

**DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION**

BOARD POLICY 6161: EQUIPMENT, BOOKS AND MATERIALS

The Governing Board recognizes that student learning is enhanced when students have access to high-quality textbooks, equipment and other instructional materials for each of the subjects they are studying. To adequately support the Board-approved curriculum, instructional materials also should be up to date.

The Superintendent or designee shall develop procedures for determining the sufficiency of district instructional materials in providing accurate, current information and ensuring that students have access to standards-based materials. When new instructional materials have been chosen in accordance with the district's selection and evaluation policy, the Board shall make final decisions regarding their purchase.

Legal Reference:

EDUCATION CODE

60010 Definitions

60040-60047 Instructional requirements and materials

60119 Public hearing on sufficiency of materials

60200-60206 Elementary school materials

60240-60252 State Instructional Materials Fund

60400-60411 High school textbooks

60420-60424 Instructional Materials Funding Realignment Program

CALIFORNIA CODE OF REGULATIONS, TITLE 5

9505-9550 Instructional materials

9531-9532 Instructional Materials Funding Realignment Program

Management Resources:

WEB SITES

CDE, Curriculum Frameworks and Instructional Resources Division: <http://www.cde.ca.gov/cfir>

**DEL MAR UNION SCHOOL DISTRICT
INSTRUCTION**

BOARD POLICY 6161.1:

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, reflect the diversity of our society, and enhance the use of multiple teaching strategies and technologies. The Board's adoption of instructional materials shall be based on a determination that such materials are aligned with the state content standards, meet other criteria specified in law, and are an effective learning resource to help students achieve grade-level competency.

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.

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

In accordance with the Instructional Materials Funding Realignment Program, the Board's priority in the selection of instructional materials is to ensure that all students in grades K-6 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.

When the Board determines that standards-aligned textbooks and instructional materials have been provided to all students in accordance with Education Code 60422, it shall so certify. A copy of the certification shall be kept on file in the district.

The Superintendent or designee shall ensure that the district satisfies the criteria necessary to access funds under the state's Pupil Textbook and Instructional Materials Incentive Account pursuant to Education Code 60252.

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. Pilot materials are made available to teachers, parents, students and other staff for review. Feedback 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 instructional materials. At these hearings, the Board shall determine, through a resolution, whether each student in each school has sufficient textbooks and/or instructional materials that are aligned to the state content standards adopted pursuant to Education Code 60605 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

The hearing shall take place 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. The Superintendent or designee shall post, 10 days prior to the hearing and in three public places within the district as well as at each school site, 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)

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 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 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:

EDUCATION CODE

1240 County superintendent, general duties
33126 School accountability report card
35272 Education and athletic materials
44805 Enforcement of course of studies; use of textbooks, rules and regulations
49415 Maximum textbook weight
51501 Subject matter reflecting on race, color, etc.
60000-60005 Instructional materials, legislative intent
60010 Definitions
60040-60048 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 of sale of obsolete instructional materials
60605 State content standards

CODE OF REGULATIONS, TITLE 5

9505-9535 Instructional materials, especially:
9531-9532 Instructional Materials Funding Realignment Program

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PROGRAM ADVISORIES

1002.90 Selection of Instructional Materials, CIL: 90/91-02

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Standards for Evaluation of Instructional Materials with Respect to Social Content, 1986 edition, revised 2001

STATE BOARD OF EDUCATION POLICY

01-05 Guidelines for Piloting Textbooks and Instructional Materials, September 2001

CSBA PUBLICATIONS

Maximizing School Board Leadership: Student Learning and Achievement, 1996

WEB SITES

CSBA: <http://www.csba.org>

Association of American Publishers: <http://www.publishers.org>

California Department of Education: <http://www.cde.ca.gov>

California State Board of Education: <http://www.cde.ca.gov/be>

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**DEL MAR UNION SCHOOL DISTRICT
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ADMINISTRATIVE REGULATION TO BOARD POLICY 6161.1:
SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

Instructional Materials Funding Realignment Program

The district shall use state funds received under the Instructional Materials Funding Realignment Program to ensure that each student is provided with standards-aligned textbooks or instructional materials in the core curriculum areas of reading/language arts, mathematics, science, and history/social science. (Education Code 60422)

Instructional materials for grades K-6 shall be selected from the list of standards-aligned materials adopted by the State Board of Education (SBE). 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 60422)

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:

1. For basic instructional materials in grades K-6, be selected from among the list of materials approved by the SBE in accordance with law (Education Code 60200)
2. Not reflect adversely upon persons because of their race, color, creed, national origin, ancestry, sex, disability, or occupation, or contain any sectarian or denominational doctrine or propaganda contrary to law (Education Code 60044)
3. 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)
4. With the exception of literature and trade books, use proper grammar and spelling (Education Code 60045)
5. Not provide any exposure 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 60200, 60048)

- 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.
6. Meet the requirements of Education Code 60040-60043 for specific subject content
 7. Support the district's adopted curriculum and curricular goals
 8. Contribute to a comprehensive, balanced curriculum
 9. 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
 - d. Thorough treatment of subject
 10. Provide for a wide range of materials at all levels of difficulty, with appeal to students of varied interests, abilities, and developmental levels
 11. Include materials that stimulate discussion of contemporary issues and improve students' thinking and decision-making skills
 12. Contribute to the proper articulation of instruction through grade levels
 13. As appropriate, have corresponding versions available in languages other than English
 14. Include high-quality teacher's guides
 15. Meet high publishing standards in terms of the quality, durability, and appearance of paper, binding, text, and graphics
 16. When available from the publishers, include options for lighter weight materials in order to help minimize the damage to students by the combined weight of instructional materials

Instructional Materials Evaluation Committee (Curriculum Leadership Committees)

The Superintendent or designee shall establish an instructional materials evaluation committee to evaluate and recommend instructional materials for Board approval. This committee shall consist of a majority of teachers and may also include administrators, other staff who have subject-matter expertise, parents/guardians, community members, and students as appropriate.

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

To ensure integrity and impartiality in the evaluation and selection of instructional materials, any district employee participating in the evaluation of instructional materials shall not:

1. 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)

2. Be employed by or receive compensation from any person, firm, organization, or any of its subsidiaries or controlling entities submitting instructional materials to the district
3. Have or negotiate a contractual relationship with any person, firm, or organization or any of its subsidiaries or controlling entities submitting instructional materials to the district
4. 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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BOARD POLICY 6161.11: SUPPLEMENTARY INSTRUCTIONAL MATERIALS

The Governing Board encourages teachers to use supplementary instructional materials, which are relevant to curriculum objectives and compatible with district goals and objectives. By using such materials, teachers can introduce content and instructional strategies that enrich the curriculum, enhance learning, help students make critical judgments, and stimulate their intellectual growth.

Teachers shall carefully preview all supplementary instructional materials in order to ensure that, in their professional judgment, the materials are:

1. Directly related to the grade level academic standards in which they are being used
2. Appropriate for students' ages and maturity levels

Supplementary instructional materials must also be consistent with criteria developed for the selection and evaluation of other instructional materials. If the teacher believes that the materials may be in conflict with district criteria, the teacher shall confer with the principal or designee before using them.

When using supplementary materials, teachers shall provide appropriate introductory and follow-up activities. In addition, teachers shall ensure that supplementary materials do not supplant the use of basic texts or teaching activities.

All materials must be used within legal copyright limits.

Visual Media

When a teacher desires to show a video that has not been approved by the district or county for use in the grade level taught, the teacher shall preview the video to determine whether in his/her professional judgment it is consistent with district criteria for the selection of instructional materials. All visual media must be appropriate for the curriculum and the students' ages.

If the teacher has any questions about how established district criteria apply to the visual media, he/she shall confer with the principal or designee before showing the film.

Legal Reference:

EDUCATION CODE

233.5 Duty re instruction in morals, manners and citizenship

18111 Exclusion of books by governing board

51510 Prohibited study or supplemental materials

51511 Religious matters properly included

51933 Sex education materials

60010 Definitions

COURT DECISIONS

McCarthy v. Fletcher, (1989) 207 Cal. App. 3d 130

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BOARD POLICY 6161.2: DAMAGED OR LOST INSTRUCTIONAL MATERIALS

The Governing Board recognizes that instructional materials are an expensive resource. The Superintendent or designee may establish procedures in accordance with law to protect instructional materials from damage or loss.

Instructional materials provided for use by students remain the property of the district. Students are responsible for returning borrowed materials in good condition, with no more wear and tear than usually results from normal use.

When materials are lost or so damaged that they are no longer usable, the student shall be responsible for reparation equal to the current replacement cost of the materials. When materials are damaged but still usable, the Superintendent or designee shall determine a lesser charge.

If it can be demonstrated to the Superintendent or designee's satisfaction that the student has taken all reasonable precautions to safeguard instructional materials issued to him/her, the Superintendent or designee may excuse the student/parent/guardian from payment of reparation.

Legal Reference:

EDUCATION CODE

48904 Willful misconduct; limit of liability of parent or guardian

48904.3 Withholding grades, diplomas or transcripts of pupils causing property damage or injury; transfer of pupils to new school districts; notice to rescind decision to withhold

60411 Purchase and use; property of district

CODE OF REGULATIONS, TITLE 5

305 Pupil responsible for care of property

**DEL MAR UNION SCHOOL DISTRICT
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BOARD POLICY 6161.3: TOXIC ART SUPPLIES

The Governing Board recognizes its responsibility to protect the health and safety of students in the selection of materials used for instruction in arts and crafts activities.

The Superintendent or designee shall develop procedures for the purchase, use and proper disposal of arts and crafts materials, which ensure that the health and safety of students is protected from harmful exposure to toxic substances in accordance with Education Code 32064 and established health standards.

The Superintendent or designee shall ensure that arts and crafts material purchased for use by students in grades K-6 will not contain toxic substances or cause chronic illness as determined by the State Department of Health Services.

Legal Reference:

EDUCATION CODE

- 32060 Legislative findings and declarations
- 32061 Art or craft material; definition
- 32062 Human carcinogen; definition
- 32063 Toxic substance causing chronic illness; definition
- 32064 Restrictions on purchases of arts and crafts materials
- 32065 Warning labels
- 32066 List of toxic art supplies; preparation and distribution

HEALTH AND SAFETY CODE

- 108500-108515 Labeling of arts and crafts materials

PENAL CODE

- 594.1 Aerosol containers of paint

Management Resources:

CDE PROGRAM ADVISORIES:

- 0712.94 Toxic Art Supplies List of Approved Products CIL : 94/95-01