

## INSTRUCTION

## IN GENERAL

§5-7        Selection and Review of Library Media Center Instructional Materials

## A.            General

It is the policy of the Loudoun County School Board to provide a wide variety of instructional materials to support and enrich the educational program of the school. A library media center is provided in each school to enable educators to bring students into contact with the human experience and knowledge. At the direction of the Supervisor of Library Services each school library media center shall provide a wide range of materials on appropriate levels with a diversity of appeal and point of view. Building level materials shall be supplemented by materials available from the district instructional media center and the State Audio-Visual Services.

The Board recognizes that differences of opinion may arise concerning the appropriateness of instructional materials. Such differences of opinion shall be dealt with through the procedures of Paragraph D of this policy.

## B.            Selection of Materials

The ultimate responsibility for the selection of instruction materials rests with the School Board. The Board delegates this responsibility to appropriate certified personnel in accordance with the following criteria:

1.        The selection process should involve library media specialists, teachers, administrators, and, when appropriate, other professional specialists, students, and parents.
2.        Materials should be selected in accordance with established needs and priorities to maintain a balanced, current collection and to meet or exceed state and regional accreditation standards.
3.        Selection should be based upon preview by local personnel, evaluative reviews in professionally prepared selection aids, or other appropriate recommendations.
4.        Materials obtained other than through the normal selection and purchasing process shall be evaluated on the same criteria as used for purchased materials.

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## C.            Review of Materials

The administration shall establish a systematic plan for reviewing media materials to maintain a quality, up-to-date collection and periodically publish such plan to the School Board.

## D.            Procedure for Review of Challenged Materials

Objections to instructional materials shall be considered objectively under the procedure set forth in this paragraph. The principle of intellectual freedom inherent in the First Amendment of the Constitution of the United States, the best interests of the students, school, and curriculum, and requirements of state law and regulations shall underlie all considerations of challenged materials.

The procedure for reviewing objections to instructional materials shall be:

1.        A parent (which is understood to include legal guardians) of a child enrolled in Loudoun County Schools may state an objection to and request a review of material(s) used in the instruction of that child or accessible to that child.

2.        Requests for review of material(s) shall be in writing and objections shall be specific as to the material(s) and reason(s) for the objections. Complainant must also state their desired disposition.

3.        Requests for review shall be made to the principal of the school the child attends. The principal shall appoint a committee of appropriate personnel to review the material(s) and make a recommendation to the principal on the disposition of the complaint. The recommendation shall be one of the following: (1) Material(s) remain(s) in general circulation; (2) material(s) restricted to teachers and parents; (3) material(s) are sent to a school at the next level; or (4) material(s) removed from circulation.

4.        The principal shall notify the parent(s) who requested review of his/her decision in writing within thirty business days of receipt of the written request.

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5.        The decision of the principal may be appealed by the parent(s) who requested the review. Such appeal must be made in writing to the Division Superintendent within fifteen business days of receipt of the decision being appealed. If the decision is not appealed within this time limit, the principal's decision on the request for review shall be final.

6.        If the decision of the principal is appealed in accordance with the requirements listed above, the Superintendent shall appoint a division review committee, which shall include the educational supervisor(s) responsible for such material(s), to review the material(s) and make a recommendation to the Superintendent on the disposition of the complaint.

7.        The Division Superintendent shall notify the parent(s) of his/her decision in writing within thirty business days of receipt of the written appeal. The Superintendent's decision shall be district wide at the level challenged.

8.        The decision of the Division Superintendent may be appealed to the School Board by the parent(s) who requested the appeal as hereinafter set forth. If the decision of the Division Superintendent is not appealed, it shall be final.

9.        Notwithstanding these requirements, the School Board shall be notified within fifteen business days of any decision by the Division Superintendent to restrict access to material(s). In addition to notifying the School Board of any decision to restrict access district-wide, the staff will also post such notice on the LCPS website and make such notice available to the public and media as part of its regular dissemination of public notices and board documents. Upon written request for a review of this decision by three members of the School Board within thirty business days of receipt of such notice, the Chairman shall appoint and refer such to a three-member committee which shall make the final decision in accordance with the requirements hereof. The decision of the three-member school board committee shall be district-wide at the level challenged.

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10. All material(s) in process of being reviewed shall remain in use or circulation until a final decision is reached.

11. Any material(s) challenged and decided at the school level without appeal to the Division Superintendent shall not be eligible for challenge under this policy by any parent at that same school until at least four years have elapsed from the original decision by the principal. However, this does not prevent the school principal, acting under his or her responsibility for the administration of the educational program in that school, from initiating such action on their own and restricting the use of such material(s) before four years have elapsed if the principal deems such action is warranted.

12. Any material(s) challenged and decided at the division level, either by the Superintendent or the School Board committee, shall not be eligible for challenge under this policy by any parent until at least four years have elapsed from the original decision. However, this does not prevent the Superintendent, acting on his or her own responsibility for the administration of the educational program in the division, from initiating such action on their own and restricting the use of such material(s) before four years have elapsed if the Superintendent deems such action is warranted, provided the School Board is notified of such action and following which, should three members of the School Board request a review in writing within thirty business days of receipt of such notice, the Chairman shall refer such issue to a three-member committee which shall make the final decision. Further, prior to four years having elapsed from the original final decision at the division level, four members of the School Board may request in writing to the Chairman of the School Board that a review of the decision be conducted, and the Chairman shall then appoint a three-member committee provided that at least one year shall have elapsed from the original final decision.

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## E.            Appeals and Review – School Board

1.        Appeals or requests for review must be submitted in writing to the Division Superintendent within 10 school days of his/her decision unless otherwise herein provided. The appeal must state fully the reasons and basis for the appeal and a summary of the essential facts. A request for review shall simply request that the matter be reviewed.

2.        The Division Superintendent shall notify the Chairman of the School Board of his/her receipt of the appeal or request for review. The Chairman shall appoint a committee of three members to consider and decide the appeal or review the materials and appoint one of those members as Chairman.

3.        The Division Superintendent or his/her designee shall collect statements from all persons involved in making decisions related to the case. These statements shall contain a summary of the essential facts of the case and the basis of each decision, including references to applicable School Board policies. A copy of these statements shall be provided to each member of the committee considering the matter. In the case of an appeal, such statements shall be provided to the appellant(s).

4.        The committee shall review the statements of school personnel and the appeal, the challenged material, any committee recommendations and may affirm, modify or annul the decision of the Division Superintendent on the basis of this review. If the committee makes a decision on the basis of this review, that decision shall be communicated to the appellant(s) (where appropriate) and shall be reported at the next regular meeting of the School Board for inclusion in the minutes of that meeting.

5.        If the committee determines that it needs more information, the Chairman thereof has the right to request additional information prior to a final decision by the committee. The Chairman will set reasonable deadlines for providing the additional information. In the case of an appeal, any additional information collected by the committee will be provided to the Division Superintendent and to the appellants.

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6. This appeals and review procedure shall be completed and a decision communicated to the appellant(s) (where appropriate) within 30 days of the receipt of the appeal by the Division Superintendent, except that any additional time allowed under paragraph 5 for collection and processing of additional information will be added to the 30 days.

7. A summary of the committee's findings shall be provided to all School Board members.

Legal Reference: Code of Virginia [§22.1-253.13:7](#)

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