



Book	Pinellas County Schools Bylaws and Policies
Section	Chapter 2000 - Program
Title	Instructional Materials, Including Textbooks
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### **Instructional Materials Defined**

Instructional materials are defined as items having intellectual content that by design serve as a major tool for assisting in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardback or softback textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media and computer courseware or software.

Supplemental instructional materials are any materials that are not major tools for assisting in the instruction of a subject or course.

### **Superintendent's Responsibility**

The superintendent shall be responsible for the requisition, purchase, receipt, storage, distribution, use, conservation, records, and reports of, and management practices and property accountability concerning, instructional materials.

### **Principal's Responsibility**

School principals are responsible for ensuring that instructional materials are used to provide instruction to students enrolled at the grade level(s) for which the materials are designed and to effectively communicate to parents the manner in which materials are used to implement the curricular objectives of the school.

### Distribution

Principals and teachers shall supervise the distribution of instructional materials. Students or parents are to pay a reasonable charge for lost or damaged instructional materials.

### Lost and Damaged Materials

The school principal shall collect from each student or the student's parent the purchase price of any instructional material the student has lost, destroyed, or unnecessarily damaged and to report and transmit the money collected to the superintendent. The failure to collect such sum upon reasonable effort by the school principal may result in the suspension of the student from participation in extracurricular activities or satisfaction of the debt by the student through community service activities at the school site as determined by the school principal, pursuant to policies adopted by School Board rule.

#### Failure to Pay Fines

Under no circumstances shall the transfer of a student's cumulative record be delayed or denied for failure to pay any fine or fee assessed by the school.

#### Collection of Fines

All funds collected from the sale, exchange, loss, or damage of instructional materials shall be transmitted to the office of the superintendent to be deposited in the district school fund and added to the district's appropriation for instructional materials.

#### Proper Care

Principals shall ascertain by inspection and ensure through every available agency that all books issued to the school by the superintendent, or designee, either in the hands of students or in storage, are cared for properly.

#### Accounting for Materials

Principals shall see that all instructional materials, including textbooks, are fully and properly accounted for on forms supplied by the program coordinator of instructional materials.

#### Records and Reports

Principals shall prepare and submit such records and reports of instructional materials, including textbooks, as may be required by the Department of Education and such supplementary records and reports as the superintendent may direct.

#### **Use of Materials**

Teachers shall use all textbooks and other instructional materials in accordance with established procedures.

#### **Purchases from Internal Funds**

Instructional materials for supplementary study may be purchased from internal funds when such funds are available and when such expenditure is approved by the school principal.

#### **Care of Materials**

Students are expected to take good care of the instructional material assigned to them.

#### **Parent Purchase of Materials**

Principals shall, when requested by parents of students enrolled in their schools, sell to parents any instructional materials used in the school.

- A. Each school principal shall establish an account within the internal funds for Purchase and Sale of Textbooks (General Public).

- B. A parent desiring to purchase a textbook is expected to make payment in advance, all checks being made payable to the school.
- C. The purchase price shall be the contract price plus ten percent (10%) for shipping.
- D. Upon receipt of the cash or check from the parent, the school shall issue a school purchase order to the Florida School Book Depository or company, listing quantity, code number, and title.
- E. Upon receipt of the materials the parent shall be notified.
- F. The invoice for payment shall be paid from the account established in (A), above. At the end of the school year, any funds left from the ten percent (10%) shipping charge shall become discretionary with the principal.
- G. Prohibited from sale to parents are all teacher editions, guides, keys, etc. (i.e., any materials not normally used by students).

### **Use of State Instructional Materials Flexibility Funds**

The appropriate department(s) of the division of Teaching and Learning may approve up to fifty percent (50%) of the instructional materials allocation fund to purchase instructional materials not included on the state adopted list. Individual school expenditures in excess of fifty percent (50%), up to the district amount provided by law, may be approved by the associate superintendent for teaching and learning. The division of Teaching and Learning shall define instructional materials and establish procedures for the evaluation, selection, and use of non-adopted materials.

### **Evaluation and District Adoption of Instructional Materials**

The appropriate content specialist, under the associate superintendent for teaching and learning, shall appoint committees to evaluate materials for district adoption and work with the program coordinator of instructional materials to obtain samples, train committees, and publicize meetings and adoptions. These committees should include community representatives, school personnel and must include parents of district students.

These committees shall, in accordance with the procedure established by the Teaching and Learning division, evaluate instructional materials which have not been used previously in the district to determine their appropriateness and usability in the schools before such materials are requisitioned. Evaluations will consider the state standards and District Strategic Directions. Meetings of committees convened for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the School Board must be noticed and open to the public in accordance with s.286.0111.

Normally, only those instructional materials which have been district recommended and district adopted shall be requisitioned for use in this school system. A waiver from the district's instructional materials recommendations may be requested by following procedures established by the Teaching and Learning division. By April 1st of each year the district will notify the Department of Education of the district's plan for purchasing state adopted materials as required by state statute.

The program coordinator of instructional materials will be notified of all pilots of instructional materials in the district. No pilots of instructional materials being considered for state adoption will be conducted eighteen (18) months prior to official adoption.

### **Adoption of Instructional Materials**

It is the constitutional duty and responsibility of the Pinellas County School Board to adopt and provide adequate instructional materials to all students of the district, whether the materials as defined in s.1006.28 are selected from Florida Department of Education (FDOE) approved materials list or through a local selection program. The following procedures for the adoption of instructional materials apply only to those instructional materials that serve as the major content tool and basis for instruction for each student in the core subject areas of mathematics, language arts, social studies, science, reading, and literature.

- A. Public access to all recommended student instructional materials can be accessed and viewed online at least 20 calendar days before the School Board hearing and public meeting.
- B. Public notice of the materials being considered for adoption shall specifically list the materials and how they can be accessed.
- C. The School Board shall conduct an open noticed public hearing to receive comment on recommended materials prior to adoption.
- D. The School Board shall conduct an open noticed public meeting, on a date other than the date of the public hearing required by C (immediately above), to approve an annual instructional materials plan identifying instructional materials that will be purchased.
- E. The School Board shall receive comment at the public hearing and meeting as prescribed in policy.
- F. The School Board will select, approve, adopt and purchase all instructional materials as a separate line item on the nonconsent agenda.

#### Process to Contest Adoption of Specific Instructional Material

A parent of a public school student or a resident of the county may contest the Board's adoption of specific instructional materials as described in the Adoption of Instructional Materials section above. The term "resident" means a person who has maintained their residence in this state for the preceding year, has purchased a home that is occupied by them as their residence, or has established a domicile in this state pursuant to s.222.17. The parent, or resident, must file with the Board within thirty (30) calendar days after the Board's adoption of specific instructional material a petition on form 2-3185 (Objection to Instructional and/or Media Material). The petition form shall be publicly available by visiting in-person or by accessing the School Board's website at [www.pcsb.org](http://www.pcsb.org). The petition must be signed by the parent or resident, include the required contact information, and state the objection to the instructional material.

Within thirty (30) calendar days after the thirty (30) day contest period has expired, the School Board must, for all petitions timely received, conduct at least one (1) open public hearing before an unbiased and qualified hearing officer. The hearing officer may not be an employee or agent of the school district. The hearing is not subject to the provision of Chapter 120; however, the hearing must provide sufficient procedural protections to allow each petitioner an adequate and fair opportunity to be heard and present evidence to the hearing officer. The Board's decision after convening a public hearing is final and not subject to further Board or district petition or review.

#### **Utilization of Instructional Materials**

District adopted instructional materials shall be used until the physical condition of the material makes it unsuitable for use or until the material is obsolete.

Instructional materials shall be considered obsolete when both the state contract expires and the title is removed from the district adopted list.

All obsolete instructional materials shall be returned to the Instructional Materials Department for proper disposition or salvage.

## **Surplus Instructional Materials**

District adopted instructional materials which exceed the needs of a particular school may be declared surplus and made available for redistribution to other schools in the district. Such surplus may exist as a result of decreased enrollment or changes in course offerings. A list of all such surplus materials shall be sent to the program coordinator of instructional materials as soon as they are identified as being surplus. The surplus materials shall be returned to the Instructional Materials Department and utilized in requisitions of schools having a shortage of such materials, at no charge.

State instructional materials which have been replaced with a new state or district adoption and which are no longer needed in the instructional program at a particular school shall be declared obsolete and returned to the Instructional Materials Department unless the program coordinator of instructional materials grants the school written permission to retain the materials. Additionally, instructional materials that are deemed unserviceable shall be declared obsolete and returned to the central textbook depository.

## **Unusable Instructional Materials**

District adopted instructional materials may become physically unusable prior to the expiration of the adopted contract period and/or before they have met the criteria to be declared eligible for discard.

Those instructional materials that become unfit for student use (i.e., loose or torn pages, water damage, missing pages or covers, obscenities, etc.) may be declared unusable by the principal, removed from the inventory, and returned to the Instructional Materials Department.

## **Disposition of Obsolete and Unusable Instructional Materials Including Software**

District adopted instructional materials which are obsolete shall be returned to the Instructional Materials Department. Instructional materials declared to be of no further value to this school system may be disposed of as follows:

- A. offered to the adult education program or other public education programs in the district or state
- B. given to teachers to use as resource materials
- C. offered free to district students
- D. offered to private and parochial schools in Pinellas County
- E. made available to any governmental agency, charitable organization, or any individual
- F. sold to used book dealers, recycling plants, pulp mills, or other persons or firms, at the discretion of the superintendent. Funds received will be added to the instructional materials appropriation

Materials that cannot be disposed of through one (1) of these six (6) methods will be disposed of with commercial or public disposal methods.

## **Purchasing State Adopted Instructional Materials With Regular Allocation of Funds**

State adopted instructional materials requests are completed on printed forms or electronically entered and forwarded to the office of the program coordinator of instructional materials for processing before items are ordered from the state depository.

Current and adequate instructional materials will be purchased in the first three (3) years of an adoption for the core subject areas of language arts, social studies, science, mathematics, literature, and reading. Each student will be provided with a textbook or other material as a major tool of instruction in the core subject areas listed above.

### **Purchasing Instructional Materials With Flexibility Funds**

Each principal shall receive notice of the amount available for use of the flexibility funds if additional funds are available. These funds shall be based on each school's enrollment.

If the principal determines to use the flexibility funds for additional state adopted materials, the normal procedures for the purchase of state adopted materials shall be followed.

Materials to be considered for flexibility fund purchasing are to be evaluated in accordance with procedures established by the appropriate department of the division of Teaching and Learning.

Purchase orders shall be processed through the Instructional Materials Department, who will review each purchase order to determine that each purchase order meets the requirements listed above.

If the principal determines to use the flexibility funds for non-state adopted materials, a standard district purchase order shall be used. The requisition shall be addressed to the vendor with an allowance for shipping charges. Any charges in excess of the flexibility funds shall be charged to the individual school budget. Such requisition shall be forwarded to the program coordinator of instructional materials for review and approval. Following approval, the requisition shall be forwarded to the Purchasing Department, where normal procedures for purchasing, receiving, and payment shall be followed.

The cut-off date for requisitions to encumber flexibility funds shall be March 15th of each year.

Some materials purchased with flexibility funds may be recorded on the annual inventory report of state adopted instructional materials. The principal shall be responsible for utilizing existing school inventory procedures to ensure proper accountability.

### **Library Media Materials Selection Guidelines:**

Procedures can be found: [www.pcsb.org/Page/38472](http://www.pcsb.org/Page/38472)

### **Procedures Concerning Challenged Supplemental Instructional Materials and Library Media Materials**

Challenges to Family Life Education material are addressed in procedures/guidelines established by the Family Life Education Committee.

The School Board is legally responsible for all matters relating to the operation of the district. The responsibility for the selection of education materials is delegated to the professionally trained personnel employed by the School Board. Selection of materials involves many people: principals, teachers, students, supervisors, coordinators, and specialists. The responsibility for approving library media and supplemental materials for classroom use rests with the principal and a school district employee who holds a valid educational media specialist certificate (see Policy 2240).

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. Priority shall be given to the selection of materials that align with the state standards as provided for in s.1003.41 and include the instructional objectives contained within the curriculum frameworks for career and technical education and adult and adult general

education adopted by rule of the State Board of Education under s.1004.92

C. The degree to which the material would be supplemented and explained by mature classroom instruction as part of a normal classroom instructional program

D. The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this state

If a parent objects to their child's use of instructional materials, the teacher shall provide alternate instruction and an equal, equitable, alternate assignment.

If a resident of the county objects or a parent objects to the use of the material with other children besides their own child, the complainant must file the objections in writing on the district-approved Objection to Instructional and/or Media Material form (form 2-3185) and submit the form to the principal who will give it to the School-Based Instructional Materials Review Committee. This review committee appointed by the principal is composed of three (3) faculty members, two (2) parents chosen by the school advisory council, two (2) members representing the community, and the library media specialist, who shall serve as the non-voting chairman/facilitator. The review committee will contact the respective subject area content specialist(s) for input. The principal will inform the superintendent of the complaint.

The material in question will remain in use until the School-Based Instructional Materials Review Committee recommends a final decision.

The School-Based Instructional Materials Review Committee will read or view the challenged materials referred to it. The committee should check the general acceptance of the materials by reading professional reviews provided by the superintendent. These professional reviews should present a balanced view if possible. The committee should weigh values and faults against each other and form opinions based on the material as a whole and not on passages pulled out of context. The review committee will meet to discuss the material and the complainant and teacher will be invited to speak. The principal and appropriate district personnel should attend the meeting. The committee will prepare a report of its findings. Copies of the report will be given to the complainant by the principal. Additional copies will be provided to the area superintendent, associate superintendent for teaching and learning, and the superintendent.

The complainant may appeal the decision of the School-Based Instructional Materials Review Committee to the District Committee for Challenged Materials (same committee membership as the District First Amendment Review Committee) appointed by the associate superintendent for teaching and learning and composed of two (2) representatives from the County Council of PTAs, two (2) members representing the community, three (3) teachers, and a non-voting chairman/facilitator. The content specialist will assist the chairman/facilitator. The superintendent or the content specialists will provide input to the District Committee for Challenged Materials. The decision of the District Committee for Challenged Materials shall be final.

F.S. 1001.32(2), 1001.41, 1001.42, 1001.43, 1006.28, 1006.283, 1006.34, 1006.40, 1006.42

F.A.C. 6A-1.0955, 6A-7.0713