

MONROE COUNTY SCHOOLS
PROCEDURES FOR THE APPEAL OF INSTRUCTIONAL AND MEDIA MATERIALS

- I. An important role of the School and System Media Committees is to respond to formal complaints regarding instructional and media resources. Supplementary instructional materials and resources include print, audio and visual materials and software. Challenges to supplementary instructional and/or media materials are handled through the school media committee. Challenges to core instructional materials are made to the Board of Education since such materials were approved by the Board of Education. The same appeals form is used in both cases.

- II. School Media Committee
 - A. Appointment

The principals, with advice from their Leadership Teams and School Councils, will annually appoint the School Media Committees. Principals and media specialists are appointed by virtue of their positions. Teachers, students and parents are appointed at the discretion of the principal and should mirror the demographic composition of the school to the maximum extent possible.

 - B. Composition

The School Media Committee shall be composed of:

 1. School principal
 3. Media specialist
 4. One teacher representative from each grade level and/or content/special area
 5. One or more student(s)
 6. One or more parent representatives

 - C. Appointment for Appeal Hearings
 1. From the School Media Committee, the Principal shall select the representatives to review formal complaints to instructional materials filed at the school except those involving county-adopted core textbooks.
 2. The principal or appropriately trained designee shall serve as the hearing officer for an appeal of media materials.

- III. System Media Committee
 - A. Appointment

The Superintendent or his designee shall annually appoint the System Media Committee. Media specialists are appointed by virtue of their positions. The committee shall include at least one principal. Teachers, students and parents are appointed at the discretion of the superintendent and should mirror the demographic composition of the system to the maximum extent possible.

 - B. Composition

The System Media Committee shall be composed of:

 1. The Assistant Superintendent for Teaching and Learning and/or his/her designee
 2. One principal from each school level
 3. All media specialists
 4. One or more student(s)
 5. One or more parent(s)

 - C. Appointment for Appeal Hearings
 1. From the System Media Committee, the superintendent or his/her designee will select representatives to review requests appealed from the schools. Representatives will include students, parents and teachers reflecting the demographic make-up of the community to the maximum extent possible.

2. When a specific school is involved, the principal and media specialist of that school will be included.
3. When the appeal includes materials used in more than one school, representatives from all affected schools will be included.
4. The Assistant Superintendent for Teaching and Learning, or an appropriately trained designee, shall serve as hearing officer for a system-level appeal of media materials.

APPEAL PROCESS FOR MEDIA AND LOCALLY ADOPTED SUPPLEMENTARY MATERIALS AND INSTRUCTIONAL SOFTWARE

- I. Request for Appeal of Media and Locally Adopted Supplementary Instructional Materials
 - A. Objections may be raised to media and locally adopted supplementary materials used in the system's educational program despite the fact that the individuals selecting such material were duly qualified to make the selection, followed proper procedure and observed the criteria for selecting such material.
 - B. To have standing either to initiate a complaint or intervene in the appeal process, a person must be a citizen of Monroe County or the parent of a student in the Monroe County School System. The Monroe County Schools' Appeal Form for Instructional Materials (attached) must be completed by the complainant.
 - C. There are three levels for appeal of media and supplementary materials not adopted by the Board of Education: 1) school media committee, 2) system media committee, and 3) Monroe County Public Schools Board of Education.
- II. Procedures for Appeal of Media and Locally Adopted Supplementary Instructional Materials
 - A. The school official or staff member receiving a complaint regarding instructional materials shall explain the selection process utilized and the appeal procedures for challenged materials. He/she shall refrain from voicing personal opinion.
 1. Written documentation of this contact should be filed with the school principal via memo or email.
 2. Principals have the discretion to temporarily remove the material or let it remain in use during the appeal process. If no formal appeal is made within 10 school days, the book may be returned to the classroom or the media center.
 - B. In the event that the complainant making an objection to material is not satisfied with the initial explanation, the complainant should be referred to the principal or designee who shall explain the selection and reconsideration process and refrain from expressing personal opinion.
 1. If, after consultation, the complainant desires to file a formal complaint, a copy of the Appeal Form should be given to the complainant by the principal or his designee.
 2. The Appeal Form shall be completed and signed by the complainant. The form shall be filed with the principal and a copy forwarded to the Assistant Superintendent for Teaching and Learning, his/her designee and other principals.
 - C. Any action taken related to challenged materials must be taken by the appropriate Media Committee and not by an individual.
 1. A meeting will be scheduled and all committee members and the complainant notified. The complainant shall be notified in writing and invited to attend and present the Appeal Form.

2. Each committee member shall read, view or listen to the material in question in its entirety, and read available professional evaluations pertaining to the material. The Media Specialist and/or Assistant Superintendent for Teaching and Learning and/or his/her designee shall compile necessary professional evaluations of the material in question.
3. The deliberations and balloting of the Media Committees shall be in private.
4. The Media Committee shall meet to:
 - a. hear the concerns expressed by the complainant.
 - b. discuss the materials relative to appropriateness to grade level, appropriateness to curriculum, etc.
 - c. render a majority decision relative to requested actions in a meeting with a quorum present. A quorum is defined as 50% plus one of the total members of the media committee convened to review the material in question. In determining the suitability and value of the material, the appeal committee may consider the following:
 - (1) relevance
 - (2) pervasive vulgarity
 - (3) quality, content and manner of presentation, appropriateness to age, and the sophistication of students and grade level
 - (4) space limitations
 - d. The committee's decision may be to:
 - (1) take no removal action,
 - (2) remove the challenged material from the local school where the complaint was initiated. Action to remove shall be based on evidence that the material is pervasively vulgar and/or lacking in educational value throughout,
 - (3) restrict the use by students,
 - (4) place the material at another school level.
 - e. Within five (5) working school days of the Media Committee meeting, the principal shall:
 - (1) officially notify the complainant in writing of the decision reached and advise of the right to appeal.
 - (2) file a copy of the Appeal Form and all communications including the committee decision with the appropriate system personnel.

III. Appealed Decision

- A. Appeals to decisions made by the School Media Committee must be made within ten (10) working days after formal notification of the decision to the Assistant Superintendent for Teaching and Learning who will convene the System Media Committee. The final decision on any item challenged to the System Media Committee is binding at the school and other schools with the same grade levels where the complaint was initiated.
 1. The complainant shall address a written request for appeal to the Assistant Superintendent for Teaching and Learning.
 2. The Assistant Superintendent for Teaching and Learning and/or his/her designee shall notify other Principals of the appeal and of the Media Committee action on it for their information.
- B. Appeals from the System Media Committee shall be directed in writing to the Superintendent and Board of Education through the Assistant Superintendent for Teaching and Learning and/or his/her designee.

1. Appeals must be made within ten (10) working school days after formal notification of the decision by the System Media Committee.
 2. The proceedings before the Board will be governed by the procedures for board hearings set out under "APPEAL PROCESS FOR CORE INSTRUCTIONAL MATERIALS" as detailed in section III below. The hearing may be conducted by the Board or the Board may designate a panel presided over by a hearing officer or may designate a hearing officer sitting alone to conduct the hearing.
 3. The Assistant Superintendent for Teaching and Learning and/or his/her designee shall notify the Principals of the action taken by the Board.
- C. Implementation of a decision rendered by the School or System Media Committee shall be held in abeyance until the appeal process is exhausted.
- IV. Procedural Organization for School or System Media Committee
- A. In the event of a severe overload of challenges, the committee may appoint a subcommittee of members to consolidate challenges and to make recommendations to the full committee. The composition of this subcommittee shall approximate the representation on the full committee.
- V. Review of Selection and Appeal Procedures
- A. The Principals shall review the selection and appeals procedures with all staff at least annually.
- B. The staff shall be reminded that the right to object to material is one granted by policies enacted by the Board of Education. They shall also be reminded of ethical and practical considerations in attempting to handle complaints with courtesy and integrity.
- C. The System Media Committee shall annually review the selection and appeal procedures to determine if revisions are needed.

III. APPEAL PROCESS FOR CORE INSTRUCTIONAL MATERIALS

- A. The appeal process for core instructional materials (textbooks) is different from the procedure used for instructional media center materials. The reason for this difference is that of core the Board has formally adopted core textbooks.
- B. At the time the challenge is initiated and at all times during the challenge proceedings, the complainant must be a citizen of Monroe County or the parent of a Monroe County student. To initiate a core instructional materials challenge, the complainant shall complete an Appeal Form for Instructional Materials (attached) furnished by the school administration. The principal should then forward the completed form to the Assistant Superintendent for Teaching and Learning.
- C. A hearing on the issues will be held. The hearing may be conducted by the Board, or the Board may designate a committee presided over by a hearing officer or chairman or may designate a hearing officer sitting alone to conduct the hearing. The hearing officer, sitting alone or presiding over a panel, or the committee chairman, shall prepare findings and recommendations submitted to the Board within five (5) school working days of the close of the hearing. Notwithstanding any other provision of this procedure, the Board shall make its determination on the matter within ten (10) school working days of its receipt of the transcript of the hearing, and any decision of the Board shall be final.