

## INSTRUCTIONAL MATERIALS

### Generally

The Westmoreland 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.

The Westmoreland County School Board ensures parental notification of any instructional material that includes sexually explicit content.

The Westmoreland County School Board provides nonexplicit instructional material and related academic activities to any student whose parent requests that the student be provided with such instructional material and/or activities.

The superintendent is responsible for creating, implementing, and periodically updating procedures for implementing this policy. Those procedures will include

- a process for identifying instructional materials, including supplementary materials, with sexually explicit content;
- a process for identifying, prior to the start of each school year, any instructional material that includes sexually explicit content that may be used during the upcoming school year;
- a process by which principals will provide written notice to parents at least 30 days prior to the use of any instructional materials with sexually explicit content, that (a) specifically identifies the instructional materials with sexually explicit content, (b) informs parents of their right to review such instructional materials, and (c) informs parents of their right to have their child use, upon request, in a non-punitive manner, alternative instructional materials that do not include sexually explicit content;
- a process by which parents may change their decision with respect to the use of alternative instructional materials by providing written notice;
- a process for maintaining a current list of instructional materials with sexually explicit content by grade and subject matter on the division's website; and
- a process for online access for parental review of instructional materials that include sexually explicit content unless such review is not technically feasible or is prohibited by copyright protection. The process shall include provisions

requiring schools to have instructional materials including sexually explicit content available for review by parents.

## Definitions

“Instructional material” and “instructional materials” mean any content used by one or more students for an educational purpose in connection with Westmoreland County Public Schools 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 (a) for completion of an assignment from Westmoreland County Public Schools, or (b) as part of an academic or extracurricular education program conducted by Westmoreland County Public Schools. They include any division, school, and/or classroom purchased or created assessments. They do not include standardized national or state assessments, such as ACT, SAT, NAEP (National Assessment of Educational Progress), AP (Advanced Placement) or SOL (Standards of Learning) exams.

“Nudity” means a state of undress so as to expose the human male or female genitals, pubic area or buttocks with less than a full opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered or uncovered male genitals in a discernibly turgid state.

“Parent” or “parents” means any parent, guardian, legal custodian, or other person having control or charge of a child.

“Sadomasochistic abuse” means actual or explicitly simulated flagellation or torture by or upon a person who is nude or clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

“Sexually explicit content” means (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, as defined in this policy, sexual excitement, sexual conduct or sadomasochistic abuse, as defined in this policy, coprophilia, urophilia, or fetishism. Instructional materials shall not be designated as sexually explicit based solely on the sexual orientation of the characters therein.

Adopted: December 11, 1995  
Amended: October 7, 1996  
Amended: August 12, 2002  
Amended: August 8, 2008  
Amended: July 20, 2009  
Amended: April 28, 2014

Amended: April 15, 2019  
Amended: December 12, 2022

---

---

Legal Refs.: 20 U.S.C. § 1232h.

Code of Virginia, 1950, as amended, §§ 2.2-2827, 18.2-390, 22.1-1, 22.1-16.8.

8 VAC 20-720-160.

Cross Ref.:	IGAH	Family Life Education
	IGBC	Parent and Family Engagement
	IIAA	Textbook Selection, Adoption, and Purchase
	IIAB	Supplementary Materials Selection and Adoption
	IIBD	School Libraries/Media Centers
	IIBEA/GAB	Acceptable Computer System Use
	INB	Teaching About Controversial Issues
	JOB	Administration of Surveys and Questionnaires
	KLB	Public Complaints About Learning Resources