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The following policy DRAFT updates will be shared as informational items during the Lexington City School Board meeting on November 7, 2023:

- IIA-R      Instructional Materials with Sexually Explicit Content
- IIBD      School Libraries/Media Centers
- IIBD-R      Selection and Maintenance of School and Classroom Library Materials
- KLB-IM      Public Complaints About Instructional Materials
- KLB-LM      Public Complaints About Library Materials

The included “crosswalk” document outlines changes made to the original drafts presented during the October 3, 2023 school board meeting.

## **INSTRUCTIONAL MATERIALS WITH SEXUALLY EXPLICIT CONTENT**

### **Identifying Sexually Explicit Instructional Materials**

Prior to the beginning of each school year, classroom teachers will compile a list of any new instructional materials considered to be sexually explicit by the definition provided. Teachers must inform the principal of the materials being considered for use in writing via email, with the content or course objectives the materials will be used for, the reason for selecting the materials, and a list of supplementary materials. When determining whether to use sexually explicit instructional materials, teachers, principals, and division staff should consider student age and maturity levels. Should sexually explicit instructional materials be identified during the school year, the classroom teacher should contact the principal in writing at that time.

### **Parent Notification and Right to Opt-Out of Sexually Explicit Instructional Materials**

Parents will be notified in writing via U.S. mail or e-mail 30 days in advance of any sexually explicit materials a teacher plans to use in a classroom. Upon receipt of the notification, parents may contact their child's school principal in writing requesting alternative materials be provided for their child. This request will be honored by the school. The parent letter should include the child's name, grade, class, and the request for alternate materials. Requests should be sent directly to the principal. A parent may change their decision with respect to the use of alternative instructional materials by providing written notice to the school principal.

### **Sexually Explicit Instructional Materials List Posted to LCS Website**

Once a list of instructional materials considered to be sexually explicit is compiled, a list will be added to the school's website. The list will include titles and the location the materials are housed. There will be no links or additional information regarding the materials included with the list.

### **Parent Request for Review**

At any time, a parent is able to request a review of any of the listed instructional materials considered to be sexually explicit. The parent should contact the principal of the school directly. The principal will provide an opportunity for the parent to review the requested material on site at the school.

Adopted: December 6, 2022



Date:

Dear Parent/Guardian,

This letter is to inform you that **TEACHER NAME** plans to use materials that include sexually explicit content in **his/her NAME OF CLASS**. The materials include **NAME OF BOOK/MATERIALS**. The reason for the teacher using this content is **DESCRIBE PURPOSE**. As the parent/guardian, you have the right to review the materials if you are interested. Please contact me to set up a time to come to the school if you wish to review the materials. You also have the right to request that your child be provided alternative materials for this assignment/project. The request to use alternative materials will not result in any punitive actions toward your child. If you wish to request alternative materials, please send your request to me in writing to include your child's name, grade, class, and written request statement.

You are receiving this notice 30 days in advance of the materials being used in your child's class. Please feel free to contact me directly with any questions or concerns. Thank you for your continued support and partnership with our school.

Sincerely,

Principal  
School Name  
Contact Information

## **SCHOOL LIBRARIES/MEDIA CENTERS**

Each school maintains an organized library media center as the resource center of the school and provides a unified program of media services and activities for students and teachers before, during and after school. The library media center contains hard copy, electronic technological resources, materials, and equipment that are sufficient to meet research, inquiry, and reading requirements of the instructional program and general student interest.

Each school provides a variety of materials, resources and equipment to support the instructional program.

Adopted: May 9, 1994  
Revised: February 2013  
February 2018  
March 7, 2023

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Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-253.13:7.

8 VAC 20-131-190.

Cross Refs.: IIA Instructional Materials  
IIAB Supplementary Materials Selection and Adoption  
IIBD-R Selection and Maintenance of School and Classroom  
Library Materials for Elementary and Middle School  
Students

**DRAFT2**

File: IIBD-R

(LCS)

**LEXINGTON CITY SCHOOLS  
SELECTION AND MAINTENANCE OF SCHOOL AND CLASSROOM LIBRARY  
MATERIALS FOR ELEMENTARY AND MIDDLE SCHOOL STUDENTS**

**PURPOSE**

The Lexington City Schools recognizes the importance of providing diverse and age-appropriate library materials to elementary and middle school-aged students in compliance with the laws and regulations of the Commonwealth of Virginia. The purpose of this policy is to establish guidelines and criteria for the selection of library materials that align with the educational goals of the school division and the developmental needs of students served through the school libraries. The Lexington City Schools will provide students with access to a variety of resources that support their personal interests, informational needs, literacy development, and academic growth and ensure that every student is able to find books to connect with in their library, although every book in the library may not connect with every student.

**SCHOOL LIBRARY**

The school library serves as the primary resource center of the school. It shall provide a program of media services and activities for students and teachers that supports the instructional program and curriculum. The school library shall contain print and digital materials, and equipment that are generally sufficient to support research, inquiry, and reading requirements of school instructional programs and elementary and middle school age-appropriate student interests.

**SELECTION OF SCHOOL LIBRARY MATERIALS**

The goal of selecting materials for the library is to support the informational and reading interests of all students in the elementary or middle school by providing them with a wide range of quality, age and developmentally appropriate materials from which to choose. Selected materials are considered based on the age and developmental levels of students ages 4-11 served in the elementary school and ages 10-14 served in middle school.

The licensed library media specialist is the person primarily responsible for selecting the materials for the library. According to the American Library Association's selection criteria toolkit, for libraries serving minors, the library media specialist should consider

the age, social and emotional development, intellectual level, interest level, and reading levels of students served in the school while making selections for the library collection.

In addition to criteria such as appropriateness to the age and level of the user, library media specialists must also consider creating a collection that reflects a diversity of ideas and authors, as well as being reflective of the student population the library serves.

The criteria should be relevant to the library's objectives: excellence (artistic, literary, visual, etc.), appropriateness to the level of the user, authoritative and varying perspectives on controversial issues, accessibility, and ability to stimulate further intellectual and social development.

Library materials shall be selected by the library media specialist in consultation with the principal, appropriate teachers, and, if available, other specialized personnel, based on the following criteria:

- Maintain collection based on the academic programs, student use, and student population for the purpose of enriching and supporting the school curriculum and meeting the academic needs of the students and faculty served.
- Provide materials that are suitable for varying learning styles, reading levels, and skills of elementary and middle school-aged students.
- Include materials deemed to be appropriate to the maturity and experience of elementary and middle school students. Content that is sexually explicit shall be prohibited.
- Provide students with up-to-date, age-appropriate educational materials in a variety of accessible formats.
- Include materials that will allow students to develop as critical thinkers, through presenting multiple perspectives on controversial topics.
- Support a culturally responsive environment by including materials that encompass a wide range of perspectives, cultures, and backgrounds within the Lexington City Schools community and beyond.
- Meet high standards in literary, artistic, and aesthetic quality; technical aspects; and physical format.
- Library materials shall be accurate, reliable, and well-researched. Preference shall be given to materials authored by experts in their respective fields.
- Materials shall be selected based on reputable and favorable reviews in standard reviewing sources and/or favorable recommendations based on preview and examination of materials by professional personnel.
- The availability of funds shall be a factor in the selection process, with a focus on providing the best possible materials within budgetary constraints.

## **PROHIBITED MATERIALS**

Materials containing sexually explicit content, as defined in Va. Code § 2.2-2827, are inappropriate in elementary and middle school libraries. Therefore, such materials with sexually explicit content are prohibited from the Lexington City Schools elementary and middle school libraries.

## **CLASSROOM LIBRARIES**

The purpose of the classroom library is to provide students with additional and consistent access to a wide range of reading material that encourages confident and independent readers.

1. While primary responsibility for the selection of materials in the classroom libraries rests with the classroom teacher, additional support may be provided by the library media specialist and colleagues in the selection of such materials.
2. Classroom libraries shall provide students with materials that will enrich and support the curriculum and meet the needs of the students served within.
3. Classroom libraries will include materials that are representative of all backgrounds within the Lexington City Schools community and beyond.
4. Classroom library materials shall meet the same selection criteria as library materials and will be considered library materials for the purpose of policy KLB-LM.

## **MAINTENANCE OF COLLECTION**

Removing materials from a library collection that are no longer educationally appropriate is an equally important process as selecting new items of high quality. The library media specialist has an ongoing process to evaluate the library media collection and to keep the collection relevant to the changing needs of the curriculum, personal interests, and needs of students served through the library. Evaluation of items under consideration for removal from the Library Media Center should be based on criteria related to the educational value of the resources.

### **Criteria For Removing Items from the Library Collection**

- **Condition:** Materials in poor condition due to damage, wear and tear, missing pages or heavily marked pages are prime candidates for replacement.
- **Content:** Materials may be in good physical condition but contain inaccurate or outdated information or no longer meet the criteria established for selection may be removed. Materials may not be removed solely for the ideas expressed therein; however, materials may be removed if they are determined not to be age appropriate for the intended audience.

- **Use:** Materials that have not circulated for several years and are not needed for reference purposes should be considered for removal.
- **Educational Value:** Materials that are at inappropriate reading or interest levels for students and materials no longer aligned with the curriculum.

## RECONSIDERATION PROCEDURE

The Lexington City Schools acknowledges the rights of parents and guardians to make decisions concerning the upbringing, education, and care of their children. In furtherance of those rights, Lexington City Schools allows parents to express concerns about library materials. To address such concerns, the division has established the reconsideration procedure, outlined in Policy KLB-LM.

## GIFTS AND DONATIONS

Gifts and donations of library materials are welcome. The same selection criteria will be applied to gifts and donations as when purchasing new materials. Materials will be accepted or rejected by these criteria. The library media specialist will keep a current list of donated or gift items provided to the library and review these items with the principal prior to adding items to the library's collection.

## MONITORING AND EVALUATION

Library collections shall be regularly reviewed and updated to ensure that they continue to meet the needs of elementary and middle school-aged students and remain in compliance with Va. Code § 2.2-2827. The library media specialist has the primary role to conduct such evaluations.

Adopted:

Legal Ref.: Code of Virginia, 1950, as amended, § 1-240.1.  
Code of Virginia, 1950, as amended, § 22.1-78.  
Code of Virginia, 1950, as amended, § 22.1-253.13:7.  
Code of Virginia, 1950, as amended, § 2.2-2827.  
Code of Virginia, 1950, as amended, § 18.2-390.  
8 VAC 20-131-190.

Cross Refs.: IIBD School Libraries/Media Centers  
KLB-LM Public Complaints About Library Materials

Ref.: School Library Selection Criteria from ALA:  
<https://www.ala.org/tools/challengesupport/selectionpolicytoolkit/criteria#:~:text=Librarians%20should%20consider%20authenticity%2C%20public,interest%20level%2C%20and%20reading%20level>



## **PUBLIC COMPLAINTS ABOUT INSTRUCTIONAL MATERIALS**

Despite the care taken in selecting suitable learning resources, and despite the qualifications and expertise of persons involved in that selection process, it is recognized that occasional objections to materials will be made by the public. It is, therefore, the policy of the School Board to provide channels of communication and a fair procedure for members of the community to follow in expressing and resolving concerns about instructional materials. Most complaints can and should be resolved at the building level through informal inquiry and discussions with principals and/or teachers.

The School Board has determined that the following persons are eligible to submit a "Request for Reconsideration of Instructional Materials" form:

- A resident of the City of Lexington; or
- A parent/guardian of a student enrolled in the class in which the instructional materials subject to the challenge are used; or
- A Lexington City Schools employee who has professional responsibilities within the school where the instructional materials subject to the challenge are used

The procedure for filing a complaint concerning instructional materials is as follows:

### 1. Discussion with School Principal

The school principal will hold a conference with the complainant. At the discretion of the principal, the teacher using the instructional materials in question will be present at the conference.

When a complaint is received, the school principal will check decisions on questioned and challenged instructional materials on file in the Office of the Superintendent to determine whether the instructional materials have been questioned before. If a decision is on file and the challenge is substantially the same, the principal will share that decision with the complainant. If any significant difference is found in the new challenge, or if the instructional materials have not been challenged before, the following procedure shall apply.

2. Eligible individuals may submit a completed "Request for Reconsideration of Instructional Materials" form to the principal in the writing. This form may be obtained from the principal or the central office. The principal will forward a copy of the submitted form to the superintendent.
3. The principal and teacher will review the submitted "Request for Reconsideration of Instructional Materials" form, review the instructional materials in question

referencing the established objectives for the course or content area in which the material is used and referencing Policy IIA Instructional Materials and Policy IIA-R Instructional Materials with Sexually Explicit Content. If the principal and teacher agree with the Request for Reconsideration, the instructional materials can be removed without moving through the formal review committee process. The complainant and superintendent will be notified of the decision.

4. If the principal and teacher cannot agree on the Request for Reconsideration, a review committee consisting of the principal, the teacher using the materials, another teacher, another educator with particular expertise or knowledge of the subject matter, and a parent or guardian with a child enrolled in the school other than the complainant will convene. A district level employee will facilitate the meetings to take notes and record votes. Members of the review committee will be selected by the superintendent.
5. The complainant will meet with the review committee to share the complainant's concerns about the challenged material

The responsibilities of the review committee are:

- a. convene to listen to the concerns shared by the complainant;
  - b. read, view or listen to the challenged material;
  - c. read several reviews, if available;
  - d. review the challenged material referencing the established objectives for the course or content area in which the material is used and referencing Policy IIA Instructional Materials and Policy IIA-R Instructional Materials with Sexually Explicit Content;
  - e. receive comments from persons who may be knowledgeable about the material in question and similar material;
  - f. convene for a separate session to discuss the material;
  - g. make a decision with each committee member casting a vote anonymously to recommend retaining or withdrawing the material;
  - h. file the decision of the committee with the principal and the Superintendent or Superintendent's designee.
  - i. notify the complainant of its decision and the disposition of the challenged material.
6. The complainant may appeal the decision to the superintendent or superintendent's designee and, if the complainant disagrees with the superintendent's decision, may appeal to the School Board.

7. The challenged instructional material may remain in use unless the superintendent and school principal determine, in their discretion, that the potential harm from the challenged instructional material outweighs the educational benefits of the challenged instructional material. If this is the case, then the challenged instructional material may be removed from use during the review process.
8. The action taken at the highest level of review will remain in effect for a period of four (4) years. After this time, material that was removed may be reconsidered following selection policy guidelines, and material that was retained for use may be challenged anew.

Adopted: May 9, 1994  
Revised: February 2014  
June 15, 2022

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Legal Refs.: Code of Virginia, 1950, as amended, § 1-240.1.  
Code of Virginia, 1950, as amended, § 22.1-16.8.  
Code of Virginia, 1950, as amended, § 22.1-253.13:7.  
Code of Virginia, 1950, as amended, § 2.2-2827.  
Code of Virginia, 1950, as amended, § 18.2-390.  
8 VAC 20-720-160.

Cross Refs.: IIA Instructional Materials  
IGAH Family Life Education  
INB Teaching About Controversial Issues  
KL Public Complaints  
KQ Commercial, Promotional and Corporate Sponsorships and Partnerships

## **PUBLIC COMPLAINTS ABOUT LIBRARY MATERIALS**

Despite the care taken in selecting suitable library materials, and despite the qualifications and expertise of persons involved in that selection process, it is recognized that occasional objections to materials will be made by the public. It is, therefore, the policy of the School Board to provide channels of communication and a fair procedure for members of the community to follow in expressing and resolving concerns about library materials. Most complaints can and should be resolved at the building level through informal inquiry and discussions with principals and/or library media specialists.

The School Board has determined that the following persons are eligible to submit a "Request for Reconsideration of Library Materials" form:

- A resident of the City of Lexington; or
- A parent/guardian of a student enrolled and attending the school in which the library materials subject to the challenge are available; or
- A Lexington City Schools employee who has professional responsibilities within the school where the library materials subject to the challenge are available

The procedure for filing a complaint concerning library materials is as follows:

### 1. Discussion with School Principal

The school principal will hold a conference with the complainant. At the discretion of the principal, the library media specialist may be present at the conference.

When a complaint is received, the school principal will check decisions on questioned and challenged library materials on file in the Office of the Superintendent to determine whether the library material has been questioned before. If a decision is on file and the challenge is substantially the same, the principal will share that decision with the complainant. If any significant difference is found in the new challenge, or if the library material has not been challenged before, the following procedure shall apply.

2. Eligible individuals may submit a completed "Request for Reconsideration of Library Materials" form to the principal in writing. This form may be obtained from the principal or the central office. The principal will forward a copy of the submitted form to the superintendent.
3. The principal and library media specialist will review the submitted "Request for Reconsideration of Library Materials" form and review the library material in question referencing the division-approved selection criteria. If the principal and

library media specialist agree with the Request for Reconsideration, the library material will be removed without moving through the formal review committee process. The complainant and superintendent will be notified of the decision.

4. If the principal and library media specialist do not agree on the Request for Reconsideration, a review committee consisting of the principal, the library media specialists from both district schools, a teacher within the school, and a parent or guardian with a child enrolled in the school other than the complainant will convene. A district level employee will facilitate the meetings to take notes and record votes. Members of the committee will be selected by the superintendent.
5. The complainant will meet with the review committee to share the complainant's concerns about the challenged materials.

The responsibilities of the review committee are to:

- a. convene to listen to the concerns shared by the complainant;
  - b. read, view or listen to the challenged material;
  - c. read several reviews, if available;
  - d. check standard selection aids (Booklist, Publishers Weekly, Kirkus, School Library Journal);
  - e. review the challenged material referencing the district-approved selection criteria;
  - f. receive comments from persons who may be knowledgeable about the material in question and similar material;
  - g. convene for a separate session to discuss the material;
  - h. make a decision with each committee member casting a vote anonymously to recommend retaining or withdrawing the material;
  - i. file the decision of the committee with the principal and the Superintendent or Superintendent's designee.
  - j. notify the complainant of its decision and the disposition of the challenged material.
6. The complainant may appeal the decision to the superintendent or superintendent's designee and, if the complainant disagrees with the superintendent's decision, may appeal to the School Board.
  7. The challenged library material may remain in circulation unless the superintendent and school principal determine, in their discretion, that the potential harm from the challenged library material outweighs the educational

benefits of the challenged library material. If this is the case, then the challenged library material may be removed from circulation during the review process.

8. The action taken at the highest level of review will remain in effect for a period of four (4) years. After this time, material that was removed may be reconsidered following selection policy guidelines, and material that was retained for use may be challenged anew.

Adopted: May 9, 1994  
Revised: February 2014  
June 15, 2022

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Legal Refs.: Code of Virginia, 1950, as amended, § 1-240.1.  
Code of Virginia, 1950, as amended, § 22.1-253.13:7.  
Code of Virginia, 1950, as amended, § 2.2-2827.  
Code of Virginia, 1950, as amended, § 18.2-390.  
8 VAC 20-131-190.

Cross Refs.: IIA Instructional Materials  
IIBD School Libraries/Media Centers  
IIBD-R Selection of School and Classroom Library Materials for  
Middle School-Aged Students  
IGAH Family Life Education  
INB Teaching About Controversial Issues  
KL Public Complaints  
KQ Commercial, Promotional and Corporate Sponsorships and  
Partnerships

## CROSSWALK FOR NEW INSTRUCTIONAL MATERIALS AND LIBRARY MATERIALS POLICIES AND PROCEDURES

<p><b>FIRST DRAFT: IIA-R Instructional Materials with Sexually Explicit Content</b></p>	<ul style="list-style-type: none"> <li>→ Changed this process from having the librarian compile a list of any instructional materials with sexually explicit content to having classroom teachers compile a list</li> </ul>
<p><b>SECOND DRAFT: IIA-R Instructional Materials with Sexually Explicit Content</b></p>	<ul style="list-style-type: none"> <li>→ Combined first two sections into one section</li> <li>→ Added statement: <i>"When determining whether to use sexually explicit instructional materials, teachers, principals, and division staff should consider student age and maturity levels."</i></li> </ul>
<p><b>FIRST DRAFT: IIBD-R Selection and Maintenance of School and Classroom Library Materials</b></p>	<ul style="list-style-type: none"> <li>→ These are NEW district guidelines based on an overview outline similar to other school districts and modeled after the ALA's school library selection criteria for libraries serving minors</li> <li>→ Emphasizes the importance of considering age, social and emotional development, intellectual level, interest level, and reading levels of students served in the school</li> <li>→ Maintains current practice that the librarian is the primary person responsible for selecting library materials</li> <li>→ Notes that selection is made in consultation with the principal, teachers, and other specialized personnel</li> <li>→ Classroom library materials shall meet the same criteria as library materials</li> <li>→ A list of gifts and donations to the library will be maintained by the librarian, considered by the same selection criteria, and reviewed with the principal prior to being added to the collection</li> <li>→ Prohibits selecting and maintaining materials considered to be sexually explicit by the definition provided</li> <li>→ Prohibits material that is determined not to be age appropriate for the intended audience due to content that is excessively graphic, vulgar, obscene, or violent</li> </ul>
<p><b>SECOND DRAFT: IIBD-R Selection and Maintenance of School and Classroom Library Materials</b></p>	<ul style="list-style-type: none"> <li>→ Removed the specific restriction of content that is excessively graphic, vulgar, obscene, or violent</li> <li>→ Added a reference to ALA school library selection criteria</li> </ul>
<p><b>FIRST DRAFT: KLB-IM Public Complaints about Instructional Materials</b></p>	<ul style="list-style-type: none"> <li>→ Created two separate KLB policies: one for instructional materials and one for library materials</li> <li>→ Combined KLB and KLB-R (adopted in 1994) into one policy</li> <li>→ Added a school level review step where the principal and teacher review a</li> </ul>

	<p>submitted "Request for Reconsideration" form and the material in question and may decide to remove the material in question without moving into a formal review committee process</p> <ul style="list-style-type: none"> <li>→ The complainant presents their concerns to the review committee but no longer serves as a member of the review committee</li> <li>→ The review committee members vote anonymously to retain or withdraw the material</li> <li>→ The action taken remains in effect for 4 years</li> </ul>
<p><b>SECOND DRAFT: KLB-IM Public Complaints about Instructional Materials</b></p>	<ul style="list-style-type: none"> <li>→ Added a section about who is eligible to submit a "Request for Reconsideration" form for instructional materials to include: <ul style="list-style-type: none"> <li>◆ A resident of the City of Lexington; or</li> <li>◆ A parent/guardian of a student enrolled in the class in which the instructional materials subject to the challenge are used; or</li> <li>◆ A Lexington City Schools employee who has professional responsibilities within the school where the instructional materials subject to the challenge are used</li> </ul> </li> <li>→ The committee includes a parent/guardian <i>with a child enrolled in the school</i></li> <li>→ Added a statement that the challenged instructional material may remain in use unless the potential harm from the material outweighs the educational benefits</li> </ul>
<p><b>FIRST DRAFT: KLB-LM Public Complaints about Library Materials</b></p>	<ul style="list-style-type: none"> <li>→ Same changes as KLB-IM except that the librarian is part of the process instead of the classroom teacher</li> </ul>
<p><b>SECOND DRAFT: KLB-LM Public Complaints about Library Materials</b></p>	<ul style="list-style-type: none"> <li>→ Same changes as the second draft of KLB-IM for library materials instead of instructional materials</li> </ul>
<p><b>FIRST DRAFT: IIBD School Libraries/Media Centers</b></p>	<ul style="list-style-type: none"> <li>→ Added language similar to IIA Instructional Materials stating: <i>The superintendent or superintendent's designee creates and updates, as necessary, guidelines and procedures for the selection and deselection of materials in the library/media center. The superintendent is responsible for creating, implementing, and periodically updating procedures for implementing this policy.</i></li> </ul>
<p><b>SECOND DRAFT: IIBD School Libraries/Media Centers</b></p>	<ul style="list-style-type: none"> <li>→ Removed the added statement in FIRST DRAFT to retain the original policy as written</li> </ul>



<b>Parent/Guardian Email Notification of Student Library Material Checkout</b>	<b>→</b> The school district will investigate the option to add a parent/guardian notification email as part of the student's library checkout. This would likely be an opt-in tool for families provided by our current library checkout system.
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