

# **SDUHSD Board Meeting – June 13, 2024**

## **Board Agenda Item 10-C Adoption of Adoption of New and Revised Board Policies and Administrative Regulations / Series 1000 and 6000**

### **Discussion Document – Trustee Michael Allman**

- (1) Board Policy 1312.2 - Complaints Concerning Instructional Materials – Redline
- (2) Footnotes to BP 1312.2 Redline
- (3) Administrative Regulation 1312.2 – Complaints Concerning Instructional Materials - Redline
- (4) Footnotes to AR 1312.2 Redline
- (5) Exhibit 1312.2-E – Request for Reconsideration of Existing Instructional Materials
- (6) Board Policy 6161.11 – Supplementary Instructional Materials - Redline
- (7) Footnotes to BP 6161.11 Redline
- (8) Ed Code Sections 60000, 60002, 60010, and 60400

# San Dieguito Union High School District

## Complaints Concerning Instructional Materials

BP 1312.2

### Community Relations

The Governing Board uses a comprehensive process to adopt district instructional materials that is based on selection criteria established by law and Board policy and includes opportunities for the involvement of district staff, parents/guardians, educational rights holders, and community members, and, as appropriate, students. Complaints concerning the content or use of instructional materials, including textbooks, supplementary instructional materials, library materials, or other instructional materials and equipment, shall be properly and fairly considered using established complaint procedures approved by the Board (1).

Parents/guardians/educational rights holders are encouraged, but not required (2), to discuss any concerns regarding instructional materials with their child's teacher and then with the school principal. If the situation remains unresolved, a complaint may be filed using the process specified in the accompanying administrative regulation and exhibit.

The district shall accept complaints concerning instructional materials only from staff, district residents, or the parents/guardians/educational rights holders of children enrolled in a district school. (Education Code 35160) [Is this the right Education Code reference? (3)]

However, a complaint related to the use or prohibited use of any existing textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library that alleges unlawful discrimination based on a violation of Education Code 243 shall be filed, investigated, and resolved in accordance with Board Policy 1312.3 - Uniform Complaint Procedures.

When deliberating upon challenged materials, the Superintendent, or any designee or committee established by the Superintendent to review the materials, shall consider the degree to which the materials aligned with the criteria for instructional materials as specified in law, Board policy, and administrative regulation. In addition, such deliberations may consider the educational philosophy and vision of the district; the educational suitability of the materials including the manner in which the materials support the curriculum and appropriateness for the student's age; the professional opinions of teachers of the subject and of other competent authorities and/or experts; reviews of the materials by reputable bodies; the stated objectives in using the materials; community standards; the allegations in the complaint, including the extent to which the objections are based on the dislike of ideas contained in the materials; and the impact that keeping or removing the materials would have on student well-being.

The Superintendent, or any designee or committee established by the Superintendent to review the materials, shall not prohibit the continued use of an appropriately adopted textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library on the basis that it contains inclusive and/or diverse perspectives, as specified in Education Code 243.

If the complainant finds the Superintendent's or review committee's decision unsatisfactory, the complainant may appeal the decision to the Board.

Any challenged instructional material that is reviewed by the district shall not be subject to further reconsideration for 12 months, unless required by law or as determined by the Board (4).

Complaints related to the sufficiency of textbooks or instructional materials shall be resolved as specified in Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures.

<b>State</b>	<b>Description</b>
5 CCR 4600-4670	<u>Uniform complaint procedures</u>
Ed. Code 1240	<u>County superintendent of schools; duties</u>
Ed. Code 18111	<u>Exclusion of books by Governing board that are sectarian, partisan, or denominational character</u>
Ed. Code 220	<u>Prohibition of discrimination</u>
Ed. Code 242	<u>Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</u>
Ed. Code 243	<u>Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</u>
Ed. Code 35010	<u>Control of district; prescription and enforcement of rules</u>
Ed. Code 35160	<u>Powers and duties of school boards</u>
Ed. Code 35186	<u>Williams uniform complaint procedures</u>
Ed. Code 44805	<u>Teacher enforcement of course of studies; use of textbooks, rules and regulations</u>
Ed. Code 48907	<u>Exercise of free expression; time, place and manner rules and regulations</u>
Ed. Code 48950	<u>Speech and other communication</u>
Ed. Code 51204.5	<u>Social sciences instruction; contributions of specified groups</u>
Ed. Code 51501	<u>Nondiscriminatory subject matter</u>
Ed. Code 51511	<u>Religious matters properly included in courses of study</u>
Ed. Code 51933	<u>Sexual health education and HIV prevention materials</u>
Ed. Code 60000-60005	<u>Instructional materials; legislative intent</u>
Ed. Code 60040-60052	<u>Requirements for instructional materials</u>
Ed. Code 60119	<u>Public hearing on sufficiency of textbooks and instructional materials</u>
Ed. Code 60200-60213	<u>Elementary school materials</u>
Ed. Code 60226	<u>Requirements for publishers and manufacturers</u>
Ed. Code 60400-60411	<u>High school textbooks and instructional materials</u>
Ed. Code 60510-60511	<u>Donation or sale of obsolete instructional materials</u>
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<u>Instructional Materials, FAQ</u>
California Department of Education Publication	<u>Standards for Evaluating Instructional Materials for Social Content, 2013</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Department of Justice</u>
Website	<u>California Department of Education, Curriculum and Instruction Resources</u>
Website	<u>CSBA</u>
Website	<u>U.S. Department of Education, Office for Civil Rights</u>

**Board (proposed) Adopted:**

## **BP 1312.2 Footnotes**

- (1) Making it clear that the Board needs to approve the existing complaint procedures and any changes to the complaint procedures. The District administration does not have the authority to change how we handle complaints without Board approval.
- (2) Making it clear that parents are encouraged to speak with the teacher and the principal, but if they feel uncomfortable doing so, they may file a formal complaint or may access the Ombudsman.
- (3) Is this the right Ed Code reference? Ed Code 25260 is as follows.

35160. On and after January 1, 1976, the governing board of any school district may initiate and carry on any program, activity, or may otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which school districts are established.

- (4) Making it clear that the Board can revisit its own decisions, if it chooses to do so.

# San Dieguito Union High School District

## Complaints Concerning Instructional Materials

AR 1312.2

### Community Relations

#### Step 1: Informal Complaint

If a staff member, district resident, parent/guardian, or educational rights holder of a student enrolled in a district school has a complaint regarding the content or use of any specific instructional material, such individual shall be encouraged to informally discuss the material in question with the classroom teacher of record. If after meeting with the teacher of record, the complainant is not satisfied with the outcome, they shall be encouraged to informally discuss the material in question with the school site principal. The Director of Community Resolution and Outreach may also be contacted.

#### Step 2: Formal Complaint

If the complainant is not satisfied with the principal's initial response, the complainant shall present a written complaint to the ~~principal~~ Superintendent or Ombudsman (1). ~~Complaints regarding printed material shall name the author, title, and publisher and shall identify the objection by page and item numbers. In the case of non-printed material, written information specifying the precise nature of the objection and location of such material shall be given. In order for the district to reply appropriately, complainants shall sign all complaints and provide identifying information. (2) Anonymous complaints will not be accepted. (3)~~

Upon receiving a complaint, the Superintendent or Ombudsman ~~principal~~ shall provide the complainant with a written acknowledgment of its receipt and respond to any procedural questions the complainant may have. ~~The principal shall then notify the Superintendent or designee, the teacher(s), and other staff including, but not limited to the Director of Community Resolution and Outreach as appropriate.~~

During the investigation of the complaint, the use of the challenged material may be suspended until a final decision has been made.

#### Step 3: Review Committee (4)

~~The Superintendent or designee shall determine whether to convene a review committee to review the complaint.~~

~~If the Superintendent or designee determines that a review committee is necessary, the Superintendent or designee shall appoint a committee composed of administrators and staff members selected from relevant instructional and administrative areas. The Superintendent or designee may also appoint parents/guardians, educational rights holders, students, and community members, as appropriate, to serve on the committee.~~

~~The Superintendent or designee may provide training to the review committee to ensure that the review committee is informed regarding its responsibilities, the criteria to follow when reviewing instructional materials, and applicable laws, Board policy(ies), and administrative regulation(s).~~

~~Within 30 days of being convened, the review committee shall summarize its findings in a written report. The Superintendent or designee shall notify the complainant in writing of the committee's decision within 15 days of receiving the committee's report.~~

#### Step 4 Step 3: Superintendent Determination

~~If the Superintendent or designee determines that a review committee is not necessary, the Superintendent or designee shall, in a timely manner, issue a decision regarding the complaint.~~

As soon as practical but within no more than 15 days, the Superintendent or designee will issue a decision regarding a complaint.

## Step 45: Appeal to the Governing Board

If the complainant remains unsatisfied, the complainant may appeal the Superintendent's ~~or review committee's~~ decision to the Board. The Board's decision shall be final.

State	Description
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 18111	<u>Exclusion of books by Governing board that are sectarian, partisan, or denominational character</u>
Ed. Code 220	<u>Prohibition of discrimination</u>
Ed. Code 242	<u>Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</u>
Ed. Code 243	<u>Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</u>
Ed. Code 35010	<u>Control of district; prescription and enforcement of rules</u>
Ed. Code 35160	<u>Powers and duties of school boards</u>
Ed. Code 35186	<u>Williams uniform complaint procedures</u>
Ed. Code 44805	<u>Teacher enforcement of course of studies; use of textbooks, rules and regulations</u>
Ed. Code 48907	<u>Exercise of free expression; time, place and manner rules and regulations</u>
Ed. Code 48950	<u>Speech and other communication</u>
Ed. Code 51204.5	<u>Social sciences instruction; contributions of specified groups</u>
Ed. Code 51501	<u>Nondiscriminatory subject matter</u>
Ed. Code 51511	<u>Religious matters properly included in courses of study</u>
Ed. Code 51933	<u>Sexual health education and HIV prevention materials</u>
Ed. Code 60000-60005	<u>Instructional materials; legislative intent</u>
Ed. Code 60040-60052	<u>Requirements for instructional materials</u>
Ed. Code 60119	<u>Public hearing on sufficiency of textbooks and instructional materials</u>
Ed. Code 60200-60213	<u>Elementary school materials</u>
Ed. Code 60226	<u>Requirements for publishers and manufacturers</u>
Ed. Code 60400-60411	<u>High school textbooks and instructional materials</u>
Ed. Code 60510-60511	<u>Donation or sale of obsolete instructional materials</u>
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	<u>Instructional Materials, FAQ</u>
California Department of Education Publication	<u>Standards for Evaluating Instructional Materials for Social Content, 2013</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Department of Justice</u>
Website	<u>California Department of Education, Curriculum and Instruction Resources</u>
Website	<u>CSBA</u>
Website	<u>U.S. Department of Education, Office for Civil Rights</u>

**Board (proposed) Adopted:**

## AR 1312.2 Footnotes

- (1) It doesn't make sense that if a complainant is not satisfied with the principal's initial response they should submit a written complaint to the principal. The written complaint should go to someone in District Administration (the Superintendent or someone on their staff) or to the Ombudsman. An important role of the Ombudsman is be an advocate for parents, students, or members of the community if they have issues where they need help.
- (2) We are being way too bureaucratic in specifying all this detail. The complainant can simply complete a form as best we can, and the Ombudsman can always reach out for more details if necessary.
- (3) Complainants can be encouraged to provide their names, and there will be examples where it is more difficult (or perhaps impossible) to adequately investigate a complaint if it is not anonymous.

However, we should not refuse to take an anonymous complaint, and some complaints are easily investigated and do not need a complainant.

One recent example is the showing of the video "This is America" by Childish Gambino in High School English Class. The District was advised of the school, the class, and the teacher who showed the video, and after an investigation the Superintendent concluded that the video was not appropriate. In this case it is clearly not necessary to have a named complainant. A simple investigation can be conducted to determine if the content was actually used in the classroom, and if so if it is deemed appropriate or not by the Administration. There is no need to know who complained.

On the other hand, there are many instances where a parent, student, or community member will not file a complaint if they know it will not be confidential. We should be open to addressing potential issues and improving our performance, and should not as a matter of policy simply refuse to accept confidential complaints.

- (4) It should be left to the Superintendent to decide how they want to investigate any particular complaint. If the Superintendent wants to create a formal review team, or if they want to investigate a complaint themselves, or if they want to involve the Ombudsman, that should be their decision. There is no need to over-specify a procedure as part of an Administrative Regulation.

# San Dieguito Union High School District

## Request for Reconsideration of Existing Instructional Materials

Exhibit 1312.2-E

### Community Relations

This form is only for use by district employees, district residents, or parents/guardians/educational rights holders of children enrolled in a district school to challenge the content or use of any existing textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library.

Date: \_\_\_\_\_

Name of person filing  
complaint: \_\_\_\_\_

**Anonymous complaints will not be accepted.**

Group represented (if any): \_\_\_\_\_

Phone: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Address: \_\_\_\_\_

### Instructional Material Being Challenged:

Describe the materials with as much information as you can (Book name, video, etc.) and what you find objectionable.

Title: \_\_\_\_\_

Author: \_\_\_\_\_

Publisher: \_\_\_\_\_

Date of Edition: \_\_\_\_\_

Name of school/classroom instructional material was  
used: \_\_\_\_\_

1. *Have you discussed your concerns regarding instructional materials with your student's teacher? If so, what was the outcome of that conversation?*

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2. *Have you discussed your concerns regarding instructional materials with the school Principal? If so, what was the outcome of that conversation?*



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3. ~~Please specifically state the nature of your concern or objection and identify your objection by page, website, webpage and/or link, recording or digital sequence, video frame, or words, as appropriate. You may use additional pages if necessary.~~

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4. ~~Was the instructional material of concern read/heard/viewed in isolation or was the entire selection read/heard/viewed? If the entire selection was not read/heard/viewed, what is your estimate regarding the percentage of the amount read/heard/viewed?~~

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5. ~~What is your concern regarding the consequence if a student reads/hears/views the instructional material? In your assessment, is the instructional material appropriate for the age of the students being taught?~~

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6.3. What would you like the school to do about the instructional material?

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Signature of complainant \_\_\_\_\_

**For District Use:**

Request received by: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Action taken: \_\_\_\_\_

Date: \_\_\_\_\_

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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.

**State**

5 CCR 4600-4670

Ed. Code 1240

Ed. Code 18111

Ed. Code 220

Ed. Code 242

Ed. Code 243

Ed. Code 35010

Ed. Code 35160

Ed. Code 35186

Ed. Code 44805

Ed. Code 48907

Ed. Code 48950

Ed. Code 51204.5

Ed. Code 51501

Ed. Code 51511

Ed. Code 51933

Ed. Code 60000-60005

Ed. Code 60040-60052

Ed. Code 60119

Ed. Code 60200-60213

Ed. Code 60226

Ed. Code 60400-60411

Ed. Code 60510-60511

**Description**

Uniform complaint procedures

County superintendent of schools; duties

Exclusion of books by Governing board that are sectarian, partisan, or denominational character

Prohibition of discrimination

Access to information about educational laws and policies regarding right to accurate and inclusive curriculum

Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials

Control of district; prescription and enforcement of rules

Powers and duties of school boards

Williams uniform complaint procedures

Teacher enforcement of course of studies; use of textbooks, rules and regulations

Exercise of free expression; time, place and manner rules and regulations

Speech and other communication

Social sciences instruction; contributions of specified groups

Nondiscriminatory subject matter

Religious matters properly included in courses of study

Sexual health education and HIV prevention materials

Instructional materials; legislative intent

Requirements for instructional materials

Public hearing on sufficiency of textbooks and instructional materials

Elementary school materials

Requirements for publishers and manufacturers

High school textbooks and instructional materials

Donation or sale of obsolete instructional materials

**Management Resources**

Website

Website

Website

Website

Website

**Description**

CSBA District and County Office of Education Legal Services

Department of Justice

California Department of Education, Curriculum and Instruction Resources

CSBA

U.S. Department of Education, Office for Civil Rights

**Board (proposed) Adopted:**

# San Dieguito Union High School District

## Supplementary Instructional Materials

BP 6161.11

### Instruction

The Governing Board encourages the use of supplementary instructional materials to enrich the curriculum and enhance student learning. Such materials shall be aligned with district goals, curriculum objectives, and academic standards and shall supplement and not supplant the use of Board-adopted basic instructional materials that serve as the primary learning resources.

Supplementary instructional materials include, but are not limited to, instructional materials that are designed to serve one or more of the following purposes: (Education Code 60010)

- To provide more complete coverage of one or more subjects included in a given course
- To provide for meeting the various learning ability levels of students in a given age group or grade level
- To provide for meeting the diverse educational needs of students with a language disability in a given age group or grade level
- To provide for meeting the diverse educational needs of students reflective of a condition of cultural pluralism
- To use current, relevant technology that further engages interactive learning in the classroom and beyond

Supplementary materials may be selected by the Superintendent of designee, school administrators, or teachers, as applicable, and must be approved by the principal in their role as the site-based educational leader. (1). Supplementary materials may be and obtained through donations to the district and/or available funding sources designated for these purposes, subject to Board approval or ratification. (2)

The use of any supplemental instructional material 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)

As appropriate, supplementary instructional materials shall meet the criteria developed for the selection and evaluation of basic instructional materials as described in AR 6161.1 - Selection and Evaluation of Instructional Materials.

Supplementary instructional materials shall be directly related to the course of study in which they are being used and shall be appropriate for the age and maturity level of the students.

The use or reproduction of supplementary instructional materials shall be in accordance with federal copyright law.

### Appropriateness of Materials

Whenever a district employee proposes to use a supplementary resource which is not included in the approved learning resources of the district, the employee shall preview the material to determine whether, in the employee's professional judgment, it is appropriate for the grade level taught and is consistent with district criteria for the selection of supplementary instructional materials.

The employee shall confer with the Superintendent or designee as necessary to determine the compliance of the material with district criteria. The primary considerations should be the educational value, factual accuracy, appropriateness, including whether the material contains pervasive vulgarity or profanity, and relevance of the materials, as well as the ages and maturity of the students.

The Superintendent or designee may provide training to administrators and teachers in the selection and evaluation of supplementary instructional materials, including the criteria to be utilized and applicable legal considerations.

## Complaints

Complaints concerning supplemental instructional materials shall be handled in accordance with Board Policy 1312.2 - Complaints Concerning Instructional Materials and Board Policy 1312.3 - Uniform Complaint Procedures, as applicable.

State	Description
5 CCR 4600-4670	Uniform complaint procedures
Ed. Code 18111	<u>Exclusion of books by Governing board that are sectarian, partisan, or denominational character</u>
Ed. Code 220	<u>Prohibition of discrimination</u>
Ed. Code 233.5	<u>Teaching of principles</u>
Ed. Code 242	<u>Access to information about educational laws and policies regarding right to accurate and inclusive curriculum</u>
Ed. Code 243	<u>Unlawful discrimination related to the use or prohibited use of textbooks and instructional materials</u>
Ed. Code 48907	<u>Exercise of free expression; time, place and manner rules and regulations</u>
Ed. Code 48950	<u>Speech and other communication</u>
Ed. Code 51204.5	<u>Social sciences instruction; contributions of specified groups</u>
Ed. Code 51501	<u>Nondiscriminatory subject matter</u>
Ed. Code 51510	<u>Prohibited study or supplemental materials</u>
Ed. Code 51511	<u>Religious matters properly included in courses of study</u>
Ed. Code 51933	<u>Sexual health education and HIV prevention materials</u>
Ed. Code 60000-60005	<u>Instructional materials; legislative intent</u>
Ed. Code 60010	<u>Instructional materials; definition</u>
Ed. Code 60040-60052	<u>Requirements for instructional materials</u>
Ed. Code 60060-60063.5	<u>Requirements for publishers and manufacturers</u>
Ed. Code 60200-60213	<u>Elementary school materials</u>
Ed. Code 60226	<u>Requirements for publishers and manufacturers</u>
Ed. Code 60400-60411	<u>Instructional materials; high schools</u>
Ed. Code 60605	<u>State-adopted content and performance standards in core curricular areas</u>
Ed. Code 60605.8	<u>Common Core standards</u>
Ed. Code 60811.3	<u>English language development standards</u>
<b>Management Resources</b>	<b>Description</b>
California Department of Education	<u>Standards for Evaluating Instructional Materials for Social</u>
Court Decision	<u>Fowler v. Board of Education of Lincoln County (1987) 819 F.2d 657</u>
Court Decision	<u>McCarthy v. Fletcher (1989) 207 Cal. App. 3d 130</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>Department of Justice</u>
Website	<u>US Department of Education, Office for Civil Rights</u>
Website	<u>California Department of Education</u>
Website	<u>CSBA</u>

## Board (Proposed) Adopted:

## **BP 6161.11 Footnotes**

- (1) The principals are the site-based educational leaders and should understand and approve all the materials used in their classrooms.
- (2) The Board is required to approve and accept all donations, and is required to approve or ratify all expenditures.

## District Adoption of Instructional Materials

1. Education Code requires that the governing board adopt instructional materials

**Ed Code 60000** – “... the governing boards of school districts ... must have the ability to choose instructional materials that are appropriate to their courses of study.”

**Ed Code 60400** – “The governing board of each school district ... shall adopt instructional materials for use in the high schools under its control.”

2. Instructional Materials is all materials, and Supplementary Materials are Instructional Materials. All of these need to be approved by the Board.

### **Ed Code 60010**

(h) **Instructional materials” means all materials** that are designed for use by pupils and their teachers as a learning resource and help pupils to acquire facts, skills, or opinions or to develop cognitive processes. Instructional materials may be printed or nonprinted, and may include textbooks, technology-based materials, other educational materials, and tests.

(l) **“Supplementary instructional materials” means instructional materials** designed to serve, but not be limited to, one or more of the following purposes, for a given subject, at a given grade level:

- (1) To provide more complete coverage of a subject or subjects included in a given course.
- (2) To provide for meeting the various learning ability levels of pupils in a given age group or grade level.
- (3) To provide for meeting the diverse educational needs of pupils with a language disability in a given age group or grade level.
- (4) To provide for meeting the diverse educational needs of pupils reflective of a condition of cultural pluralism.
- (5) To use current, relevant technology that further engages interactive learning in the classroom and beyond

3. Members of our community need to be involved in the selection of instructional materials.

### **EC Section 60002**

“Each district board shall provide for substantial teacher involvement in the selection of instructional materials and shall promote the involvement of parents and other members of the community in the selection of instructional materials.”

## California Code, Education Code - EDC § 60000

(a) It is the intent and purpose of the Legislature in enacting this part to provide for the adoption and selection of quality instructional materials for use in the elementary and secondary schools.

(b) The Legislature hereby recognizes that, because of the common needs and interests of the citizens of this state and the nation, there is a need to establish broad minimum standards and general educational guidelines for the selection of instructional materials for the public schools, but that because of economic, geographic, physical, political, educational, and social diversity, specific choices about instructional materials need to be made at the local level.

(c) The Legislature further recognizes that the governing boards of school districts have the responsibility to establish courses of study and that they must have the ability to choose instructional materials that are appropriate to their courses of study.

## California Code, Education Code - EDC § 60002

Each district board shall provide for substantial teacher involvement in the selection of instructional materials and shall promote the involvement of parents and other members of the community in the selection of instructional materials.

## California Code, Education Code - EDC § 60010

For purposes of this part, the following terms have the following meanings unless the context in which they appear clearly requires otherwise:

(a) “Basic instructional materials” means instructional materials that are designed for use by pupils as a principal learning resource and that meet in organization and content the basic requirements of the intended course.

(b) “Commission” means the Instructional Quality Commission.

(c) “Curriculum framework” means an outline of the components of a given course of study designed to provide state direction to school districts in the provision of instructional programs.

(d) “District board” means the board of education or governing board of a county, city and county, city, or other district that has the duty to provide for the education of the children in its county, city and county, city, or district.

(e) “Elementary school” means all public schools in which instruction is given through grade 8 or in any one or more of those grades.

(f) “Governing boards” means the state board and any one or more district boards.

(g) “High school” means all public schools other than elementary schools in which instruction is given through grade 12, or in any one or more of those grades.

(h) “**Instructional materials**” means all materials that are designed for use by pupils and their teachers as a learning resource and help pupils to acquire facts, skills, or opinions or to develop cognitive processes. Instructional materials may be printed or nonprinted, and may include textbooks, technology-based materials, other educational materials, and tests.

(i) “Nonpublic school” means a school that both satisfies the requirements of [Section 48222](#), and is exempt from taxation under [Section 214 of the Revenue and Taxation Code](#).

(j) “School official” means a member of a governing board, a city, county, city and county, or district superintendent of schools, and a principal, teacher, or other employee under their charge.

(k) “State board” means the State Board of Education.

(l) “**Supplementary instructional materials**” means instructional materials designed to serve, but not be limited to, one or more of the following purposes, for a given subject, at a given grade level:

(1) To provide more complete coverage of a subject or subjects included in a given course.

(2) To provide for meeting the various learning ability levels of pupils in a given age group or grade level.

(3) To provide for meeting the diverse educational needs of pupils with a language disability in a given age group or grade level.

(4) To provide for meeting the diverse educational needs of pupils reflective of a condition of cultural pluralism.

(5) To use current, relevant technology that further engages interactive learning in the classroom and beyond.

(m)(1) “Technology-based materials” means basic or supplemental instructional materials that are designed for use by pupils and teachers as learning resources and that require the availability of electronic equipment in order to be used as a learning resource. Technology-based materials include, but are not limited to, software programs, video disks, compact disks, optical disks, video and audiotapes, lesson plans, and databases.

(2) Technology-based materials also includes the electronic equipment required to make use of those materials used by pupils and teachers as a learning resource, including, but not limited to, laptop computers and devices that provide internet access.

(3) This subdivision does not relieve a school district of the obligation to provide pupils with sufficient textbooks or instructional materials pursuant to [paragraph \(1\) of subdivision \(c\) of](#)



[Section 60119](#). If a county office of education determines that a school district is out of compliance with [paragraph \(1\) of subdivision \(c\) of Section 60119](#), that school district is not authorized to procure electronic equipment pursuant to paragraph (2) of this subdivision.

(n) “Test” means a device used to measure the knowledge or achievement of pupils.

## California Code, Education Code - EDC § 60400

The governing board of each school district maintaining one or more high schools shall adopt instructional materials for use in the high schools under its control. Only instruction materials of those publishers who comply with the requirements of Article 3 (commencing with [Section 60040](#)) and Article 4 (commencing with [Section 60060](#)) of Chapter 1 of this part and of [Section 60226](#) may be adopted by the district board.