



## 305.2AP Challenges About Learning Resources

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### LEGAL REFERENCE:

- Education Act – Section 58.1(1)
- Alberta Bill of Rights Section 1 (g)

### CROSS REFERENCE:

- [505.1AP Complaints About Jurisdiction Personnel](#)

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### PROCEDURES:

1. Any stakeholder may challenge learning resources used in the school's education program on the basis of appropriateness.
2. Parents/guardians have the right to determine reading, viewing or listening matter for their own child(ren).
  - 2.1 The Board shall provide notice to a parent of a student where courses, programs of study or instructional materials, or instruction or exercises, include subject-matter that deals primarily or explicitly with religion or human sexuality.
  - 2.2 When a teacher or other person providing instruction, teaching a course or program of study or using the instructional materials that deals primarily or explicitly with religion or human sexuality, receives a written request signed by the parent/guardian of a student that the student be excluded from the instruction, course or program of study or the use of instructional material, the teacher or other person shall permit the student, without academic penalty, at the choice of the parent:
    - (a) to leave the classroom or the place where the instruction, course or program of study is taking place or the instructional materials are being used for the duration of that part of the instruction, course or program of studies.

(b) to remain in the classroom or place without taking part in the instruction, course or program of study.

- 2.3 This does not apply to incidental or indirect references to religion, religious themes, or human sexuality in a course, program of study, instruction or exercise or in the use of instructional materials.
3. Although a learning resource may be challenged, the principles of the freedom to read/listen/view must be defended as well.
4. Access to challenged material shall not be restricted during the reconsideration process.
5. A decision to sustain a challenge shall not necessarily be interpreted as a judgement of irresponsibility on the part of the professionals involved in the original selection and/or use of the material.
6. Request for Informal Reconsideration  
The school receiving a complaint regarding a learning resource shall try to resolve the issue informally.
  - 6.1 the principal shall be informed of the challenge;
  - 6.2 the principal or other appropriate staff shall explain to the questioner the school's selection procedure, criteria and qualifications of those persons selecting the resource;
  - 6.3 the principal or other appropriate staff shall explain the particular place the questioned resource occupies in the educational program, its intended educational usefulness, and additional information regarding its use, or refer the party to someone who can identify and explain the use of the resource;
7. Request for Formal Reconsideration
  - 7.1 Preliminary Procedures
    - 7.1.1 All formal objections to learning resources must be made on Request for Reconsideration of Learning Resources forms (504.1AP Exhibit 1).
    - 7.1.2 The Request for Reconsideration of Learning Resources form shall be signed by the questioner and filed with the principal or someone designated by the principal.
    - 7.1.3 The Superintendent shall be informed of the formal complaint received.
    - 7.1.4 The request for reconsideration shall be referred to a Reconsideration Committee at the school level for re-evaluation of the resource.
  - 7.2 The Reconsideration Committee  
Upon receipt of a completed Request for Reconsideration of Learning Resources form, the school principal is responsible for convening the Reconsideration Committee.
    - 7.2.1 The Reconsideration Committee membership shall include:
      - a school trustee (appointed by the Board);
      - a principal (appointed by the Superintendent);
      - one member of the Central Services leadership team;
      - a parent (appointed by the School Council);
      - a teacher (appointed by the school staff);
      - a student when appropriate (appointed by the student body);
      - the chairperson of the Reconsideration Committee shall be elected by the committee at its first meeting.

7.2.2 The school principal will establish a meeting date within 10 days after the complaint is received.

7.2.3 The Reconsideration Committee may choose to consult division staff and/or community persons with professional knowledge.

### 8.3 Resolution

8.3.1 The Reconsideration Committee shall proceed as follows:

- the major criterion for the final decision is the appropriateness of the material for its intended educational use;
- examine the challenged resource;
- determine professional acceptance by reading critical reviews of the resource;
- weigh values and faults and form opinions based on the materials as a whole rather than on passages or sections taken out of context;
- discuss the challenged resource in the context of the educational program;
- discuss the challenged item with the individual questioner and/or the professional responsible;
- the individual questioner and/or the professional responsible shall have the opportunity to address the Reconsideration Committee;
- prepare a written report within ten school days after the final decision has been made.

8.3.2 The written decision will be sent to the questioner filing the complaint. An offer will be made to discuss the decision, if requested.

8.3.3 The written report shall be retained by the school principal, a copy to be forwarded to the Superintendent. A minority report may also be filed.

8.3.4 Written reports, once filed, are available for examination.

8.3.5 The decision of the Reconsideration Committee is binding for the individual school.

9. A decision of the Reconsideration Committee may be appealed to the Board.