

# University Schools

Monitoring: <b>Review: Annually, in November</b>	Descriptor Term:  <b>Prohibited Concepts</b>	Descriptor Code: <b>4.101</b>	Issued Date:
		Rescinds: <b>435</b>	Issued:

“Prohibited Concepts” are those concepts specifically enumerated in T.C.A. § 49-6-1019(a) that shall not be included or promoted in a course of instruction, curriculum and instructional program, or through supplemental instructional materials. “Supplemental instructional materials” means materials used in conjunction with the core instructional materials of a course. Supplemental instructional materials extend and support instruction and include, but are not limited to, books, periodicals, visual aids, video, sound recordings, computer software, or other digital content.

## COMPLAINT PROCESS

Although individuals are encouraged to speak with teachers and/or administration to discuss and resolve issues related to the inclusion of certain concepts in the curriculum, eligible complainants may file a formal complaint alleging that Prohibited Concepts have been included or promoted in a course of instruction, curriculum and instructional program, or in a supplemental instructional materials.

Complaints must be filed using the Prohibited Concepts Complaint Form within forty-five (45) calendar days of the Prohibited Concept being included or promoted in a course of instruction, curriculum and instructional program, or supplemental instructional materials. The Chief Policy and Compliance Officer will be the responsible party for evaluating and investigating complaints. Completed Complaint Forms should be emailed directly to Mary Honore’ Tucker at [mhtucker@memphis.edu](mailto:mhtucker@memphis.edu) .

Upon receipt of a complaint, the Chief Policy and Compliance Officer or their University Schools designee will evaluate authority to investigate and within fifteen (15) calendar days of receipt will notify the complainant of its decision as to whether an investigation will be initiated. Complaints may be immediately dismissed if it is determined that it does not involve a Prohibited Concept, has not been filed by an eligible complainant, or because more than forty-five (45) days has passed since the alleged prohibited activity.

Any party, including the parents of minors, whose participation is invited or expected during the course of an investigation, will be provided written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate. No later than sixty (60) days after receipt of a complaint, The Chief Policy and

Compliance Officer will issue a written determination as to whether the allegations in the complaint were substantiated. The written determination will be communicated to the complainant and the individual alleged to have included or promoted the Prohibited Concept. The complainant or the individual alleged to have included or promoted the Prohibited Concept may file an appeal of the determination with the Department of Education (DOE) within fifteen (15) calendar days of the date that the written determination was issued. If an appeal is not filed of a substantiated allegation, no sooner than fifteen (15) calendar days after the written determination, University Schools will take appropriate remedial action to ensure that the Prohibited Concept(s) is no longer included in a course of instruction, curriculum and instructional program, or supplemental instructional materials.

### Early Resolution

At any time prior to a determination substantiating an allegation, the parties may opt to participate in an early resolution. The Chief Policy and Compliance Officer may facilitate an early resolution process, such as mediation, that does not involve a full investigation and adjudication, as long as the parties provide their voluntary, written consent to the early resolution process. All proposed resolutions will be documented by a written resolution agreement documenting all agreed upon terms which will be signed by the complainant and the individual alleged to have included or promoted the Prohibited Concept.

Any complainant believing that the terms of the written resolution agreement have not been upheld may file a new complaint based on the same facts and allegations as the original complaint within forty-five (45) days of receiving the written resolution agreement. If University Schools enforces a written resolution for the first thirty (30) days, and thereafter fails to enforce a written resolution, the complainant may also file a new complaint.

### Retaliation

University Schools employees and students are strictly prohibited from retaliating, intimidating, threatening, coercing or otherwise discriminating against any individual for filing a complaint, filing an appeal, or participating in an investigation at the University Schools' or Department of Education level. Retaliation will result in disciplinary measures, up to and including separation from the University. Anyone who believes they have been retaliated against because they have exercised their rights under this policy should immediately make a report to the Office for Institutional Equity.