

Descriptor Term: <b>Board Policy IKBC: Material Harmful to Minors Complaint Resolution Process</b>	Descriptor Code: <b>IKBC</b>	Original Adopted: 9/14/22
	Last Revised Date: 9/14/22	Last Reviewed Date: 9/14/22

**DEFINITIONS**

**Harmful to minors-** as used in this policy, means that quality of description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sadomasochistic abuse, when it:

1. Taken as a whole, predominantly appeals to the prurient, shameful, or morbid interest of minors;
2. Is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors; and
3. Is, when taken as a whole, lacking in serious literary, artistic, political, or scientific value for minors.

**Business Day** – as used in this policy, means any calendar day except Saturdays, Sundays, and any federal and school holidays upon which the office of the GNETS Director is open to the public for business.

**REQUIREMENTS**

The Pioneer RESA Board of Control hereby adopts this policy to address complaints submitted by parents or permanent guardians alleging that material that is harmful to minors has been provided or is currently available to his or her child who is enrolled in this program. The complaint resolution process is as follows:

1. Complaints must be submitted in writing by the parent or permanent guardian to the GNETS site coordinator of the program where the student is enrolled.
2. Complaints must provide a reasonably detailed description of the material that is alleged to be harmful to minors.
3. Within seven (7) business days of receiving a written complaint, the GNETS site coordinator or his or her designee will review the complaint and take reasonable steps to investigate the allegations in the complaint, including, but not limited to, reviewing the material that is alleged to be harmful to minors, if it is available.
4. The GNETS site coordinator or his or her designee will determine whether the material that is the subject of the complaint is harmful to minors.
5. The GNETS site coordinator or his or her designee will determine whether student access to the material that is the subject of the complaint should be removed or restricted.
6. Within ten (10) business days of receiving the complaint, unless another schedule is mutually agreed to by the parent or permanent guardian and the GNETS site-coordinator

or his or her designee, the GNETS site coordinator or his or her designee will confer with the parent or permanent guardian and inform him or her whether the material that is the subject of the complaint was determined to be harmful to minors, and whether student access to such material will be removed or restricted.

7. Appeals of the GNETS site coordinator or his or her designee's determinations is subject to full administrative and substantive review by the Pioneer RESA Board of Control, which shall include the ability of the parent or permanent guardian to provide input during public comment at a regularly scheduled board meeting. Unless another time frame is mutually agreed upon by the parent or permanent guardian and the Pioneer RESA Board of Control, the review and final disposition of the appeal by the Pioneer RESA Board of Control will be completed within 30 calendar days of receiving the written appeal.

8. On appeal the Pioneer RESA Board of Control shall review the original complaint filed by the parent or permanent guardian, any statement made by the parents or permanent guardian as part of public comment at a regular board meeting, any communication between the parent or permanent guardian to the principal or designee from the time the complaint is filed until the time of the appeal that is related to the complaint, and any statement in writing submitted to the Pioneer RESA Board of Control in connection with the appeal by either the parent or permanent guardian or the GNETS site-coordinator or designee by a date set by the Pioneer RESA Board of Control. The Pioneer RESA Board of Control shall have the right, but not the obligation, to hear from the parent or permanent guardian and the principal or designee at the meeting where it makes its review and to discuss any legal issues raised by the complaint in executive session with the attorney for the GNETS Program or Pioneer RESA.

9. The title of the material submitted for appeal that is determined by the Pioneer RESA Board of Control to be not harmful to minors shall be published on the GNETS Program website within 15 business days from the date of the Pioneer RESA Board of Control's determination and will remain on the website for a period of not less than 12 months. A parent or permanent guardian may request access to appealed materials that are physical in nature and accessible to their student in the student's school media center. A parent or permanent guardian must abide by the GNETS's policies and procedures when requesting and reviewing such material.

This policy shall become effective **[INSERT DATE]**