

**Instruction**

**Board Policy No. 6161.1**

**Policy adopted: February 6, 2020**

**Policy Reviewed: January 25, 2024**

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**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, accurately 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, and 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 the accompanying 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 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. Ten days prior to the hearing, the Superintendent or designee shall post a notice in three public places within the district 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,

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including each English learner, has sufficient textbooks and/or other instructional materials that are aligned to the content standards adopted by SBE and consistent with the content and cycles of the curriculum framework 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. World 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 or other instructional materials to use in class and to take home. This does not require that each student have two sets of materials. However, 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 or other instructional materials, the Board shall, by resolution, 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 each student has sufficient materials within two months of the beginning of the school year in which the determination is made. (Education Code 60119)

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**

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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.

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**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

***Legal Reference:***

***State Code:***

*5 CCR 9505-9530 Instructional materials*

***Education Code:***

*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*

*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*

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*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 CSBA 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*

**Cross References**

*0400 Comprehensive Plans*

*0410 Nondiscrimination In District Programs And Activities*

*0415 Equity*

*0440 District Technology Plan*

*0440 District Technology Plan*

*0460 Local Control And Accountability Plan*

*0460 Local Control And Accountability Plan*

*1220 Citizen Advisory Committees*

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*1312.2 Complaints Concerning Instructional Materials*

*1312.2 Complaints Concerning Instructional Materials*

*1312.2-E(1) Complaints Concerning Instructional Materials*

*1312.3 Uniform Complaint Procedures*

*1312.3 Uniform Complaint Procedures*

*1312.3-E(1) Uniform Complaint Procedures*

*1312.3-E(2) Uniform Complaint Procedures*

*1312.4 Williams Uniform Complaint Procedures*

*1312.4-E(1) Williams Uniform Complaint Procedures*

*1312.4-E(2) Williams Uniform Complaint Procedures*

*1325 Advertising And Promotion*

*1340 Access To District Records*

*1340 Access To District Records*

*1700 Relations Between Private Industry And The Schools*

*3220.1 Lottery Funds*

*3270 Sale And Disposal Of Books, Equipment And Supplies*

*3270 Sale And Disposal Of Books, Equipment And Supplies*

*3290 Gifts, Grants And Bequests*

*3311 Bids*

*3311 Bids*

*4136 Nonschool Employment*

*4143 Negotiations/Consultation*

*4236 Nonschool Employment*

*4243 Negotiations/Consultation*

*4331 Staff Development*

*4336 Nonschool Employment*

*5020 Parent Rights And Responsibilities*

*5020 Parent Rights And Responsibilities*

*5145.3 Nondiscrimination/Harassment*

*5145.3 Nondiscrimination/Harassment*

*6000 Concepts And Roles*

*6011 Academic Standards*

*6020 Parent Involvement*

*6020 Parent Involvement*

*6141 Curriculum Development And Evaluation*

*6141 Curriculum Development And Evaluation*

*6142.2 World Language Instruction*

*6142.2 World Language Instruction*

*6142.6 Visual And Performing Arts Education*

*6142.8 Comprehensive Health Education*

*6142.8 Comprehensive Health Education*

*6142.91 Reading/Language Arts Instruction*

*6142.92 Mathematics Instruction*

*6142.93 Science Instruction*

*6142.94 History-Social Science Instruction*

*6143 Courses Of Study*

*6143 Courses Of Study*

*6144 Controversial Issues*

*6146.1 High School Graduation Requirements*

*6161.11 Supplementary Instructional Materials*

*6161.2 Damaged Or Lost Instructional Materials*

*6162.5 Student Assessment*

*6162.6 Use Of Copyrighted Materials*

*6162.6 Use Of Copyrighted Materials*

*6163.1 Library Media Centers*

*6170.1 Transitional Kindergarten*

*6171 Title I Programs*

*6171 Title I Programs*

*6174 Education For English Learners*

*6174 Education For English Learners*

*6190 Evaluation Of The Instructional Program*

*9000 Role Of The Board*

*9270 Conflict Of Interest*

*9270-E(1) Conflict Of Interest*

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*9322 Agenda/Meeting Materials*