

## INSTRUCTION

### Parent/Legal Guardian Partnerships and School Library Collections

VBCPS recognizes the value of partnering with parents and legal guardians of enrolled minor students to support student learning and growth. Therefore, school libraries offer the following procedures to partner with parents and legal guardians of minor students regarding the materials ~~that~~ their students check out from ~~their~~ school libraries.

#### A. Definitions

1. *Library materials of general interest*- defined as those materials of general interest to the school's students selected for inclusion in a school library collection.
2. *Library materials used to support instructional programs*: defined as those materials used: a) for completion of an assignment; or b) as part of an academic or educational program.

#### B. Parent/legal guardian of a minor student: restriction of access to library materials of general

~~A parent or legal guardian may request that their minor children be restricted from checking out specific titles, authors, or series from their school libraries. They may search their child's school's Destiny Catalog via the School Division website to identify titles that they wish to restrict.~~

1. **Request for Limited Access to Library Materials of General Interest (Individual Student)**. The parents/legal guardians of minor students may request limited access to library materials of general interest for their students. Parents/legal guardians may search the student's school's Destiny Catalog (or other catalog if a new system is used) via the School Division website to identify specific titles, authors, or series from school libraries the parents/legal guardians wish to restrict their students from accessing. The parents/legal guardians may ~~They may~~ then complete a "Request for \_\_\_\_\_ Limited Access ~~to~~ Library \_\_\_\_\_ Materials of General Interest (Individual Student)" form and submit it to their school's \_\_\_\_\_ Library ~~M~~edia ~~S~~pecialist.

- a. The minor student will be restricted from checking out the items from any \_\_\_\_\_ VBCPS school library, even if the student transfers schools until: 1) a \_\_\_\_\_ parent/legal guardian provides written notice to a VBCPS school \_\_\_\_\_ Library Media Specialist requesting that the restriction be removed; or 2) the \_\_\_\_\_ student is no longer a minor.
- b. The school will make reasonable efforts to prohibit the student from accessing \_\_\_\_\_ such library materials while in the library media center.

~~c. The student will not be allowed to check out those library media materials identified by a parent/legal guardian.~~

~~d. Parents/legal guardians will work cooperatively with the school staff to determine how to restrict the student from accessing such library materials through School Division provided devices.~~

~~A. The student will be restricted from checking out the items from any VBCPS school library, even if they transfer schools, until the parent or legal guardian provides written notice to a VBCPS school library requesting that the restriction be removed.~~

**C. Parents/legal guardians of minor student: restriction of access to library materials used for instructional purposes.**

1. Parents/legal guardians of a minor student may search their student's school's Destiny Catalog (or other catalog if another system is used) via the School Division website to identify specific titles, authors, or series from school libraries the parents/legal guardians wish to restrict their students from accessing.

2. Parents/legal guardians may then complete a "Request for Limited Access to Library Materials used for Instructional Materials (Individual Student)" form and submit it to the school's Library Media Specialist. The minor student will be restricted from checking out the items from any VBCPS school library, even if the student transfers schools, until:  
a) a parent/legal guardian provides written notice to a VBCPS school Library Media Specialist requesting that the restriction be removed; or b) the student is no longer a minor.

3. Alternative library materials for instructional purposes. Parents/legal guardians of minor students may request alternative library materials for instructional purposes by submitting a request to the Library Media Specialist that explains the objections to such library materials. The Library Media Specialist will meet with the student's teacher(s) assigning the instructional matters that the library materials are supporting and determine what alternative library materials are available to support the instructional matter. If the parents/legal guardians, teacher(s) and Library Media Specialist cannot agree on alternative library materials, the principal or designee will determine the appropriate alternative library materials.

~~B. When library materials are intended to be used for instructional purposes, parents/legal guardians may determine whether they are appropriate for their minor children. 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. The student will be restricted from checking out the material until the parent or legal guardian has given express permission that the item may be checked out. Parents and legal guardians who wish to take advantage of this opportunity should complete a "Parent/Legal Guardian Prior Notification for Student Checkout of Library Materials to be Used for Instructional Purposes" form and submit it to their child's school's library media specialist. The restriction will remain in effect until the parent or~~

legal guardian provides written notice to a VBCPS school library requesting that the restriction be removed.

A. Per VBCPS Regulation 6-61.2 (Review and Challenge of Instructional Materials by Parents/Legal Guardians and Adult Students), parents, legal guardians, and adult students may challenge the inclusion of materials in a school library collection. The Regulation outlines the procedures for challenges to school library materials; however, the form to be used is entitled "Request for Reconsideration of Library Materials."

#### **D. Review and Challenge of Library Materials- by Adult Students or Parents/Legal Guardians of minor students and Adult Students enrolled in VBCPS**

Adult students enrolled in VBCPS, or the parent/legal guardian of a minor student enrolled in VBCPS (hereinafter "complainant") may review school library materials and/or may file a complaint to challenge the appropriateness of including a specific library material in the school's library. A complaint that a library material contains sexually explicit material will fall under Regulation 6-65.3 and not this Regulation.

##### 1. School Level

a. Upon the receipt of a complaint regarding the content of library material, ~~complaint,~~ the principal or designee will schedule a conference with the complainant ~~complainant~~ and the Library Media Specialist. The principal or designee may include other knowledgeable staff members in the conference. If the complainant does not participate in the conference, the principal or designee may proceed without the complainant. All parties at this conference will be apprised in advance of the material being challenged and provided adequate time for review of the materials.

~~If the complainant requests the material be withdrawn from use with his or her child, the principal or designee may provide the parents with the "Request for Limited Access of Library Materials (Individual Student)":~~

b. Library Mmaterial that is the subject of a complaint may not be withdrawn from use with other students unless the decision is made to do so after following the process in this Rregulation.

c. After reviewing the complaint and the library material that is the subject of the complaint with the persons participating in the conference, the principal or designee will make a written decision regarding the complaint within ten (10) business days of the conference. The complainant and the Chief Academic Officer (CAO) or designee will be provided with the written decision.

1) If the written decision states that the library material will not be removed from the school library media center, the complainant may follow the procedures in B or C above to restrict access to the library materials.

2) If the written decision states that the library material will be removed, the CAO or designee may review and determine whether the removed library material should be removed from other school libraries.

d. The complainant may appeal the decision of the principal or designee to not remove a library material to the Superintendent by filing with the CAO a written appeal within five (5) business days from the date of the principal's or designee's written decision. The complainant's written appeal must state the specific reasons the complainant disagrees with the principal's or designee's written decision. ~~If the complainant desires further action, the principal or designee will provide the form "Request for Reconsideration of Library Materials" for the complainant to complete. The complainant must submit completed form to the principal or designee within three (3) school days.~~

## 2. Superintendent Level appeal

a. Upon receipt of the complainant's appeal ~~completed form,~~ the CAO or designee ~~principal~~ will refer the appeal to either a standing committee or an ad hoc committee to review and submit written recommendations to the Superintendent or designee.

b. The committee will include a Library Media Specialist, other knowledgeable staff members, and a parent/legal guardian who is not employed by VBCPS and who has a student currently enrolled in VBCPS. If the library material is from a secondary school library, the CAO may (but is not required to) assign a secondary school student currently enrolled in VBCPS to serve on the committee.

~~will set up a committee to include the library media- specialist, at least two classroom teachers, at least two- parents, and a student when appropriate to review the- completed form,~~

c. The committee will review the appeal, the library material that is the subject of the appeal, the principal's or designee's written decision ~~read the materials in question,~~ and determine if the library material meets established selection -criteria ~~criteria~~. The committee may consult other resources and persons in making its determination.

d. Persons not assigned to the committee or staff members not assigned to assist the committee will not be authorized to attend or observe the meetings. No person assigned to a committee or to support a committee will be retaliated against for participating on the committee. The name of any student assigned to a committee will not be released and will be considered part of the student's education records.

e. The committee will provide the Superintendent or designee with written recommendations regarding the appeal within thirty five (35) business days of the delivery of the appeal to the CAO, ~~and respond in writing to the complainant with the committee's decision within thirty (30) school days.~~

f. The Superintendent or designee will review the committee recommendations and provide a written decision regarding the appeal within ten (10) business days after receipt of the committee's recommendation. The complainant and the School Board will receive a copy of the Superintendent's or designee's written decision.

g. The Superintendent's or designee's decision will be final and not subject to appeal. Should the complainant wish to appeal the decision, the complainant will provide a written appeal, stating the evidence and reasons for the appeal, to both the principal and Chief Academic Officer within three (3) school days.

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

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.

#### — Division Level

— Parent/legal guardians or adult students who wish to pursue a challenge to library materials at the division level must submit a Request for Reconsideration of Library Materials to the CAO including evidence that the school acted with deliberate indifference in considering the complainant's request. Note: library materials under review will remain in use until the challenge process is completed.

— If a school committee determines the library material in question should be removed, the principal or designee will submit a Request for Reconsideration of Library Materials to the CAO for a division recommendation.

— 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.

— The CAO or designee will establish an elementary or secondary committee to review requests for reconsideration of library materials. The committee should include at least three library media specialists, at least three teachers, which could include a reading specialist, at least three parents to include the parent who filed the original request, and at least three students as appropriate.

— The committee will assess the material and submit a written response to the CAO within thirty five (35) business days.

1. The CAO will review and inform the Division Superintendent of the committee's decision within five (5) school days of receipt of recommendation.

The Division Superintendent will notify the CAO of his/her decision to accept or overrule the recommendation. The CAO will notify the complainant of the review committee's decision within five (5) school days of receiving the Division Superintendent's decision.

Appeals to the School Board level will only be granted if the complainant can demonstrate the CAO and Superintendent acted in an arbitrary or capricious manner or without basis in law in considering the complainant's request. Appeals will not be granted based upon the complainant's disagreement over the decision.

#### School Board

Should the challenge of library materials occur at the School Board level, the Chair may respond as follows:

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

Approved by Superintendent: October 19, 1993  
Revised by Superintendent: January 18, 1994  
Revised by Superintendent: September 22, 1999  
Approved by Superintendent: February 6, 2023

Approved by Superintendent: 2024



APPROVED AS TO  
LEGAL SUFFICIENCY

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6/20/24