

## RECONSIDERATION OF CHALLENGED LEARNING RESOURCES

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Learning resources are selected to implement, enrich and support the educational programs of schools. These resources contribute to the cultural, moral, social and physical development of students. Therefore, it is necessary to offer a wide range of learning resources at varying levels of difficulty, in various formats, with diversity of appeal and presenting different points of view. Learning resources will be selected within the policy framework of the River East Transcona School Division.

During reconsideration of challenged resources, another student's access to the challenged resources shall not be restricted.

Learning Resources are continually reviewed and may be removed through the regular weeding process (See IJK-R1), or through the formal reconsideration of challenged learning resources process. School personnel cannot remove a learning resource due to personal bias, or a complaint from a person or group without going through the outlined process.

While parents and guardians are ultimately responsible for their own children, no person or group has the right to determine access to resources for all others.

*Most complaints can and should be resolved at the school level.*

### **PROCEDURES – RECONSIDERATION OF CHALLENGED LEARNING RESOURCES**

#### **(1) Informal Reconsideration**

If a member of the community has concerns about a learning resource, the principal shall initiate a meeting with the complainant and pertinent teachers, and the teacher librarian.

The purpose of the meeting shall be to hear the complainant's concerns about the material, and to provide information about philosophy, selection criteria and procedures found in the divisional selection policy statement.

The reconsideration process will terminate and the learning resource will remain in the collection if the explanations are found to be satisfactory to the complainant.

If this meeting does not result in a resolution, the complainant may initiate the formal reconsideration process. The learning resource cannot be removed during this process.

#### **(2) Formal Reconsideration**

The formal reconsideration process is initiated by the submission of a 'Request for Formal Reconsideration of Learning Resources' form to the superintendent.

##### **(a) Committee Structure**

Upon receipt of a "Request for Formal Reconsideration of Learning Resources," the superintendent or designate shall establish a reconsideration committee. Recommendations for parental representations on the

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reconsideration committee will come from the school principal and will be approved by the superintendent or designate. The reconsideration committee shall consist of the following representatives:

- (i) one principal, *not from the school where the complaint is issued*, who will convene and chair the meeting.
- (ii) two teachers conversant with the material in question and at the appropriate level. One teacher will be from the school where the complaint is issued; one teacher will be from another school.
- (iii) the consultant responsible for libraries and services and/or designated consultant and/or designated instructional staff;
- (iv) four parents/guardians (other than the complainant), two of whom have children in the level and school where the complaint is issued. The other two parents/guardians will be from other schools but must have children in the same level as the material in question.

Students may be included at the discretion of the superintendent or designate.

(b) Committee Function

The reconsideration committee:

- (i) shall examine the challenged material;
- (ii) shall study critical reviews, if available, and/or invite individuals with pertinent expertise or knowledge in the field to present information to the reconsideration committee. This may include school and/or divisional staff.
- (iii) shall invite input from individuals and may invite input from students;
- (iv) shall weigh strengths and weaknesses based on the resource as a whole and not on single passages or sections in isolation;
- (v) shall discuss the challenged resource in the context of the educational program with the person(s) responsible for the selection of the resource;
- (vi) shall prepare a written report with a recommendation to the superintendent.

**RECONSIDERATION OF  
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(3) **The Decision Process**

The superintendent or designate shall receive the written report and will render a decision based on the deliberations and recommendations of the committee within ten working days of receipt of the report.

The superintendent or designate shall inform in writing the complainant, the reconsideration committee, the school, and the board of trustees as to his/her decision in regard to the complaint. This letter will identify a deadline date for an appeal of the superintendent's decision (30 days).

Any decision as a result of the formal reconsideration process shall be reported through the superintendent to the board of trustees. The board of trustees will receive the superintendent's report as information.

(a) **Appeals**

The complainant will receive in writing the decision of the superintendent. This letter will identify the opportunity to appeal the decision of the superintendent within 30 calendar days during the school year of receipt of the superintendent's letter.

If the complainant does not concur, he/she may present an appeal to the board, which shall make a final determination.

In arriving at a final determination, the board of trustees will have access to both the report of the reconsideration committee and the appeal.

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Legal/Cross Reference: