

POLICY 8.122

- 4-A** I recommend the Board adopt the proposed revisions to Policy 8.122, entitled “Textbooks and Related Instructional Materials.”

[Contact: Meezie Pierce, 684-5114.]

Adoption

CONSENT ITEM

- This revision is consistent with the adoption of a separate Policy on textbook accountability (Policy 8.1225, adopted on Jan. 13, 2003). This Policy incorporates and supersedes content from Directive 8.123, as well as including updates reflecting the January 7, 2003, effective date of the new K-20 Education Code.
- Development notices were published Nov. 25, 2002 and Jan. 6, 2003. The Adoption notice was published on Feb. 24, 2003.
- As requested by the Board on Feb. 17, this version includes the provision that the Board will be notified at the next meeting if the Superintendent makes a determination to waive the requirement of providing a textbook and/or other instructional material to each student in non-core courses. Lines 21-22.

PROPOSED REVISIONS TO POLICY 8.122

TEXTBOOKS AND RELATED INSTRUCTIONAL MATERIALS

1 4. Textbooks

- 2 1. **Adequate Instructional Materials.**-- The School Board will provide adequate
3 textbooks and other instructional materials in accordance with state law and State
4 Board of Educational Rules. Instructional materials, as defined by Fla. Stat. §
5 1006.29(4) [233.07(4)], are "items having intellectual content that by design serve as
6 a major tool for assisting in the instruction of a subject or course. These items may
7 be available in bound, unbound, kit, or package form and may consist of hardbacked
8 or softbacked textbooks, consumables, learning laboratories, manipulatives,
9 electronic media, and computer courseware or software. The term does not include
10 electronic or computer hardware even if such hardware is bundled with software or
11 other electronic media, nor does it include equipment or supplies."
- 12 a. As stated in Fla. Stat. § 1006.28(1) [230.23(7)], "The term 'adequate
13 instructional materials' means a sufficient number of textbooks or sets of
14 materials serving as the basis for instruction for each student in the core
15 courses of mathematics, language arts, social studies, science, reading, and
16 literature, except for instruction for which the school advisory council approves
17 the use of a program that does not include a textbook as a major tool of
18 instruction."
- 19 b. The Superintendent or Board may determine when to waive the requirement of
20 providing a textbook and/or other instructional material to each student in non-
21 core courses. In cases where the Superintendent makes the determination to
22 waive the requirement, the Board shall be informed at the next Board meeting.
- 23 c. Any decision by a school to use class sets or not to issue textbooks or other
24 instructional materials that are provided by the District on a one-per-student
25 basis shall be communicated to parents and area superintendents. In all
26 instances, District curricular staff and school staff shall ensure that students
27 have adequate materials for both in-class study and homework arrangements.
- 28 2. **Allocation.**-- The annual allocation and expenditure of state funds for textbooks
29 and the annual purchase of state adopted or non-state adopted materials shall be in
30 accordance with Chapter 233 1006, Part I.F, Florida Statutes, and applicable State
31 Board of Education Rules.
- 32 a. Use of State Instructional Materials Allocation.-- Absent a waiver from the DOE
33 or any applicable exemption under charter district status, at least only up to fifty

34 percent (50%) of the state allocation for textbooks ~~shall~~ may be used for the
35 purchase of instructional materials (including library and reference books and
36 nonprint materials) not on the state-adopted list and for repair and renovation of
37 textbooks and library books, pursuant to Fla. Stat. § 1006.40(3)(b).

38 b. As stated in Fla. Stat. § 1006.40(3)(c), the District may use up to 100 percent of
39 that portion of the annual allocation designated for the purchase of instructional
40 materials for kindergarten, and 75 percent of that portion designated for the
41 purchase of instructional materials for first grade, to purchase materials not on
42 the state-adopted list.

43 c. Any portion of state allocated funds for textbooks not expended for textbooks or
44 not otherwise designated by legislative authority for library/media materials shall
45 be expended on library and reference books and for the repair and renovation
46 of textbooks and library books. However, Of the remaining amount not
47 otherwise earmarked for library/media materials or for book repair, expenditures
48 may be made for non-state adopted materials with the approval of the
49 Superintendent or designee, pursuant to established procedures issued
50 annually by bulletin.

51 d. Pursuant to procedures issued by bulletin annually, school centers and other
52 appropriate textbook users may requisition textbooks and ancillary instructional
53 materials prior to June 30 in accordance with prevailing statutory law and State
54 Board rules. Any request from a school center for use of the state or local
55 District allocation must be in accordance with state law and this Policy.

56 ~~b. The Superintendent shall establish and maintain the appropriate procedures~~
57 ~~for the requisition, purchase, receipt, storage, distribution, use, conservation,~~
58 ~~records and reports of, and management practices and property accountability~~
59 ~~concerning instructional materials' use in school centers consistent with state~~
60 ~~laws and other School Board Policies. [See section (6), below]~~

61 ~~c. The Superintendent shall establish procedures consistent with state laws~~
62 ~~and rules for the selection and adoption of textbooks and ancillary instructional~~
63 ~~materials and shall have the authority to determine annually whether the District~~
64 ~~participates in the state pre-adoption process [See section (6), below; most of this~~
65 ~~former subsection will be covered by the separate Policy 8.1225.]~~

66 ~~2. Accountability for and Protection of Instructional Materials~~

67 ~~a. Principals and departmental personnel concerned are charged with the~~
68 ~~responsibility of the proper care of instructional materials, no matter whether on~~
69 ~~loan to pupils or in storage.~~

- 70 ~~b. When distributed to students, such materials are merely loaned to students.~~
71 ~~Each parent, guardian or other person having charge of a pupil to whom or for~~
72 ~~whom materials have been issued will be held liable and will be required to pay for~~
73 ~~loss, destruction or unnecessary damage on a monetary schedule issued annually~~
74 ~~as part of the ordering procedures.~~
- 75 ~~c. When in storage in schools or central depositories, such materials are to be~~
76 ~~stored in a neat, orderly, and safe manner, preferably in sequence contained in the~~
77 ~~annual textbook inventory. All reasonable effort shall be made to protect materials~~
78 ~~against fire, flood, vermin, infestation, etc.~~
- 79 3. **Adoption and Continued Use of Instructional Materials.**-- Instructional Materials
80 selected for specific courses and grade levels as part of the district's curriculum shall
81 have been reviewed by a School or District Instructional Materials Committee and
82 approved by appropriate instructional personnel. Committees shall reflect prevailing
83 appropriate state guidelines.
- 84 a. Any request from a school center to use textbooks or other related instructional
85 materials as part of the curriculum and which are not District adopted, per se,
86 must be approved by the Superintendent or designee. Any request for funding
87 of such materials must be approved by the Superintendent or designee.
88 Specific procedures and authorization will be issued annually.
- 89 b. The District adoption cycle for instructional materials shall coincide with the
90 state cycle except where a separate District adoption is deemed necessary.
91 Adopted materials shall be used during the adoption cycle until physically
92 unsuitable or until replaced with newly-adopted materials.
- 93 4. **Inventories.**-- Annual textbook inventories of District-adopted instructional materials
94 shall be issued to schools and appropriate departments which shall serve as:
- 95 a. the official District adoption listing of materials used in the District's curriculum;
- 96 b. the inventory/summary of all curricular instructional materials for which a school
97 center/department is responsible; and
- 98 c. the ordering form for the following school year's needs as provided by
99 instructions/procedures issued annually.
- 100 5. **Disposal.**-- The district Textbook Depository shall arrange for the exchange of
101 books among the various districts in accordance with state law or rule and shall
102 maintain a public lending or "give-away" program of ~~for~~ obsolete or physically
103 unsuitable materials or those no longer on state contract, as stated in Fla. Stat. §
104 1006.41, and no longer on the District's local adoption list or otherwise still officially
105 in use in the District, for the general public, qualified non-public schools,
106 governmental divisions, charitable organizations, and foreign countries as follows:

- 107 a. Giving or lending the materials to other public education programs within the
108 district or state, to the teachers to use in developing supplementary teaching
109 materials, to students or others (including the general public or foreign
110 countries), or to any charitable organization, governmental agency, home
111 education students, private school, or state; or
- 112 b. Selling the materials to used book dealers, recycling plants, pulp mills, or other
113 persons, firms, or corporations upon such terms as are most economically
114 advantageous to the district school board.
- 115 c. All monies received by reason of sale, exchange or other disposition of
116 instructional materials shall be deposited in the District school fund and added
117 to the District appropriation for instructional materials
- 118 d. In the event that any instructional materials cannot be disposed of as provided
119 in subsections (a) or (b), the materials may be destroyed, using any reasonable
120 and safe method.

121 6. ~~All state and/or district statutes, rules, policies and directives not expressly covered~~
122 ~~in †This policy will be covered by periodically revisedions and/or supplemental~~
123 ~~communiqués to be determined by and issued at the discretion of the~~
124 ~~Superintendent as necessary to keep it current with the state law and rules which it~~
125 ~~supplements, although appropriate staff should be familiar with Fla. Stat. Ch. 1006,~~
126 ~~Part I.F, as this Policy is not intended to reproduce all the details set forth in the law.~~
127 ~~The Superintendent may also issue bulletins to inform personnel of detailed internal~~
128 ~~procedures and new developments from the DOE related to the subject of this~~
129 ~~Policy.~~
130

131 STATUTORY AUTHORITY: §§ 230.23(17), 230.23005, §§ 1001.41(2); 1001.42(22), Fla.
132 Stat.

133 LAWS IMPLEMENTED: §§ 1001.32(2) 230.03(2); 1006.28 230.23(7); 230.33(9);
134 1006.29 233.07(4); 1006.40 233.34; 1006.41 233.37;
135 233.38, Fla. Stat.

136 HISTORY: 12/9/86, 11/17/99; / /03
137

Legal Signoff:

The Legal Department has reviewed the proposed revision to Policy 8.122 and finds it legally sufficient.

Attorney

Date