

RCW 28A.320.230 Instructional materials—Instructional materials committee—Complaint system. (1) Every board of directors, unless otherwise specifically provided by law, shall:

(a) In accordance with RCW 28A.345.130, prepare, negotiate, set forth in writing and adopt, policy relative to the selection or deletion of instructional materials. Such policy shall:

(i) State the school district's goals and principles relative to instructional materials;

(ii) Delegate responsibility for the preparation and recommendation of teachers' reading lists and specify the procedures to be followed in the selection of all instructional materials including text books;

(iii) Establish an instructional materials committee to be appointed, with the approval of the school board, by the school district's chief administrative officer. This committee shall consist of: Representative members of the district's professional staff, including representation from the district's curriculum development committees; one or more parents of enrolled students, with the parent members equaling less than one-half of the total membership of the committee; and in the case of districts that operate elementary school(s) only, the educational service district superintendent, one of whose responsibilities shall be to assure the correlation of those elementary district adoptions with those of the high school district(s) which serve their children. School districts shall develop and implement comprehensive outreach programs to parents of enrolled students in the district for the purpose of recruiting a diverse pool of parent members for instructional materials committees that reflects the demographics and learning needs in the district to the greatest extent possible;

(iv) Instructional materials committees that are unable to recruit at least one parent of an enrolled student to serve on the committee must, while they are without a parent member, report quarterly to the school district board of directors and the public on their efforts to recruit one or more parents to serve on the committee;

(v) Provide for reasonable notice to parents of the opportunity to serve on the committee and for terms of office for members of the instructional materials committee;

(vi) Provide a system for receiving, considering and acting upon written complaints regarding instructional materials used by the school district. The system required by this subsection (1)(a)(vi) must:

(A) Require that complaints be in writing from a parent or legal guardian of a student who is enrolled in the district and submitted to a principal from a school where the materials that are the subject of the complaint are used;

(B) Seek to resolve complaints through, if requested by the parent or guardian, a meeting with the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, and the principal to whom the complaint was submitted;

(C) Require, if a resolution cannot be agreed upon with the parent or guardian and the school principal, the instructional materials committee to provide a written decision on the matter within: (I) 60 days of a meeting held under (a)(vi)(B) of this subsection; or (II) 90 days after the complaint was received by the principal, whichever date is later. Decisions made in accordance with

this subsection (1)(a)(vi) must be in conformity with RCW 28A.320.233 and may be limited in application to only the student or students of the parent or guardian who submitted the complaint; and

(D) Provide a process for appealing decisions of the instructional materials committee, by the parent or guardian, a certificated teacher who uses the materials that are the subject of the complaint, or a principal from a school where the materials that are the subject of the complaint are used, to the superintendent of the school district or a designee of the superintendent. Appeal requests must be made in writing and decisions by the superintendent or designee under this subsection are not subject to appeal. Final decisions at any point in the process made in accordance with this subsection (1)(a)(vi) may not be reconsidered for a minimum of three years unless there is a substantive change of circumstances as determined by the superintendent; and

(vii) Provide free text books, supplies and other instructional materials to be loaned to the pupils of the school, when, in its judgment, the best interests of the district will be subserved thereby and prescribe rules and regulations to preserve such books, supplies and other instructional materials from unnecessary damage; and

(b) Establish a depreciation scale for determining the value of texts which students wish to purchase.

(2) Recommendation of instructional materials shall be by the district's instructional materials committee in accordance with district policy. Recommendations made in accordance with this section must include recommendations for culturally and experientially representative instructional materials including materials on the study of the role and contributions of individuals or groups that are part of a protected class under RCW 28A.642.010 and 28A.640.010, but approval or disapproval shall be by the local school district's board of directors.

(3) Districts may pay the necessary travel and subsistence expenses for expert counsel from outside the district. In addition, the committee's expenses incidental to visits to observe other districts' selection procedures may be reimbursed by the school district.

(4) Districts may, within limitations stated in board policy, use and experiment with instructional materials for a period of time before general adoption is formalized.

(5) Within the limitations of board policy, a school district's chief administrator may purchase instructional materials to meet deviant needs or rapidly changing circumstances. [2024 c 316 s 3; 2024 c 157 s 3; 1989 c 371 s 1; 1979 ex.s. c 134 s 2; 1975 1st ex.s. c 275 s 109; 1971 c 48 s 29; 1969 ex.s. c 223 s 28A.58.103. Prior: 1969 c 53 s 1, part; 1967 ex.s. c 29 s 1, part; 1967 c 12 s 1, part; 1965 ex.s. c 49 s 1, part; 1963 c 104 s 1, part; 1963 c 5 s 1, part; 1961 c 305 s 1, part; 1961 c 237 s 1, part; 1961 c 66 s 1, part; 1955 c 68 s 2, part. Formerly RCW 28A.58.103, 28.58.100 (8) and (9).]

Reviser's note: This section was amended by 2024 c 157 s 3 and by 2024 c 316 s 3, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Intent—2024 c 157: See note following RCW 28A.345.130.

Severability—1971 c 48: See note following RCW 28A.310.250.

*Disposal of obsolete or surplus reading materials by school districts
and libraries: RCW 39.33.070.*

*Surplus texts and other educational aids, notice of availability—
Student priority as to texts: RCW 28A.335.180.*