

Instruction

Selection and Evaluation of Instructional Materials

The Board of Education desires that District instructional materials, as a whole, present a broad spectrum of knowledge and viewpoints, reflect 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 the State and District content standards and the District's curriculum to ensure that they effectively support the District's adopted course of study.

To ensure that instructional materials effectively support the District's adopted courses of study, the selection of textbooks, technology-based materials, other educational materials, and tests shall be aligned with the development and evaluation of the District's curriculum and standards.

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 at the District office. 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.

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 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)

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)

Public Hearing on Sufficiency of Instructional Materials

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, 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)

BP 6161.1(c)

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.

Complaints

Complaints concerning instructional materials shall be handled in accordance with law, Board policy, and administrative regulation.

(Legal references next page)

Legal Reference:

EDUCATION CODE

220 Prohibition of discrimination
242 Access to information about educational laws and policies regarding right to accurate and inclusive curriculum
243 Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials
1240 County superintendent of schools, duties
18111 Exclusion of books by Governing board that are sectarian, partisan, or denominational character
33050-33053 General waiver authority
33126 School accountability report card
35272 Education and athletic materials
44805 Teacher Enforcement of course of studies; use of textbooks, rules and regulations
48907 Exercise of free expression; time, place and manner rules and regulations
48950 Speech and other communication
49415 Maximum textbook weight standards
51204.5 Social sciences instruction; contributions of specified groups
51501 Nondiscriminatory Subject matter
51511 Religious matters properly included in courses of study
51933 Sexual health education and HIV prevention materials
52060-52077 Local control and accountability plan
60000-60005 Instructional materials, legislative intent
60010 Instructional materials; Definitions
60040-60052 Requirements for instructional materials
60060-60062 Requirements for publishers and manufacturers
60070-60076 Prohibited acts regarding instructional materials
60110-60115 Instructional materials on alcohol and drug education
60119 Sufficiency of textbooks and instructional materials; hearing and resolution
60150 Penalty for insufficiency of textbooks and instructional materials
60200-60213 Elementary school materials
60226 Requirements for publishers and manufacturers
60400-60411 Instructional materials; High schools
60510-60511 Donation or sale of obsolete instructional materials
60605 State-adopted content standards and performance standards in core curricular areas
60605.8 Common Core Standards

HEALTH AND SAFETY CODE

11032 Narcotics, restricted dangerous drugs, and marijuana; definitions

CODE OF REGULATIONS, TITLE 5

9505-9530 Instructional materials

ORANGE UNIFIED SCHOOL DISTRICT

Adopted: (7-88 12-92 3-08) 8-12 7-21 10-21) 12-24

Orange, California