

CONTROVERSIAL ISSUES/PROCEDURES

If after consideration of the Burlington Public School's Policies and Procedures regarding the teaching of controversial or sensitive issues and material selection, careful scrutiny of the School's attitude towards student rights and teacher responsibilities in the matter of controversial or sensitive issues and material selection, and careful consideration of any other relevant School Policies and Procedures, a citizen still desires to protest the advisability of teaching a certain issue or the use of specific materials, the citizen may proceed as follows:

Step 1: Request a conference with the classroom teacher and department head or principal, where applicable, to discuss the citizen's complaint.

IF THE ISSUE HAS NOT BEEN RESOLVED,

Step 2: The Complainant shall submit Form A or on audio tape using Form A as a guide to the principal. Complaints thus submitted will be considered by a Committee. The Committee will be appointed by the principal from among the faculty of the Burlington School District; and could include faculty from other school districts. The committee will meet within 30 days of receipt of Form A. The principal will also appoint a representative of the community to sit on the Committee.

This Committee will have expertise in the subject field of the book or material challenged or the area considered to be controversial or sensitive.

The Complainant shall also be given the opportunity to present the substance of the written or taped complaint in person to the Committee. The Complainant will be given five days advance notice of the date the Committee will convene to hear the Complainant.

The Complainant's presentation to the Committee shall not exceed fifteen minutes. If a group of people is making the Complaint, only two persons shall be present to represent the group to the Committee. If a person is unable to verbalize his/her presentation, an interpreter/assistant may accompany and assist him/her in making the presentation.

A representative of the Administration shall also be given fifteen minutes to present orally to the Committee any comments on the Complaint. A representative of the Administration shall also have the opportunity to submit in writing to the Committee any comments in response to the Complainant's written or taped Complaint. *Form B is to be used by a representative of the Administration for the response. Any such written comments should be submitted to Committee and the Complainant five days in advance of the Committee's hearing.

Any oral presentation made to the Committee by the Complainant and/or the Administration's representatives will be audiotaped and considered part of the record.

After the oral presentations to the Committee, if any, the Committee shall then proceed in a closed session, at the time of its choice but within 30 days, to consider and decide the Complaint. The challenged book or material will be judged by the Committee as to its conformity with the objectives outlined in the Burlington Public School's Controversial Issues and Material Selection Policies, and any other relevant School Policies and Procedures. The Committee will prepare a written decision stating the evidence it considered, make findings based on comparing the substance of the Complaint to Burlington Public School's Controversial Issues and Material Selection Policies and to any other relevant School Policies and Procedures, and stating the Committee's conclusions. A copy of the Committee's decision will be sent by certified mail to the Complainant.

Steps beyond Step 2 shall be conducted on the record and not de novo.

Step 3:

If the Complainant is not satisfied with the Committee's decision, the Complainant may appeal the Committee's decision to the Superintendent of Schools. The Complainant's appeal to the Superintendent shall be submitted in writing or on audio tape and shall be dated. The Complainant's appeal must be received by the Superintendent within ten working days from the date of the Complainant's receipt of the Committee's decision. Failure to submit the dated appeal within the aforesaid time period will terminate the appeal process and render the Committee's decision final.

The Superintendent shall decide a timely filed appeal on the basis of the record before the Committee. The Superintendent shall determine whether: (1) the Committee applied and followed the proper policies and procedures, and (2) whether the Committee's findings are fairly and reasonably supported by the evidence before the Committee and that the Committee's conclusions are supported by the findings. The Superintendent shall prepare a written determination of the two issues previously stated. A copy of the Superintendent's written determination shall be sent by certified mail to the Complainant.

Step 4:

If the Complainant is not satisfied with the Superintendent's decision, the Complainant may appeal the Superintendent's decision to the Board of School Commissioners. The appeal to the Board of School Commissioners shall be submitted in writing or on audio tape and shall be dated. The Complainant's appeal must be received by the Board of School Commissioners within ten working days from the date of the Complainant's receipt of the Superintendent's decision. Failure to submit the dated appeal within the aforesaid time period will terminate the appeal process and render the Superintendent's decision final. The Board of School Commissioners shall decide a timely appeal on the basis of the

record. The Board shall determine whether: (1) the Committee applied and followed the proper policies and procedures, and (2) whether the Committee's findings are fairly and reasonably supported by the evidence before the Committee and that the Committee's conclusions are supported by the findings.

The Board shall prepare a written determination of the two issues previously stated. A copy of the written determination shall be sent by certified mail to the Complainant.

PROCEDURE ADOPTED: February 9, 1993
PROCEDURE REVISED: September 12, 1995

FORM A

REQUEST FOR REVIEW OF EDUCATIONAL MATERIAL

(A completed Form A must be submitted to the principal)

Request Initiated by: _____

Address: _____ **Phone:** _____

School: _____ **Grade:** _____

Citizen Represents:

Self

Organization: Name _____

Other Group: Name _____

1. To what materials do you object? Please be specific. (Title, Author, Publisher, Page Number, etc.)

2. What is your reason for objecting to this material?

3. What do you feel might be the result(s) of using this material?

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4. What do you believe is the theme and/or purpose of this material?

5. How much of this material have you read, viewed, used and/or heard?

6. Do you recommend this material for use with any age group? If yes, please state age/grade levels.

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7. What, if any, is the benefit of having this material in our school district?

8. Have you read any critical or literary reviews of this material? If yes, cite their reviews and their opinions.

Other Comments:

Signature: _____

Date: _____

Date Received by Principal: _____

FORM B

DISTRICT RESPONSE TO QUESTIONED MATERIAL

TITLE: _____

AUTHOR: _____

PUBLISHER/DATE: _____

NAME & TITLE OF RESPONDER: _____

1. Where and how is this material used?

2. What do you believe is the theme and/or purpose of this material?

3. In general, why should this material be included in the library or studied in the curriculum by students at the grade/group level indicated?

4. Specifically, what is the unique value of this material?

5. What do you feel might be the impact of removing this material?

6. Have you read any critical or literary reviews of this material? If yes, cite these reviews and their opinions.

7. What do you feel should be done with this material and why?

8. Can you recommend any material in place of that which is questioned? Why or why not?

Other Comments:

Signature: _____

Date: _____

Date Received by Principal: _____

9/12/95