



Book Policy Manual

Section Please Complete

Title NEW POLICY Vol. 25, No. 1, June 2024 - INSTRUCTIONAL MATERIALS PROGRAM

Code po2521 CAJ 1/7/25 Updated 4/7/25 for corrections as shown

Status

Legal [F.S. 119.071](#)
[F.S. 1001.215](#)
[F.S. 1002.22](#)
[F.S. 1003.41](#)
[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](#)
[F.A.C. 6A-7.0713](#)
[F.A.C. 6A-7.0715](#)
[34 C.F.R. Part 300](#)

Revised Policy - Vol. 25, No. 1

2521 - INSTRUCTIONAL MATERIALS PROGRAM

The School Board shall provide instructional materials and equipment, within budgetary constraints, to implement the District's educational goals and objectives and to meet students' needs. The primary objective of such instructional materials and equipment shall be to enrich, support, and implement the educational program of the school. Instructional materials used in the District shall be consistent with the District goals and objectives and the course descriptions established by the State Board of Education and the State standards provided for in F.S. 1003.41.

State law requires the Board to provide adequate instructional materials free of charge to students who are 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 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 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.

"Library media center" means any collection of books, ebooks, periodicals or videos maintained and accessible on the site of a school, including in classrooms.

The Board hereby establishes an instructional materials program that includes the review, recommendation, adoption, and purchase of instructional materials. The program shall be implemented in accordance with the terms of this policy and administrative procedures adopted in accordance herewith. The program shall comply with all applicable provisions of F.S. Chapter 1006, Part I, F. Instructional Materials for K-12 Public Education.

Certification by Superintendent

The Superintendent shall annually certify to the Florida Department of Education (FLDOE) (1) that all instructional materials for core courses used by the District are aligned with applicable State standards; and (2) that the District's process for review, selection and adoption of instructional materials complies with the hearing and public meeting requirements of the Board and F.S. 1006.283. A list of the core instructional materials that will be used or purchased for use by the District shall be included in the certification.

On or before July 1 each year, the Superintendent will certify to the Commissioner of Education (1) the estimated allocation of State funds for instructional materials for the ensuing fiscal year; and (2) that school librarians and media specialists who are involved in the selection of library media materials for students have completed the online Library Media Training course.

By August 1 each year, the Superintendent will certify to the Commissioner of Education that the Board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided, the materials are being implemented as designed, and that core reading materials and reading intervention materials used in kindergarten through grade 5 meet the requirements of F.S. 1001.215.

Selection, Duties, and Qualifications of Reviewers, Review of Instructional Materials, Recommendations of Reviewers, and Selection of Instructional Materials by Reviewer

The Board may employ or contract with one (1) or more instructional materials reviewers, one (1) or more of whom must be a parent with a child in a District public school. A meeting of a committee for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the Board must be noticed and open to the public in accordance with F.S. 286.011. A committee convened for such purposes must include parents of District students.

The duties of an instructional materials reviewer are:

A. Procedures

To adhere to prescribed procedures for evaluating instructional materials submitted by publishers and manufacturers in each adoption.

B. Review, Recommendations, and Selection of Instructional Materials by Reviewer

1. Reviewers shall utilize the selection criteria set forth in State law, including F.S. 1006.34(2)(b) and recommend for adoption only those instructional materials aligned with State standards provided for in F.S. 1003.41.
2. Instructional materials recommended by each reviewer shall be, to the satisfaction of each reviewer, accurate, objective, balanced, noninflammatory, current, free of pornography and material prohibited under F.S. 847.12, and suited to student needs and their ability to comprehend the material presented. Reviewers shall consider for recommendation materials developed for academically talented students, such as students enrolled in advanced placement courses. When recommending instructional materials, each reviewer shall:
 - a. include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, religious, physical, and racial diversity of our society, including men and women in professional, career, and executive roles and the role and contributions of the entrepreneur and labor in the total development of this State and the United States;

- b. include only materials that accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances;
- c. include materials that encourage thrift, fire prevention, and humane treatment of people and animals;
- d. require, when appropriate to the comprehension of students, that materials for social science, history, or civics classes contain that Declaration of Independence and the Constitution of the United States;

A reviewer may not recommend any instructional materials that contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, religion, disability, socioeconomic status, or occupation.

- e. When such instructional materials are for foundational reading skills, include only materials that are based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies within such materials may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Instructional strategies within such materials may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.
3. In the selection of instructional materials, library media, and other reading material used in the public school system, the standards used to determine the propriety of the material shall include:
- a. the age of the students who normally could be expected to have access to the material;
 - b. the educational purpose to be served by the material;
- In considering instructional materials for classroom use, priority shall be given to the selection of materials which encompass the State and Board performance standards provided for in F.S. 1001.03(1) and which include the instructional objectives contained within the curriculum frameworks approved by rule of the State Board of Education.
- c. the degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal instructional program;
 - d. the consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this State.
4. Any instructional material containing pornography or otherwise prohibited by F.S. 847.012 may not be used or made available within any public school.

5. After a thorough study of all data submitted on each instructional material, the reviewer shall submit an electronic report to the Superintendent for presentation to the Board. The report shall be in substantially the same format as the form used by the FLDOE. All instructional materials recommended by a reviewer shall be accompanied by a statement from the reviewer that the materials align with State standards pursuant to F.S. 1003.41 and the requirements of F.S. 1006.31. If such instructional materials are for foundational reading skills, the materials shall be based on the science of reading and include phonics instruction for decoding and encoding as the primary instructional strategy for word reading. Instructional strategies within such instructional materials may not employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. The instructional strategies within such instructional materials may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but may not be used to teach word reading.

Board Adoption of Instructional Materials

After receipt from the Superintendent's recommendation, the Board shall publish a notice indicating the date, time, and location of an open public hearing to address the recommended instructional materials. The public shall have an opportunity to provide public comment at the public hearing.

Following the public hearing, the Board shall publish notice indicating the date, time, and location of an open public meeting to approve an annual instructional materials plan to identify any instructional materials that will be purchased through the Board instructional materials review process pursuant to this policy. This public meeting will be held on a different date than the public hearing. The Board will select, approve, and adopt all materials as a separate line item on the regular (non-consent) agenda and will provide a reasonable opportunity for public comment.

Notice of the public hearing and public meeting identified herein shall specifically identify which instructional materials are being reviewed and the manner in which the instructional materials can be accessed for public review. The hearing must allow the parent of a District student or a resident of the county to proffer evidence that a recommended instructional material does not meet the criteria provided in F.S. 1006.31(2), taking into consideration course expectations based on the District's comprehensive plan for student progression under F.S. 1008.25(2) and course descriptions in the course code directory.

For purposes of this policy, "resident" means a resident of 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.

At least twenty (20) calendar days before the Board hearing and public meeting, the Board shall make available online to the public through the District's website all student editions of the recommended instructional materials. In making these materials available, District staff shall implement reasonable safeguards against the unauthorized use, reproduction, and distribution of instructional materials considered for adoption.

Publication on Website of List of Instructional Materials and Process to Limit Student Access

The Board will publish on its website, in a searchable format, a list of all instructional materials, including those used to provide required instruction under Florida law.

The Board will also adopt and publish on its website the process for a parent to limit his/her student's access to materials in the school or classroom library.

School Library Media Centers and Reading Lists

Effective July 1, 2022, each book newly made available to students through a school library media center or included in a recommended or assigned school or grade level reading list must be selected and approved by a District employee who holds a valid educational media specialist certificate, regardless of whether the book is purchased, donated, or otherwise made available to students.

Access

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.

Each elementary school will publish on its website, in a searchable format, a list of all materials maintained and accessible in the school library media center or a classroom library which can be checked out or used by a student or required as part of a school or grade-level reading list. The format must:

- A. identify the type of material maintained in the library media center by category, such as books, ebooks, periodicals, and videos;
- B. list, at a minimum, the following information:
 - 1. the title and author for books and ebooks;
 - 2. the name or title for periodicals and videos; and,
 - 3. the title for any other material maintained in the media center.
- C. Books and ebooks must be searchable by, at a minimum, author and title. All other materials must be searchable by, at a minimum, title.

Purchase of Instructional Materials, Including Advertising and Bidding

Beginning on or before May 15th of any year in which an instructional materials adoption is to be initiated, the District shall advertise in a local newspaper of general circulation four (4) weeks preceding the date on which the bids shall be received, that at a certain designated time, not later than June 15th, sealed bids or proposals to be deposited with the District will be received from publishers or manufacturers for the furnishing of instructional materials proposed to be adopted as listed in the advertisement beginning April 1st following the adoption.

The advertisement shall state that each bidder shall furnish electronic sample copies of all instructional materials submitted, at a time designated by the District, which copies shall be identical with the copies approved and accepted by State instructional materials reviewers, and with the copies furnished to the District and Superintendent.

The advertisement shall state that a contract covering the adoption of the instructional materials shall be for a definite term.

The advertisement shall fix the time within which the required contract must be executed and shall state that the District reserves the right to reject any or all bids.

The advertisement shall give information regarding digital specifications that have been adopted by the Board, including minimum format requirements that will enable electronic and digital content to be accessed through the District's local instructional improvement system and a variety of mobile, electronic, and digital devices. Beginning with specifications released in 2014, the digital specifications shall include requiring the capability for searching by State standards and site and student-level licensing. Such digital format specifications shall be appropriate for the interoperability of the content. The Board will not adopt specifications that require the instructional materials to include specific references to State mandated testing and State academic standards and benchmarks at the point of student use.

The bids submitted shall be for furnishing the designated materials in accordance with specifications of the District. The bid shall state the lowest wholesale price at which the materials will be furnished, at the time the adoption period provided in the contract begins. The Board will purchase all materials as a separate line item on the regular (non-consent) agenda and will provide a reasonable opportunity for public comment.

Each publisher or manufacturer of instructional materials who submits a bid under this part is required to deposit with the District such sum of money or certified check as may be determined by the District, the amount to be not less than \$500 and not more than \$2,500, according to the number of instructional materials covered by the bid, which deposit shall be forfeited to the Board and placed in the (General Revenue Fund) General Fund if the bidder making the deposit fails or refuses to execute the contract and bond within thirty (30) days after receipt of the contract in case their bid or proposal is accepted. The District shall, upon determining that the deposit is correct and proper, deposit the funds in an interest bearing trust account and issue an official receipt.

Sample copies of all instructional materials that have been made the basis of contracts under this policy shall upon request for the purpose of public inspection, be made available by the publisher to the Department of Education and the Superintendent from the State list upon request for the purpose of public inspection.

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.

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

Review Cycle for Instructional Materials by Subject Area

By April 15th of each school year, the instructional material reviewer shall review all instructional materials and evaluate the content for alignment with applicable State Standards. The reviewer shall review the materials for the level of instructional support and the accuracy and appropriateness of progression of introduced content. Instructional materials shall be made electronically available to the reviewer. The reviewer shall rate the material on the instructional usability of the resources.

Compliance with F.S. 1006.32, Relating to Prohibited Acts

In accordance with State law, this policy strictly prohibits any individual or the Board from engaging in any of the prohibited acts set forth in F.S. 1006.32.

Parental Notification of Access to Student's Instructional Materials and Access to Materials and Books in District Libraries

The District shall notify parents through the District's website and in writing annually of their ability to access their children's instructional materials through the District's local instructional improvement system. The notification shall encourage parents to access the local instructional improvement system.

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.

Maximization of Student Use of District-approved Instructional Materials

In order to maximize student use of authorized instructional materials, the Board shall:

- A. purchase current instructional materials to provide each student with a major tool of instruction in core courses of the subject areas of mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12;
- B. by the 2015-2016 fiscal year, use at least fifty percent (50%) of the annual allocation for the purchase of digital or electronic instructional materials included on the State-adopted list, except as otherwise authorized by law or rules of the State Board of Education;
- C. use up to 100% of that portion of the annual allocation designated for the purchase of instructional materials for kindergarten, and up to seventy-five percent (75%) of that portion of the annual allocation designated for the purchase of instructional materials for first grade, to purchase materials not on the State-adopted list, which shall be used for the purchase of instructional materials or other items having intellectual content which assist in the instruction of a subject or course.

These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, replacements for items which were part of previously purchased instructional materials, consumables, learning laboratories, manipulatives, electronic media, computer courseware or software, and other commonly accepted instructional tools.

The Superintendent shall implement procedures that will assure the maximum use by the students of the authorized instructional materials.

Required Curriculum

Nothing in this policy shall limit or remove the responsibility of the Board to include in its curriculum the required instruction specified in State law including, but not limited to, the following:

- A. The history of the United States; the history of the Holocaust.
- B. The history of African Americans.
- C. The study of Hispanic contributions to the United States.
- D. The study of women's contributions to the United States.
- E. The nature and importance of free enterprise to the United States economy.
- F. The elementary principles of agriculture; and kindness to animals.

Publisher and Manufacturer Duties, Responsibilities, and Requirements

In accordance with State law, all publishers and manufacturers of instructional materials, and their representatives, must comply with the requirements of F.S. 1006.38. These requirements include, but are not limited to, the following:

- A. Electronically deliver fully developed sample copies of all instructional materials upon which bids are based to the department pursuant to procedures adopted by the State Board of Education.
- B. Submit, at a time designated in F.S. 1006.33, the following information:
 - 1. Detailed specifications of the physical characteristics of the instructional materials, including any software or technological tools required for use by the District, school, teachers, or students. The publisher or manufacturer shall comply with these specifications if the instructional materials are adopted and purchased

in completed form.

2. Evidence that the publisher or manufacturer has provided materials that address the performance standards provided for in F.S. 1001.03(1) and that can be accessed through the District's digital classrooms plan and a variety of electronic, digital, and mobile devices.
 3. Evidence that the instructional materials include specific reference to Statewide standards in the teacher's manual and incorporate such standards into chapter tests or the assessments.
- C. Make available for purchase by the Board any diagnostic, criterion-referenced, or other tests that they may develop.
 - D. Furnish the instructional materials offered by them at a price in the State which, including all costs of electronic transmission, may not exceed the lowest price at which they offer such instructional materials for adoption or sale to any state or school district in the United States.
 - E. Reduce automatically the price of the instructional materials to the Board to the extent that reductions are made elsewhere in the United States.
 - F. Provide any instructional materials free of charge in the State to the same extent as they are provided free of charge to any state or school district in the United States.
 - G. Guarantee that all copies of any instructional materials sold in this State will be at least equal in quality to the copies of such instructional materials that are sold elsewhere in the United States and will be kept revised, free from all errors, and up-to-date as may be required by the department.
 - H. Agree that any supplementary material developed at the District or State level does not violate the author's or publisher's copyright, provided such material is developed in accordance with the doctrine of fair use.
 - I. Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, nor enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in the State.
 - J. Maintain or contract with a depository in the State.
 - K. For the core subject areas specified in F.S. 1006.40(2), maintain in the depository for the first three (3) years of the contract an inventory of instructional materials sufficient to receive and fill orders.
 - L. For the core subject areas specified in F.S. 1006.40(2), ensure the availability of an inventory sufficient to receive and fill orders for instructional materials for growth, including the opening of a new school, and replacement during the 3rd and subsequent years of the original contract period.
 - M. Accurately and fully disclose only the names of those persons who actually authored the instructional materials.
 - N. Grant, without prior written request, for any copyright held by the publisher or its agencies automatic permission to the Board for the reproduction of instructional materials and supplementary materials in Braille, large print, or other appropriate format for use by visually impaired students or other students with disabilities that would benefit from use of the materials.

Assessment and Collection of Fees

The ~~Board~~ ~~() shall ()~~ **shall not assess** and collect fees from publishers participating in the instructional materials approval process.

~~[] The amount of fees assessed and collected shall be posted on the District's website and reported to the Florida Department of Education. The fees shall not exceed the actual cost of the review process, and the fees shall not exceed \$3,500 per submission by a publisher. Any fees collected for this process shall be allocated for the support of the review process and maintained in a separate line item for auditing purposes.~~

~~The fees shall be used to cover the actual cost of substitute teachers for each workday that a member of the District's instructional staff is absent from the employee's assigned duties for the purpose of rendering service as an instructional materials reviewer. In addition, each reviewer may be paid a stipend and is entitled to reimbursement for travel expenses and per diem in accordance with F.S. 112.061 for actual service in meetings.~~

Instructional materials that have been reviewed by the District instructional materials reviewers and approved must have been determined to align with all applicable State standards pursuant to F.S. 1003.41 and the requirements in F.S. 1006.31. The Superintendent shall annually certify to the FLDOE that all instructional materials for core courses used by the District are aligned with all applicable State standards.

A list of all approved instructional materials shall be maintained by the Superintendent and made available for the use of the instructional staff.

Fees Charged to Parents

A student or their 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.

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. Educational films should contain a minimum amount of commercial advertising.
- B. The advertising feature of the materials should be minimized.
- C. The materials should fill a legitimate purpose of the school curriculum.
- D. 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.

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.

Public Inspection of Sample Copies of Instructional Materials

In addition to the requirements for public inspection of sample copies of instructional materials required by this policy, the Board shall make available for public inspection sample copies of all instructional materials that have been purchased by the Board. Members of the public seeking to inspect these materials shall contact the Superintendent's Office or the K-12 Director.

The process to challenge and/or object to the adoption of instructional materials is set forth in Policy 2520.

New Worlds Reading Initiative

The New Worlds Reading Initiative, created by the Florida Department of Education, provides high-quality, free books directly to prekindergarten through grade 5 students who are not yet reading on grade level, who score below a level 3 of the most recent Statewide, standardized English Language Arts Assessment (ELA), who have a substantial reading deficiency identified under F.S. 1008.25, or who have a substantial deficiency in early literacy skills based upon the results of the coordinated screening and progress monitoring under F.S. 1008.25.

The 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. The District must coordinate monthly book deliveries with the program administrator beginning no later than October and continuing through at least June. 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.

The District shall also establish a data sharing agreement with the initiative's administrator to allow for a streamlined student verification and enrollment process.

The Statewide ELA is not the sole determiner of promotion. Additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and schools in identifying the reading level of the student. A parent of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school begin collecting evidence for a portfolio.

© Neola 2024