

Board Policy

Instruction

BP 6161.1 (a)

Selection and Evaluation of Instructional Materials

Note: Adoption of textbooks and other instructional materials, as defined in Education Code 60010, is the responsibility of the Board. Education Code 60200 requires that Boards select materials for grades K-8 from among those approved by the State Board of Education (SBE). Education Code 60400 and 60411 authorize Boards to select materials for grades 9-12 provided such materials meet criteria specified in law. See the accompanying regulation for required and optional criteria for the selection of instructional materials. See BP 6161.11 - Supplementary Instructional Materials and BP/AR 6163.1 - Library Media Centers for selection processes regarding supplementary materials.

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect the ethnic and cultural diversity of our society, and enhance the use of multiple teaching strategies and technologies. The Board's adoption of instructional materials shall be based on a determination that such materials meet criteria specified in law and are an effective learning resource to help students achieve grade-level competency.

(cf. 6000 - Concepts and Roles)

(cf. 9000 - Role of the Board)

To ensure that instructional materials effectively support the district's adopted courses of study, the selection of textbooks, technology-based materials, other educational materials and tests shall be aligned with the development and evaluation of the district's curriculum.

(cf. 0440 - District Technology Plan)

(cf. 6010 - Goals and Objectives)

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6143 - Courses of Study)

(cf. 6146.1 - High School Graduation Requirements)

(cf. 6161 - Equipment, Books and Materials)

(cf. 6161.11 - Supplementary Instructional Materials)

(cf. 6162.5 - Student Assessment)

(cf. 6162.7 - Use of Technology in Instruction)

(cf. 6163.1 - Library Media Centers)

Note: Pursuant to Education Code 60002, the Board must provide for "substantial" teacher involvement in the selection of instructional materials and must promote the involvement of parents/guardians and other members of the community in the selection of instructional materials. The Education Code does not define "substantial." The following paragraph may be revised to reflect district practice.

The Superintendent or designee shall establish a process by which instructional materials shall be reviewed for recommendation to the Board. This process shall involve teachers in a substantial manner and shall also encourage the participation of parents/guardians and community members.

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Note: SBE Policy on Guidelines for Piloting Textbooks and Instructional Materials notes that piloting instructional materials is a frequent part of the adoption process in many districts. The SBE guidelines provide a sample process that addresses the selection of materials to pilot, a chronology of the process, and additional considerations.

The district may pilot instructional materials, using a representative sample of classrooms for a specified period of time during a school year, in order to determine how well the materials support the district's curricular goals and academic standards. Feedback from teachers piloting the materials shall be made available to the Board before the materials are adopted.

All recommended instructional materials shall be available for public inspection at the district office.

Individuals who participate in selecting and evaluating instructional materials shall have no financial interest in the materials being reviewed.

(cf. 3315 - Relations with Vendors)

(cf. 9270 - Conflict of Interest)

Note: SB 550 (Ch. 900, Statutes of 2004) added Education Code 35186 to establish new procedures for handling complaints regarding deficiencies in instructional materials. See AR 1312.4 - Williams Uniform Complaint Procedures for language implementing this new requirement. Complaints regarding specific selections are addressed in BP/AR 1312.2 - Complaints Concerning Instructional Materials.

Complaints concerning instructional materials shall be handled in accordance with law, Board policy, and administrative regulation.

(cf. 1312.2 - Complaints Concerning Instructional Materials)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

Note: Education Code 60420-60424, the Instructional Materials Funding Realignment Program (IMFRP), provides a block grant for instructional materials with a priority on providing materials that are aligned to state content standards in reading/language arts, mathematics, science, and history/social science. The following optional paragraph reflects the purposes of this program and should be modified to reflect the grade levels offered by the district. See the accompanying administrative regulation for criteria, including time limits, for this program.

In accordance with the Instructional Materials Funding Realignment Program, the Board's priority in the selection of instructional materials is to ensure that all students in grades K-8 are provided with instructional materials that are aligned to state content standards in the core curriculum areas of reading/language arts, mathematics, science, and history/social science.

***Note: The California Department of Education (CDE) states that the Board's certification of the provision of standards-aligned materials should be kept on file in the district for auditing purposes. ***

When the Board determines that standards-aligned textbooks and instructional materials have been provided to all students in accordance with Education Code 60422, it shall so certify. A copy of the certification shall be kept on file in the district.

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***Note: SB 550 (Ch. 900, Statutes of 2004) amended Education Code 60252 to reauthorize the Pupil Textbook and Instructional Materials Incentive Fund. In order to access these funds, Education Code 60252 requires that the district satisfy the following criteria: (1) provide assurance to the Superintendent of Public Instruction that the Board has held a hearing on the sufficiency of instructional materials, as specified below; (2) ensure that the money will be used to provide sufficient materials; and (3) ensure that, to the extent practicable, instructional materials are ordered before the school year begins. ***

The Superintendent or designee shall ensure that the district satisfies the criteria necessary to access funds under the state's Pupil Textbook and Instructional Materials Incentive Account pursuant to Education Code 60252.

Public Hearing on Sufficiency of Instructional Materials

***Note: As a condition of receiving certain state textbook funds, Education Code 60119 has long required Boards to hold a public hearing on the sufficiency of instructional materials. SB 550 (Ch. 900, Statutes of 2004) amended Education Code 60119 to expand the scope of the hearing to include textbooks in specific subjects and to require that the hearing take place on or before the end of the eighth week of the school year. ***

Note: Education Code 60119 defines "sufficient textbooks or instructional materials" to mean that each student, including each English learner, has a textbook and/or instructional material to use in class or to take home to complete homework assignments. The law does not require two sets of textbooks or materials for each student. In addition, photocopied sheets from only a portion of a text or material copied to address a shortage are not considered "sufficient" for these purposes.

Note: SB 550 also amended Education Code 33126 to require that sufficiency of textbooks be reported on the School Accountability Report Card. In addition, Education Code 1240, as amended by SB 550, requires that the County Superintendent of Schools visit schools in the county ranked in deciles 1-3 of the 2003 base Academic Performance Index to determine whether sufficient instructional materials have been provided. If the County Superintendent determines that a school does not have sufficient materials, he/she must prepare a report outlining the noncompliance and give the district a chance to remedy the deficiency. If the deficiency is not remedied by the district by the second month of the school year, the County Superintendent may request that the CDE, with the approval of the SBE, purchase textbooks and materials for the district, and the cost must be repaid by the district. The SBE will issue a public statement indicating the Superintendent and Board's "failure" to provide instructional materials.

The Board shall annually conduct one or more public hearings on the sufficiency of the district's instructional materials. At these hearings, the Board shall determine, through a resolution, whether each student in each school has sufficient textbooks and/or instructional materials in each of the following subjects that are consistent with the content and cycles of the state curriculum frameworks: (Education Code 60119)

1. Mathematics
2. Science
3. History-social science
4. English/language arts, including the English language development component of an adopted program

Note: Education Code 60119, as amended by SB 550 (Ch. 900, Statutes of 2004), requires that during the hearing the Board also make a written determination as to the sufficiency of textbooks or instructional materials in foreign language and health courses, as well as science laboratory equipment. However, provision of these materials is not a condition for receipt of state textbook funds. Districts without any of grades 9-12 should delete the last sentence of this paragraph.

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The Board shall also make a written determination as to whether each student enrolled in a foreign language or health course has sufficient textbooks or instructional materials that are consistent with the content and cycles of the state curriculum frameworks.
(Education Code 60119)

Note: SB 550 (Ch. 900, Statutes of 2004) amended Education Code 60119 to require that the hearing be held on or before the end of the eighth week of the first day of the school year. Because SB 550 became operative after the beginning of the 2004-05 school year, Education Code 60119 specifies that districts make a diligent effort to hold this hearing by December 1, 2004 for the 2004-05 school year.

The hearing shall take place on or before the end of the eighth week from the first day students attend school for that year. For districts with schools on a multitrack year-round calendar, the hearing shall be held on or before the end of the eighth week from the first day of the school year on any track that begins a school year in August or September.
(Education Code 60119)

Note: As amended by SB 550 (Ch. 900, Statutes of 2004), Education Code 60119 requires that the hearing be held at a time that will encourage public participation, as specified below.

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. The Superintendent or designee shall post, 10 days prior to the hearing and in three public places within the district, a notice containing the time, place, and purpose of the hearing. The hearing shall not take place during or immediately following school hours. (Education Code 60119)

Note: Pursuant to Education Code 60119, as amended by SB 550 (Ch. 900, Statutes of 2004), if the Board makes a determination that there are insufficient textbooks and/or instructional materials, the Board must take action to ensure that the textbooks are provided within two months of the beginning of the school year. According to various state agencies, if the Board takes action at the hearing to provide the textbooks (i.e. directs staff to order the texts) then the timelines in law have been satisfied. However, districts are strongly encouraged to hold the public hearing as early in the school year as possible in order to provide sufficient time to correct any deficiencies.

If the Board determines that there are insufficient textbooks and/or instructional materials, the Board shall provide information to classroom teachers and to the public, setting forth for each school, the reasons that each student does not have sufficient textbooks and/or instructional materials. The Board shall take any action, except an action that would require reimbursement by the Commission of State Mandates, to ensure that each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

Legal Reference:

EDUCATION CODE

1240 County superintendent, general duties

33126 School accountability report card

35272 Education and athletic materials

44805 Enforcement of course of studies; use of textbooks, rules and regulations

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49415 Maximum textbook weight
51501 Subject matter reflecting on race, color, etc.
60000-60005 Instructional materials, legislative intent
60010 Definitions
60040-60048 Instructional requirements and materials
60060-60062 Requirements for publishers and manufacturers
60070-60076 Prohibited acts (re instructional materials)
60110-60111 Instructional materials on drug education
60119 Public hearing on sufficiency of materials
60200-60206 Elementary school materials
60226 Requirements for publishers and manufacturers
60240-60252 State Instructional Materials Fund
60350-60352 Core reading program instructional materials
60400-60411 High school textbooks
60420-60424 Instructional Materials Funding Realignment Program
60605 State content standards
CODE OF REGULATIONS, TITLE 5
9505-9550 Instructional materials, especially:
9531-9532 Instructional Materials Funding Realignment Program

Management Resources:

CDE PROGRAM ADVISORIES

1002.90 Selection of Instructional Materials, CIL: 90/91-02

CDE PUBLICATIONS

Standards for Evaluation of Instructional Materials with Respect to Social Content, 1986 edition, revised 2001

SBE POLICY

Textbook Weight in California, May 2004

01-05 Guidelines for Piloting Textbooks and Instructional Materials, September 2001

CSBA PUBLICATIONS

Maximizing School Board Leadership: Curriculum, 1996

WEB SITES

CSBA: <http://www.csba.org>

Association of American Publishers: <http://www.publishers.org>

California Department of Education: <http://www.cde.ca.gov>

State Board of Education: <http://www.cde.ca.gov/be>

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GRAVENSTEIN UNION SCHOOL DISTRICT
Sebastopol, California