

## 1                    2510 - INSTRUCTIONAL MATERIALS, INCLUDING TEXTBOOKS

### 2                    **Instructional Materials Defined**

3                    Instructional materials are defined as items having intellectual content that by design serve as a major  
4                    tool for assisting in the instruction of a subject or course. These items may be available in bound,  
5                    unbound, kit, or package form and may consist of hardback or softback textbooks, consumables, learning  
6                    laboratories, manipulatives, and computer software. Electronic or computer hardware, even if such  
7                    hardware is bundled with software or other electronic media are not considered instructional materials.  
8                    Included are the following: State-adopted textbooks and ancillary materials, non-adopted related  
9                    materials that accompany State-adopted texts, books, library and reference books not included on the  
10                    State adopted list, documents, photographs, maps, charts, globes, recordings, slides, transparencies,  
11                    pre-recorded audio and videotapes, CD-ROM discs, computer software, or science laboratory materials;  
12                    including an allocation for the repair and renovation of textbooks and library books; but shall not include  
13                    furniture, calculators, audio-visual, office and/or other equipment or teaching supplies. Teaching supplies  
14                    (not to be purchased with flexibility funds) are those classroom, office, audio-visual, or library non-  
15                    published supply items of an expendable nature, such as chalk, paper, ink, pens, paint brushes,  
16                    projection lamps, laminating films, and library cards.

### 17 18                    **Superintendent's Responsibility**

19                    The Superintendent, or designee, shall be responsible for the requisition, purchase, receipt, storage,  
20                    distribution, use, conservation, records, and reports of, and management practices and property  
21                    accountability concerning, instructional materials.

### 22                    **Principal's Responsibility**

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

#### 27                    •    **Distribution**

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

#### 30                    •    **Lost and Damaged Materials**

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

#### 38                    •    **Failure to Pay Fines**

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

### 41                    **Collection of Fines**

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

4 **Proper Care**

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

8 **Accounting for Materials**

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

11 **Records and Reports**

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

15 **Use of Materials**

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

18 **Purchases from Internal Funds**

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

21 **Care of Materials**

22 Students are expected to take good care of the instructional material assigned to them.  
23

24 **Parent Purchase of Materials**

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

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

29 B. A parent desiring to purchase a textbook is expected to make payment in advance, all  
30 checks being made payable to the school.

31 C. The purchase price shall be the state contract price plus fifteen percent (15%) for  
32 shipping.

33 D. Upon receipt of the cash or check from the parent, the school shall issue a school  
34 purchase order to the Florida Textbook Depository, listing quantity, code number, and  
35 title.

36 E. Upon receipt of the materials the parent shall be notified.

1 F. The invoice for payment shall be paid from the account established in (a), above. At  
 2 the end of the school year, any funds left from the fifteen percent (15%) shipping  
 3 charge shall become discretionary with the principal.

4 G. Prohibited from sale to parents are all teacher editions, guides, keys, etc. (i.e., any  
 5 materials not normally used by students).

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

7 The appropriate department(s) of the division of Teaching and Learning may approve up to fifty percent  
 8 (50%) of the instructional materials allocation fund to purchase instructional materials not included on the  
 9 State adopted list. Individual school expenditures in excess of fifty percent (50%), up to the District  
 10 amount provided by law, may be approved by the Associate Superintendent for Teaching and Learning.  
 11 The division of Teaching and Learning shall define "instructional materials" and establish procedures for  
 12 the evaluation, selection, and use of non-adopted materials.

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

14 The appropriate content specialist, under the Associate Superintendent for Teaching and Learning, shall  
 15 appoint committees to evaluate materials for District adoption and work with the program coordinator of  
 16 instructional materials to obtain samples, train committees, and publicize adoptions. These committees  
 17 should include parents, community representatives, and school personnel.

18 These committees shall, in accordance with the procedure established by the Teaching and Learning  
 19 Division, evaluate instructional materials which have not been used previously in the district to determine  
 20 their appropriateness and usability in the schools before such materials are requisitioned. Evaluations  
 21 will consider the Florida Standards and District Strategic Directions.

22 Following such evaluations, a list of District recommended and adopted instructional materials shall be  
 23 prepared by April 15th of each school year for use during the following school year.

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

29 The Program Coordinator of Instructional Materials will be notified of all pilots of instructional materials in  
 30 the District. No pilots of instructional materials being considered for State adoption will be done eighteen  
 31 (18) months prior to official adoption. Pilots during the first two (2) years of an adoption require the prior  
 32 approval of the Commissioner of Education.

33  
 34 **Adoption of Instructional Materials**

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

- 42  
 43 1. Public access to recommended materials will be provided 20 days before consideration by the  
 44 School Board.  
 45 2. Public notice of the materials being considered for adoption shall specifically list the materials and  
 46 how they can be accessed.

- 1 3. The School Board shall conduct an open noticed public hearing to receive comment on  
2 recommended materials prior to adoption.
- 3 4. The School Board shall conduct an open noticed public meeting, on a date other than the date of  
4 the public hearing required by 3. immediately above, to approve an annual instructional materials  
5 plan identifying instructional materials that will be purchased.
- 6 5. The School Board shall receive comment at the public hearing and meeting as prescribed in  
7 policy.  
8  
9

### 10 **Process for Parents to Contest Adoption of Specific Instructional Material**

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12 Parents of students attending a public school in the District may contest the Board's adoption of specific  
13 instructional materials as described in the Adoption of Instructional Materials section above. The parent  
14 must file with the Board within thirty (30) calendar days after the Board's adoption of specific instructional  
15 material a petition on form 2-3185 (Objection to Instructional and/or Media Material). The petition form  
16 shall be publicly available by visiting in-person or by accessing the School Board's website at  
17 [www.pcsb.org](http://www.pcsb.org). The petition must be signed by the parent, include the required contact information, and  
18 state the objection to the instructional material.  
19

20 Within thirty (30) calendar days after the thirty (30) day contest period has expired, the School Board will  
21 conduct at least one (1) open public hearing on all petitions timely received and provide the petitioner(s)  
22 written notification of the date and time of the hearing at least seven (7) calendar days before the public  
23 hearing. All instructional materials contested will be made accessible online to the public at least seven  
24 (7) calendar days before a public hearing. The Board's decision after convening a public hearing is final  
25 and not subject to further Board or District petition or review.

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

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

29 Instructional materials shall be considered obsolete when both the State contract expires and the title is  
30 removed from the District adopted list.

31 All obsolete instructional materials shall be returned to the central book depository for proper disposition  
32 or salvage.

### 33 **Surplus Instructional Materials**

34 District adopted instructional materials which exceed the needs of a particular school may be declared  
35 surplus and made available for redistribution to other schools in the District. Such surplus may exist as a  
36 result of decreased enrollment or changes in course offerings. A list of all such surplus materials shall be  
37 sent to the Program Coordinator of Instructional Materials as soon as they are identified as being surplus.  
38 The surplus materials shall be returned to the central textbook depository and utilized in requisitions of  
39 schools having a shortage of such materials, at no charge.

40 State instructional materials which have been replaced with a new State or District adoption and which  
41 are no longer needed in the instructional program at a particular school shall be declared obsolete and  
42 returned to the central textbook depository unless the Program Coordinator of Instructional Materials  
43 grants the school written permission to retain the materials. Additionally, instructional materials that are  
44 deemed unserviceable shall be declared obsolete and returned to the central textbook depository.

### 45 **Unusable Instructional Materials**

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

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

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

5 District adopted instructional materials which are obsolete shall be returned to the central textbook  
6 depository.

7 Instructional materials declared to be of no further value to this school system may be disposed of as  
8 follows:

- 9 1. offered to the adult education program or other public education programs in the District or State;
- 10 2. given to teachers to use as resource materials;
- 11 3. offered free to District students;
- 12 4. offered to private and parochial schools in Pinellas County;
- 13 5. made available to any governmental agency, charitable organization, or any individual;
- 14 6. sold to used book dealers, recycling plants, pulp mills, or other persons or firms, at the discretion  
15 of the Superintendent. Funds received will be added to the instructional materials appropriation.

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

18 **Purchasing State Adopted Instructional Materials with Regular Allocation of Funds**

19 State adopted instructional materials requests are completed on printed forms or electronically entered  
20 and forwarded to the office of the Program Coordinator of Instructional Materials for processing before  
21 items are ordered from the State depository.

22 Current and adequate instructional materials will be purchased in the first three (3) years of an adoption  
23 for the core subject areas of Language Arts, Social Studies, Science, Mathematics, Literature, and  
24 Reading. Each student will be provided with a textbook or other materials as a major tool of instruction in  
25 the core subject areas listed above.

26

27 **Purchasing Instructional Materials with Flexibility Funds**

28 Each principal shall receive notice of the amount available for use of the flexibility funds. These funds  
29 shall be a percentage of the regular allocation for State adopted instructional materials.

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

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

1 District Instructional Materials Committee or a Flexibility Committee. Evaluations are to be forwarded to  
2 the Program Coordinator of Instructional Materials, who shall maintain a list of approved materials.

3 Following evaluation and recommendation, the principal shall approve any subsequent purchase with the  
4 use of flexibility funds. Purchase orders shall be processed through the office of the Program Coordinator  
5 of Instructional Materials, who will review each purchase order to determine that each such purchase  
6 order meets the requirements listed above.

7 If the principal determines to use the flexibility funds for non-state adopted materials, a standard District  
8 purchase order shall be used. The requisition shall be addressed to the vendor with an allowance for  
9 shipping charges. Any charges in excess of the flexibility funds shall be charged to the individual school  
10 budget. Such requisition shall be forwarded to the Program Coordinator of Instructional Materials for  
11 review and approval. Following approval, the requisition shall be forwarded to the Purchasing  
12 Department, where normal procedures for purchasing, receiving, and payment shall be followed.

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

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

#### 17 **Procedures Concerning Challenged Instructional Materials After Adoption**

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

20 The School Board is legally responsible for all matters relating to the operation of the District. The  
21 responsibility for the selection of education materials is delegated to the professionally trained personnel  
22 employed by the School Board. Selection of materials involves many people: principals, teachers,  
23 students, supervisors, coordinators, and library information specialists. The responsibility for approving  
24 supplemental materials such as novels or digital content for classroom study rests with the principal. In  
25 selecting supplemental material for the principal's approval, teachers shall consider the relative level of  
26 maturity of their students and their need for guidance in the study of such material.

27 It is the responsibility of the teacher (or other instructional staff member) who intends to use supplemental  
28 materials to notify the school principal of potentially controversial materials that may be considered  
29 offensive to reasonable persons within the community.

30 It is the responsibility of the principal to ensure that the materials used are appropriate and consistent with  
31 the Florida Standards for the course. It is the responsibility of the principal or principal's designee to  
32 assist the teacher in devising methods to minimize or eliminate controversial materials, including, if  
33 appropriate, notifying parents of the nature of the material.

34 If the principal decides the materials should not be taught and the teacher disagrees with the principal's  
35 determination, the teacher may appeal as outlined in [Policy 2235](#).

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

38 If a parent objects to the use of the material with other children besides his/her own child, the complainant  
39 must file the objections in writing on the District-approved Complaint Regarding Library Instructional  
40 Materials (Form A) and submit the form to the principal who will give it to the School-Based Instructional  
41 Materials Review Committee (same committee membership as the School-Based Library Information  
42 Review Committee). This review committee appointed by the principal is composed of three (3) faculty  
43 members, two (2) parents chosen by the school advisory council, two (2) members representing the  
44 community, and the library information specialist, who shall serve as the non-voting chairman/facilitator.

1 The review committee will contact the respective subject area content specialist (s) for input. The  
2 principal will inform the Superintendent of the complaint.

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

5 The School-Based Instructional Materials Review Committee will read or view the challenged materials  
6 referred to it. The committee should check the general acceptance of the materials by reading  
7 professional reviews provided by the Superintendent or designee. These professional reviews should  
8 present a balanced view if possible. The committee should weigh values and faults against each other  
9 and form opinions based on the material as a whole and not on passages pulled out of context. The  
10 review committee will meet to discuss the material and the complainant and teacher will be invited to  
11 speak. The principal and appropriate District personnel should attend the meeting. The committee will  
12 prepare a report of its findings. Copies of the report will be given to the complainant by the principal.  
13 Additional copies will be provided to the Area Superintendent, Associate Superintendent for Teaching and  
14 Learning, and the Superintendent.

15 The subject area content specialist may convene a committee of representative stakeholders to review  
16 the acceptability and continuance of the challenged materials for District-wide use. Content Specialists  
17 will follow procedures developed by the Division of Teaching and Learning. The committee will review the  
18 challenged material and make additional recommendations to the Superintendent. The Superintendent  
19 will review the committee's recommendation and decide the issue. The Superintendent's decision shall  
20 be final.

21 The complainant may appeal the decision of the School-Based Instructional Materials Review Committee  
22 to the District Committee for Challenged Materials (same committee membership as the District First  
23 Amendment Review Committee) appointed by the Associate Superintendent for Teaching and Learning  
24 and composed of two (2) representatives from the County Council of PTAs, two (2) members  
25 representing the community, three (3) teachers, and a non-voting chairman/facilitator. The content  
26 specialist will assist the chairman/facilitator. The Superintendent or the content specialists will provide  
27 input to the District Committee for Challenged Materials. The decision of the District Committee for  
28 Challenged Materials shall be final.

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

30 F.S. 1006.42

31 F.A.C. 6A-1.0955

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