

# CSBA Sample Administrative Regulation

Instruction

AR 6161.1(a)

## SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

### Review Process

Note: The following section may be revised to reflect district practice. Pursuant to Education Code 60002, the district 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."

The **district's review process for evaluating instructional materials shall** involve teachers in a substantial manner and shall encourage the participation of parents/guardians and community members.—( **in accordance with** Education Code 60002). ~~In addition, the instructional materials~~ **The review committee process may also include involve** administrators, other staff who have subject-matter expertise, and students as appropriate. **The Superintendent or designee shall seek input from stakeholders with diverse backgrounds and perspectives.**

*(cf. 6020 - Parent Involvement)*

Note: The following paragraph is for use by districts that maintain any of grades K-8.

If the district chooses to **is considering the use of** instructional materials for grades K-8 that have not been adopted by the **State Board of Education (SBE)**, the Superintendent or designee shall ensure that a majority of the participants in the district's review process are classroom teachers who are assigned to the subject area or grade level of the materials. (Education Code 60210)

Note: The following paragraph is optional. The use of review committees is recommended as a best practice, but is not required by law.

~~Toward that end, he/she~~ **The Superintendent or designee may establish an advisory an instructional materials review committee to evaluate and recommend instructional materials conduct the review of instructional materials.**

*(cf. 1220 - Citizen Advisory Committees)*

**The Superintendent or designee shall present to the Governing Board recommendations for instructional materials and documentation that supports the recommendations.**

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

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

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Note: State Board of Education (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.

**When possible,** ~~the district may pilot instructional materials, using~~ **in** a representative sample of classrooms for a specified period of time during a school year, in order to determine ~~how well~~ **the extent to which** 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.

**Criteria for Selection and Adoption of Instructional Materials**

In recommending ~~textbooks or other~~ instructional materials for adoption by the **Governing Board**, the Superintendent or designee shall ensure that ~~such~~ **the** materials:

1. Are aligned to **the content standards adopted by SBE and consistent with the content and cycles of the curriculum framework adopted by SBE pursuant to Education Code 60605 and/or Common Core Standards adopted pursuant to Education Code 60605.8**

*(cf. 6011 - Academic Standards)*

Note: The following paragraph is for use by districts that offer any of grades K-8. Pursuant to Education Code 60200, ~~the State Board of Education (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 SBE determines that the adoption of instructional materials is necessary or desirable.

Education Code 60210 authorizes the Governing Board to select instructional materials for grades K-8 that have not been approved by SBE, provided they are aligned with state academic content standards **adopted by SBE pursuant to Education Code 60605 or Common Core Standards adopted pursuant to Education Code 60605.8** and have been reviewed through a process that requires a majority of the participants in the process to be classroom teachers who are assigned to the subject area or grade level for which the materials will be used; also see the accompanying Board policy.

For grades K-8, ~~the Superintendent or designee shall select~~ **only** instructional materials ~~from among~~ **on** the list of materials adopted by ~~the~~ SBE and/or other **instructional** materials that have not been adopted by ~~the~~ SBE but are aligned with the state academic content standards ~~and/or~~ the Common Core **State** Standards **may be recommended for selection**. (Education Code 60200, 60210)

*(cf. 6161.11 - Supplementary Instructional Materials)*

Note: The following **optional** paragraph is for use by districts offering any of grades 9-12 and may be revised to reflect district practice. **One way to ensure that instructional materials in core courses for grades 9-12 are aligned to state standards is through a review of standards maps created by the CDE. A template of**

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the standards map is available on the CDE's web site. The California Department of Education provides standards map templates on its web site for reference in determining alignment of instructional materials for grade 9-12 core courses.

For grades 9-12, the Superintendent or designee shall review instructional materials in history-social science, mathematics, English/language arts, and science **shall be reviewed** using a standards map in order to determine the extent to which the materials are aligned to state academic content standards.

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

2. For grades 9-12, are provided by publishers that comply with the requirements of Education Code 60040-60052, 60060-60062, and 60226 (Education Code 60400)

3.2. Do not reflect adversely upon persons because of **any characteristic specified in law and BP 0410 - Nondiscrimination in District Programs and Activities**—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)

4.3. To the satisfaction of the Board, are accurate, objective, current, and suited to the needs and comprehension of district students at their respective grade levels (Education Code 60045)

5.4. With the exception of literature and tradebooks, 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. SBE's publication Standards for Evaluating Instructional Materials for Social Content details standards for the use of brand names and corporate logos in instructional materials.

6.5. Do 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)

- 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.

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- 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, are 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 society as specified. 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 #~~8-6~~ below to list these specific requirements.

~~8.6. Meet the requirements of Education Code 60040-60043 for specific subject content, including, but not limited, accurately portraying society's cultural and racial diversity~~

Note: Items #~~9-18~~ ~~7-14~~ 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.

~~9.7. Support the district's adopted courses of study and curricular goals~~

*(cf. 6141 - Curriculum Development and Evaluation)*  
*(cf. 6142.2 - World/Foreign Language Instruction)*  
*(cf. 6142.8 - Comprehensive Health Education)*  
*(cf. 6142.91 - English Reading/Language Arts Instruction)*  
*(cf. 6142.92 - Mathematics Instruction)*  
*(cf. 6142.93 - Science Instruction)*  
*(cf. 6142.94 - History-Social Science Instruction)*  
*(cf. 6143 - Courses of Study)*  
*(cf. 6146.1 - High School Graduation Requirements)*

~~10.8. Contribute to a comprehensive, balanced curriculum~~

~~11.9. Demonstrate reliable quality of scholarship as evidenced by:~~

- a. Accurate, up-to-date, and well-documented information
- b. Objective presentation of diverse viewpoints

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- c. Clear, concise writing and appropriate vocabulary
  - d. Thorough treatment of subject matter
- 12.10.** Provide for a wide range of materials at all levels of difficulty, with appeal to students of varied interests, abilities, and developmental levels
- 13.11.** ~~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~~
- 15.12.** As appropriate, have corresponding versions available in languages other than English
- 16.13.** 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 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~~ **14** below includes textbook weight as one of the criteria for Board consideration.

- 18.14.** When available, include options for lighter weight materials in order to help minimize any injury to students by the combined weight of instructional materials

**In addition to meeting the above criteria as applicable, technology-based materials shall:**

- 1.** ~~If the materials are technology-based materials, are~~ **Be** both available and comparable to other, equ
- 2.** **Be accessible to all students, including economically disadvantaged students, students with disabilities, and English learners**
- 3.** **Protect the privacy of student data**

*(cf. 6157 - Distance Learning)*

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)**Conflict of Interest**

Note: The following **optional** section is for use by districts that choose to require individuals who will participate in the review 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 **individuals** who **is are** participating in the evaluation of instructional materials and **are** not otherwise designated in the district's conflict of interest code shall sign a disclosure statement indicating that **he/she they**:

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 CDE's web site. However, Education Code 60071 forbids publishers from offering "valuable thing(s)" to school officials for the purpose of influencing the purchase of instructional materials. 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 Will** 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)

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

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

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- 4.3.** Does not have an interest as a contributor, author, editor, or consultant in any textbook or other instructional material submitted to the district

*(cf. 9270 - Conflict of Interest)*