

## **INSTRUCTION**

### **Selection And Evaluation Of Instructional Materials**

#### **Instruction**

The Inyo County Board of Education desires that Inyo County Office of Education 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 that the materials meet criteria specified in law. Textbooks, technology-based materials, and other educational materials shall be aligned with state and county office content standards and the county office's curriculum to ensure that they effectively support the county office's adopted courses of study. (cf. 6000 - Concepts and Roles) (cf. 9000 - Role of the Board) (cf. 6141 - Curriculum Development and Evaluation) (cf. 6143 - Courses of Study) (cf. 6161 - Equipment, Books and Materials) (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. All recommended instructional materials shall be available for public inspection.

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)

The Board's priority in the selection of instructional materials is to ensure that all students in grades K-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. Students in grades K-8 shall be provided with instructional materials adopted by the State Board of Education.

The county office 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 county office'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 county office's textbooks and other instructional materials.

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The hearing shall be held on or before the end of the eighth 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. The Superintendent or designee shall post, 10 days prior to the hearing and in three public places within the county office, 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)

At the hearing(s), the Board shall determine, through a resolution, whether each student, in each school, including each English learner, has sufficient textbooks 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
2. Science
3. History/social science
4. English language arts, including the English language development component of an adopted program
5. Foreign Language
6. Health

The Board shall determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12. (Education Code 60119)

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 county office 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)

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)

However, the district may purchase the newest adopted instructional materials for students in district schools ranked in deciles 1-3 of the base Academic Performance Index

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in any one of the past three school years without necessarily purchasing these materials for use in other district schools. (Education Code 1240.3)

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 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 two months of the beginning of the school year in which the determination is made. (Education Code 60119)

**Legal Reference:**

EDUCATION CODE

- 220 Prohibition against discrimination
  - 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 Nondiscriminatory subject matter
  - 60000-60005 Instructional materials, legislative intent
  - 60010 Definitions
  - 60040-60052 Instructional requirements and materials
  - 60060-60062 Requirements for publishers and manufacturers
  - 60070-60076 Prohibited acts (re instructional materials)
  - 60110-60115 Instructional materials on alcohol and 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
  - 60510-60511 Donation for sale of obsolete instructional materials
  - 60605 State content standards
  - 60605.8 Common Core Standards
  - 60605.86 Supplemental instructional materials aligned with Common Core Standards
- CODE OF REGULATIONS, TITLE 5

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9505-9535 Instructional materials, especially:  
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

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

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

Standards for Evaluating Instructional Materials for Social Content, 2000

**WEB SITES**

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

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

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

**BOARD POLICY:**

**First/Second Reading/Adoption: November 20, 2007**

**Revised: March 16, 2010**

**Revised: April 26, 2011**

**Revised: April 17, 2012**

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#### **Instructional Materials Funding Realignment Program**

The county office shall use state funds received under the Instructional Materials Funding Realignment Program to provide each student with standards-aligned textbooks or instructional materials, in an electronic or hard-bound format, in the core curriculum areas of reading/language arts, mathematics, science, and history-social science. (Education Code 60422, 60422.1)

Instructional materials for grades K-8 shall be selected from the list of standards-aligned materials adopted by the SBE. Instructional materials for grades 9-12 shall be adopted by the Governing Board. Standards-aligned materials in each core curriculum area shall be provided to each student at the beginning of the first school term that commences no later than 24 months after those materials are adopted by the SBE or the Board, as applicable. (Education Code 60422)

For grades 9-12, the Superintendent or designee shall review instructional materials in history-social science, mathematics, English/language arts, and science using a standards map in order to determine the extent to which the materials are aligned to the content standards adopted by the SBE.

After the Board has certified that all students have been provided with standards-aligned instructional materials in the core curriculum areas, the county office may use any remaining program funds for the purposes specified in Education Code 60242. (Education Code 60119, 60422)

#### **Criteria for Selection and Adoption of Instructional Materials**

Instructional materials adopted by the Board shall:

1. For grades K-8, be selected from among the list of materials approved by the SBE in accordance with law (Education Code 60200)
2. For grades 9-12, be provided by publishers who comply with the requirements of Education Code 60040-60048, 60060-60062, and 60226 (Education Code 60400)
3. Not reflect adversely upon persons because of their race or ethnicity, gender, religion, nationality, disability, sexual orientation, occupation, or other characteristic listed in Education Code 220, nor contain any sectarian or denominational doctrine or propaganda contrary to law (Education Code 60044)
4. To the satisfaction of the Board, be accurate, objective, current, and suited to the needs and comprehension of students at their respective grade levels (Education Code 60045)
5. With the exception of literature and trade books, use proper grammar and spelling (Education Code 60045)
6. Not expose students to a commercial brand name, product, or corporate or company logo unless the Board makes a specific finding that the use is appropriate based on one of the following: (Education Code 60200, 60048)

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- a. The commercial brand name, product, or corporate or company logo is used in text for an educational purpose as defined in guidelines or frameworks adopted by the SBE.
- b. The appearance of a commercial brand name, product, or corporate or company logo in an illustration is incidental to the general nature of the illustration.
7. If the materials are technology-based materials, be both available and comparable to other, equivalent instructional materials (Education Code 60052)
8. Meet the requirements of Education Code 60040-60043 for specific subject content
9. Support the county office's adopted courses of study and curricular goals (cf. 6141 - Curriculum Development and Evaluation) (cf. 6143 - Courses of Study)
10. Contribute to a comprehensive, balanced curriculum
11. Demonstrate reliable quality of scholarship as evidenced by:
  - a. Accurate, up-to-date, and well-documented information
  - b. Objective presentation of diverse viewpoints
  - c. Clear, concise writing and appropriate vocabulary
  - d. Thorough treatment of subject matter
12. Provide for a wide range of materials at all levels of difficulty, with appeal to students of varied interests, abilities, and developmental levels
13. Include materials that stimulate discussion of contemporary issues and improve students' thinking and decision-making skills
14. Contribute to the proper articulation of instruction through grade levels
15. As appropriate, have corresponding versions available in languages other than English
16. Include high-quality teacher's guides
17. Meet high standards in terms of the quality, durability, and appearance of paper, binding, text, and graphics
18. When available from the publishers, consider options for lighter weight materials in order to help minimize any injury to students by the combined weight of instructional materials

### **Instructional Materials Evaluation Committee**

The Superintendent or designee may establish an instructional materials evaluation committee to evaluate and recommend instructional materials for Board approval. This committee shall substantially be composed of teachers and may also include administrators, other staff who have subject-matter expertise, parents/guardians, community members, and students as appropriate. (cf. 1221 - Citizen Advisory Committees)

The committee shall review instructional materials using criteria provided above and in law, and shall provide the Board with documentation supporting its recommendations.

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**Conflict of Interest**

To ensure integrity and impartiality in the evaluation and selection of instructional materials, any county office employee who is participating in the evaluation of instructional materials and not otherwise designated in the district's conflict of interest code shall sign a disclosure statement indicating that he/she:

1. Shall not accept any emolument, money, or other valuable thing or inducement, to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material (Education Code 60072)

Sample copies of instructional materials are excepted from this prohibition. (Education Code 60075) (cf. 9270 - Conflict of Interest)

2. Is not employed by nor receive compensation from the publisher or supplier of the materials, or any person, firm, organization, subsidiary, or controlling entity representing it
3. Does not have or will not negotiate a contractual relationship with the publisher or supplier of the instructional materials, or any person, firm, organization, subsidiary, or controlling entity representing it
4. Does not have an interest as a contributor, author, editor, or consultant in any textbook or other instructional material submitted to the county office.

**ADMINISTRATIVE REGULATION:**

**First/Second Reading/Adoption:** November 20, 2007  
**Revised:** March 16, 2010  
**Revised:** April 26, 2011  
**Revised:** April 17, 2012

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**Resolution on Sufficiency of Textbooks or Instructional Materials**

Whereas, the Inyo County Board of Education, in order to comply with the requirements of Education Code 60119, held a public hearing on *(date)*, at *(time)* o'clock, which is on or before the eighth week of school (between the first day that students attend school and the end of the eighth week from that day) and which did not take place during or immediately following school hours, and;

Whereas, the Board provided at least 10 days notice of the public hearing by posting it in at least three public places within the county office stating the time, place, and purpose of the hearing, and;

Whereas, the Board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

Whereas, information provided at the public hearing detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in Inyo County Superintendent of Schools programs, and;

Whereas, the definition of "sufficient textbooks or instructional materials" means that each student, including each English learner, has a standards-aligned textbook and/or instructional materials to use in class and to take home, which may include materials in a digital format but shall not include photocopied sheets from only a portion of a textbook or instructional materials copied to address a shortage, and;

Whereas between the 2008-09 through the 2014-15 fiscal years, the definition of "sufficient textbooks or instructional materials" also means that all students who are enrolled in the same course within Inyo County Superintendent of Schools programs, have standards-aligned textbooks or instructional materials from the same adoption cycle, and;

**Finding of Sufficient Instructional Materials**

Whereas, sufficient textbooks or instructional materials were provided to each student, including each English learner, that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:

- Mathematics: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*
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- Science: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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- History-social science: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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- English/language arts, including the English language development component of an adopted program: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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- Foreign Language: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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- Health: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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Whereas, laboratory science equipment was available for science laboratory classes offered in grades 9-12, inclusive;

Therefore, it is resolved that for the \_\_\_\_\_ school year, the Inyo County Superintendent of Schools, has provided each student with sufficient textbooks or instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

**Finding of Insufficient Textbooks or Instructional Materials**

Whereas, information provided at the public hearing and to the Board at the public meeting detailed that insufficient textbooks or instructional materials were provided to students in the following subjects and grade levels at district schools: *(For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in mathematics, science, history-social science, English/language arts, foreign language, and health.)*

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Whereas, sufficient textbooks or instructional materials were not provided at each school listed above due to the following reasons: *(For each school at which there is an insufficiency, list the reasons why each student does not have sufficient instructional materials in each subject and grade level listed above.)*

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Therefore, it is resolved, that for the \_\_\_\_\_ school year, the Inyo County Superintendent of Schools has not provided each student with sufficient textbooks or instructional materials consistent with the cycles and content of the curriculum framework, and;

Be it further resolved, that the following actions will be taken to ensure that all students have sufficient textbooks or instructional materials in all subjects that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks within two months of the beginning of the school year in which this determination is made.

*(List actions to be taken to resolve insufficiency. See Education Code 60119(a)(2)(B) for other funds that may be used to ensure sufficient instructional materials.)*

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PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at a meeting, by the following vote:

AYES: \_\_\_\_\_ NOES: \_\_\_\_\_ ABSENT: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President