

Book

WARREN COUNTY PUBLIC SCHOOLS POLICY MANUAL

Section

I - INSTRUCTION

Title

INSTRUCTIONAL MATERIALS

Code

IIA

Status

Active

Cross References

IGAH - FAMILY LIFE EDUCATION (FLE)

IIAA - TEXTBOOK SELECTION, ADOPTION AND PURCHASE

IIA-R - SELECTION AND REVIEW OF INSTRUCTIONAL MATERIALS

IIAB - SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION

INB - TEACHING ABOUT CONTROVERSIAL ISSUES

KLB - PUBLIC COMPLAINTS ABOUT LEARNING

Last Revised

November 15, 2022

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Prior Revised Dates

February 12, 1987; January 11, 1990; August 8, 1996; June 27, 2002; July 10, 2008; August 13, 2009; July 10, 2014; May 1, 2019; **November 15, 2022**

INSTRUCTIONAL MATERIALS

The Warren County School Board is responsible for the selection and use of instructional materials.

The superintendent or superintendent's designee creates and updates, as necessary, guidelines and procedures for the selection of instructional materials. The guidelines and procedures are designed to ensure that appropriate instructional materials are selected and provide an opportunity for the professional staff and community to participate and be informed on the selection and use of instructional materials.

Parents may inspect, on request, any instructional material used as part of their student's curriculum.

Sexually Explicit Content

I. Purpose

To establish clear procedures for schools to:

- (i) identify all instructional materials with sexually explicit content,
- (ii) ensure parental notification of any instructional materials with sexually explicit content,
- (iii) permit parents to review all instructional materials with sexually explicit content, and
- (iv) ensure alternative instructional materials, that do not include sexually explicit content, are provided in a non-punitive manner for any student whose parent so requests.

II. Definitions

- A. The Code of Virginia Section 2.2-2827 states that “Sexually explicit content” “means
 - (i) any description of or
 - (ii) any picture, photograph, drawing, motion picture film, digital image or similar visual representation depicting sexual bestiality, a lewd exhibition of nudity, as nudity is defined in Section 18.2-390, sexual excitement, sexual conduct or sadomasochistic abuse, as also defined in Section 18.2-390, coprophilia, urophilia, or fetishism.”
- B. The Code of Virginia Section 22.1-1 defines “parent” or “parents” as “any parent, guardian, legal custodian, or other person having control or charge of a child.”
- C. For the purposes of this sexually explicit content policy, the phrases “instructional material” and “instructional materials” mean any content used by one or more students for an educational purpose, regardless of (a) its format, whether printed, representational, audiovisual, electronic, or digital (such as materials, social media content, and software applications accessible through the internet), or (b) the time, place and manner in which the content is used. Library materials are considered instructional materials when used
 - (i) for completion of an assignment, or
 - (ii) as part of an academic or extracurricular educational program. This includes any division, school, and/or classroom purchased or created assessments.

However, the phrases “instructional material” and “instructional materials” do not include standardized national or state assessments, such ACT, SAT, NAEP, and AP or SOL exams.

III. Identification of Instructional Materials with Sexually Explicit Content

- A. The Superintendent shall establish a process for identifying instructional materials with sexually explicit content.

- B. Prior to the start of the academic year, schools shall identify the specific instructional materials that include sexually explicit content which may be used during upcoming school year. When determining whether instructional materials contain sexually explicit content, teachers, principals, and division staff should consider student age and maturity, and whether a parent might reasonably consider the instructional content harmful to their child.

IV. Notice to Parents

- A. At least thirty (30) days prior to the use of any instructional materials with sexually explicit content, principals shall provide written notice to parents that
 - (i) specifically identifies the instructional materials with sexually explicit content,
 - (ii) informs parents of their right to review such instructional materials, and
 - (iii) informs parents of their right to have their child use, in a non-punitive manner, alternative, instructional materials that do not include sexually explicit content.
- B. Such notice should be provided in writing to parents by U.S. mail, and/or e-mail.

V. Parental Right to Review of Instructional Materials with Sexually Explicit Content and Right to Alternative Instructional Materials

- A. Principals shall maintain a current list of instructional materials with sexually explicit content by grade and subject on the school's public website.
- B. Principals shall provide online access for parental review of instructional materials that include sexually explicit content, unless not technically feasible or prohibited by copyright protection. Schools shall also have available at the school for parent review all instructional materials that include sexually explicit content.
- C. Schools shall defer to parents to determine whether the use of sexually explicit content in instructional materials, if any, is appropriate for their child.
- D. Upon a parent's request, schools shall provide, in a manner that is not punitive, alternative instructional materials for the student that do not include sexually explicit content.
- E. Parents may change their decision with respect to the use of alternative instructional materials by providing notice to the school.

Adopted: Date of manual adoption
Revised: February 12, 1987; January 11, 1990; August 8, 1996; June 27, 2002; July 10, 2008;
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Legal: 20 U.S.C. § 1232h.
Code of Virginia, 1950, as amended, § 22.1-16, **22.1-16.8**
8 VAC 20-720-160.