

## INSTRUCTION

### Review and Challenge of Instructional Materials by Parents/Legal Guardians and Adult Students

Instructional materials, whether basal, supplemental, or library materials, may be challenged by a ~~citizen of the city of Virginia Beach at the school or division level.~~ parent/legal guardian of a student or an adult student in VBCPS.

Parents/legal guardians or adult students may review any instructional material used as part of the student's educational curriculum in a course for the student in which the student y-is are currently enrolled. Upon a request by a parent/legal guardian or adult student to review such material, the principal or designee will make such material available within five (5) business days. If the instructional material is not provided within such time, the parent/legal guardian may appeal such denial to the School Board under Policy 5-6 and Regulation 5-6.~~42.~~

#### A. School Level

1. Upon the receipt of a complaint, the principal or designee will schedule a conference with the complainant and the ~~person~~staff using the material. All parties at this conference will be apprised in advance of the material being challenged and provided adequate time for review of materials.
2. If the complainant requests the material be withdrawn from use with his or her child, the principal or designee may honor the request if he/~~or~~she decides that the substitution of other instructional material is appropriate and shall notify the complainant in writing of his/her decision within 5 school days.
3. Material may not be withdrawn from use with other students unless the decision is made to do so after following the process in this regulation.
4. If the complainant desires further action, the principal or designee will provide the form "Request for Reconsideration of Instructional Materials" for the complainant to complete. The complainant must submit completed form to the principal or designee within three~~five~~ (3) school days.
5. Upon receipt of the completed form, the principal will set up a committee to review the completed form, study the materials in question, determine if the material meets established ~~S~~school ~~D~~division objectives, and respond in writing to the complainant with the committee's decision within forty~~five~~thirty (30~~45~~)~~10~~ school days.

~~6. Should the complainant wish to appeal the decision, the principal will notify the complainant will provide a written appeal, stating the evidence and reasons for the appeal, to both the principal and Assistant Superintendent for Instructional Support Services Chief Academic Officer within three (3) school days in writing.~~

~~7. The principal will notify the complainant within five (5) school days of the decision.~~

~~6.8. Appeals to the Division level will only be granted if the complainant can demonstrate the school acted with deliberate indifference in considering the complainant's request. Appeals will not be granted based upon the complainant's disagreement over the decision, and no harm has come to the student as a result of the school's decision.~~

## **B. Division Level**

~~1. Parent/legal guardians or adult students that wish to pursue a challenge to instructional materials at the division level must submit a Request for Reconsideration of Instructional Materials to the CAO. Note: instructional materials under review will remain in use until the challenge process is completed.~~

~~2. The CAO or designee will review such a request to determine:  
a) whether to accept the request (note A8) or  
b) direct the complaint back to the school to follow process outlined in section A~~

~~1.3. The Assistant Superintendent for Instructional Support Services CAO will establish elementary and secondary standing committees to review requests for reconsideration of instructional materials.~~

~~2.4. The committee will assess the material and submit a written response to the CAO Assistant Superintendent for Instructional Support Services within thirty (30) business days.~~

~~3.5. The Assistant Superintendent for Instructional Support Services CAO will review and inform the Division Superintendent of the committee's decision within five (5) school days of receipt of recommendation.~~

~~6. The Division Superintendent's concurrence will notify the CAO of his/her decision to accept or overrule the recommendation. The Assistant Superintendent for Instructional Support Services CAO will notify the complainant of the review committee's decision within five (5) school days of receiving the Division Superintendent's decision.~~

~~4.7. Appeals to the School Board level will only be granted if the complainant can demonstrate the CAO and Superintendent acted with deliberate indifference in considering the complainant's request. Appeals will not be granted based upon the complainant's disagreement over the decision, and no harm has come to the student as a result of the school's decision.~~

### C. School Board

~~1. If the complainant desires further action related to instructional materials, the Chairman of the School Board will determine the review and/or hearing process to be employed by the School Board in each case. establish a review committee made up of (3) three board members to review the material and bring forward a recommendation to the Chair. The Chair will make a review of the committee's findings and render a decision whether to accept or not accept the committee's recommendation. The Chair will inform the full Board and administration of the decision so appropriate action can be taken.~~

~~1. Should the challenge of instructional materials occur at the School Board level, the Chairman may respond as follows:~~

~~*"The Virginia Beach City School Board has developed a policy with accompanying regulations for reconsideration of instructional materials. In keeping with this policy, you are directed to follow the guidelines herein."*~~

~~2. If the complainant desires further action related to instructional materials **only**, the Chairman of the School Board will establish a review committee made up of (3) three board members to review the material and bring forward a recommendation to the Chair. The Chair will make a review of the committee's findings and render a decision whether to accept or not accept the committee's recommendation. The Chair will inform the full Board and administration of the decision so appropriate action can be taken. Should the challenge of instructional materials occur at the School Board level, the Chairman may respond as follows:~~

~~2. "The Virginia Beach City School Board has developed a policy with accompanying regulations for reconsideration of instructional materials. In keeping with this policy, you are directed to contact the Assistant Superintendent for Instructional Support Services."~~

### Related Links

School Board Policy 5-6  
School Board Regulation 5-6.1

Approved by Superintendent: July 16, 1991  
Revised by Superintendent: September 9, 2003  
Revised by Superintendent: June 14, 2022