

**EL DORADO UNION HIGH SCHOOL DISTRICT
BOARD POLICY**

Instruction

**SELECTION AND EVALUATION
OF INSTRUCTIONAL MATERIALS
BP 6161.1**

***Cautionary Note:** As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs and provides that districts are deemed in compliance with the program and funding requirements for these programs for the 2008–09 through 2012–13 fiscal years. As a result of this flexibility, the district may choose to temporarily suspend certain provisions of the following policy or administrative regulation that reflect those requirements. However, this flexibility does not affect or alter any existing contract or bargaining agreement that the district may have in place. Thus, districts should examine the terms of those contracts and agreements and consult with district legal counsel for additional guidance. Also see BP 2210 - Administrative Discretion Regarding Board Policy*

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect the diversity of our society, and enhance the use of multiple teaching strategies and technologies. The Board shall adopt instructional materials based on a determination that such materials are an effective learning resource to help students achieve grade-level competency and meet other criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with state and district content standards and the district's curriculum in order to ensure that they effectively support the district's adopted courses of study.

*(cf. 0440 - District Technology Plan)
(cf. 6000 - Concepts and Roles)
(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. 6163.1 - Library Media Centers)
(cf. 9000 - Role of the Board)*

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. *(Education Code 60002)*

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

(cf. 5020 - Parent Rights and Responsibilities)

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Individuals who participate in selecting and evaluating instructional materials shall not have a conflict of interest in the materials being reviewed, as defined in administrative regulation.

(cf. 9270 - Conflict of Interest)

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)

INSTRUCTIONAL MATERIALS FUNDING REALIGNMENT PROGRAM

The Board's priority in the selection of instructional materials is to ensure that all students in grades 9–12 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.

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.

PUBLIC HEARING ON SUFFICIENCY OF INSTRUCTIONAL MATERIALS

The Board shall annually conduct one or more public hearings on the sufficiency of the district's instructional materials. The hearing shall be held on or before the end of the 8th week from the first day students attend school for that year. *(Education Code 60119)*

The Board encourages participation by parents/guardians, teachers, interested community members, and bargaining unit leaders at the hearing. Ten days prior to the hearing and in three public places within the district, the Superintendent or designee shall post 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)*

(cf. 9322 - Agenda/Meeting Materials)

At these hearing(s), the Board shall determine, through a resolution, whether each student in each school, including each English learner, has sufficient textbooks and/or instructional materials in each of the following subjects which are aligned to the state content standards adopted pursuant to Education Code 60605 and consistent with the content and cycles of the state's curriculum frameworks. *(Education Code 60119)*

1. Mathematics

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2. Science
3. History-Social Science
4. English/Language Arts, including the English language development component of an adopted program.

In making these determinations, the Board shall consider whether each student has sufficient textbooks and/or instructional materials to use in class and to take home. However, this does not require that each student have two sets of materials. The materials may be in a digital format as long as each student, at a minimum, has and can access the same materials in the class and to take home as all other students in the same class or course in the district and has the ability to use and access them at home. However, the materials shall not be considered sufficient if they are photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage. (*Education Code 60119*)

For the 2008–09 through 2012–13 fiscal years, the Board shall also make a determination that all students within the district who are enrolled in the same course have “identical” standards-aligned textbooks or instructional materials from the same adoption cycle, as defined in Education Code 1240.3, 60119, and 60422. (*Education Code 1240.3, 42605*)

If the Board determines that there are insufficient textbooks and/or instructional materials, the Board shall provide information to classroom teachers and the public setting forth, for each school in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in each subject area, and 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 2 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
1240.3 Definition of sufficiency for categorical flexibility
33050-33053 General waiver authority
33126 School accountability report card
35272 Education and athletic materials
42605 Tier 3 categorical flexibility
44805 Enforcement of course of studies; use of textbooks, rules and regulations
49415 Maximum textbook weight
51501 Subject matter reflecting on race, color, etc.
60000-60005 Instructional materials, legislative intent
60010 Definitions
60040-60052 Instructional requirements and materials
60060-60062 Requirements publishers and manufactures
60070-60076 Prohibited acts (re instructional materials)

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60110-60115 *Instructional materials on alcohol and drug education*
60119 *Pupil hearing on sufficiency of 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*
60510-60511 *Donation of sale of obsolete instructional materials*
60605 *State content standards*

CODE OF REGULATIONS, TITLE 5

9505-9532 *Instructional materials*
9531-9532 *Instructional Materials Funding Realignment Program*

Management Resources:

CSBA PUBLICATIONS

Flexibility Provisions in the 2008 and 2009 State Budget: Policy Considerations for Governance Teams, Budget Advisory, March 2009

CDE CORRESPONDENCE

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 2000

SBE POLICIES

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

WEB SITES

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

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

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