



**NOTICE OF THE MEETING OF THE
POLICY COMMITTEE MEETING
SCHOOL DISTRICT OF NEW LONDON
Thursday, March 23, 2023**



PURPOSE:

The purpose of this committee is to develop, evaluate, and make recommendations for the implementation of policy.

RESPONSIBILITIES:

To support and achieve the purposes of the Policy Committee, the following responsibilities will be incorporated into the Committee's activities and functions:

- Review and/or revise policies.
- Stay current in the field of school law.
- Conduct research into best-practices.
- Seek input from affected individuals.
- Develop policy drafts in the district's format consistent with the philosophy, culture and goals of the Board.
- Recommend draft policies for Board consideration and action.

Public notice is hereby given, as required by law, that the meeting of the Policy Committee of the School District of New London will be held at **3:00 p.m. on Thursday, March 23, 2023**, at the District Administration Building, 901 West Washington Street, New London, Wisconsin 54961.

Matters to be taken up and discussed at this meeting are as follows:

- A. Public Input
- B. Policy/Administrative Guideline review and discussion:
 - 310 Instructional Goals (SECTION TITLE)
 - 320 General Organization Plan (SECTION TITLE)
 - 330 Curriculum Development
 - 331 Curriculum Guides
 - 333 Parent Rights and the Curriculum
 - 334 Curriculum Changes of Programs
 - 340 Educational Program (SECTION TITLE)
 - 342 Special and Alternative Education Programs (SECTION TITLE)
 - 342.1 Programs for Students with Disabilities
 - 342.11 Independent Educational Evaluation
 - 361.1 Selection of Educational Materials
- C. Prepare list of policies to be reviewed at next committee meeting
- D. Establish date and time for next committee meeting

Notice is hereby given that members of the School Board may be present at this committee meeting. Although this may result in a quorum of the School Board being in attendance and, therefore, constitute a "meeting" of the School Board pursuant to State ex. Rel. Badke v. Greendale Village Board, 173 Wis.2d 553 (1993), the School Board will not take any action at this committee meeting.

**SCHOOL DISTRICT OF NEW LONDON
3/23/23 POLICY REVIEW**

Name of Policy	Policy Changes	Admin Guideline Changes
<i>310 Instructional Goals (SECTION TITLE)</i>		
<i>320 General Organization Plan (SECTION TITLE)</i>		
330 Curriculum Development	Add cross-references	Add cross-references
331 Curriculum Guides	Add cross-references	Add cross-references
333 Parent Rights and the Curriculum	Add the revised Admin Guideline to policy	Revisions to Guideline, but recommendation to include in policy
334 Curriculum Changes of Programs	Add language to allow flexibility of curricular program changes due to law or unforeseen circumstances	No changes
<i>340 Educational Program (SECTION TITLE)</i>		
<i>342 Special and Alternative Education Programs (SECTION TITLE)</i>		
342.1 Programs for Students with Disabilities	Remove reference to specific stand-alone document	N/A
342.11 Independent Educational Evaluation	Add legal references and cross-references	No changes
361.1 Selection of Educational Materials	Discussion of possible separation of curriculum and library materials	

CURRICULUM DEVELOPMENT

The Board has a responsibility for maintaining a minimum program of instruction aligned with the state statutes while initiating improvements beyond the minimum requirements.

ADOPTION DATE: February 10, 2020

REVISION DATE(S):

REVIEW DATE(S):

CROSS-REFERENCE: Administrative Guideline
Policy 331 - Curriculum Guides
Policy 333 - Parent Rights and the Curriculum
Policy 334 - Curriculum Changes of Programs
Policy 342.11 - Independent Educational Evaluation

LEGAL REFERENCE: Wisconsin Statutes Sections 118.01, 118.15, 120.12, 120.13, 121.02 (1) (k) and (L) Wisconsin Administrative Code PI 8.01 (2) (k) and (L)

Add cross-references

SCHOOL DISTRICT OF NEW LONDON

ADMINISTRATIVE GUIDELINE 330 - CURRICULUM DEVELOPMENT

Administrative leadership shall be delegated the responsibility for proposing and developing curriculum changes and additions for the School District of New London. Communication and coordination among grade level and subject area teachers should be emphasized on an early childhood through grade twelve (12) basis whenever curriculum is developed. Each subject area shall be reviewed.

All programs, subject area offerings and any additions or deletions to the curriculum shall be reviewed by the Board's Instructional Committee. Guideline changes will be presented to the Board of Education.

ADOPTION DATE: February 10, 2020

REVISION DATE(S):

REVIEW DATE(S):

CROSS-REFERENCE: Policy 330 Curriculum
Policy 331 - Curriculum Guides
Policy 333 - Parent Rights and the Curriculum
Policy 334 - Curriculum Changes of Programs
Policy 342.11 - Independent Educational Evaluation

LEGAL REFERENCE: Wisconsin Statutes Sections 118.01, 118.15, 120.12, 120.13, 121.02 (1) (k) and (L) Wisconsin Administrative Code PI 8.01 (2) (k) and (L)

Add cross-references

CURRICULUM GUIDES

Instructional objectives and course outlines shall be prepared by the instructional staff in harmony with the legal requirements of the state and goals and objectives of the Board.

ADOPTION DATE: February 10, 2020

REVISION DATE(S):

REVIEW DATE(S):

CROSS-REFERENCE: Administrative Guideline
Policy 330 Curriculum
Policy 333 - Parent Rights and the Curriculum
Policy 334 - Curriculum Changes of Programs
Policy 342.11 - Independent Educational Evaluation

LEGAL REFERENCE: Wisconsin Statutes, Section 121.02 (1) (k); Wisconsin Administrative Code PI 8.01 (2)

Add cross-references

SCHOOL DISTRICT OF NEW LONDON

**ADMINISTRATIVE GUIDELINE
331 - CURRICULUM GUIDES**

The Director of Teaching and Learning or designee shall have general coordinating authority and supervision over the formation of all course outlines and instructional objectives.

ADOPTION DATE: February 10, 2020

REVISION DATE(S):

REVIEW DATE(S):

CROSS-REFERENCE: [Policy 330 Curriculum](#)
[Policy 331 Curriculum Guides](#)
[Policy 333 - Parent Rights and the Curriculum](#)
[Policy 334 - Curriculum Changes of Programs](#)
[Policy 342.11 - Independent Educational Evaluation](#)

LEGAL REFERENCE: Wisconsin Statutes, Section 121.02 (1) (k); Wisconsin Administrative Code PI 8.01 (2)

[Add cross-references](#)

PARENT RIGHTS AND THE CURRICULUM

The School District of New London recognizes the right of parents/guardians to inspect instructional materials and to deny their child's participation in certain curricular activities in accordance with state and federal laws and regulations.

Parent requests should be made directly to the teacher or administrator of the student, or to the Director of Teaching and Learning if appropriate.

If parents/guardians have concerns regarding the request for inspection of instructional materials and/or a child's exclusion from participation in certain curricular activities they shall be made in writing to the District Administrator or designee.

All requests/complaints shall be judged individually based upon state and federal guidelines. The District Administrator, or designee, may contact the school district's attorney when making decisions regarding such complaints.

ADOPTION DATE: February 10, 2020

REVISION DATE(S):

REVIEW DATE(S):

CROSS-REFERENCE: Administrative Guideline
361.1 Selection of Educational Materials

LEGAL REFERENCE: 20 U.S. C., Section 1232h (Federal Hatch Amendments) Wisconsin Statutes Sections 115.35, 118.01 (2) (d) 2c, 118.019 (1) (d)

Suggest integrating the policy and guidelines OR adding the process to the guideline.

SCHOOL DISTRICT OF NEW LONDON

**ADMINISTRATIVE GUIDELINE
333 - PARENT RIGHTS AND THE CURRICULUM**

Complaints resulting from the denial of parent/guardian requests regarding the inspection of instructional materials and/or a child's exclusion from participation in certain curricular activities shall be made in writing to the District Administrator or designee. All complaints shall be judged individually based upon state and federal guidelines. The District Administrator, or designee, may contact the school district's attorney when making decisions regarding such complaints.

Parent requests should be made directly to the teacher or administrator of the student, or to the Director of Teaching and Learning if appropriate.

If parents/guardians have concerns regarding the request for inspection of instructional materials and/or a child's exclusion from participation in certain curricular activities they shall be made in writing to the District Administrator or designee.

All requests/complaints shall be judged individually based upon state and federal guidelines. The District Administrator, or designee, may contact the school district's attorney when making decisions regarding such complaints.

ADOPTION DATE: February 10, 2020

REVISION DATE(S):

REVIEW DATE(S):

CROSS-REFERENCE: Policy 333 Parent Rights and the Curriculum
Policy 361.1 Selection of Educational Materials

LEGAL REFERENCE: 20 U.S. C., Section 1232h (Federal Hatch Amendments) Wisconsin Statutes Sections 115.35, 118.01 (2) (d) 2c, 118.019 (1) (d)

Recommendation to consider revised guideline to be incorporated into policy.

CURRICULUM CHANGES OF PROGRAMS

To insure that all changes—additions, deletions, or modifications—to curriculum programs are made on the sound basis of the best interests of students or to implement state or federal law or to respond to emergent financial conditions, the Board of Education of the School District of New London or designee requires that the change decision be supported by verifiable evidence and by appropriate documentation.

All change proposals must address:

1. The need for the change as evidenced by supporting data.
2. Impact on the student population.
3. Impact on staffing
4. Impact on budget, short term and long term

In addition, all change activity will follow established administrative procedures, including involvement of personnel responsible for developing and presenting the proposed changes(s) and adherence to the published timeline.

Alternate timeline may be used to assure compliance with state and federal law and/or related to staffing shortage or change, low enrollment interest or other factors that impact course scheduling. Scheduling changes do not equate to program change.

ADOPTION DATE: February 10, 2020

REVISION DATE(S):

REVIEW DATE(S):

CROSS-REFERENCE: Administrative Guideline

LEGAL REFERENCE:

Suggesting to add language to address short term changes- such as when a licensed teacher is no longer able to offer AP or there are too few students interested in a course.

SCHOOL DISTRICT OF NEW LONDON

ADMINISTRATIVE GUIDELINE 334 – CURRICULUM CHANGES OF PROGRAMS

Step 1: Establishing the Need for Change

The initial impetus for change may come from a variety of sources—teachers' perceived lack of a specific offering in the current program of studies, a counselor's difficulty in finding suitable offerings for a particular segment of the student body, department members' and/or principal's perception of a lack of offerings that line up with emergent demands, feedback from students currently in attendance, or feedback from recent graduates.

The need for change may also come from changes in the student population, from educational reform driven by local, state, or national initiatives, or from state and federal mandates, or finally, from a cost/benefit analysis driven by emergent financial conditions in the district.

To verify that a need which is locally driven is truly valid, some information gathering is important—a survey of interest from current or past students for example. A review of the pathways being followed by juniors and seniors in line with post high school intentions is another important database on which to determine the extent of the need for an addition or other change to the program of studies.

Timeline: September and October

Responsibility of: Teachers, Department Members, Principal, Counselor; or District Administrator, Director of Teaching and Learning, and/or Director of Business Services (Determined by basis of need for change.)

Step 2: Drafting the Change Proposal

If a need has been determined based on local conditions as perceived by teachers, counselor, and principal, a written draft should be shared by the building personnel as a collaborative effort. The draft should then be shared with the Director Team for feedback and response based on the proposal's fit with general curriculum reform and other changes initiatives at other program levels.

Timeline: November

Responsibility of: Teacher(s), Counselor, Principal, and Director of Teaching and

Learning; or Director of Teaching and Learning and Appropriate Administrative Personnel.

Step 3: The final draft of the proposed curriculum program changes should be presented to the District Administrator and Board Instructional Committee and should include the following information:

A. If based on building level perceived needs, verified by information gathered . . .

For a Course Added: Course Title, Length of Course, Credit, and Prerequisites (when applicable)

Need for Course: Include all data that supports the decision.

Intended Student Population to be Served: This relates to the need statement and identifies a specific segment of the student body that is underserved.

Staffing Impact Statement: Is there sufficient staff time currently available or will additional staff time be needed: What certification (license) will be needed? How many current staff members are certified to teach the course? Will the students who take this course likely reduce membership in other course offerings or will this course simply provide additional opportunity for students to continue pursuing studies in a particular discipline.

Budget Impact Statement: What will be the cost of the addition—start up and continuing? Is there sufficient money in the regular annual budget or will this require additional money or the shifting of funds from other areas?

Evaluation Follow-Up: What evidence will be gathered to demonstrate whether the addition is meeting the described need and whether there is a need to change, adjust, or improve the new course offering? Who will be responsible to gather the evidence?

Timeline: December Board of Education Meeting

Responsibility of: Director of Teaching and Learning

For a Course Dropped: Course Title, Length of Course, and Credit

Impact on Student Population: What alternative opportunities will exist in the program of studies for those students formerly served by the course being eliminated?

Staffing Impact Statement: How will the available staff time created by the

course dropped reassigned?

Budget Impact Statement: What is the anticipated cost savings, if any; will additional staff time and materials be needed elsewhere due to students having to make other program choices?

Timeline: December Board of Education Meeting

Responsibility of: Director of Teaching and Learning

B. If change is driven by state or federal mandates or by local financial conditions . . .

For a Course Added: Course Title, Length of Course, Credit and Prerequisites (When applicable)

Need for Course: Include detailed statement of state or federal requirement which determines need.

Intended Student Population to be Served: This will include a description of the target population as directed by state or federal mandate. Are all students in the target population required to take the course or is the course mandated to be offered for those students?

Staffing Impact Statement: Is there sufficient staff time currently available or will additional staff time be needed? What certification (license) will be needed? How many current staff members are certified to teach the course? Will the students who take this course likely reduce membership in other course offerings or will this course simply extend opportunities for students?

Budget Impact Statement: What will be the cost of the mandated addition, both initial and continuing? What budget adjustments will be required to accommodate the new course? Is there outside money—grants, entitlements, etc.—available to reduce the impact on the local budget?

Timeline: December Board of Education Meeting

Responsibility of: Director of Teaching and Learning

C. If based on financial conditions:

For a Course Dropped: Course Title, Length of Course, and Credit

Need for Change: Include statement of financial need for change and cost analysis as basis for change decision.

Impact on Student Population: What alternative program opportunities are available with the elimination of this offering from the program of studies.

Staffing Impact Statement: How will staff time made available with the elimination of this offering be reassigned?

Budget Impact Statement: What is the potential short and long-term impact on the local budget including the impact on state aide for the district?

Timeline: December Board of Education Meeting

Responsibility of: Director of Teaching and Learning

ADOPTION DATE: February 10, 2020

REVISION DATE(S):

REVIEW DATE(S):

CROSS-REFERENCE: Policy 334 Curriculum Changes of Programs

LEGAL REFERENCE:

No changes recommended

PROGRAMS FOR STUDENTS WITH DISABILITIES

The Board of Education will provide a free and appropriate public education to each child with a disability within its jurisdiction, regardless of the nature or severity of the disability. Educational and other services will be provided either locally or through agreements with other school districts or agencies and will be provided in accordance with state and federal law.

Procedures for screening, referring, identifying and serving children with disabilities will be consistent with the Wisconsin Department of Public Instruction *Model Local Educational Agency Special Education Policies and Procedures*, which will be considered as part of the district's special education handbook. The district special education handbook will be considered Board policy.

ADOPTION DATE: March 10, 2008

REVISION DATE(S):

REVIEW DATE(S):

CROSS-REFERENCE: Policy 411 Equal Educational Opportunities/Complaint Procedures
Section 504 Plan
Special Education Handbook

LEGAL REFERENCE: Chapter 115, Subchapter V Wisconsin Statutes
Section 118.13
PI 11, Wisconsin Administrative Code
Section 504 of the Rehabilitation Act of 1973
Individuals with Disabilities Education Act
Americans with Disabilities Act of 2004

Deletion of reference to specific stand-alone document

INDEPENDENT EDUCATIONAL EVALUATION

Independent Educational Evaluations are addressed in the Federal Regulations which implement the Individuals With Disabilities Education Act (IDEA). See 34 C.F.R. Sec. 300.502 (1999).

An independent educational evaluation ("IEE") is an evaluation conducted by a qualified examiner who is not an employee of the child's school district. A parent has a right to an IEE at public expense if the parent disagrees with an evaluation conducted by the school district. For purposes of this policy, "evaluation" means the procedures used to determine whether a child has a disability and the nature and extent of the special education and related services the child needs.

In the event the district receives a parent request for an IEE, the district must, without unnecessary delay, either provide the IEE at school expense per this policy or request a due process hearing to show that its evaluation is appropriate. If the final decision in the due process hearing is that the district's evaluation is appropriate, the parent still has a right to an IEE, but not at public expense. Parents may only request one publicly funded IEE for each evaluation completed by the school district. The parents must request payment for the IEE within one year of the date the results of the school district evaluation were shared with parents.

ADOPTION DATE: June 9, 2003

REVISION DATE(S):

REVIEW DATE(S): September 12, 2018

CROSS-REFERENCE: Administrative Guideline
Policy 342.1 Programs with Students With Disabilities

LEGAL REFERENCE: Act (IDEA). See 34 C.F.R. Sec. 300.502 (1999).
Wis. Stat Sec 115.78

Add legal references and cross-references

SCHOOL DISTRICT OF NEW LONDON

ADMINISTRATIVE GUIDELINE 342.11- INDEPENDENT EDUCATIONAL EVALUATION

- A. The parents should submit to the school district a written request for an IEE and may include in such request an explanation of their reasons for objecting to the evaluation obtained by the district. However, the district will not deny parents a publicly funded IEE because they fail to provide reasons for requesting an IEE.
- B. Upon receipt of a parental request for an IEE, a determination will be made as to whether the district will initiate due process to establish the appropriateness of its evaluation or proceed with procuring an IEE. The district will respond in writing to a parent request for an IEE within fifteen school days from the date that the district receives the request.
- C. If the district decides to procure an IEE for the parents, the school district's written response will contain the following:
 - 1. A listing of the names and addresses of IEE Examiners located within the Cooperative Educational Service Agency (CESA) 6 area. The list will identify those IEE Examiners who, in the school district's judgment, are qualified to perform the evaluation requested by the parents. If no qualified examiner exists within the CESA 6 area, the district will identify an individual located in the State of Wisconsin who can perform the evaluation.
 - 2. The specific location of the evaluation. All IEE's will be performed in the school district unless the parents demonstrate that unique circumstances warrant a publicly funded IEE outside the school district.
 - 3. A description of the school district's criteria for selection of IEE examiners.
- D. Minimum qualifications for IEE Examiners: the following are the school district's minimum qualifications to be approved as an IEE Examiner. Prospective examiners with credentials other than those listed below will not be approved unless the parents can show unique circumstances which justify a publicly funded IEE by an examiner who does not meet the school district's criteria:
 - 1. The prospective IEE Examiner (the "Examiner") must be licensed by the Wisconsin Department of Public Instruction, or hold a college or university degree in the appropriate field of expertise. Physicians, nurses, psychiatrists, and non-school psychologists must be licensed by the State of Wisconsin.

2. The Examiner must be located in the vicinity of the school district.
 3. The Examiner must charge fees for educational evaluation services, which, in the judgment of the school district, are reasonable.
 4. The Examiner shall not be an employee of the school district.
 5. The Examiner shall have no employment, ownership interest or association, past or present, with private schools or private instructional service agencies who are in the business of educating preschool to high school age students. The Examiner shall have no membership or active association with organizations that advocate the interests of parents in the area of educating children with disabilities.
 6. The Examiner shall have no history of consistently acting as an expert witness against public schools.
 7. The Examiner must be permitted to directly communicate and share information with members of the IEP Team. The Examiner must also agree to release the assessment and results, including parent and teacher surveys, prior to receipt for services.
- E. The maximum allowable cost for an Examiner will be the average cost per day or hour for a similarly qualified staff member employed by CESA 6 during the current school year as determined by the CESA 6 Director of Special Education. In the event the examiner is one not typically employed by the school district, such as a medical doctor, psychiatrist, clinical psychologist, or other similar professional, reimbursement of costs will be limited to reasonable and customary charges as determined by the school district and its insurance carrier. Travel expenses for the Examiner (i.e., food, lodging, transportation, etc.) are not covered in the cost of the IEE. The district shall not be responsible for reimbursement of travel costs or other related costs incurred by the parents in connection with their arrangement of, or their attendance at the IEE.
- F. In the event the IEE is ordered by an Administrative Law Judge (ALJ) as part of a due process hearing pursuant to Wis. Stat. Sec. 115.80 or as part of a mediation session conducted pursuant to Wis. Stat. 115.797, the ALJ or mediator may determine the qualifications of the examiner and the cost to be reimbursed by the district.

ADOPTION DATE: June 9, 2008

REVISION DATE(S): November 26, 2018

REVIEW DATE(S): September 12, 2018

CROSS-REFERENCE: Policy 342.11 Independent Educational Evaluation

LEGAL REFERENCE:

No changes recommended

SELECTION OF EDUCATIONAL MATERIALS

- A. In Wisconsin, it is the role of the local school board to establish written policies, procedures, and rules for the operation of the schools within the district (Wis. Stats. 118.13, 119.18, 120.13, and 120.49) and to adopt textbooks (118.03 and 120.49). The school district also has the responsibility to provide adequate materials, texts, and library services which reflect the cultural diversity and pluralistic nature of the American society [Wis. Stat. 121.01 (1)(h)]. In addition, the school district will not discriminate in the selection and evaluation of instructional and library materials on the basis of sex, race, national origin, ancestry, creed, pregnancy, marital or parental status, sexual orientation or physical, mental, emotional or learning disability. Discrimination complaints will be processed in accordance with established procedures (Wis. Stat. 118.13).
- B. The Board of Education, as the governing body of the school district, is legally responsible for all educational materials utilized within the instructional program of the School District of New London. The selection of educational materials in our pluralistic society is not an easy procedure. Differences of opinions will take place and challenges are part of our democratic process. Our written school board policy can do much to ensure the orderly functioning of the system. The selection of educational materials is delegated to the professionally trained and certified personnel employed by the school system. The responsibility for coordinating and maintaining qualitative standards in the selection process rests with the professional staff.
- C. Roles of school board members:
 - 1. Individual board members, if contacted by a citizen relative to any educational materials or curriculum of any subject, will adhere to the district's policy and direct the citizen to contact the District Administrator and/or principal wherein the complaint lies so that the proper procedures are being followed.
 - 2. Board members as individuals should not institute any action relative to challenged material.
- D. Definitions: Educational materials is the general term used to refer to all print and non-print materials or resources which are used as a part of the educational program of the school district. The term includes instructional and library materials, textbooks, and supplementary materials used within the educational program. Throughout this policy, the term "materials" will be used to mean educational materials.

- E. The primary objective of selecting materials is to implement, support, and enrich the education program of the school system. The general criteria utilized in the selection process are:
1. Materials are selected consistent with the educational goals of the district and the objectives of individual schools and specific curricular offerings.
 2. Materials selections are appropriate for the age, social development, and maturity of students.
 3. Materials are selected to meet specific instructional purposes.
 4. Materials are selected to reflect a sensitivity to the achievements, needs, and rights of students, various ethnic groups, and other cultures without stereotype or bias.
 5. Materials collections are representative of a wide range of subjects and topics reflecting the pluralistic nature of American society.
 6. Materials are selected on all levels of difficulty with diverse appeal, and differing points of view.
 7. The selection of materials on political theories and ideologies, religion, public issues, and on topics considered by some to be controversial is directed toward maintaining a balance representing various views.
 8. Materials are judged as a whole taking into account the author's/producer's intent rather than focusing on single words, phrases, pictures of incidents taken out of context.
 9. The acquisition and use of materials is consistent with the intent and published guidelines of the copyright law (Title 17, U.S. Code).

ADOPTION DATE: March 8, 2004

REVISION DATE(S): May 9, 2005

REVIEW DATE(S):

CROSS-REFERENCE: Administrative Guideline
Exhibit 1 Sample Letter Sent to Parents or Guardians
Exhibit 2 Request for Reconsideration of Educational
Material Form

LEGAL REFERENCE:

SCHOOL DISTRICT OF NEW LONDON

ADMINISTRATIVE GUIDELINE 361.1 - SELECTION OF EDUCATIONAL MATERIALS

- A. Selection of instructional materials:
1. The responsibility for coordinating the selection of instructional materials is delegated to the school library media specialists. In the selection process, media specialists are aware of materials in the existing library media center collections. Principals, supervisors, teachers, and other instructional specialists are involved in the ongoing process. Parents and students are encouraged to make recommendations for the selection of materials which will be given consideration in the overall selection process.
 2. Instructional materials under consideration are evaluated first-hand whenever and wherever this is possible. Professional selection tools and evaluation journals are utilized in the selection process.
 3. It is the responsibility of the school library media specialist to systematically review and evaluate the library media center collection on a regular basis. Selection is an ongoing process and includes the removal of materials no longer appropriate, accurate, or current.
- B. Selection of textbooks and other instructional materials: All materials, print and non-print, to be used in the School District of New London to support and implement the written curriculum will be selected by professional personnel through reading, listening, viewing, and careful examination. The use of reputable, unbiased, professionally-prepared selection aids and/or selection checklist/guidelines are available to the district.
- C. Use of controversial materials in the classroom:
1. The option is always open for a parent to object to a specific educational material being used with his/her child as a part of the educational program. The parent or guardian has the right to judge whether certain materials are acceptable for his/her child. *However, no parent or organization has a legal right to abridge the rights of other parents or children to have access to materials which are a part of the school district's educational program.*
 2. Occasionally, course objectives can be achieved through exposure to materials that may be considered controversial in nature. If in the professional judgment of the teacher, supervisor, or principal, such material might be objectionable to a number of parents from the community, a letter (Exhibit 1) must be sent to parents or guardians of students in the course prior to the use of the material(s) in question. The letter will indicate the titles of the proposed material and

offer to substitute alternative materials for any on the list considered objectionable by the parent or guardian.

D. Procedures for handling challenged materials:

1. Any adult resident or employee of the school district may raise objection to materials used in the educational program. Any staff member receiving a complaint relative to the use of educational materials will report the matter to the building principal. The principal will apprise the complainant of the district's selection policy, criteria for selection, the reason for the selection, and the judgment of other outside professionals, such as reviewers, regarding the material. Appropriate district-level personnel should be consulted for their expertise which may contribute to the resolution of the issue.
2. If the complainant finds the information unacceptable, the complainant may formally challenge the use of the material in the educational program. All formal objections to educational materials must be made in writing on the "Request for Reconsideration of Educational Material" form (Exhibit 2). Each building office and the library media center will keep on hand sufficient reconsideration request forms. The reconsideration request form must be signed by the complainant and presented to the principal of the school involved in the challenge. The principal will then forward the formal objection to the District Administrator and the Director of Curriculum and Instruction.
3. Within two weeks of the receipt of a formal complaint, the District Administrator will present the formal complaint to an appointed district's materials review committee for reevaluation. The task of the review committee will be to make a recommendation for disposition of the material in question to the District Administrator. Generally, access to challenged materials will not be restricted during the reconsideration or review process. In some circumstances, alternate materials may be requested by parents for their son or daughter.
4. The Materials Review Committee will be composed of the following members as appointed by the District Administrator as needed:
 - a. The Director of Curriculum and Instruction who will serve as chair.
 - b. The building level media specialist.
 - c. The principal of the building.
 - d. One teacher of the level of the request for reconsideration.
 - e. One member from the community.
5. The process for dealing with a formal challenge and conducting committee meetings should include the following steps:

- a. Copies of the completed and signed reconsideration request form are distributed to all members.
 - b. Copies of the challenged material are distributed to committee members for their review.
 - c. How the committee will proceed with the review is discussed and procedures finalized.
 - d. Review of the material from professional sources are distributed to the committee members.
 - e. The complainant is given an opportunity to speak and expand upon the written challenge.
 - f. The review committee may request that individuals with special knowledge be present to provide information relative to the challenged material.
 - g. A thorough discussion of the material is conducted at committee meetings.
 - h. A recommendation as to the disposition of the material is made to the District Administrator.
6. The complainant will be kept informed by the committee's secretary appointed by the chair concerning the status of the review and be given timely notice of all forthcoming committee meetings. The committee's final recommendation to the District Administrator will be:
- a. To take no removal action;
 - b. To remove all or part of the challenged material;
 - c. To allow the use of alternate titles, selected by appropriate school personnel; or,
 - d. To limit or restrict the educational use of the material.
7. The decision of the review committee is to be on the appropriateness of the material for its intended educational use.
8. A decision to sustain a challenge will not be construed as a judgment against the professional(s) involved in the original selection or use of the material. Requests to reconsider materials which have previously been before the committee must receive approval of a majority of the committee members before the material will be reviewed again.
9. The written recommendation of the review committee and its justification will be forwarded to the District Administrator for appropriate action, to the complainant, and to the school(s) in the district from which the complaint originated.

10. If the complainant is not satisfied with the written recommendation and justification by the review committee, the complainant may appeal the committee's decision to the Board of Education. To initiate an appeal, the complainant will make a written request to the District Administrator within two weeks of receipt of the recommendation.

E. Board of Education appeal procedures:

1. First Board of Education meeting:

- a. The District Administrator or his designee will present the findings of the review committee and any other material relating to the complaint.
- b. Every attempt will be made to keep lines of communication open with the media so that accurate information is presented to the public as quickly as possible.
- c. If appropriate, questions of censorship will be referred to the school attorneys.
- d. Decisions about an issue will not be made at the same meeting in which the issue is first raised.
- e. The Board may direct a subcommittee to take one or more of the following steps depending upon the nature of the challenge prior to further action of the Board:
 - (1) Study the materials and complaint in question.
 - (2) Review the action taken thus far as outlined in the board's policy relative to challenged materials.
 - (3) Hear testimony relative to the challenged materials or curriculum content. At this hearing, individuals must register stating name and address. The registration card will also provide information relative to whether the individual represents himself/herself or an organized group.
 - (4) Seek additional resource material and/or consultant testimony.
 - (5) Develop a written recommendation after all aspects of the guidelines have been followed.

2. Subsequent Board of Education meeting:

- a. The Board of Education will vote on the recommendation.
- b. When appropriate, the school attorneys will also present their findings to the Board of Education.

- c. If the challenged materials are upheld by the Board of Education, these materials may not be reconsidered again.
- d. If the challenged materials are not upheld by board action, the District Administrator will be directed by the Board of Education as to the proper procedure to be followed.

ADOPTION DATE: March 8, 2004

REVISION DATE(S): May 9, 2005

REVIEW DATE(S):

CROSS-REFERENCE: Policy 361.1 Selection of Educational Materials
Exhibit 1 Sample Letter Sent to Parents or Guardians
Exhibit 2 Request for Reconsideration of Educational Material Form

LEGAL REFERENCE:

SCHOOL DISTRICT OF NEW LONDON
REQUEST FOR RECONSIDERATION OF EDUCATIONAL MATERIAL

Title: _____

Author: _____ Format of material: _____

Publisher/Producer: _____

School in which material is used: _____

Request initiated by (name): _____ Telephone: _____

Address: _____ City: _____ Zip Code: _____

1. Did you review the entire material: Yes No

2. Did you discuss the use of this material in the instructional program with personnel from your school?
 Yes No

3. To what in the material do you object: (please be specific) _____

4. In your opinion, what negative effects might result from the use of this material with students?

5. Do you perceive any educational benefit for students resulting from the use of this material?

6. Is there any age group of students for which you would recommend this material?

7. During the review process, do you wish to give a short presentation relative to your objection?
 Yes No

Dated: _____

Signature

Date _____

Dear Parent:

The _____ department would like to inform you of the following educational materials being used in _____ (*course*). The books (*or audiovisual materials*) your son or daughter will be reading (or viewing) this semester are: _____

Alternative materials will be made available for parents who have objections to any of the above selections. If you would like further information about the materials, please call me at the number listed below. If no further information is required, please sign this form and return it to the address listed below. Your signature on this letter constitutes permission to use the materials listed with your student. A response is needed by _____ (*date*) to insure that your son or daughter will meet the requirements of the course on time.

Sincerely,

Name: _____

School: _____

Address: _____

City/State/Zip: _____

Phone No.: _____

Parent's Signature: _____

Access to Library Resources and Services for Minors: An Interpretation of the Library Bill of Rights

The American Library Association supports equal and equitable access to all library resources and services by users of all ages. Library policies and procedures that effectively deny minors equal and equitable access to all library resources and services available to other users is in violation of the American Library Association's *Library Bill of Rights*. The American Library Association opposes all attempts to restrict access to library services, materials, and facilities based on the age of library users.

Article V of the *Library Bill of Rights* states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views." The right to use a library includes free access to, and unrestricted use of, all the services, materials, and facilities the library has to offer. Every restriction on access to, and use of, library resources, based solely on the chronological age, apparent maturity, educational level, literacy skills, emancipatory or other legal status of users violates Article V. This includes minors who do not have a parent or guardian available to sign a library card application or permission slip. Unaccompanied youth experiencing homelessness should be able to obtain a library card regardless of library policies related to chronological age.

School and public libraries are charged with the mission of providing services and resources to meet the diverse interests and informational needs of the communities they serve. Services, materials, and facilities that fulfill the needs and interests of library users at different stages in their personal development are a necessary part of providing library services and should be determined on an individual basis. Equitable access to all library resources and services should not be abridged based on chronological age, apparent maturity, educational level, literacy skills, legal status, or through restrictive scheduling and use policies.

Libraries should not limit the selection and development of library resources simply because minors will have access to them. A library's failure to acquire materials on the grounds that minors may be able to access those materials diminishes the credibility of the library in the community and restricts access for all library users.

Children and young adults unquestionably possess First Amendment rights, including the right to receive information through the library in print, sound, images, data, social media, online applications, games, technologies, programming, and other formats.¹ Constitutionally protected speech cannot be suppressed solely to protect children or young adults from ideas or images a legislative body believes to be unsuitable for them.² Libraries and their library governing bodies should not resort to age restrictions in an effort to avoid actual or anticipated objections, because only a court of law can determine whether or not content is constitutionally protected.

Article VII of the *Library Bill of Rights* states, "All people, regardless of origin, age, background, or views, possess a right to privacy and confidentiality in their library use." This includes students and minors, who have a right to be free from any unreasonable intrusion into or surveillance of their lawful library use.³

The mission, goals, and objectives of libraries cannot authorize libraries and their governing bodies to assume, abrogate, or overrule the rights and responsibilities of parents and guardians. As "Libraries: An American Value" states, "We affirm the responsibility and the right of all parents and guardians to guide their own children's use of the library and its resources and services."⁴ Libraries and their governing bodies

cannot assume the role of parents or the functions of parental authority in the private relationship between parent and child. Libraries and their governing bodies shall ensure that only parents and guardians have the right and the responsibility to determine their children's—and only their children's—access to library resources. Parents and guardians who do not want their children to have access to specific library services, materials, or facilities should so advise their own children. Libraries and library governing bodies should not use rating systems to inhibit a minor's access to materials.⁵

Libraries and their governing bodies have a legal and professional obligation to ensure that all members of the communities they serve have free and equitable access to a diverse range of library resources and services that is inclusive, regardless of content, approach, or format. This principle of library service applies equally to all users, minors as well as adults. Lack of access to information can be harmful to minors. Libraries and their governing bodies must uphold this principle in order to provide adequate and effective service to minors.

¹ *Brown v. Entertainment Merchant's Association, et al.* 564 U.S. 08-1448 (2011).

² *Erznoznik v. City of Jacksonville*, 422 U.S. 205 (1975): "Speech that is neither obscene as to youths nor subject to some other legitimate proscription cannot be suppressed solely to protect the young from ideas or images that a legislative body thinks unsuitable for them. In most circumstances, the values protected by the First Amendment are no less applicable when government seeks to control the flow of information to minors." See also *Tinker v. Des Moines School Dist.*, 393 U.S.503 (1969); *West Virginia Bd. of Ed. v. Barnette*, 319 U.S. 624 (1943); *AAMA v. Kendrick*, 244 F.3d 572 (7th Cir. 2001).

³ "Privacy: An Interpretation of the *Library Bill of Rights* (<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/privacy>)," adopted June 19, 2002, by the ALA Council; amended July 1, 2014; and June 24, 2019.

⁴ "Libraries: An American Value (<http://www.ala.org/advocacy/intfreedom/americanvalue>)," adopted on February 3, 1999, by ALA Council.

⁵ "Rating Systems: An Interpretation of the *Library Bill of Rights* (<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/rating-systems>)," adopted on June 30, 2015, by ALA Council; amended June 25, 2019.

Adopted June 30, 1972, by the ALA Council; amended July 1, 1981; July 3, 1991; June 30, 2004; July 2, 2008 *under previous name* "Free Access to Libraries for Minors"; July 1, 2014; and June 25, 2019.



Scott Bleck <sbleck@newlondon.k12.wi.us>

Fwd: Library Bill of Rights

2 messages

Terry Wegner <twegner@newlondon.k12.wi.us>
To: Scott Bleck <sbleck@newlondon.k12.wi.us>
Cc: "Mrs. Danielle Sievert" <dsievert@newlondon.k12.wi.us>

Mon, Mar 20, 2023 at 8:51 AM

Scott,

Following the last Instructional Committee meeting and knowing Policy would be taking up 366.1, I wanted to gain more insight into the Library Bill of Rights so I reached out to Monica Treptow at DPI (the source Mark had contacted) for more information and understanding. Below is my email and Monica's response. She sights additional resources particularly those that provide legal status to some of the guidelines in the Library Bill of Rights.

I'd like you to include her response as background materials for 366.1 at our upcoming Policy Committee meeting. I believe these add further clarification to this policy and it's implementation going forward.

Thanks Terry

----- Forwarded message -----

From: **Terry Wegner** <twegner@newlondon.k12.wi.us>
Date: Sunday, March 12, 2023
Subject: Library Bill of Rights
To: Monica.treptow@dpi.wi.gov

Monica,

I am a member of the New London School Board. I recently attended a meeting where the Library Bill of Rights was brought up. It was commented that one of the board had contacted you and was told the Library Bill of Rights was not a legal document. Hope I'm not misspeaking. I realize this guiding document was not passed by Congress or state governments as far as I'm aware of. That said have any of the tenants in the Library Bill of Rights been challenged and upheld in court? If so can you sight them for me? I believe I've seen court rulings in support of some of the core tenants where they have been upheld by the judiciary based on the 1st amendment. Wouldn't that give these tenants legal standing?

Seeking clarification and understanding. Thanks in advance.

Terry Wegner
School Board Member
School District of New London

Terry Wegner <twegner@newlondon.k12.wi.us>
To: Scott Bleck <sbleck@newlondon.k12.wi.us>
Cc: "Mrs. Danielle Sievert" <dsievert@newlondon.k12.wi.us>

Mon, Mar 20, 2023 at 8:52 AM

Scott,

I just noticed Monica's reply didn't forward to you. Here it is.

Terry

----- Forwarded message -----

From: **Treptow, Monica R. DPI** <Monica.Treptow@dpi.wi.gov>
Date: Monday, March 13, 2023
Subject: Library Bill of Rights
To: Terry Wegner <twegner@newlondon.k12.wi.us>

Hello Terry,

Thank you for your email regarding the Library Bill of Rights. This is a document created by the American Library Association (ALA) as a set of professional guidelines. There have been numerous interpretations and additional documents added since it was created in 1939. More information can be found here: <https://www.ala.org/aboutala/offices/oif/LBOR-FTR-statement-pamphlet>.

You may find these ALA informational webpages of interest, as well:

- [First Amendment and Censorship](#)
- [Notable First Amendment Court Cases](#)

School libraries and library materials are directly referenced in these Wisconsin pieces of legislation:

- [Wisconsin Administrative Code PI8.01\(2\)\(h\)3](#) - Library Media Services
- [Wisconsin Administrative Code PI9.03\(1\)\(h\)](#) - Pupil Nondiscrimination
- [Wisconsin Statute 121.02\(1\)\(h\)](#) - School District Standards

I hope this information is helpful. Please let me know if you have additional questions or concerns.

Have a great day,

Monica Treptow

School Library Education Consultant

Library Services Team

Wisconsin Department of Public Instruction

608.575.6065

monica.treptow@dpi.wi.gov

Pronouns: they/she

Disclaimer: The content of this email is for informational purposes only and not for the purpose of providing legal advice. You should contact your attorney to obtain legal advice, including compliance with state and federal laws and regulations.

From: Terry Wegner <twegner@newlondon.k12.wi.us>

Sent: Sunday, March 12, 2023 11:28 AM

To: Treptow, Monica R. DPI <Monica.Treptow@dpi.wi.gov>
Subject: Library Bill of Rights

You don't often get email from twegner@newlondon.k12.wi.us. [Learn why this is important](#)

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Monica,

I am a member of the New London School Board. I recently attended a meeting where the Library Bill of Rights was brought up. It was commented that one of the board had contacted you and was told the Library Bill of Rights was not a legal document. Hope I'm not misspeaking. I realize this guiding document was not passed by Congress or state governments as far as I'm aware of. That said have any of the tenants in the Library Bill of Rights been challenged and upheld in court? If so can you sight them for me? I believe I've seen court rulings in support of some of the core tenants were they have been upheld by the judiciary based on the 1st amendment. Wouldn't that give these tenants legal standing?

[Quoted text hidden]