

CSBA Sample Exhibit

Instruction

E 6161.1(a)

SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

Resolution on Sufficiency of Instructional Materials

Note: As a condition of receiving state instructional materials funding, Education Code 60119 and 5 CCR 9531 require that the Governing Board hold an annual public hearing regarding the sufficiency of textbooks and/or other instructional materials and determine through a resolution whether each student has sufficient materials; see the accompanying Board policy.

"Sufficient textbooks or instructional materials," as defined in Education Code 60119, means that each student in the district, including each English learner, has a standards-aligned textbook and/or instructional materials, which may include materials in a digital format under specified conditions, to use in class or to take home. This law does not require two sets of textbooks or instructional materials for each student.

The following sample resolution reflects the requirements of Education Code 60119 and updates an earlier resolution developed by the California Department of Education (CDE). This resolution may be used to certify compliance with Education Code 60119 and 5 CCR 9531.

Whereas, the Governing Board of the (*name of school district/county office 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 district 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 the (*name of school district/county office of education*), 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;

Note: Education Code 1240.3 and 42605, as amended by SB 70 (Ch. 7, Statutes of 2011), specify that, for the 2008-09 through 2014-15 fiscal years, "sufficiency" means that all students in the district who are

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enrolled in the same "course" have standards-aligned textbooks and instructional materials from the same adoption cycle; see the accompanying Board policy.

Whereas, the definition of "sufficient textbooks or instructional materials" also means that all students who are enrolled in the same course within the (*name of school district/county office of education*), have standards-aligned textbooks or instructional materials from the same adoption cycle, and;

Finding of Sufficient Textbooks or Instructional Materials

Note: The following section is for use by boards that are making a finding that the district has "sufficient" materials. According to the CDE, Education Code 60119 requires documentation of sufficiency of textbooks or instructional materials to be presented at the public hearing. The CDE has developed survey forms, available on its web site, which may be used as a self-study and county office validation tool for grades K-12. These forms include a list of the state-adopted standards-aligned materials for grades K-8. Districts that maintain grades 9-12 may generate a list of their locally adopted standards-aligned instructional materials for purposes of this self-study.

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:

Note: To provide complete information about the basis for the Board's determination of sufficiency, the district may wish to include the names of the textbooks and/or instructional materials provided to students, as well as the applicable state adoption cycle.

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

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

- **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.)*

Note: The Board must also include a written determination for the following subject areas, though these determinations are not a condition for receipt of instructional materials funds.

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

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

Note: The following paragraph is for use by districts that maintain grades 9-12. The Board may provide a list of the science laboratory classes offered in grades 9-12 and details on the science laboratory equipment available for these classes.

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 *(name of school district/county office of education)*, 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

Note: The following section is for use by boards that are making a finding of "insufficient" materials. Education Code 60119 requires that the Board's resolution list, for each school for which an insufficiency exists, the percentage of students at each grade level who lack sufficient materials in each of the subject areas listed below. The provision of sufficient foreign language and health materials is not a condition of receipt of instructional materials funds.

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*

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mathematics, science, history-social science, English/language arts, foreign language, and health.)

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 that each student does not have sufficient instructional materials in each subject and grade level listed above.)*

Therefore, it is resolved, that for the _____ school year, the *(name of school district/county office of education)* 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.)*

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

AYES: _____ NOES: _____ ABSENT: _____

Attest:

Secretary

President

(9/09 11/10) 11/11