

REGULATION

TOWNSHIP OF UNION
BOARD OF EDUCATION

COMMUNITY
R 9130/Page 1 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

R 9130 PUBLIC COMPLAINTS AND GRIEVANCES

All complaints and grievances addressed to the Board of Education, Board members individually, school officials, or district staff members shall be referred to the Superintendent for consideration in accordance with the following procedures.

- A. Complaints Regarding a Teaching Staff Member Other Than Administrator
1. First level
 - a. The complainant will be directed to address the matter to the staff member.
 - b. The staff member will be directed to discuss the matter directly with the complainant and to make every reasonable effort to explain the difficulty and/or take appropriate action in accordance with district regulations and within his/her authority and district regulations.
 - c. The staff member will report the matter, and whatever action may have been taken to resolve the matter, to the Principal.
 2. Second level
 - a. If the matter cannot be satisfactorily resolved at the first level, the complainant may discuss the matter with the Principal.
 - b. The Principal will take all reasonable and prudent steps to resolve the complaint or to explain to the complainant why the matter cannot be resolved as the complainant wishes.
 3. Third level
 - a. If the matter cannot be satisfactorily resolved at the second level, the complainant may, within three working days (see Policy No. 9130) of his/her meeting with the Principal, submit to the Superintendent a written request for a conference with his/her designee. The request shall include:



REGULATION

TOWNSHIP OF UNION BOARD OF EDUCATION

COMMUNITY
R 9130/Page 2 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

- (1) The specific nature of the complaint and a brief statement of the facts giving rise to it,
 - (2) The respect in which it is alleged that the complainant or the complainant's child has been unfairly treated or adversely affected, and
 - (3) The remedy sought by the complainant.
- b. A copy of the request for conference will be sent to the Board of Education.
- c. Within seven working days (see Policy No. 9130) of the receipt of the request, the Superintendent or his/her designee shall conduct a conference, at a time convenient to the complainant, and attempt to resolve the matter informally. The time for conference will be extended if the complainant is unable to schedule a convenient meeting.
- d. The Superintendent or his/her designee shall record in writing his/her disposition of the complaint and shall, within ten working days (see Policy No. 9130) of the conference, provide a copy of the written disposition to the complainant and to the Board.
4. Fourth level
- a. A complaint that is not resolved by conference with the Superintendent or his/her designee or that seeks a remedy beyond the Superintendent's jurisdiction may be appealed to the Board of Education.
- b. The complainant may, within three working days (see Policy No. 9130) of his/her receipt of the Superintendent's written disposition, submit a written request for a hearing before the Board. The request will include a copy of the Superintendent's disposition at Level 3.
- c. The Board shall, within forty-five calendar days (see Policy No. 9130) of the receipt of the request, conduct an informal hearing before a committee of Board members, in which the complainant



REGULATION

TOWNSHIP OF UNION BOARD OF EDUCATION

COMMUNITY
R 9130/Page 3 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

will present his/her complaint. The Board may, on the petition of the complainant, permit the examination of witnesses. The Board may permit the teaching staff member complained of to testify in his/her own behalf.

- d. The Board shall, within ten calendar days (see Policy No. 9130) of the hearing, advise the complainant in writing of the Board's disposition of the complaint.
 - e. The complainant will be advised that the Board's decision may be appealed to the Commissioner of Education.
5. Reasonable efforts will be made to expedite a complaint that arises at the end of the school year so that the matter can be resolved before the interruption of summer vacations.
- B. Complaints About an Administrative Staff Member
1. The procedure set forth in A will be followed and the complainant will be directed to discuss the matter first with the administrator.
 2. A complaint about a Principal or a central office administrator will omit the second level of the complaint procedure. Appeal of the first level discussion will be made directly to the Superintendent in accordance with A3.
- C. Complaints About a Support Staff Member
1. The procedure set forth in A will be followed and the complainant will be directed to discuss the matter first with the support staff member.
 2. Appeal at the second level of the complaint procedure will be to the support staff member's supervisor.
 3. A complaint about a support staff supervisor will omit the second level of the complaint procedure. Appeal of the first level discussion will be made directly to the Superintendent in accordance with A3.
- D. Complaints About a Program, Practice, or Operation



REGULATION

TOWNSHIP OF UNION BOARD OF EDUCATION

COMMUNITY
R 9130/Page 4 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

1. A complaint directed to a matter of district or school policy, procedure, program, or operation, including entitlement programs established by state or federal law, should be addressed, initially, to the administrator or department head most directly concerned with the matter, in accordance with A1.
 2. A complaint that cannot be satisfactorily resolved at the first level may be appealed to the Superintendent and, thereafter, the Board in accordance with the procedures set forth in A3 and A4.
- E. Complaints About Instructional and Resource Materials
1. Complaints about textbooks, library books, reference works, and other instructional materials used in the district will be made in writing and submitted to the Superintendent.
 2. The complainant will complete and sign a complaint form available in the Principal's office. The form will include:
 - a. The title, author, and publisher of the work complained of,
 - b. The specific portions or language complained of (by page and item),
 - c. The complainant's familiarity with the work objected to,
 - d. The reasons for the objection,
 - e. The students or class for whom the work is intended, and
 - f. The way in which the work is used.
 3. Within seven working days of the receipt of the complaint form, the Superintendent shall appoint a review committee consisting of:
 - a. The head of the department in which the work is being used,
 - b. A teacher in the subject area of the work,
 - c. A library staff member,



REGULATION

TOWNSHIP OF UNION BOARD OF EDUCATION

COMMUNITY
R 9130/Page 5 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

- d. A Board member,
 - e. A lay person knowledgeable in the area of the work, and
 - f. The Principal of a school in which the work is used.
4. The review committee will meet to evaluate the complaint and review the material objected to. The standards used by the committee will be those set forth in Policy No. 2530.
 5. The committee will report its findings and recommendations to the Board.
 6. The Board will receive the report of the committee. If the Board acts to remove the work complained of or to limit access to the work, its action will be accompanied by a statement of reasons for the removal or limitation.
 7. A copy of the committee's report and the Board's action, if any, will be given to the complainant.
 8. The complainant will be informed that a decision of the Board may be appealed to the Commissioner of Education.

Issued: 14 September 2021

Revised/Readopted: _____, 2022



Request for Reconsideration of Materials Form

This form must be completed in order for a reconsideration of a district material to occur. The school board of The Township of Union has delegated the responsibility for the selection and evaluation of library/educational resources to the school library professional staff/curriculum committee and has established this reconsideration procedure to address concerns about those resources. See Resource Materials Policy 2530 for more information. Completion of this form is the first step in those procedures. If you wish to request reconsideration of school or library resources, please return the completed form. **Please note that the challenged material will remain in use and shall not be removed until the formal due process procedures have been completed.**

Instructions:

1. Forms can only be completed by a parent or guardian of a student in the district or by a student in the district.
2. Forms can only be completed after you have had an informal meeting with the teacher/school librarian where they have explained why the district has the material in question. It is only after the informal meeting has occurred and failed to resolve the differences that this form may be filled out and the more formal process outlined in the 9130 Regulations begins.
3. Before completing this form, you must read or view the disputed item in its entirety. Forms submitted without complete examination of the disputed item will not be considered.
4. All fields on this form must be completed in a full and meaningful manner. Incomplete, cursory, or duplicated forms will not be accepted.
5. A separate form must be completed for each disputed item/title. Forms containing multiple titles will not be considered.
6. You may attach additional sheets of paper with answers to the completed form.
7. The form asks you to frame your responses in the context of the following policies, statutes, and documents. Please review them:
 - TUPS Resource Material Policy 2530
 - American Library Association Library Bill of Rights



- National Council of Teachers of English Students' Right to Read Statement
- First Amendment of the United States Constitution
- State instructional regulations, including:
 - a. Amistad Commission (2002) P.L.2002, c.75; A1301 1R: K-12 curricula must include the teaching of the African slave trade, slavery in America, vestiges of slavery in this country, and contributions of African Americans to this country.
 - b. Asian American and Pacific Islander History (2022) S4021: Requires instruction on history and contributions of Asian Americans and Pacific Islanders.
 - c. Culturally Responsive Teaching (2020) S2834: Make meaningful connections between what students learn in school and their cultures, languages, and experiences.
 - d. Diversity and Inclusion (2021) P.L. 2021.032; A4454: Highlight and promote diversity, including economic diversity, equity, inclusion, tolerance, and belonging in connection with gender and sexual orientation, race and ethnicity, disabilities, and religious tolerance; examine the impact that unconscious bias and economic disparities have at both an individual level and on society as a whole; and encourage safe, welcoming, and inclusive environments for all students regardless of race or ethnicity, sexual and gender identities, mental and physical disabilities, and religious beliefs.
 - e. Equality & Inclusion (2017) NJAC 6A:7: Ensure all students, regardless of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, gender, gender identity or expression, religion, disability, or socioeconomic status, are provided equal access to educational programs and services Holocaust/Genocide (1994, revised 2018) NJSA 18A:35-28: Curricula in kindergarten through grade 12 address issues of bias, prejudice, and bigotry, including bullying, through the teaching of the Holocaust and genocide
 - f. LGBTQ (2019) P.L. 2019, c.006; S1569: Include instruction and adopt materials that accurately portray political, economic, and social contributions of persons with disabilities and lesbian, gay, bisexual, and transgender individuals.
 - g. QSAC: All schools in NJ are required to be QSAC compliant; compliance specifically requires the inclusion of Holocaust (p 23), Amistad (p 23), LGBTQ (p 62).
 - h. Social & Emotional Learning Competencies (adopted by NJ State Board of Education, August 2017): State standards outline expectations



REGULATION

TOWNSHIP OF UNION BOARD OF EDUCATION

COMMUNITY
R 9130/Page 8 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

according to five competencies: self-awareness, self-management, social awareness, responsible decision-making, relationship skills

8. Return completed forms to the principal's office at your student's school. If this is being completed by a student, please return the form to the principal's office of your school.
9. The principal or designee will schedule a conference within ten (10) working days of receiving the request to discuss it with you.



REGULATION

TOWNSHIP OF UNION
BOARD OF EDUCATION

COMMUNITY
R 9130/Page 9 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

Request for Reconsideration of Materials Form

<u>1. Date:</u>	
<u>2. Your Name:</u>	
<u>3. Address:</u>	
<u>4. Phone</u>	<u>5. Email:</u>
<u>6. What is your relationship with the district?</u> <ul style="list-style-type: none">● <u>Current Student</u>● <u>Parent/Guardian of current student</u>	
<u>7. Name of the school where the material in question is located:</u>	
<u>8. Date of the informal discussion with the teacher or school librarian about your concern:</u>	
<u>9. Describe why you believe the informal meeting with the teacher or school librarian did not address your concerns.</u>	
<u>10. What type of resource are you commenting on?</u> <ul style="list-style-type: none">● <u>Book/ebook</u>● <u>Movie</u>	



REGULATION

TOWNSHIP OF UNION
BOARD OF EDUCATION

COMMUNITY
R 9130/Page 10 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

- Database
- Magazine
- Game
- Other, please describe: _____

11. What is the title of the item?

12. Who is the author or producer of the item?

13. Who is the publisher of the item?

14. What brought this item to your attention?

15. Have you personally read or viewed the entire item?

- Yes
- No
- Some, which section(s):



REGULATION

TOWNSHIP OF UNION
BOARD OF EDUCATION

COMMUNITY
R 9130/Page 11 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

16. Explain the purpose and theme of this material as you understand it.

17. What worthy qualities does this material contain?

18. What are your concerns about this item?

19. Please cite page numbers or locations and quote specific passages in the material that demonstrate your concerns.



REGULATION

TOWNSHIP OF UNION
BOARD OF EDUCATION

COMMUNITY
R 9130/Page 12 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

20. How has this material been assessed by professional reviewers or educators? Please provide the text of a review and the citation from an objective, professional review source (e.g., School Library Journal, School Library Connection, Library Journal, Kirkus, Booklist).

21. Please provide a text of a review and the citation from an objective, professional review source that supports your objection to the material.



REGULATION

TOWNSHIP OF UNION
BOARD OF EDUCATION

COMMUNITY
R 9130/Page 13 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

22. In what way does the material fail to comply with the selection objectives and criteria specified in district Policy 2350?

23. In what ways does the material fail to comply with one or more of the following NJ state instructional regulations? Please check the one(s) that you believe that they do not comply with. Provide specific examples.

- Amistad Commission (2002) P.L.2002, c.75; A1301 1R
- Asian American and Pacific Islander History (2022) S4021
- Culturally Responsive Teaching (2020) S2834
- Diversity and Inclusion (2021) P.L. 2021.032; A4454
- Equity & Inclusion (2017) NJAC 6A:7
- Holocaust/Genocide (1994, revised 2018) NJSA 18A:35-28
- LGBTQ (2019) P.L. 2019, c.006; S1569
- QSAC
- Social & Emotional Learning Competencies (adopted by NJ State Board of Education, August 2017)



REGULATION

TOWNSHIP OF UNION
BOARD OF EDUCATION

COMMUNITY
R 9130/Page 14 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

24. In what ways does the material fail to support the district's commitment to intellectual freedom as expressed in the American Library Association's Library Bill of Rights, the National Council of Teachers of English Students' Right to Read Statement, and the First Amendment of the United States Constitution?

25. How do you believe students would be affected by this material?

26. What is your evidence for that belief? Please provide the text of relevant research and its citation.



REGULATION

TOWNSHIP OF UNION
BOARD OF EDUCATION

COMMUNITY
R 9130/Page 15 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

27. In place of the challenged material, what high-quality educational resources do you suggest to provide additional information or other viewpoints on this topic? Please provide the title, author, publisher, and copyright date.

28. Please provide the text of a review and the citation from an objective, professional review source for the material you recommended above.

29. Why do you believe you should be permitted to restrict the reading choices of children other than your own?



REGULATION

TOWNSHIP OF UNION
BOARD OF EDUCATION

COMMUNITY
R 9130/Page 16 of 16
PUBLIC COMPLAINTS AND GRIEVANCES

30. What action are you requesting the district consider?

- Permanently remove the material from the school
- Do not permit my child to access the material
- Other, describe:

Signature:

Please return the completed form to the building principal.

