

1 HOUSE BILL NO. 1009

2 AMENDMENT IN THE NATURE OF A SUBSTITUTE

3 (Proposed by the House Committee on Education

4 on _____)

5 (Patron Prior to Substitute--Delegate Durant)

6 A BILL to amend the Code of Virginia by adding a section numbered 22.1-16.8, relating to the Department
7 of Education; model policies; instructional material; sexually explicit content; parental
8 notification.

9 **Be it enacted by the General Assembly of Virginia:**10 **1. That the Code of Virginia is amended by adding a section numbered 22.1-16.8 as follows:**11 **§ 22.1-16.8. Instructional material; sexually explicit content; parental notification.**12 A. As used in this section, "sexually explicit content" has the same meaning as provided in
13 subsection A of § 2.2-2827.14 B. The Department shall develop and make available to each school board model policies for
15 ensuring parental notification of any instructional material that includes sexually explicit content and
16 include information, guidance, procedures, and standards relating to:17 1. Ensuring parental notification;18 2. Directly identifying the specific instructional material and sexually explicit subjects; and19 3. Permitting the parent of any student to review instructional material that includes sexually
20 explicit content and provide, as an alternative, nonexplicit instructional material and related academic
21 activities to any student whose parent so requests.22 C. Each school board shall adopt policies that are consistent with but may be more comprehensive
23 than the model policies developed by the Department pursuant to subsection B.24 **2. That the Department of Education shall develop and make available to each school board model**
25 **policies pursuant to subsection B of § 22.1-16.8 of the Code of Virginia, as created by this act, no**
26 **later than July 31, 2022.**

27 **3. That each school board shall adopt policies pursuant to subsection C of § 22.1-16.8 of the Code of**
28 **Virginia, as created by this act, no later than January 1, 2023.**

29 **4. That the provisions of this act shall not be construed as requiring or providing for the censoring**
30 **of books in public elementary and secondary schools.**

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