

Fresno Unified Board Policy (BP) 1312.2

Complaints Concerning Instructional Materials

The Governing Board uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of district staff, parents/guardians and community members, and, as appropriate, students. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6163.1 - Library Media Centers)

Parents/guardians are encouraged to discuss any concerns regarding instructional materials with their child's teacher and/or the school principal. If the situation remains unresolved, a complaint may be filed using the process specified in the accompanying administrative regulation and exhibit.

The district shall accept complaints concerning instructional materials only from staff, district residents, pupils, or the parents/guardians of children enrolled in a district school.

However, a complaint related to the use or prohibited use of any existing textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library that alleges unlawful discrimination based on a violation of Education Code 243 shall be filed, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

When deliberating upon challenged materials, the Superintendent, or any designee or review committee established by the Superintendent to review the materials, shall consider the degree to which the materials aligned with the criteria for instructional materials as specified in law, Board policy, and administrative regulation. In addition, such deliberations may consider the educational philosophy and vision of the district; the educational suitability of the materials including the manner in which the materials support the curriculum and appropriateness for the student's age; the professional opinions of teachers of the subject and of other competent authorities and/or experts; reviews of the materials by reputable bodies; the stated objectives in using the materials; community standards; the allegations in the complainant, including the extent to which the objections are based on the dislike of ideas contained in the materials; and the impact that keeping or removing the materials would have on student well-being.

The Superintendent, or any designee or committee established by the Superintendent to review the materials, shall not prohibit the continued use of an appropriately adopted textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library on the basis that it contains inclusive and/or diverse perspectives, as specified in Education Code 243.

If the complainant finds the Superintendent's or review committee's decision unsatisfactory, the complainant may appeal the decision to the Board.

(cf. 9322 - Agenda/Meeting Materials)

Any challenged instructional material that is reviewed by the district shall not be subject to further reconsideration for 12 months, unless required by law.

Complaints related to the sufficiency of textbooks or instructional materials shall be resolved as specified in Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Legal Reference:

EDUCATION CODE

1240 County superintendent of schools; duties
18111 Exclusion of books by Governing board that are sectarian, partisan, or denominational character –
220 Prohibition of discrimination
242 Access to information about educational laws and policies regarding right to accurate and inclusive curriculum
243 Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials -
35010 Control of district; prescription and enforcement of rules
35160 Powers and duties of school boards
35186 Williams Uniform Complaint Procedures
44805 Teacher enforcement of course of studies; use of textbooks, rules and regulations
48907 Exercise of free expression; time, place and manner rules and regulations
48950 Speech and other communication
51204.5 Social sciences instruction; contributions of specified groups
51501 Nondiscriminatory subject matter
51511 Religious matters properly included in courses of study
51933 Sexual health education and HIV prevention materials
60000-60005 Instructional materials, legislative intent
60040-60052 Requirements for instructional materials
60119 Public hearing on sufficiency of textbooks and instructional materials
60200-60213 Elementary school materials
60226 Requirements for publishers and manufacturers
60400-60411 High school textbooks and instructional materials
60510-60511 Donation of sale of obsolete instructional materials
CODE OF REGULATIONS
4600-4670 Uniform complaint procedures

Management Resources References:

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES
Instructional Materials, FAQ
Standards for Evaluating Instructional Materials for Social Content, 2013

Policy FRESNO UNIFIED SCHOOL DISTRICT

adopted: November 26, 1991 Fresno, California
revised: June 28, 2000
revised: March 27, 2008
revised: May 22, 2024

Policy Section: 1000 Community Relations