



LOS ANGELES UNIFIED SCHOOL DISTRICT POLICY BULLETIN

TITLE: Procedures For Reviewing Challenged Materials

NUMBER: BUL-5208

ISSUER: Judy Elliott, Chief Academic Officer
Office of Curriculum, Instruction, &
School Support

ROUTING

Local District Superintendents
Directors
Principals
Library Media Personnel
Teachers
ITAFs

DATE: August 13, 2010

PURPOSE: The purpose of this bulletin is to explain the procedures to be followed when instructional materials are formally challenged in writing by parents, staff, students, or members of the community, and to provide background information about material selection to assist staff in implementing the review process.

MAJOR CHANGES: This revision replaces Instructional Services Bulletin No. BUL-591 with the same title, dated November 3, 2003. The content has been revised to reflect current District policy and organization and provide clearer guidelines for implementing the procedures.

BACKGROUND: Schools should select instructional materials based on instructional initiatives established by the Board of Education and specific needs of the local community. BUL – 5209, “Criteria for Evaluating Instructional Materials and Off-Site Instructional Activities,” dated August 13, 2010, provides guidance. The evaluation of instructional materials also occurs at the District level and provides schools with lists of high-quality, curriculum-oriented instructional materials that have been reviewed by District teachers. Once a school has adopted selection procedures and criteria, materials to which individuals or groups object must **not** be removed from use without a formal process of review and evaluation.

PROCEDURES: PROCEDURES FOR REVIEWING CHALLENGED MATERIALS

Some materials, although acceptable by the District as a whole, may not be acceptable to members of a school staff or community. The procedures listed below should be followed in order to resolve such differences:

- A. Challenges of instructional materials must be made on the form titled “Request for Review of Challenged Instructional Materials” (Attachment A). The challenge form should be submitted to the local school site administrator or designee.



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- B. No request for reconsideration of instructional materials will be entertained if the school has already reviewed the matter within the last year.
- C. The local school site administrator or designee must acknowledge receipt of the request within ten (10) school days and take the following actions:
 - 1. Record dates of all pertinent actions on the “Request for Review of Challenged Materials” form.
 - 2. Establish a review committee composed of at least seven (7) people consisting of appropriate staff and local community members. Required members include: library media personnel, Library Services personnel, school’s Local District Director, school-site administrator, and faculty members. Additional members could include: community member, parent, classified staff, another site administrator, or another faculty or staff member.
 - 3. Forward a copy of the “Request for Review of Challenged Materials” form to the following people:
 - a. Review committee members
 - b. Local District Superintendent
 - c. Chief Academic Officer
 - d. Director, Instructional Media Services
 - 4. Review the documents in Attachments B through I.
 - 5. The challenged materials must remain in use pending a final decision. While awaiting the outcome of the challenge, access to the questioned materials may be denied to the child or children of parents/guardians making the complaint, if the parents/guardians so desire.
 - 6. Notify the challenger(s), in writing, within ten (10) days after receiving the committee’s decision. This notification letter should also serve notice to the challenger(s) that an appeal of the decision may be made in writing to the Local District Superintendent within fifteen (15) school days of the notification. Forward a copy of the decision to the Local District Superintendent, Director of Instructional Media Services, and Chief Academic Officer.



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- D. The review committee is to comply with the following:
1. A meeting of the review committee members should be scheduled no later than twenty (20) school days after receipt of the request by the administrator, and the date of the meeting should be recorded on the challenge form. Committee members **must** thoroughly examine and completely read the challenged item(s).
 2. The committee should select a chairperson who will keep track of all pertinent dates related to the challenged materials.
 3. The review committee should carefully examine the item(s), participate in open discussion, use a secret ballot, and make a recommendation based on the majority rule.
 4. The review committee should notify the school administrator in writing of the committee's recommendation within five (5) school days after the conclusion of its review.
 5. Committee proceedings shall remain confidential. Only the recommendations are to be reported to the administrator.
- E. Within ten (10) days of being notified of the committee's decision, the administrator will notify the complainant of the committee's decision. Within fifteen (15) school days from notification of the decision of the school review committee, the challenger(s) may appeal the decision by writing to the Local District Superintendent. This appeal will be handled in essentially the same manner as the initial request for review, and the appeal results will be sent to the complainant and school administrator within twenty (20) school days of receipt of the appeal.
- F. Should (a) member(s) of the review committee disagree with the decision reached by the majority of the committee, the member(s) may write a separate statement to be included with the decision.
- G. An appeal of the decision of the Local District Superintendent may be made in writing to the Chief Academic Officer, Office of Curriculum, Instruction, & School Support. The Local District Superintendent shall notify the challenger(s) of this right to appeal. This appeal will be handled in essentially the same manner as the initial request for review, and the appeal results will be sent to the complainant and school administrator within twenty (20) school days of receipt of the appeal.



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RELATED RESOURCES:

- BUL-5209, *Criteria for Evaluating Instructional Materials and Off-Site Instructional Activities*, Office of Instruction, Curriculum, and School Support, August 13, 2010.
- BUL-5210, *Guidelines for the Use of Audiovisual Materials Not Owned, Broadcast, or Recommended by the District*, Office of Instruction, Curriculum, and School Support, August 13, 2010.

AUTHORITY:

California Education Code §§18111, 35010, 35160, 60003, 60040-60047, 60200-60026, 60260, 60400-60404

ASSISTANCE:

For assistance or further information, please contact

- Esther Sinofsky, Director, Instructional Media Services, (213) 207-2255.
- Nancy Reich, Specialist, Library Services, (213) 207-2255.



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ATTACHMENT A

REQUEST FOR REVIEW OF CHALLENGED MATERIALS

Title of the item _____

Type of material (book, video, etc.) _____

Source, Publisher, or Producer _____

Copyright or Release Date _____

Request initiated by _____

(Street)

(City)

(Zip)

(Telephone)

Date complainant reviewed material in its entirety _____

Complainant represents (Check one):

Self Organization Please specify _____

Please explain your challenge by answering the following questions:

- 1. Describe and give the exact location of objectionable material (page numbers in a book, screens in a software program, scene(s) in a video).

- 2. In what way do you find the material inappropriate for use in the classroom, library media center, or both?

- 3. What do you think might result from continued use of this material?



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ATTACHMENT A

4. Are there any conditions under which you believe this material might be used with value in the instructional program? Please explain.

Two horizontal lines for writing an answer to question 4.

5. What do you suggest be done with this material?

Three horizontal lines for writing an answer to question 5.

6. Can you suggest alternative materials?

Three horizontal lines for writing an answer to question 6.

Signature: _____ Date: _____

This form is to be submitted to the school site administrator.

FOR OFFICE USE ONLY
Table with columns for Pertinent Actions and Date, containing steps A through G and a checkbox for Material status.



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ATTACHMENT B

PURPOSE OF THE SCHOOL LIBRARY MEDIA CENTER AND PROGRAM

The purpose of the school library media center and program is to provide instruction and material in a variety of formats to:

- Support State and District curriculum standards and initiatives
- Support language acquisition and literacy (1)
- Support District and school-based initiatives to close the achievement gap (2)
- Develop independent learners who are information literate and pursue information related to personal interests (3)
- Support personal interests and reference needs of students through self-selection of materials (3)
- Develop a life-long love of reading and learning (4)

- (1) Krashen, Stephen. *The Power of Reading*. Libraries Unlimited, 1993. p.23: "Reading may be the only way to develop literacy skills."
- (2) Lance, Keith Curry et al. *The Impact of School Library Media Centers on Academic Achievement*. Hi Willow Research and Publishing, 1993. p.iv
- (3) California School Library Association. *Standards and Guidelines for Strong School Libraries*. CSLA, 2004. p.66: Standard 4
- (4) Loertscher, David. *Taxonomies of the School Library Media Program*. Libraries Unlimited, 1988. p.37

Developed by Instructional Media Services, 2007



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ATTACHMENT C

THE STUDENTS' RIGHT TO READ

The Right to Read

The right of any individual not just to read but to read whatever he or she wants to read is basic to a democratic society. This right is based on an assumption that the educated possess judgment and understanding and can be trusted with the determination of their own actions. In effect, the reader is freed from the bonds of chance. The reader is not limited by birth, geographic location, or time, since reading allows meeting people, debating philosophies, and experiencing events far beyond the narrow confines of an individual's own existence.

The Right to Read and the Teacher of English

For many years, American schools have been pressured to restrict or deny students access to books or periodicals deemed objectionable by some individual or group on moral, political, religious, ethnic, racial, or philosophical grounds. These pressures have mounted in recent years, and English teachers have no reason to believe they will diminish. The fight against censorship is a series of continuing skirmishes, not a pitched battle leading to a final victory over censorship.

We can safely make two statements about censorship: first, any work is potentially open to attack by someone, somewhere, sometime, for some reason; second: censorship is often arbitrary or irrational.

Some groups and individuals have also raised objections to literature written specifically for young people. ...many contemporary novels for adolescents focus on the real world of young people – drugs, premarital sex, alcoholism, divorce, high school gangs, school dropouts, racism, violence, and sensuality. English teachers willing to defend the classics and modern literature must be prepared to give equally spirited defense to serious and worthwhile adolescent novels.

The Threat to Education

Censorship leaves students with an inadequate and distorted picture of the ideals, values, and problems of their culture. Writers may often represent their culture, or they may stand to the side and describe and evaluate that culture. Yet partly because of censorship or the fear of censorship, many writers are ignored or inadequately represented in the public schools...

Excerpted from National Council of Teachers of English, *The Students' Right to Read*, NCTE, 1981.



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ATTACHMENT D

Challenged Materials Review Committee

Committee Member: In keeping with LAUSD BUL-5208, please sign this confirmation form which acknowledges that you have "...thoroughly examine[d] and completely read the challenged item." This signed form is required for participation in the deliberations.

I, _____ attest that per LAUSD BUL-5208, I have read the challenged material [Title] by [Author] in its entirety and I have examined it thoroughly.

Signature

Title

Printed Name

Date

Challenged Materials Review Committee

Committee Member: In keeping with LAUSD BUL-5208, please sign this confirmation form which acknowledges that you have "...thoroughly examine[d] and completely read the challenged item." This signed form is required for participation in the deliberations.

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Signature

Title

Printed Name

Date



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ATTACHMENT E

Confidentiality Agreement

Per LAUSD BUL-5208, I understand that deliberations during the Challenged Materials Committee meeting, held on [Month, Date, Year] at [Name of School], must remain confidential. I acknowledge per Section D.5 of said bulletin that only the committee’s recommendation will be reported to the appropriate administrator.

Signature

Title

Printed Name

Date

Confidentiality Agreement

Per LAUSD BUL-5208, I understand that deliberations during the Challenged Materials Committee meeting, held on [Month, Date, Year] at [Name of School], must remain confidential. I acknowledge per Section D.5 of said bulletin that only the committee’s recommendation will be reported to the appropriate administrator.

Signature

Title

Printed Name

Date

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Signature

Title

Printed Name

Date



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ATTACHMENT F

Challenged Materials Committee
BALLOT

- Retain in [School Name] Library or Textbook Room
 - Remove from [School Name] Library or Textbook Room
-

Challenged Materials Committee
BALLOT

- Retain in [School Name] Library or Textbook Room
 - Remove from [School Name] Library or Textbook Room
-

Challenged Materials Committee
BALLOT

- Retain in [School Name] Library or Textbook Room
 - Remove from [School Name] Library or Textbook Room
-

Challenged Materials Committee
BALLOT

- Retain in [School Name] Library or Textbook Room
- Remove from [School Name] Library or Textbook Room



Summary of Guidelines for the Challenged Materials Review Committee

The policy of the Los Angeles Unified School District is to provide a wide range of instructional materials at varying levels of difficulty with diversity of appeal and the presentation of different points of view to meet the needs of students and teachers in the classroom and in the Library Media Center. The following guidelines are outlined to implement the instructional objectives of the District and assure a fair and complete consideration of any materials with which there are differences.

The Challenged Materials Review Committee will follow these guidelines when responding to a challenge to materials:

1. Review the challenged material, in its entirety, along with applicable District policies to ensure compliance with policy.
2. Determine the professional acceptance of the challenged material, if possible, by referring to critical review of the material. The Committee shall evaluate the materials from the person objecting, research information on the topic, and any other available information resources pertinent to the topic, including but not limited to expert District personnel, District curriculum and instructional policies and procedures, curriculum standards and frameworks.
3. Weigh values and faults and form opinions based on the material as a whole rather than on passages or sections taken out of context.
4. Discuss the challenged material in the context of the educational program.
5. Reach a decision by consensus as to whether or not the challenged material shall continue to be used in the school.
6. Communicate the Committee's decision in a written report submitted to the school principal/Local District Superintendent or designee.

The Committee's written report shall include:

- A statement of the decision of the Committee concerning the challenged material and the rationale(s) used in making that decision.
- References to applicable District policies and other resources used in the review process.

A copy of the written report shall be maintained by the school/Local District.



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ATTACHMENT H

Sample Findings and Decision Form

[School Name]

Challenged by:

Name: _____ Affiliation [e.g., parent] _____

Street Address _____ City _____ ZIP _____

Challenged Instructional Material:

Author: _____

Title: _____

Publisher/Producer: _____ Copyright date: _____

Reason for Challenge: Attach copy of the challenge

Pertinent Background Information:

Findings: [Facts and evidence]

Decision:

Based on a thorough review, discussion, and careful consideration, the Review Committee finds that the challenge request should be [GRANTED/DENIED].

Printed Name and Signature of Reviewer

Date



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ATTACHMENT I

Sample Notification Letter

[School Letterhead]

Date:

Name
Street Address
City, State ZIP

Dear [Name]:

On [Date], the Instructional Materials Review Committee met and, after a thorough review, discussion, and careful consideration, the Review Committee finds that your challenge request should be [Granted/Denied].

As per District policy, should you wish to appeal this decision, you must appeal in writing to the Local District Superintendent with fifteen (15) school days of this notification.

Sincerely,

[Administrator's name]

c: Local District Superintendent
Director, Instructional Media Services
Chief Academic Officer