

6143-R Reconsideration of Instructional Materials

Should a Campbell County resident request material be removed or restricted, the following procedures will apply:

- Requests for removal of materials will be referred to the building principal where materials are located. The complainant, principal, and library/media specialist or teacher as appropriate will meet to discuss the complaint. The principal will submit a written record of the conference to the Superintendent of Schools, including names of the persons present, date, complaint and outcome of the conference. If removal of the materials is still requested after the conference, the complainant may complete the Citizen's Request for Reconsideration of Instructional Materials.
- The Citizen's Request for Reconsideration of Instructional Materials will be available from and filed with the building principal who will forward the written form to the Superintendent of Schools.
- In order for a Citizen's Request for Reconsideration of Instructional Materials to be heard by the Reconsideration Committee, the complainant and all persons who testify must have read, viewed and/or listened to the material in its entirety.
- The material to be reconsidered will remain available for general use until a decision is made by the Reconsideration Committee. In unusual circumstances, the Superintendent may temporarily remove materials until the committee renders a decision.
- Reconsideration Committee membership will include:
 - One principal
 - One library/media specialist
 - One teacher
 - ~~Two Campbell County High School senior class members~~
 - ~~One Wright Junior-Senior High School senior class member~~
 - **Two senior class members from CCSD High Schools**
 - Eight citizens
 - A district-level administrator (chairperson)
- Selection of Committee Members
 - The chairperson of the committee will be appointed **annually** from district-level administration by the Superintendent.
 - The principals are responsible for selecting one principal.
 - The library/media specialists are responsible for selecting one library/media specialist.
 - On committees convened in even numbered years, an elementary administrator and a secondary library/media specialist will serve.
 - On committees convened in odd numbered years, a secondary administrator and an elementary library/media specialist will serve.
 - The teacher representative will be selected from the building faculties **by the chairperson. The school responsible for selecting a representative will be selected by lottery and cannot be selected more than once in a five-year period. The teacher selected cannot be selected more than once in a five-year period.**
 - On committees convened in even numbered years, an elementary teacher will serve.

- On committees convened in odd numbered years, a secondary teacher will serve.
 - ~~The Student Council of Campbell County High School will elect two senior student representatives to be on the committee. An additional senior student representative will be selected by the Wright Junior-Senior High School Student Council.~~
 - **The Student Councils of Campbell County School District's high schools will each nominate a senior student representative. The chairperson will select two of those nominated to serve on the committee.**
 - After public notice by news release or legal advertisement, the eight (8) citizen members of the committee will be selected as follows:
 - Each member of the Board of Trustees will nominate one citizen representative.
 - The Chairman of the Board will nominate two citizens.
 - Immediate family members of the same household of employees and trustees of Campbell County School District are ineligible to serve as citizen representatives on the committee. Also, two persons residing in the same household may not serve on the Reconsideration Committee at the same time.
 - The term of service will run through resolution of the request for reconsideration.
 - All committee members will be identified within 30 days of the submission of the citizen's request for reconsideration of instructional material with the building principal.
 - No member except the chairperson may be reappointed or re-elected to the committee until one year has elapsed since his/her last term of service.
- Meetings
 - The committee will hold an organizational meeting within 60 days, **not counting the months of June, July, and August**, after a Request for Reconsideration is filed with the school principal.
 - The committee will meet as needed to consider challenged materials. **Meetings will not be held in June, July, August or September.**
 - All meetings will be open to the public.
- Duties of the Chairperson of the Reconsideration Committee
 - Recruit citizens by legal notice or legal advertisement.
 - Establish the committee and conduct an organizational meeting.
 - Inform committee members of their responsibilities and duties.
 - Notify members **and the public** of meeting times and location.
 - Communicate to principals, library/media specialists and the media the proposed agenda and possible action.
 - Circulate sufficient and available materials for the committee members to review.
 - Select an alternate from the same class or group when a member withdraws and when conflict of interest prevents a quorum.
 - Conduct a formal hearing of the Request for Reconsideration.
 - Cause minutes to be kept.
 - Direct discussion without bias.
 - Call witnesses.
 - Call for the vote.
 - Count ballots (with witnesses).
 - Notify the Superintendent, complainant, principals and the ~~district coordinator of library/media services~~ **library media coordinators** the results by written memo within ten (10) calendar days of the committee's decision.

- File results with the Superintendent.
- Duties of Each Committee Member
 - Withdraw in cases of conflict of interest.
 - Evaluate materials and testimony.
 - Seek additional information regarding materials.
 - Vote.
 - Notify the chairperson if unable to attend.
- Procedures for Formal Hearing
 - Public Testimony
 - Any person desiring to give testimony to the committee must register with the chairperson prior to the committee meeting.
 - A total of up to 25 minutes will be allotted representatives of each of the two opposing viewpoints.
 - A recess will be called at the beginning of the meeting so representatives of opposing viewpoints can organize their speaking time.
 - The person requesting reconsideration will present first, followed by others supporting that viewpoint, then those of the opposing viewpoint. There will be no second round of presentations.
 - Each person wishing to speak will be recognized by the chairperson.
 - Each person who testifies to the committee will be required to give his/her name.
 - Those making public presentations may not ask questions, and committee members may not respond.
 - There will be no cross-examination between persons testifying.
 - Individuals who wish to submit written material for consideration by the committee may submit such material to the chairperson prior to the time scheduled for the hearing (**minimum 48 hours prior**). The material must be marked with the name and address of the person submitting the documents.
 - Questions From Committee
 - Questions from committee members to persons giving testimony may be offered after the presentation of testimony.
 - Committee members will each have a turn. Speaking rotation will be in a predetermined order.
 - There will be a limit of three minutes per committee member for questioning the public, during which time the member may ask as many questions as his/her time allows.
 - There will be no second round of questions.
 - Committee Deliberation
 - Each committee member, in a predetermined order, will be given the opportunity to speak.
 - A speaker may use no more than three minutes at one turn.
 - No person can speak a second time until all who wish to speak have been heard.
 - If a member speaks a second time, it must be to present information of new substance.
- Voting
 - In order to reduce the possibility of a decision being affected by conflicts of interest, no member of the Reconsideration Committee will be allowed to vote on any issue or material when family ties or close relationships give the appearance of probable

conflict of interest. In an instance in which a member of the immediate family of a committee member is involved in the request for reconsideration, or when a member of the immediate family provides testimony related to the request for reconsideration, the individual committee member should request to remove himself/herself from voting.

- In the absence of such a request, the chairperson and/or members of the committee will be responsible for calling any known instances to the attention of the committee and requesting that the committee member declare himself or herself ineligible to vote. In the absence of self-declaration in cases of possible conflict of interest, the chairperson of the Reconsideration Committee is to ask for pertinent comments from the member in question and to call for a vote by the total committee to declare whether the member is to be disqualified.
- A quorum will consist of ten (10) members, but no action on materials will be adopted except upon affirmative vote of eight (8) or more members of the total committee.
- Committee members may make affirmative motions to:
 - Maintain the status quo;
 - Limit the materials to a specific school level -- elementary, junior high or senior high; or
 - Remove the material(s) from all schools.
- The chairperson does not vote except in case of a tie, in which case the chairperson will vote on the second ballot.
- Voting will be done by uniform, anonymous, paper ballot. Ballots will be tallied by the chairperson and two other committee members selected by the chairperson.
- In the event the committee does not cast an affirmative vote of eight (8) or more members for any of the three possible motions, the chairperson will declare that the committee's action is to maintain the status quo.
- If no appeal is filed within thirty (30) calendar days of the Reconsideration Committee's decision, the decision is binding for two (2) years in all Campbell County School District schools.
- The decision of the Reconsideration Committee may be appealed to the Board of Trustees if the appellant believes the Reconsideration Committee has not acted in accordance with the District's reconsideration policy, provided that:
 - the appellant has participated in the review and discussion of the work at the Reconsideration Committee meeting(s) and has provided written or verbal testimony;
 - the appeal is filed within thirty (30) calendar days of notification of the Committee's decision;
 - the appeal is filed on the official appeal form available from the office of the Superintendent; and
 - the appeal is specific, citing the section or sections of the reconsideration policy which the appellant believes to have been violated, and citing reasons for such belief.
- Procedures for Handling Appeals
 - The appellant and the Reconsideration Committee will be notified of the time and place of the Board meeting at which the appeal will be considered and will be advised of the procedures for hearing the appeal.
 - The Board of Trustees' decision is binding for two (2) years in all Campbell County School District Schools.

- Procedures for Reconsideration Appeal Hearing
 - Hearing Control - An attorney designated by the Board will be the hearing officer. The hearing will be an item on the agenda of a regular Board meeting. The Reconsideration Committee will provide any available transcripts, excerpts, etc. to the Board members prior to the hearing.
 - Any persons desiring to speak at the hearing must register with the hearing officer prior to the hearing.

- Hearing Procedures
 - Each person who speaks at the hearing will be required to give his/her name. A total time allotment of 30 minutes will be offered to representatives of each of the two opposing viewpoints. The group of representatives reflecting the appellant's viewpoint will speak first utilizing any portion of its 30-minute allotment for the presentation. The defendant group of representatives will follow, utilizing any portion of its 30-minute allotment for the presentation.
 - Each viewpoint group, beginning with the appellant representatives, will then have one rebuttal time period which shall not exceed the portion of the 30-minute allotment not used for its presentation.
 - There will be no cross-examination between representatives of opposing viewpoints.
 - Written Material to Board - Individuals who wish to submit written material for consideration by the Board may submit such material to the hearing officer prior to the time scheduled for the hearing (**minimum 48 hours prior**). The written material must be marked with the name and address of the person submitting the written documents.
 - Board Questions - Questions from Board members to persons giving testimony may be offered after the presentation of arguments.
 - Closing the Hearing - At the end of the time allocated for presentations and rebuttal comments, the hearing officer will thank all involved for their interest and attendance and announce that the Board's decision will be made at the following meeting (barring any unusual circumstances).
 - Agenda - Unless unusual circumstances exist, the agenda for the next regular board meeting will include an item for the Board's decision on the appeal. The vote of the Board on the appeal will be made at that meeting.

ADOPTION DATE: May 8, 1984; Revision October 11, 1988; Revised 12-31-91, then changed item C.2.d. again 1-30-92; Revised October 28, 1994 (formerly 6163.2); Editorial changes September 8, 1997; Revised November 15, 2005; Reviewed November 8, 2011; **Revised October 26, 2021**

LEGAL REFERENCE(S):

CROSS REFERENCE(S): 6143

ADMINISTRATIVE REGULATION: (Reconsideration Request Form included below)