

INSTRUCTION

Library Media Centers/Professional Libraries

A. Generally

Each school shall maintain an organized library media center as the resource center of the school and provide a unified program of media services and activities for students and teachers. This facility shall contain ~~as~~ print and digital resources, which are sufficient to meet research, inquiry and reading requirements of the instructional program and general student interest.

Subject to approval by the School Board, selected media centers or libraries may be opened and staffed during a limited number of early morning, afternoon and/or evening hours.

B. Definitions

— "Sexually explicit content" has the same meaning as set forth in Code of Virginia Section 2.2-2827, as amended, which is: a) any description of or b) any picture, photograph, drawing, motion picture film, digital image or similar visual representation depicting sexual bestiality, a lewd exhibition of nudity (lewd is defined as predominantly crude and offensive in a sexual way), as nudity is defined in Section 18.2-390, as amended, sexual excitement, sexual conduct or sadomasochistic abuse, as also defined in Section 18.2-390, as amended, coprophilia, urophilia, or fetishism.

1. "Parent" or "parents" has the same meaning as set forth in Code of Virginia Section 22.1-1, as amended, which is "parent" or "parents" as "any parent, guardian, legal custodian, or other person having control or charge of a child." Additionally, such parent must have a student currently enrolled in the School Division.
2. "Library materials" means all resources available through a School Division library/media center or other School Division provided resources for students to access that is not designated as instructional materials. Standardized national or state assessments, such as ACT, SAT, NAEP, and AP, SOL, and/or IB exams are not library materials.

C. Selection of library materials

1. Selection of new library materials

A clear procedure for selecting new library materials must adhere to the following standards:

a. Elementary Schools

Library materials selected for elementary schools, whether free materials or purchased materials, will not contain sexually explicit content. **Library Media Specialists shall**

conduct a thorough review based on the School Division's prescribed process of reviewing new materials to determine content.

b. Middle and High Schools

Library materials selected for middle and high schools, whether free materials or purchased materials, that contain sexually explicit content must be added to a list called Sexually Explicit Materials and the list must be posted on the school website under the library section. Parents will be notified annually about the existence and location of the list and will be notified about the ability to opt their child out of any sexually explicit library materials utilizing an opt-out form that will also be included in the notification and made available on the school website.

2. Existing Library Materials standard

a. Elementary Schools.

Any existing library materials that contain sexually explicit content discovered through the School Division's prescribed process for reviewing existing materials as referenced in Regulation 6-65.1, as amended, in elementary schools must be removed, by the beginning of the 2023-2024 school year.

b. Middle and High Schools

Any existing library materials that contain sexually explicit content in middle or high schools will be reviewed upon a challenge brought forth by a parent or adult student. If the library material is deemed to contain sexually explicit content through the challenge process, it shall be put on the list called Sexually Explicit Library Materials.

D. Identification of Library Materials with Sexually Explicit Content

1. The Superintendent or designee will develop a regulation and/or processes -shall establish a process- for identifying library materials with sexually explicit content referenced in section A, B and C of this Policy. The School Board Attorney will approve such regulation and/or process for legal sufficiency.
2. The Superintendent or designee, in consultation with the School Board Attorney, will develop a process for parents or adult students to challenge library materials.
3. Nothing in this Policy is intended to be used to bring criminal charges against School Division employees.

B. E. Materials and Equipment

Each school shall provide a variety of materials and equipment to support the instructional program.

F. Professional Libraries

Professional materials for use by school employees shall be maintained in each media center or in the central administration office.

Legal Reference

Code of Virginia § 22.1-16.8, as amended. Instructional material; sexually explicit content, parental notification.

Code of Virginia § 2.2-2827, as amended. Restrictions on state employee access to information infrastructure.

Code of Virginia § 18.2-390, as amended. Definitions.

Virginia Board of Education Regulations 8 VAC 20-131-10 *et seq.*, as amended. Establishing Standards for Accrediting Public Schools in Virginia

Code of Virginia § 18.2-383, as amended. Exceptions to application of article.

Virginia Board of Education Regulations, 8VAC20-720-160, as amended. Instructional material.

Virginia Department of Educational Model Policies Concerning Instructional Materials with Sexually Explicit Content (8/4/2022), as amended.

Protection of Pupil Rights Amendments, 20 U.S.C. § 1232 (H), 34 C.F.R. Part 98, as amended.

VBCPS Library Media Handbook, revised 2023, as amended.

Adopted by School Board: July 13, 1993 (Effective August 14, 1993)

Amended by School Board: February 15, 1994

Amended by School Board: October 20, 1998

Amended by School Board: March 21, 2017

Amended by School Board: May 2023

APPROVED AS TO
LEGAL SUFFICIENCY

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