



SELECTION OF *INSTRUCTIONAL* MATERIALS

~~The District Superintendent is responsible for the planning, development, and implementation of procedures for selecting, ordering, and evaluating instructional resource systems in accordance with the provisions of Div. 8 of the Education Code. The Superintendent will provide opportunities for administrators, teachers, students, and community members to be involved in the selection process. The Superintendent shall provide a recommendation to the Board of Education.~~

The Board of Education 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 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 have otherwise been determined to be aligned with the state academic content standards adopted pursuant to Education Code [60605](#) or the Common Core Standards adopted pursuant to Education Code [60605.8](#). (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 administrative regulation. (Education Code [60400](#))

Review Process

The Superintendent or designee shall establish a process by which instructional materials shall be reviewed for recommendation to the Board. Toward that end, he/she may establish an instructional materials review committee to evaluate and recommend instructional materials.

The review process shall involve teachers in a substantial manner and shall

encourage the participation of parents/guardians and community members. (Education Code [60002](#))

In addition, the instructional materials review committee may include administrators, other staff who have subject-matter expertise, and students as appropriate.

If the district chooses to use instructional materials for grades K-8 that have not been adopted by the 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](#))

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.

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

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

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

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](#)) 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 or

instructional materials which are aligned to the state content standards adopted pursuant to Education Code [60605](#) or the Common Core Standards adopted pursuant to Education Code [60605.8](#) and which are consistent with the content and cycles of the state's curriculum frameworks. Sufficiency of instructional materials shall be determined 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. Foreign 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 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](#))

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](#) and [60119](#). (Education Code [1240.3](#), 42605)

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](#))

If the Board determines that there are insufficient textbooks or instructional materials, it 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 or instructional materials in each subject area and the reasons that each student does not have sufficient textbooks 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](#))

Complaints

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

Legal Reference:

EDUCATION CODE

[220](#) *Prohibition against discrimination*

[35272](#) *Education and athletic materials*

[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*

[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*

[60200-60210](#) *Elementary school materials*

[60226](#) *Requirements for publishers and manufacturers*

[60350-60352](#) *Core reading program instructional materials*

[60605.86-60605.88](#) *Supplemental instructional materials aligned with Common Core Standards*

CODE OF REGULATIONS, TITLE 5

[9505-9530](#) *Instructional materials*

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