

Instruction**BP 6161.1 (a)****SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS**

The Governing Board desires that district instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect and value society's diversity, stimulate thought, the exploration of ideas and intellectual exchanges, and enhance instructors' ability to educate all students through 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, other educational materials shall be aligned with academic content standards and the district's curriculum to ensure that they effectively support the district's adopted courses of study.

The Board shall select instructional materials for use in grades K-8 that have been approved by the State Board of Education (SBE) or that have, during the district's review process, been determined to be aligned with the state academic content standards adopted by SBE, which includes instructional materials for mathematics and English language arts that are aligned to Common Core State Standards. (Education Code 60200, 60210)

The Board shall adopt instructional materials for grades 9-12 upon determining that the materials meet the criteria specified in law and administrative regulation. (Education Code 60400)

In selecting or adopting instructional materials, the Board shall consider the recommendation of the Superintendent or designee and/or an advisory committee established to review the materials.

The degree to which every student has sufficient access to standards-aligned instructional materials shall be included in the district's local control and accountability plan. (Education Code 52060)

Sufficiency of Instructional Materials and Public Hearing

The Board shall annually conduct one or more public hearings on the sufficiency of the district's instructional materials, including textbooks, technology-based materials, other educational materials, and tests. Technology-based materials include, but are not limited to, software programs, video disks, compact disks, optical disks, video and audio tapes, lesson plans, databases, and the electronic equipment required to make use of those materials by students and teachers as a learning resource. (Education Code 60010, 60119)

The hearing shall take place 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. Ten days prior to the hearing the Superintendent or designee shall post a notice in three public places within the district, containing

Instruction**BP 6161.1 (b)****SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS**

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 and/or instructional materials that are aligned to the content standards adopted by SBE and consistent with the content and cycles of the state curriculum frameworks adopted by SBE in each of the following subjects: (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 also 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. This does not require that each student have two sets of materials. 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)

If materials are in a digital format, they shall be considered sufficient 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. (Education Code 60119)

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 submit a copy of the resolution to the County Superintendent of Schools no later than three business days after the hearing. The Board shall take any action, to ensure that 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)

Instruction

BP 6161.1 (c)

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

In addition, if the County Superintendent, in accordance with Education Code 1240, makes the district aware of a school that does not have sufficient textbooks or instructional materials, the district shall take any action to ensure that each student has sufficient materials within two months of the beginning of the school year.

Prohibition Against Refusal to Approve or Prohibit the Use of Specified Instructional Materials

The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

Complaints

Complaints concerning instructional materials shall be handled in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials, Board Policy 1312.3 - Uniform Complaint Procedures, or Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures, as applicable.

State

5 CCR 9505-9530: Instructional materials

Ed. Code 1240: County superintendent of schools; duties

Ed. Code 18111: Exclusion of books by Governing board that are sectarian, partisan, or denominational character

Ed. Code 220: Prohibition of discrimination

Ed. Code 242: Access to information about educational laws and policies regarding right to accurate and inclusive curriculum

Ed. Code 243: Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials

Ed. Code 33050-33053: General waiver authority

Ed. Code 33126: School accountability report card

Ed. Code 35272: Education and athletic materials

Ed. Code 44805: Teacher enforcement of course of studies; use of textbooks, rules and regulations

Ed. Code 48907: Exercise of free expression; time, place and manner rules and regulations

Ed. Code 48950: Speech and other communication

Ed. Code 49415: Maximum textbook weight standards

Ed. Code 51204.5: Social sciences instruction; contributions of specified groups

Ed. Code 51501: Nondiscriminatory subject matter

Ed. Code 51511: Religious matters properly included in courses of study

Ed. Code 51933: Sexual health education and HIV prevention materials

Ed. Code 52060-52077: Local control and accountability plan

Ed. Code 60000-60005: Instructional materials; legislative intent

Ed. Code 60010: Instructional materials; definition

Instruction**BP 6161.1 (d)****SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS**

Ed. Code 60040-60052: Requirements for instructional materials
Ed. Code 60060-60063.5: Requirements for publishers and manufacturers
Ed. Code 60070-60076: Prohibited acts regarding instructional materials
Ed. Code 60110-60115: Instructional materials on alcohol and drug education
Ed. Code 60119: Sufficiency of textbooks and instructional materials; hearing and resolution
Ed. Code 60150: Penalty for insufficiency of textbooks and instructional materials
Ed. Code 60200-60213: Elementary school materials
Ed. Code 60226: Requirements for publishers and manufacturers
Ed. Code 60400-60411: Instructional materials; high schools
Ed. Code 60510-60511: Donation or sale of obsolete instructional materials
Ed. Code 60605: State-adopted content and performance standards in core curricular areas
Ed. Code 60605.8: Common Core standards
H&S Code 11032: Narcotics, restricted dangerous drugs, and marijuana; definitions

Management Resources

California Department of Education Publication: Instructional Materials, FAQ
California Department of Education Publication: Standards for Evaluating Instructional Materials for Social Content, 2013
California Department of Education Publication: Guidelines for Piloting Textbooks and Instructional Materials, Policy # 01-05, rev. January 2015
Website: SBA District and County Office of Education Legal Services
Website: Association of American Publishers
Website: California Academic Content Standards Commission, Common Core State Standards
Website: Department of Justice
Website: U.S. Department of Education, Office for Civil Rights
Website: California Department of Education
Website: CSBA

Policy Adopted: 2/14/24

ORCUTT UNION SCHOOL DISTRICT
Orcutt, California