Instructional Materials and/or Library Materials**

Request Initiated by: _____

Telephone _____ email _____

Address _____ City _____

Parent/Legal Guardian of: _____

Which school does your child attend: _____

What brought this resource to your attention? _____

Date of the initial discussion/conference between requester and school principal regarding this material.

Title: _____ Type of Material _____

Author: _____ Copyright Date: _____

Did you read or view all of the material? Yes _____ No _____

How does this resource NOT meet the school selection procedures? Please be specific.

Have you read professional reviews of this material? How has the material been assessed by educators and professional book reviews? Please identify which sources you reference.

What specific concerns do you have about the resource? Please provide page numbers or location of information in the material to support your concerns. How do you perceive students would be impacted by this material? Please cite evidence.

Are there resources of equal educational quality and value which you would recommend to replace this resource? Please provide professional reviews.

What would you like the school to do about this material?

Signature of Requester: _____

Date: _____

Appendix D:

Sample Letter Content to Complainant

Date:

Dear: XXXXXXXX

We appreciate your concern over the use of _____ at the: _____ (school) _____.

SAU 24 has developed policies and procedures for selection and reconsideration of instructional and library materials, but realizes that not everyone will agree with every selection made.

To help you understand the selection process, we are sending a copy of policies **IJ -Instructional Materials Selection** and **IJF - Library Resources Selection**.

If you are still concerned after you review this material, please complete the *Request for the Reconsideration of Learning Resources form* and return it to me.

If I have not heard from you within two weeks from the date listed above, we will assume you no longer wish to file a formal complaint.

Sincerely,