

# CSBA Sample

## Exhibit

Instruction

E 6161.1(a)

### SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS

#### Resolution on Sufficiency of Textbooks or Instructional Materials

Note: As a condition of receiving state instructional materials funds, Education Code 60119 and 5 CCR 9531 require that the Governing Board hold an annual public hearing regarding the sufficiency of instructional materials and determine through a resolution whether each student has sufficient textbooks and instructional materials. Pursuant to Education Code 60119, the hearing must be held between the first day that students attend school and the end of the eighth week of the school year. For multi-track year-round districts, the clock starts with the first day students attend school in any track that begins in August or September. The hearing may not take place during or immediately following school hours.

"Sufficient textbooks or instructional materials," as defined in Education Code 60119, means that each student in the district, including English learners, has a standards-aligned textbook or instructional materials, or both, to use in class or to take home. This law does not require two sets of textbooks or instructional materials for each student. See the accompanying Board policy.

In addition to the definition of "sufficiency" in Education Code 60119, Education Code 1240.3 and 42605, as added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), specify that, for the 2008-09 through the 2012-13 fiscal years, "sufficiency" means that all students in the district who are enrolled in the same course have "identical" standards-aligned textbooks and instructional materials from the same adoption cycle. As amended, Education Code 1240.3 does not require districts to purchase all of the instructional materials included in an adoption if the materials that are purchased are made available to all the students for whom they are intended in all of the schools within the district.

As an example, fourth grade students at all district schools must have textbooks and instructional materials from the same State Board of Education Reading/Language Arts adoption cycle, though fourth grade students at different schools could be using different materials within the same adoption cycle (e.g., fourth grade materials from different publishers at different schools is permissible if all of the materials are from the 2002 adoption cycle, but one school cannot use fourth grade materials from the 2002 Reading/Language Arts adoption cycle and another school use materials from the 2008 adoption cycle). In another example, a district may use materials from the 2002 adoption cycle for grades K-3 and materials from the 2008 cycle for grades 4-8 since those students are not in the same "course."

The following sample resolution reflects the requirements of Education Code 60119 and is based on an earlier resolution developed by the California Department of Education (CDE). This resolution may be used to certify compliance with Education Code 60119 and 5 CCR 9531.

Whereas, the Governing Board of the (*name of school district/county office of education*), in order to comply with the requirements of Education Code 60119, held a public hearing on (*date*), at (*time*) o'clock, which is on or before the eighth week of school (between the first day that students attend school and the end of the eighth week from that day) and which did not take place during or immediately following school hours, and;

Whereas, the Board provided at least 10 days notice of the public hearing by posting it in at

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

least three public places within the district stating the time, place, and purpose of the hearing, and;

Whereas, the Board encouraged participation by parents/guardians, teachers, members of the community, and bargaining unit leaders in the public hearing, and;

Whereas, information provided at the public hearing detailed the extent to which textbooks and instructional materials were provided to all students, including English learners, in the *(name of school district/county office of education)*, and;

Whereas, the definition of "sufficient textbooks or instructional materials" means that each student, including English learners, has a textbook or instructional materials, or both, to use in class and to take home, and;

Whereas between the 2008-09 through the 2012-13 fiscal years, the definition of "sufficient textbooks or instructional materials" also means that all students who are enrolled in the same course within the *(name of school district/county office of education)*, have standards-aligned textbooks or instructional materials from the same adoption cycle, and;

**Finding of Sufficient Instructional Materials**

Note: The following section is for use by Boards that are making a finding that the district has "sufficient" materials. According to the CDE, Education Code Section 60119 requires documentation of sufficiency of instructional materials to be presented at the public hearing. The CDE has developed survey forms, available on its web site, which may be used as a self-study and county office validation tool for grades K-12. These forms include a list of the state adopted standards-aligned materials for grades K-8. Districts that maintain grades 9-12 may generate a list of their locally adopted standards-aligned instructional materials for purposes of this self-study.

Whereas, sufficient textbooks and instructional materials were provided to each student, including English learners, that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks in the following subjects:

Note: To provide complete information about the basis for the Board's determination of sufficiency, the district may wish to include the names of the textbooks and/or instructional materials provided to students, as well as the applicable state adoption cycle.

- Mathematics: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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## SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS (continued)

- Science: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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- History-social science: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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- English/language arts, including the English language development component of an adopted program: *(List adopted textbooks or instructional materials for this subject for each grade level or school as well as applicable state adoption cycle.)*

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Note: The Board must also include a written determination for the following subject areas, though these determinations are not a condition for receipt of instructional materials funds.

Whereas, sufficient textbooks or instructional materials were provided to each student enrolled in foreign language or health classes, and;

Note: The following paragraph is for use by districts that maintain grades 9-12. The Board may provide a list of the science laboratory classes offered in grades 9-12 and details on the science laboratory equipment available for these classes.

Whereas, laboratory science equipment was available for science laboratory classes offered in grades 9-12, inclusive;

Therefore, it is resolved that for the \_\_\_\_\_ school year, the *(name of school district/county office of education)*, has provided each student with sufficient textbooks and instructional materials aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks.

### Finding of Insufficient Instructional Materials

Note: The following section is for use by Boards that are making a finding of "insufficient" materials. Education Code 60119 requires that the Board's resolution list, for each school for which an insufficiency exists, the percentage of students in each grade level who lack sufficient materials in each of the subject areas listed below. The provision of sufficient foreign language and health materials is not a condition of receipt of instructional materials funds.

**SELECTION AND EVALUATION OF INSTRUCTIONAL MATERIALS** (continued)

Whereas, information provided at the public hearing and to the Board at the public meeting detailed that insufficient textbooks or instructional materials were provided to students in the following subjects and grade levels at district schools: *(For each school, list the percentage of students who lack sufficient standards-aligned textbooks or instructional materials in mathematics, science, history-social science, English/language arts, foreign language, and health.)*

Whereas, sufficient textbooks or instructional materials were not provided at each school listed above due to the following reasons: *(For each school at which there is an insufficiency, list the reasons why each student does not have sufficient instructional materials in each subject and grade level listed above.)*

Therefore, it is resolved, that for the \_\_\_\_\_ school year, the *(name of school district/county office of education)* has not provided each student with sufficient textbooks and instructional materials consistent with the cycles and content of the curriculum framework, and;

Be it further resolved, that the following actions will be taken to ensure that all students have sufficient textbooks or instructional materials in all subjects that are aligned to the academic content standards and consistent with the cycles and content of the curriculum frameworks within two months of the beginning of the school year in which this determination is made. *(List actions to be taken to resolve insufficiency. See Education Code 60119(a)(2)(B) for other funds that may be used to ensure sufficient instructional materials.)*

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PASSED AND ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at a meeting, by the following vote:

AYES:\_\_\_\_\_

NOES:\_\_\_\_\_

ABSENT:\_\_\_\_\_

Attest:

\_\_\_\_\_  
Secretary

\_\_\_\_\_  
President

9/09