

# **WEST VIRGINIA LEGISLATURE**

## **2022 REGULAR SESSION**

**Introduced**

### **Senate Bill 704**

BY SENATORS GRADY, RUCKER, KARNES, SYPOLT, TARR,

ROBERTS, SMITH, MARONEY, AND MARTIN

[Introduced February 21, 2022; referred  
to the Committee on Education]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
 2 designated §18-5-27, relating to requiring each classroom teacher to comply with any  
 3 request by a parent, grandparent, or guardian to inspect any instructional materials and  
 4 books in the classroom that are available for students to read; requiring, as part of the  
 5 inspection and upon request of the parent, grandparent, or guardian, that the classroom  
 6 teacher demonstrate how the supplementary instructional material relates to the content  
 7 standards adopted by the State Board of Education; requiring the classroom teacher to  
 8 include any book or books students will be required to read on a class syllabus by the first  
 9 day of the course; requiring the syllabus to be made available to the parent, grandparent,  
 10 or guardian upon request; allowing any parent, grandparent, or guardian to file a complaint  
 11 with the county superintendent if the classroom teacher fails to comply with this new  
 12 section and then, with the state superintendent, if the complaint is not resolved by the  
 13 county superintendent within seven days; and requiring a report to the Legislative  
 14 Oversight Commission on Education Accountability on the number of complaints filed.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 5. COUNTY BOARD OF EDUCATION.**

**§18-5-27. Parental right to inspect supplementary instructional materials; listing books on syllabus; right to file complaint.**

1 (a) Each classroom teacher shall comply with the request of any parent, grandparent, or  
 2 guardian to inspect instructional materials adopted by the county board pursuant to §18-2A-10 of  
 3 this code, supplementary instructional materials that were not adopted by the county board  
 4 pursuant to §18-2A-10 of this code, and books in the classroom that are available for students to  
 5 read, subject to the following:

6 (1) Only the parent, grandparent, or guardian of a child enrolled in the class may make a  
 7 request pursuant to this section;

8 (2) The classroom teacher may require that the parent, grandparent, or guardian schedule

9 an appointment in order to inspect the supplementary instructional materials. If the classroom  
10 teacher requires an appointment pursuant to this subdivision, the teacher shall schedule the  
11 appointment within 10 business days of the request of the parent, grandparent, or guardian; and

12 (3) As part of the inspection and upon request of the parent, grandparent, or guardian, the  
13 classroom teacher shall demonstrate how the supplementary instructional material relates to the  
14 content standards adopted by the state board.

15 (b) For any class in which reading a book or books will be required, the classroom teacher  
16 shall include the book or books on a class syllabus by the first day of the course. The classroom  
17 teacher shall make the syllabus available to any parent, grandparent, or guardian of a child  
18 enrolled in the class upon request.

19 (c) Any parent, grandparent, or guardian may file a complaint with the county  
20 superintendent, upon a form developed and provided by the county superintendent, if the  
21 classroom teacher fails to comply with any provision of this section. If the complaint is not resolved  
22 by the county superintendent within seven business days, the parent, grandparent, or guardian  
23 may file a complaint with the state superintendent or designee. The state superintendent shall  
24 make a form available for parents to file a complaint pursuant to this subsection. The state  
25 superintendent, annually by October 1, shall report to the Legislative Oversight Commission on  
26 Education Accountability the number of complaints filed during the previous school year. The  
27 report shall include the number of complaints filed statewide and by county.

NOTE: The purpose of this bill is to require each classroom teacher to comply with the request of any parent, grandparent, or guardian to inspect instructional materials and books in the classroom that are available for students to read.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.