

## INSTRUCTIONAL RESOURCE POLICY

An Adoption Committee shall be appointed by the principal and have representatives from each school. A selection will be made for the following grade levels: Kindergarten-Grade 5, Grades 6-8, and Grades 9-12. Hardy County will follow systematic textbook adoption guidelines and policies as provided by the West Virginia Department of Education and Policy 2510.

### **(P) 1.14.1. Parental Right to Inspect Instructional Materials; Listed Books on Syllabus; Right to File Complaint**

As required by WVC §18-5-27, the purpose of this policy is to provide a process whereby a parent, custodian, or guardian may pursue his or her right to submit a request to inspect instructional materials, supplementary instructional materials, and books that are available for students to read.

WVC §18-5-27 provides that each classroom teacher shall comply with the request of any parent, custodian, or guardian to inspect instructional materials adopted by the county board pursuant to §18-2A10 of this code, supplementary instructional materials that were not adopted by the county board pursuant to §18-2A-10 of this code, and books in the classroom that are available for students to read, subject to the following:

- Only the parent, custodian, or guardian of a child enrolled in the class may make a request pursuant to this section;
- The classroom teacher may require that the parent, custodian, or guardian schedule an appointment in order to inspect the instructional materials. If the classroom teacher requires an appointment pursuant to this subdivision, the teacher shall schedule the appointment within ten (10) business days of the request of the parent, custodian, or guardian; and
- As part of the inspection and upon request of the parent, custodian, or guardian, the classroom teacher shall demonstrate how the instructional material relates to the content standards adopted by the state board.

For any class in which reading a book or books will be required, the classroom teacher shall include the book or books on a class syllabus. The classroom teacher shall make the syllabus available to any parent, custodian, or guardian of a child enrolled in the class upon request.

Any parent, custodian, or guardian may file a complaint with the county superintendent on a form developed and provided by the county superintendent if the classroom teacher fails to comply with any provision of this section. If the complaint is not resolved by the county superintendent within seven (7) business days, the parent, custodian, or guardian may file a complaint with the state superintendent or his or her designee. The state superintendent shall make a form available for parents, custodian, or guardian to file a complaint pursuant to this subsection.

By September 1 of each year, each county superintendent shall report to the state superintendent the number of complaints filed with him or her the previous school year. The state superintendent, annually by October 1, shall report to the Legislative Oversight Commission on Education Accountability the number of complaints filed during the previous

school year. The report shall include the number of complaints filed statewide and by county.

For purposes of this section, "parent" means a parent who has some allocation of physical custody of the child or who has some share of joint decision-making authority for the child. For purposes of this section, "custodian" means a person who has some allocation of physical custody of the child or who has provided to the school written permission of a parent to have access to the information contemplated by this section. For purposes of this section, "guardian" means a person other than a parent or custodian who, pursuant to a court order, acts in loco parentis for the child.

### **Parental, Guardian, or Custodian Request to Review Instructional Materials**

Requests to inspect instructional materials, supplementary instructional materials, and books that are available for students to read or to review a class syllabus shall be made through the principal's office at each school. The proper forms must be completed, and an appointment time with the teacher with whom the parent, guardian, or custodian wishes to speak shall be established within ten (10) days of the request.

If the school staff fails to meet this deadline, the parent, guardian, or custodian may file a complaint with the county superintendent on a form provided by him or her; if the complaint is not resolved by the county superintendent within seven (7) business days, the parent, custodian, or guardian may file a complaint with the state superintendent or his or her designee. Complaint Forms supplied by the state superintendent shall be available in school offices.

### **Complaint Procedures Regarding the Content of Instructional Materials**

In the event a parent, guardian, or custodian should have a complaint concerning the content of the instructional materials they have reviewed, she/he may file a complaint in writing to the superintendent.

Source: Board of Education Minutes

Date: April 1, 2002 – October 15, 2018 – March 2, 2020 – March 20, 2023 – November 13, 2023

Legal Source: West Virginia Code §18-2A-1 through §18-2A-9, §18-2A-10, §18-5-27  
WVDE Policy 2445.40