

1 IJL-R - Procedures for Addressing Challenged Materials

2 3 I. Statement of Policy

4
5 Despite the quality of the selection process, any parent/legal guardian or student may formally
6 challenge instructional materials and library resources used in the school's educational program based
7 on appropriateness. The procedure concerning challenged materials is outlined below. Its purpose is to
8 provide for a hearing with appropriate action, within the context of the principles of freedom of
9 information, the student's right to access information, and the professional responsibility and integrity
10 of the school faculty. No challenged materials shall be removed from KRSD libraries or instructional
11 programming before the process of review is completed.

12 13 II. Preliminary Complaint Request

14
15 Upon receiving a complaint:

- 16
17 1. The librarian [or Principal, or other appropriate staff member] shall explain to the questioner
18 the school's selection procedure, criteria, and qualifications of those persons selecting the
19 resource.
- 20
21 2. The librarian [or other appropriate staff member] shall explain the particular place the
22 questioned resource occupies in the educational program, its intended usefulness, and
23 additional information regarding its use, or refer the party to someone who can identify and
24 explain the use of the resource.
- 25
26 3. If the questioner wishes to file a formal challenge, a copy of the *KRSD School Library and*
27 *Instructional Materials Selection and Reconsideration Policy* and a *Request for the*
28 *Reconsideration of Instructional Materials and Library Resources* form [Appendix C] shall be
29 emailed to the party concerned by the librarian or principal, along with a letter to the
30 complainant [Appendix D].

31 32 III. Request for Formal Reconsideration

33 A. Preliminary Procedures

- 34 1. The questioner must read or review the material in question in its entirety.
 - 35 2. KRSD will keep on hand and make available the *Request for Reconsideration of Instructional*
36 *Materials and Library Resources* forms [Appendix C]. Questioners must utilize this form to
37 make formal objections to instructional materials and library resources.
 - 38 3. The questioner will complete and sign *The Request for Reconsideration of Instructional*
39 *Materials and Library Resources* form before further consideration. The questioner shall file
40 the form with the appropriate building principal. If the form is not completed and returned,
41 the principal will assume that the questioner no longer wishes to file a formal complaint [as
42 stated in the letter to complainant, [Appendix D].
 - 43 4. Upon receipt of a *Request for Reconsideration of Instructional Materials and Library*
44 *Resources* form, the principal will notify the superintendent.
 - 45 5. The Superintendent or designee will direct the request for reconsideration to a
46 reconsideration committee for reevaluation of the resource.
- 47

48 B. The Reconsideration Committee

49

50 1. Upon receipt of a request for the reconsideration of Instructional Materials and Library
51 Resources, [Appendix C] the reconsideration committee shall arrange to meet within twenty
52 working days after receipt of the complaint.

53 2. The District Elementary or Secondary Curriculum Director will select and chair, with the
54 support from the building principal, librarian, and other appropriate professional staff, a
55 reconsideration committee selected for diversity of opinion and relevant expertise.

56 3. The reconsideration committee will consist of:

57

- 58 • Two to six members of the teaching staff,
- 59 • A school administrator, appointed by the administrative team
- 60 • Up to two students, as age appropriate
- 61 • Up to two adults, not employees of the District, appointed by the Superintendent
- 62 • One School Board Member

63

64 4. The reconsideration committee shall review the challenged resource and determine
65 whether it conforms to the principles of selection outlined in District policy **IJL - School**
66 **Library and Instructional Materials Selection and Reconsideration Policy.**

67

68 C. Resolution

69

70 1. The reconsideration committee shall:

- 71 • Examine the challenged resource in its entirety
- 72 • Determine professional acceptance by reading critical reviews of the resource
- 73 • Weigh values and faults, and form opinions based on the material as a whole rather
74 than on passages or selections taken out of context
- 75 • Discuss the challenged resource in the context of the educational program
- 76 • Discuss the challenged item with the individual questioner when appropriate
- 77 • Prepare a written report

78

79 2. The Committee chair shall provide copies of the written report to the superintendent, and
80 the principal.

81 3. If requested, the individual questioner may review the findings of the report with the
82 Superintendent or designee.

83 4. Notwithstanding any procedure outlined in this policy, the questioner shall have the right to
84 appeal any decision of the reconsideration committee to the Superintendent whose sole
85 role is to review the process used for consistency, but will not supersede the integrity and
86 thoroughness of the final recommendations of the review committee.

87

88 D. Guiding Principles

89

90 1. Parent/Legal Guardian or student may raise objection to instructional materials and library
91 resources used in KRSD educational program, despite the fact that the individuals selecting
92 such resources were duly qualified to make the selection, followed the proper procedure,
93 and observed the criteria for selecting instructional materials and library resources.

- 94 2. The librarian or Principal should review the selection and objection rules with the teaching
95 staff annually. The principal or librarian will remind staff that it is the right of individuals to
96 object to instructional materials and library resources granted by policy enacted by the
97 school board.
- 98 3. No parent has the right to determine reading, viewing, or listening matter for students other
99 than his or her own children.
- 100 4. The KRSD Board supports the ***Library Bill of Rights and The Freedom to Read Statement***,
101 adopted by the American Library Association [Appendixes A and B). When questioners
102 challenge instructional materials and library resources, the Board must defend the principles
103 of freedom to read/listen/view.
- 104 5. Access to challenged material shall not be restricted during the consideration process.
- 105 6. No party shall interpret the decision of the committee decision to sustain a questioner’s
106 challenge as a judgment of irresponsibility by the professionals involved in the original
107 selection and/or use of the material.
- 108

109 **See Also:**

- 110
- 111 KRSD Policy IJL – School Library and Instructional Materials Selection and Reconsideration
112 KRSD Policy IGE – Parental Objection to Specific Course Materials
113 KRSD Policy IHAM – Health Education – Exemption from Instruction
114 IJL-R Appendix A – ***Library Bill of Rights***
115 IJL-R Appendix B – ***The Freedom to Read Statement***
116 IJL-R Appendix C – *Request for the Reconsideration of Instructional Materials and Library Resources*
117 IJL-R-Appendix D – *Sample Letter to Complainant*
- 118

119 **Legal Reference(s):**

- 120
- 121 [RSA 186:11, IX](#)
122 [20 U.S.C §1232h, \(c\)\(1\)\(C\), Protection of pupil rights](#)
- 123

124 **First Read:** February 17, 2022

125 **Second Read:**

126 **Adopted:**

127 **Revised:**

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141 **Appendix A:**

142

143 ***Library Bill of Rights***

144

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

147

148 I. Books and other library resources should be provided for the interest, information, and
149 enlightenment of all people of the community the library serves. Materials should not be
150 excluded because of the origin, background, or views of those contributing to their creation.

151

152 II. Libraries should provide materials and information presenting all points of view on current and
153 historical issues. Materials should not be proscribed or removed because of partisan or doctrinal
154 disapproval.

155

156 III. Libraries should challenge censorship in the fulfillment of their responsibility to provide
157 information and enlightenment.

158

159 IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of
160 free expression and free access to ideas.

161

162 V. A person's right to use a library should not be denied or abridged because of origin, age,
163 background, or views.

164

165 VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should
166 make such facilities available on an equitable basis, regardless of the beliefs or affiliations of
167 individuals or groups requesting their use.

168

169 VII. All people, regardless of origin, age, background, or views, possess a right to privacy and
170 confidentiality in their library use. Libraries should advocate for, educate about, and protect
171 people's privacy, safeguarding all library use data, including personally identifiable information.

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185 © American Library Association Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18,
186 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.

187 Inclusion of "age" reaffirmed January 23, 1996.

188 **Appendix B:**

189

190 ***The Freedom to Read Statement***

191

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

200

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

207

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

213

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

220

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

227

228 We believe that free communication is essential to the preservation of a free society and a creative
229 culture. We believe that these pressures toward conformity present the danger of limiting the range and
230 variety of inquiry and expression on which our democracy and our culture depend. We believe that
231 every American community must jealously guard the freedom to publish and to circulate, in order to
232 preserve its own freedom to read. We believe that publishers and librarians have a profound
233 responsibility to give validity to that freedom to read by making it possible for the readers to choose
234 freely from a variety of offerings. The freedom to read is guaranteed by the Constitution. Those with

235 faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise
236 the responsibilities that accompany these rights.

237 We therefore affirm these propositions:

238

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

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

250

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

254

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

261

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

264

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

268

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

272

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

280

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

283

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

288

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

293

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

302

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

307

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

314

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

323

324

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

330 **Appendix C:**

331 **Request for the Reconsideration of Instructional Materials and Library Resources**

332

333 Request Initiated by:

334

335 Telephone:

336

337 Address:

338

339 Complainant is a: student parent/guardian of student

340

341 Complainant Represents:

342

343 himself/herself

344

345 Group: (please provide name of group: _____)

346

347 other: (please describe: _____)

348

349 Resource on which you are commenting:

350

351 Book Video Other (Please explain: _____)

352

353 Magazine CD _____

354

355 Newspaper Website _____

356

357 *Author/Producer:*

358 _____

359

360 *Title:*

361 _____

362

363 *Publisher:*

364 _____

365

366 **Please answer the following questions either in the space provided, or on additional pages:**

367

368 1. Have you been able to discuss this work with the teacher or librarian who ordered it or who used it?

369

370 Yes No

371

372 2. Did you read the entire book, or view the entire material? If not, which parts?

373

374

375

376

- 377 3. What do you think is the theme of this book or material?
378
379
380 4. To what in the book/material do you object? Be specific. Cite pages, or passages.
381
382
383 5. Is there anything good about this book/material?
384
385
386 6. What do you feel might be the result of reading this book, or using this material?
387
388
389 7. For what age group would you recommend this book/material?
390
391
392 8. Describe what you understand to be the judgement of this book, or material, by critics.
393
394
395 9. What work would you recommend that would convey as valuable a picture and perspective of the
396 subject treated in its' place?
397
398
399
400

401 _____
402 Date Signature of Complainant
403
404

405 This form is based on materials developed by the National Coalition of English Teachers and is used with
406 permission. Revisions are authorized and sponsored by the ORCSD School Board, and not the NCTE.

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417 **Appendix D:**

418

419 **Sample Letter to Complainant**

420

421 Date:

422

423 Dear: XXXXXXXX

424

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

426

427 Kearsarge Regional School District has developed policy and procedures for selecting and
428 reconsideration of instructional and library materials, but realizes that not everyone will agree with
429 every selection made.

430

431 To help you understand the selection process, we are sending a copy of Kearsarge Regional School
432 District's policy **IJF - Library and Instructional Materials Selection and Reconsideration Policy**.

433

434 If you are still concerned after you review this material, please complete the *Request for the*
435 *Reconsideration of Learning Resources form* and return it to me. You may be assured of prompt
436 attention to your request. If I have not heard from you within two weeks from the date listed above, we
437 will assume you no longer wish to file a formal complaint.

438

439 Sincerely,

440