**CSBA Sample**

**Board Policy**

**Instruction** BP 6161.1(a)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS**

**Cautionary Notice:** As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), 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 2014-15 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.

Note: The Governing Board is responsible for the adoption of textbooks and other instructional materials, as defined in Education Code 60010. For grades K-8, if a district wants to use state instructional materials allowances to purchase those materials, Education Code 60200 requires the Board to select materials from among those approved by the State Board of Education (SBE). For grades 9-12, Education Code 60400 and 60411 authorize the Board to select the district's materials, provided that such materials meet criteria specified in law. See the accompanying administrative 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 society's diversity, 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 district content standards and the district's curriculum 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.

 BP 6161.1(b)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

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." See the accompanying administrative regulation for a sample selection process.

This process shall involve teachers in a substantial manner and shall also encourage the participation of parents/guardians and community members. (Education Code 60002)

Individuals who participate in the selection or review of instructional materials shall not have a conflict of interest, as defined in administrative regulation, in the materials being reviewed.

*(cf. 9270 - Conflict of Interest)*

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

*(cf. 5020 - Parent Rights and Responsibilities)*

Note: Complaints regarding the contents of instructional materials are addressed in BP/AR 1312.2 - Complaints Concerning Instructional Materials. See AR 1312.4 - Williams Uniform Complaint Procedures for language regarding complaints about deficiencies in 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: The Instructional Materials Funding Realignment Program (IMFRP), Education Code 60420-60424, provides a block grant for instructional materials with a priority on materials that are aligned to state standards in the core courses of reading/language arts, mathematics, science, and history-social science.

Pursuant to Education Code 42605, as amended by SB 70 (Ch. 7, Statutes of 2011), districts that have accepted categorical flexibility may use funds received for the IMFRP from the 2008-09 through 2014-15 fiscal years for "any educational purpose"; see BP 2210 - Administrative Discretion Regarding Board Policy and BP 3110 - Transfer of Funds. Education Code 42605 provides that such districts shall then be deemed in compliance with all statutory and regulatory requirements, except for certain specified requirements including Education Code 60119. Therefore, during this period of flexibility, districts still must comply with the requirements of Education Code 60119, including ensuring that each student is provided with standards-aligned instructional materials and holding a hearing regarding the sufficiency of materials; see section entitled "Public Hearing on Sufficiency of Instructional Materials" below.

The following paragraph may be revised to reflect the grade levels offered by the district.

 BP 6161.1(c)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

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.

Note: SBE Policy on Guidelines for Piloting Textbooks and Instructional Materials provides a sample process for piloting instructional materials that addresses the selection of materials to pilot, a chronology of the process, and additional considerations, such as conflict of interest, contacts with publishers, and consideration of standards maps.

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**

Note: Education Code 60119 and 5 CCR 9531 require the Board to annually hold a public hearing on the sufficiency of textbooks or instructional materials to determine whether each student in the district has sufficient textbooks or instructional materials in English/language arts, mathematics, science, and history-social science that are aligned to content standards and consistent with the content and cycles of the curriculum framework adopted by the SBE.

Education Code 1240 requires the County Superintendent of Schools to review the textbooks or instructional materials of schools ranked in deciles 1-3 of the Academic Performance Index (API). 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 second month of the school year, the County Superintendent may request that the California Department of Education (CDE) purchase textbooks or materials for the district, and the cost must be repaid by the district. The CDE will issue a public statement at an SBE meeting indicating the district's failure to provide instructional materials.

The Board shall annually conduct one or more public hearings on the sufficiency of the district's textbooks and other instructional materials. (Education Code 60119; 5 CCR 9531)

Note: Education Code 60119 specifies that the hearing must be held within eight weeks of the beginning of the school year. Option 1 is for use by districts without any schools on a multitrack year-round calendar. Option 2 is for use by districts with schools on a multitrack year-round calendar.

**OPTION 1:** 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)

**OPTION 2:** The hearing shall be held on or before the end of the eighth week from the first day of the school year of any district school that operates on a multitrack year-round calendar that begins its school year in August or September. (Education Code 60119)

 BP 6161.1(d)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

Note: The remainder of this policy applies to all districts.

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)*

Note: Education Code 60119 requires the Board to adopt a resolution indicating whether or not each student in each school has sufficient textbooks or instructional materials. See the accompanying Exhibit for a sample resolution.

Pursuant to Education Code 60119, the determination of the sufficiency of textbooks or instructional materials for mathematics, science, history-social science, and English/language arts is a condition for receipt of state instructional materials funding. The Board must also make a written determination during the hearing as to the sufficiency of textbooks or instructional materials in foreign language and health courses, as well as science laboratory equipment in science laboratory courses, although the provision of the materials or the equipment in these courses is not a condition for receipt of state instructional materials funding.

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

*(cf. 6142.92 - Mathematics Instruction)*

2. Science

*(cf. 6142.93 - Science Instruction)*

3. History-social science

*(cf. 6142.94 - History-Social Science Instruction)*

4. English/language arts, including the English language development component of an adopted program

*(cf. 6142.91 - English/Language Arts Instruction)*

 BP 6161.1(e)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

5. Foreign language

*(cf. 6142.2 - World/Foreign Language Instruction)*

6. Health

*(cf. 6142.8 - Comprehensive Health Education)*

Note: The following paragraph is for use by districts that maintain any of grades 9-12.

The Board shall also determine the availability of science laboratory equipment, as applicable to science laboratory courses offered in grades 9-12.

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)

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 enrolled in the same course have "identical" standards-aligned textbooks and instructional materials from the same adoption cycle. Education Code 1240.3 does not require districts to purchase all of the instructional materials included in an adoption cycle if the materials that are purchased are made available to all the students for whom they are intended in all of the schools within the district.

For example, fourth-grade students at all district schools must have instructional materials from the same SBE science adoption cycle, though fourth-grade students at different schools could be using materials from different publishers within the same adoption cycle. However, the district may use materials from different adoption cycles for grades K-3 and grades 4-8 since those students are not in the same "course."

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)

Note: The following paragraph is **optional**. As amended by SB 509 (Ch. 629, Statutes of 2011), Education Code 1240.3 authorizes the district, until July 1, 2015, to purchase the newest adopted instructional materials for the neediest schools in the district without incurring a duty to purchase these materials for students in other district schools. This provision will be used by the County Superintendent through fiscal year 2014-15 whenever he/she visits schools ranked in deciles 1-3 of the API to determine the status of sufficient instructional materials pursuant to Education Code 1240.

 BP 6161.1(f)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

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

Note: Pursuant to Education Code 60119, if the Board makes a determination that there are insufficient textbooks and/or instructional materials, the Board must take action to ensure that the materials 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 textbooks), then the timelines in law have been satisfied. However, the CDE's "Instructional Materials FAQ" states that, if a district has submitted purchase orders to the publisher to purchase materials to remedy the insufficiency, these materials should be received and made available to students by the end of the second month of the school year. Thus, 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 in which an insufficiency exists, the percentage of students who lack sufficient standards-aligned textbooks and/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: (see next page)*

 BP 6161.1(g)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

*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*

*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*

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**Policy Reference UPDATE Service**

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**CSBA Sample**

**Administrative Regulation**

**Instruction** AR 6161.1(a)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS**

**Cautionary Notice:** As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009), ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), and SB 70 (Ch. 7, Statutes of 2011), 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 2014-15 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.

**Instructional Materials Funding Realignment Program**

Note: The following **optional** section reflects the criteria of the Instructional Materials Funding Realignment Program (IMFRP) (Education Code 60420-60424) and should be modified to reflect the grade levels offered by the district. Funding available under the program must first be used to provide all K-12 students with materials that are aligned to state content standards for specified core curriculum areas. Specific priorities for the use of funds are delineated in 5 CCR 9531.

Education Code 60422.1 authorizes IMFRP funding to be used to purchase standards-aligned materials in either an electronic or hard-bound format as long as the district can ensure, in accordance with Education Code 60119, that each student will be provided a copy of the instructional material to use at school and at home.

The district 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)

*(cf. 6142.91 - English/Language Arts Instruction)*

*(cf. 6142.92 - Mathematics Instruction)*

*(cf. 6142.93 - Science Instruction)*

*(cf. 6142.94 - History-Social Science Instruction)*

Note: Education Code 60422 requires that students be provided with standards-aligned textbooks or basic instructional materials within 24 months from the adoption date of the materials. For grades K-8, each student is to be provided with materials adopted by the State Board of Education (SBE) and for grades 9-12 each student is to be provided materials adopted by the district's Governing Board.

However, pursuant to Education Code 60049, as amended and renumbered by SB 70 (Ch. 7, Statutes of 2011) and AB 114 (Ch. 43, Statutes of 2011), the Board is not required to provide students with instructional materials within 24 months of the SBE's adoption through the 2014-15 fiscal year. Suspension of this requirement is consistent with Education Code 60200.7, as amended by SB 70 (Ch. 7, Statutes of 2011), which prohibits the SBE from adopting any K-8 instructional materials until the 2015-16 school year.

 AR 6161.1(b)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

Pursuant to Education Code 60200(g) and 60421(d), the SBE may authorize a district, through the waiver process pursuant to Education Code 33050, to use its state instructional materials funds to purchase other standards-aligned instructional materials for grades K-8 that have not been adopted by the SBE. In order to receive this authorization, the Board must demonstrate to the SBE that the state-adopted materials do not promote the maximum efficiency of student learning in the district, satisfy the public hearing requirements for a waiver pursuant to Education Code 33050, and provide the certifications and assurances required by the SBE in its IMFRP petition request process. See BP 1431 - Waivers.

Instructional materials for grades K-8 shall be selected from the list of standards-aligned materials adopted by the State Board of Education (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 60049, 60422)

*(cf. 1431 - Waivers)*

*(cf. 6011 - Academic Standards)*

Note: 5 CCR 9531 no longer requires publishers of grades 9-12 instructional materials to submit standards maps designed to help the district determine whether the materials in the four core courses were aligned to the state content standards. However, Education Code 60422 still requires that the Board certify that the instructional materials purchased for grades 9-12 with IMFRP funds are standards-aligned. One way to make this determination is through a review of standards maps created by the California Department of Education (CDE). A template of the standards map is available on the CDE's web site. The following **optional** paragraph should be modified to reflect district practice.

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 district 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:

Note: Item #1 below is for use by districts that offer any of grades K-8. Pursuant to Education Code 60200, the SBE is responsible for adopting at least five basic instructional materials for grades K-8 in specified core subjects and any other subject for which the SBE determines the adoption of instructional materials is necessary or desirable. However, Education Code 60200.7, as amended by SB 70 (Ch. 7, Statutes of 2011), prohibits the SBE from adopting any instructional materials until the 2015-16 school year.

 AR 6161.1(c)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

Because instructional materials adoptions are postponed, Education Code 60605.86, as added by SB 140 (Ch. 623, Statutes of 2011), requires the CDE to prepare, by July 1, 2012, a list of supplemental instructional materials for grades K-8 that are aligned with the Common Core Standards in English/language arts and mathematics as adopted by the SBE pursuant to Education Code 60605.8; see BP 6011 - Academic Standards. Districts may select supplemental materials for English/language arts and mathematics that are not on the list provided that the materials are approved by content review experts selected by the Board in accordance with Education Code 60605.86 and the Board determines that the materials comply with evaluation criteria that will be developed by the CDE.

1. For grades K-8, be selected from among the list of materials approved by the SBE in accordance with law (Education Code 60200)

Note: Item #2 below is for use by districts that offer grades 9-12.

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)

Note: Education Code 51501 and 60044 prohibit the Board from adopting instructional materials that adversely reflect upon persons based on specified characteristics, including, as amended by SB 48 (Ch. 81, Statutes of 2011), religion, sexual orientation, or any other characteristic listed in Education Code 220.

3. Not reflect adversely upon persons because of their race or ethnicity, gender, religion, disability, nationality, 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 51501, 60044)

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

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)

Note: Education Code 60048 and 60200 require that the Board not adopt basic instructional materials that provide unnecessary exposure to a commercial brand name, product, or corporate or company logo, unless it makes specific findings that the use has an educational purpose or is incidental to the general nature of an illustration, as provided in item #6 below. The SBE publication Standards for Evaluating Instructional Materials for Social Content details standards for the use of brand names and corporate logos in instructional materials.

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 60048, 60200)

 AR 6161.1(d)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

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.

*(cf. 1325 - Advertising and Promotion)*

7. If the materials are technology-based materials, be both available and comparable to other, equivalent instructional materials (Education Code 60052)

Note: Education Code 60040-60043 require that specific subject matter be included in the district's instructional materials. Education Code 60040 requires that instructional materials include accurate portrayals of the cultural and racial diversity of our society as specified, including, as amended by SB 48 (Ch. 81, Statutes of 2011), the role and contributions of lesbian, gay, bisexual, and transgender Americans, persons with disabilities, European Americans, and members of other cultural groups to the development of California and the United States. Education Code 60041 requires (1) accurate portrayal of humanity's place in ecological systems and the need to protect the environment and (2) the effects of tobacco, alcohol, and other drug use on the human system. Education Code 60042 requires the Board to adopt materials as it deems necessary to encourage thrift, fire prevention, and the humane treatment of animals and people. Education Code 60043 requires that the Board, when appropriate to the comprehension of students, adopt textbooks for social science, history, or civics classes that contain the Declaration of Independence and the Constitution of the United States. If desired, the district may expand item #8 below to list these specific requirements.

8. Meet the requirements of Education Code 60040-60043 for specific subject content

Note: Items #9-18 below are **optional** and may be revised to reflect district practice. The district may choose to develop subject-specific criteria as well as general criteria.

9. Support the district'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

 AR 6161.1(e)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

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

Note: 5 CCR 9517.2 sets the following maximum weight standards for each student textbook: three pounds for grades K-4, four pounds for grades 5-8, and five pounds for grades 9-12. 5 CCR 9517.2 requires publishers submitting textbooks to the SBE that exceed those weight standards to provide lighter weight alternatives, such as split volumes or electronic editions, soft cover editions, or other alternate physical formats. For materials for grades 9-12, publishers must disclose the availability of lighter weight alternatives. Item #18 below includes textbook weight as one of the criteria for Board consideration.

18. When available from the publishers, include 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**

Note: Education Code 60002 requires that the district provide for "substantial" teacher involvement in the selection of instructional materials. The following **optional** section is consistent with Education Code 60002 and may be revised to reflect district practice.

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. 1220 - Citizen Advisory Committees)*

 AR 6161.1(f)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

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

**Conflict of Interest**

Note: The following **optional** section is for use by districts that choose to require individuals who will participate in the evaluation process to first complete a disclosure statement which provides an opportunity to disclose any conflict of interest or appearance of conflict of interest.

The following conflict of interest rules are not applicable to "public officials" (including Board members and designated staff) who are subject to the district's conflict of interest code pursuant to the Political Reform Act. Such persons who are making decisions concerning instructional materials must comply with the more stringent conflict of interest requirements described in BB 9270 - Conflict of Interest.

To ensure integrity and impartiality in the evaluation and selection of instructional materials, any district 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:

Note: Education Code 60061 requires publishers to provide instructional materials free of charge within California to the same extent that they provide free materials to other states or school districts; see "Price List of Adopted Instructional Materials" on the CDE web site. However, Education Code 60071 forbids publishers from offering "valuable thing(s)" to a school official for the purpose of influencing the purchase of instructional materials. The CDE's "Instructional Materials FAQ" clarifies that, in accordance with the definition of "technology-based materials" in Education Code 60010, districts may accept electronic equipment necessary to make use of technology-based materials provided that such equipment is used by students and teachers as a learning resource, not to replace computers or related equipment in an existing computer lab or to establish a new computer lab.

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)*

Note: Items # 2-4 below are **optional** and should be modified to reflect district practice.

2. Is not employed by nor receives compensation from the publisher or supplier of the instructional materials, or any person, firm, organization, subsidiary, or controlling entity representing it

 AR 6161.1(g)

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

3. Does not have and 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 district

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