

Book	Policy Manual
Section	Revised po2520 and 2522 only
Title	SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS
Code	po2520 GM9.2.22
Status	
Adopted	June 13, 2017
Last Revised	March 8, 2022

2520 - **SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS**

The School Board adopts courses of study pursuant to State law and Policy 2220. When adopting courses of study, State law also requires the Board to adopt and provide adequate instructional materials to students enrolled in the District.

"Adequate instructional materials" means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hard-backed or soft-backed textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software that serves as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature.

Furthermore, Federal law requires the Board to provide accessible instructional materials as specified in a student's Individualized Education Program (IEP). Such accessible instructional materials may be of a type or in a format as specified in the definition of adequate instructional materials in this policy.

As required by State law, instructional materials adopted and used in the District shall be consistent with the goals and objectives in the District's adopted course of study and with the course descriptions established by State Board rule. The Board is responsible for the content of all instructional materials and any other materials used in a classroom, made available in a school library, or included on a reading list. Upon written request, an individual will be provided access to material or books specified in the written request that are maintained in a District library if such material or books are available for review. The school principal shall arrange for a convenient time to provide such access.

The Superintendent shall develop administrative procedures that set forth a process to involve staff in the review and evaluation of instructional materials. The staff involved in this process shall recommend to the Superintendent for submission to the Board for adoption the instructional materials that address the goals and objectives for adopted courses of study and the course descriptions established by State Board rule. The instructional materials shall be from the State-adopted instructional materials list if there has been a State adoption or from publishers and other resources if there has not been a State adoption.

The Superintendent's procedures shall also prescribe the process for the acquisition, management, use, accountability, and reporting requirements of all instructional materials.

Adoption of Instructional Materials

Prior to submitting a recommendation to the Board regarding the recommended instructional materials, those materials will be accessible for review online for at least twenty (20) calendar days prior to the open publicly noticed meeting at which a public hearing will be held so that the Board can receive comment, if any, about the instructional material under consideration for adoption. The Superintendent shall establish reasonable safeguards against the unauthorized use, reproduction, and distribution of the instructional material under consideration.

Following the public hearing, the Board may act upon the Superintendent's recommendation to adopt the instructional materials.

At an open publicly noticed meeting following the meeting at which the instructional material is adopted, the Board shall consider a recommendation to approve an annual instructional materials plan that identifies any instructional materials to be purchased pursuant to the instructional materials review process described herein.

The Superintendent shall maintain a list of all adopted instructional materials.

Purchase of Instructional Materials

Following adoption by the Board, requisitions shall be issued to purchase current instructional materials from the State-adopted instructional materials list so that each student in kindergarten through grade 12 will have a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature. Any materials purchased shall be free of pornography and material prohibited under F.S. 847.12, suited to student needs and their ability to comprehend the material presented, and appropriate for the grade level and age group for which the materials are used or made available.

Requisitions shall also be issued to purchase instructional materials that will be the major tool of instruction for subjects in the State Course Code Directory for which the Board has adopted courses of study, but for which there are no materials on the State-adopted instructional materials list.

The Superintendent shall approve these purchases.

In any year in which the total instructional materials allocation for District has not been expended or obligated prior to June 30th, the unobligated amount shall be carried forward and added to the next year's allocation.

The District shall maintain on its website a current list of instructional materials, by grade level, purchased by the District.

Replacement and Purchase of Instructional Materials by Students/Parents

Students, and/or their parents/guardians shall be held responsible for the cost of replacing any instructional materials lost, destroyed, or unnecessarily damaged. Failure to provide payment for the damage or loss may result in the suspension of the student from participation in extra-curricular activities, including graduation ceremonies, or the debt may be satisfied by the student performing community service activities at the school site as determined by the school Principal.

A student or his/her parent(s) may purchase a copy of the designated course instructional materials, regardless of format, for the District's purchase price, including shipping plus ten percent (10%).

Cost of materials may be charged for materials used in those activities beyond the basic curriculum in which a student elects to participate, particularly in activities where the product becomes the property of the student.

~~**Process for Parents and Residents to Contest Adoption of Instructional Materials**~~

~~The following individuals may file an objection to the adoption of a specific instructional material:~~

~~A. parents of students in the District; and~~

~~B. residents of the county;~~

~~For purposes of this policy, "resident" means a resident of the county who has maintained his/her residence in Florida for the preceding year, has purchased a home that is occupied by him/her as his/her residence, or has established a domicile in Florida pursuant to F.S. 222.17.~~

~~**Filing a Petition**~~

~~A parent or resident must file a petition with the Board within thirty (30) calendar days after the Board's adoption of specific instructional material on a form provided by the Board. The petition form shall be publicly available by visiting any school in person or by accessing the link on the Board's website. The petition must be signed by the parent or resident, include the required contact information, and state the objection to the instructional material based on the criteria set forth in F.S. 1006.31(2) or 1006.40(3)(d).~~

~~**Timeframe for Hearing**~~

~~When the thirty (30) calendar day period following Board adoption of the instructional material in question has expired, the Board will conduct at least one (1) open public hearing before an unbiased and qualified hearing officer for all timely petitions received.~~

~~**Hearing Officers**~~

~~Hearing officers are not employees or agents of the District with the exception of any agreement entered into for purposes of conducting the hearings set forth herein. Hearing officers shall be selected by the Board from a list of candidates provided by the Superintendent.~~

~~**Procedures for Hearings**~~

~~Petitioners will have an adequate and fair opportunity to be heard and present evidence to the hearing officer. Hearings shall be conducted as follows:~~

- ~~A. The petitioner may make an opening statement.~~
- ~~B. The District's representative may make an opening statement.~~
- ~~C. The petitioner may present evidence (including documents and testimony from witnesses) that instructional material does not meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8., 9., and 11.~~
- ~~D. The District representative may present evidence (including documents and testimony from witnesses) that the instructional material does meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8., 9., and 11.~~
- ~~E. The petitioner may make a closing statement.~~
- ~~F. The District representative may make a closing statement.~~

~~Within fourteen (14) days of the date of the hearing, the hearing officer shall submit a recommended order to the Board. The Board shall consider the recommended order and enter a final order at a publicly noticed Board meeting. If the petitioner proves that instructional material does not meet the criteria required under F.S. 1006.28, or contains prohibited material under that statute, it shall be removed in accordance with Florida law. The Board's decision is final and not subject to further petition or review.~~

~~Hearings under this policy are not subject to the provisions of F.S. Chapter 120.~~

Parent Objection to Instructional Material Used in Classrooms

~~Parents may object to the use by their child of a specific instructional material in the classroom, as set forth in Florida law. Parents should make any such objection in writing to the principal, at least ten (10) days before the intended use of the material, identifying the specific instructional material and stating the basis for the objection. The principal will review the parent objection and may meet with the teacher or parents, or both, in an attempt to resolve the objection, using an alternative instructional material for the child. If the objection is not resolved to the parents' satisfaction, the principal shall refer the matter to the appropriate District-level curriculum supervisor. The decision of the District-level curriculum supervisor shall be final.~~

Free School-Related Instructional Materials

Free instructional materials may be accepted for classroom and school purposes under conditions that meet all the following criteria:

- A. The initiative for securing the materials should be of the type that teachers seek rather than materials forwarded to them to promote the interests of an outside agency.
- B. The materials should fill a legitimate purpose of the school curriculum.
- C. The advertising feature of the materials should be minimized.
- D. Educational films should contain a minimum amount of commercial advertising.

Equipment or Instructional Materials Vendors

The Principal may permit vendors to demonstrate and show only that equipment and instructional materials which can be used to improve the instructional program and which are under consideration for purchase by the school.

New Worlds Reading Initiative

The New Worlds Reading Initiative, created by the Florida Department of Education, provides high-quality, free books directly to K-5 students who **are reading below grade level and to improve the literacy skills of students in K-12 score below a level 3 in the preceding year's statewide English Language Arts Assessment (ELA), or having a substantial reading deficiency.** The **District school district must** notify parents of eligible students **upon enrollment and at the beginning of each school year options for specific book topics or genres in order to maximize student interest in reading in writing and provide them with the application form, which must allow for the selection of specific book topics or genres for the student.** The district must coordinate monthly book deliveries with the program administrator beginning no later than October and continuing

through at least June. ~~However, for the 2021-2022 school year only, delivery may begin no later than December 31, 2021.~~ The district must participate in the initiative by partnering with local nonprofit organizations and raising awareness by using marketing materials provided by the program administrator. A student's eligibility for the initiative continues until promotion to grade 6 or until the parent opts out of the initiative.

The District shall coordinate with each charter school it sponsors for the purposes of identifying eligible students, notifying parents, coordinating book deliveries, providing the opportunity to annually select book topics and genres, and raising awareness of the initiative.

Revised 2/27/18

Revised 3/8/22

© Neola 2021

Legal	F.S. 119.071
	F.S. 212.183
	F.S. 1001.215
	F.S. 1002.22
	F.S. 1003.485
	F.S. 1006.28
	F.S. 1006.28 through 1006.42
	F.S. 1008.22
	F.S. 1008.25(5) (a)
	F.S. 1008.25 (5) (c)
	F.S. 1014.05
	F.A.C. 6A-6.03028
	34 C.F.R. Part 300

Last Modified by Maria Cain on September 2, 2022

Book	Policy Manual
Section	Revised po2520 and 2522 only
Title	CHALLENGES TO ADOPTION OR USE OF INSTRUCTIONAL, LIBRARY, OR READING LIST MATERIALS
Code	po2522 GM9.2.22
Status	

New Policy - Vol. 23, No. 1

2522 - CHALLENGES TO ADOPTION OR USE OF INSTRUCTIONAL, LIBRARY, OR READING LIST MATERIALS

The following individuals may contest the adoption of a specific instructional material, or object to the use of specific material used in a classroom, made available in a school library, or included on a reading list:

- A. parent of a student in the district; and
- B. resident of the county.

For purposes of this policy, "parent" means a parent of a student enrolled in the District's schools. "Resident" means a person residing in the county who has maintained their residence in Florida for the preceding year, has purchased a home that is occupied by them as their residence, or has established a domicile in Florida pursuant to F.S. 222.17.

Contest of School Board's Adoption

Filing a Petition

A parent or resident must file a petition with the Board within thirty (30) calendar days after the Board's adoption of specific instructional material, on a form provided by the Board. The petition form shall be publicly available by visiting any school in person or by accessing the link on the Board's website. The petition must be signed by the parent or resident, include the required contact information, and state the objection to the instructional material based on the criteria set forth in F.S. 1006.31(2) or 1006.40(3)(d).

Timeframe for Hearing

When the thirty (30) calendar day period following Board adoption of the instructional material in question has expired, the Board will conduct at least one (1) open public hearing before an unbiased and qualified hearing officer for all timely petitions received.

Hearing Officers

Hearing officers are not employees or agents of the District with the exception of any agreement entered into for purposes of conducting the hearings set forth herein. Hearing officers shall be selected annually by the Board from a list of candidates provided by the Superintendent.

~~{DRAFTING NOTE – F.S. 1006.28 mandates that the hearing provide sufficient procedural protections to allow each petitioner an adequate and fair opportunity to be heard and present evidence to the hearing officer. Importantly, however, F.S. 1006.28 is relatively silent as to how the hearing must be conducted or what is meant by "an adequate and fair opportunity to be heard and present evidence." In the "Procedures for Hearings" section that follows this drafting note, we have proposed procedures that we believe meet the intent of F.S. 1006.28. If the Board does not desire to adopt Neola's proposed Procedures for Hearings, we strongly encourage you to consult with board legal counsel to develop hearing procedures that comply with the intent and requirements of F.S. 1006.28.}~~

Procedures for Hearings

Petitioners will have an adequate and fair opportunity to be heard and present evidence to the hearing officer. Hearings shall be conducted as follows:

- A. The petitioner may make an opening statement.
- B. The District's representative may make an opening statement.
- C. The petitioner may present evidence (including documents and testimony from witnesses) that instructional material does not meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8., 9., and 11.
- D. The District representative may present evidence (including documents and testimony from witnesses) that the instructional material does meet the criteria of F.S. 1006.31(2) or 1006.40(3)(d) if it was selected for use in a course or otherwise made available to students in the School District but was not subject to the public notice, review, comment, and hearing procedures under F.S. 1006.283(2)(b)8., 9., and 11.
- E. The petitioner may make a closing statement.
- F. The District representative may make a closing statement.

Within fourteen (14) days of the date of the hearing, the hearing officer shall submit a recommended order to the Board. The Board shall consider the recommended order and enter a final order at a publicly noticed Board meeting. If the petitioner proves that the instructional material does not meet the criteria required under F.S. 1006.28, or contains prohibited material under that statute, the material shall be removed in accordance with Florida law. The Board's decision is final and not subject to further petition or review.

Hearings under this policy are not subject to the provisions of F.S. Chapter 120.

Objections to Material Used in Classrooms, Made Available in School Library, or Included On a Reading List

Parents and residents of the county may object to the use of a specific instructional material in the classroom, made available in a school library, or included on a reading list, based on the criteria set forth in F.S. 1006.28(2)(a)2. or F.S. 1014.05(1)(c).

~~**{DRAFTING NOTE—F.S. 1006.28 requires school boards to adopt a policy regarding an objection by a parent or a resident of the county to the use of specific instructional material, which clearly describes a process to handle all objections and provides for resolution. Neola has created three options for consideration by the Board as to how to resolve such objections; however, the Board may elect to create its own process regarding how objections by a parent or a resident may be resolved.}**~~

{OPTION 1}

All challenges under this policy shall be addressed as follows:

- A. The complaint is to be addressed to the School Principal, in writing, and shall include:
 - 1. author;
 - 2. title;
 - 3. publisher;
 - 4. the complainant's familiarity with the material challenged;
 - 5. sections challenged, by page and item;
 - 6. whether the challenged material contains content that is pornographic or prohibited under F.S. 847.012, is not suited to student needs and their ability to comprehend the material presented, or is inappropriate for the grade level and age group for which the material is used.
- B. Upon receipt of the information, the Principal (shall) may after advising the Assistant Superintendent of Teaching and Learning of the complaint, and upon the Assistant Superintendent approval, appoint a review committee which may consist of one (1) or more instructional staff members including Media Specialist, District Official, Curriculum Member, Principal, Community Member and Teacher one (1) or more Board members; one (1) or more lay persons knowledgeable in the area.

- C. The committee, in evaluating the questioned material, shall be guided by the following criteria: the appropriateness of the material for the age and maturity level of the students with whom it is being used, the accuracy of the material, the objectivity of the material, the use being made of the material.
- D. The material in question may be withdrawn from use pending the committee's recommendation to the Superintendent.
- E. The committee's recommendation shall be reported to the Superintendent in writing within **15** business days following the formation of the committee. The Superintendent will advise the complainant, in writing, of the committee's recommendation and advise the Board of the action taken or recommended.
- F. The Board will review the case, including all evidence proffered by the complainant, during a publicly noticed Board meeting. The Board shall announce during the meeting whether the challenged material meets the requirements of this Policy. The complainant shall submit any additional evidence for the Board's consideration no later than **14** days before the meeting at which the Board will consider the challenge.

No challenged material may be removed from the curriculum or from a collection of resource materials except by action of the Board, and no challenged material may be removed solely because it presents ideas that may be unpopular or offensive to some. Any Board action to remove material will be accompanied by the Board's statement of its reasons for the removal.

The Board shall discontinue use of any material challenged under this policy if it contains content that is pornographic or prohibited under F.S. 847.012, is not suited to student needs and their ability to comprehend the material presented, or is inappropriate for the grade level and age group for which the material is used.

The decision of the Board shall be final.

© Neola 2022

Legal	F.S. 119.071
	F.S. 212.183
	F.S. 1001.215
	F.S. 1002.22
	F.S. 1003.485
	F.S. 1006.28
	F.S. 1006.28 through 1006.42
	F.S. 1008.22
	F.S. 1008.25(5) (a)
	F.S. 1008.25 (5) (c)
	F.S. 1014.05
	F.A.C. 6A-6.03028
	34 C.F.R. Part 300

Last Modified by Maria Cain on September 2, 2022