

EVALUATION OF INSTRUCTIONAL MATERIALS

Purpose of Guidelines

The purpose of this regulation is to provide consistent, systematic standards for evaluating instructional materials proposed for use in the District schools to ensure compliance with the Education Code and with the regulations which implement that code.

Students pattern their interests, prejudices, and ideas after what they see and hear. They dream of and aspire to those goals they are encouraged to attain. Their world can be expansive and filled with exciting and infinite possibilities, or frustrating in its limitations, depending on their exposure. Much of a student's early development takes place in school, and the potentially positive or negative effect of the school experience is well documented. The Legislature recognized the vital role instructional materials play in the formation of a student's attitudes and beliefs when it adopted Education Code Sections 60040 and 60044.

This regulation is not intended to supplant the evaluator's judgment, because it would be impossible to do so. It does comprise the minimum standards for acceptability and provides criteria by which to judge compliance of instructional materials with Education Code Sections 60040, 60041, 60042, 60043, 60044, and 60045. The regulation should be used when evaluating both the student material and the teacher material. In no event should instructions in a teacher manual designed to overcome noncompliant pictures or text in a student edition be given any consideration in evaluation of the student edition.

In order to portray accurately the cultural and racial diversity and the male and female roles in our society, instructional materials must encourage students to understand not only the historical roles and contributions of women and minorities, but also the forces which shaped those roles and contributions, and how and why the contemporary roles and contributions of women and minorities are different.

Limitations

In certain limited situations it would be inappropriate to require that a pictorial or textual item conform exactly to this regulation. Such an instance would arise, for example, in reprinting a story by a named author or a painting by a named artist which is considered to make an important contribution to a given instructional material. In such a situation, however, discussion material should be included indicating that, for example, a particular attitude toward women or a minority group was prevalent during a certain period in history, and how and why that attitude has changed.

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When examining an instructional material for adverse reflection on one's gender, race, ethnicity, disability, nationality, sexual orientation, or any other class protected against discrimination prohibited by Education Code Section 60044, the evaluator should make a qualitative judgment with respect to stories or articles having an historical perspective. Any description, depiction, inference, label, or retort found to be, by itself, an adverse reflection should not be judged out of context. Rather, the story or article should be examined for appropriate explanations, discussion, or other devices included therein, or immediately attached thereto, which may overcome the impact of such offending words or pictures. The instructional material should be rejected only if, on a total basis, the story or article would, in the mind of an average student for whom the material is intended, reflect adversely upon a person because of his or her gender, race, ethnicity, disability, nationality, sexual orientation, or any other class protected against discrimination.

This regulation may be inapplicable to certain instructional materials. For example, materials need not include references to people. Therefore, math problems described solely in abstract terms or stories about animals without human attributes are outside the scope of this regulation. Additionally, materials which contain references to children need not include references to adults.

Materials in a Series

When evaluating instructional materials which are designed to be used as a graded, non-graded, or multi-graded series, each component thereof shall be judged individually for compliance and without regard to the content of any other component. However, a group or sequence of materials which is designed for use exclusively within a particular single grade or subject area shall be judged on a total basis for compliance with the prohibitions in Education Code Sections 60044 concerning adverse reflections of one's gender, race, ethnicity, disability, nationality, sexual orientation, or any other class protected against discrimination. For example, if a package of three different books is designed to be used in a single one-year course and a student is expected to complete all books in that school year, any portrayal deficiencies found in one book may be balanced against any exemplary portrayal in another book. However, each of the three books must be judged separately for compliance with the adverse reflection prohibitions.

Specific Criteria for Evaluation of Instructional Materials

1. Male and Female Roles - Education Code Sections 60040(a) and 60044(a)

In order to encourage the individual development and self of each student, regardless of gender, instructional materials, when they portray people (or animals having identifiable human attributes), shall portray women and men, girls and boys, in a wide variety of occupational, emotional, and behavioral situations, presenting both sexes in the full range of their human potential. The criteria to be used whenever possible are:

- a. Descriptions, depictions, inferences, labels, or retorts which tend to demean, stereotype, or be patronizing toward females must not appear.

- b. Instructional materials that generally or incidentally reflect contemporary American society, regardless of the subject area, must contain references to, or illustrations of, males and females approximately evenly, except as limited by accuracy.
 - c. Mentally and physically active, creative, problem-solving roles, and success and failure in those roles, should be divided approximately evenly between male and female characters.
 - d. Emotions – for example, fear, anger, aggression, excitement, or tenderness – should occur randomly among characters regardless of gender.
 - e. Traditional activities engaged in by characters of one sex should be balanced by the presentation of nontraditional activities for characters of that sex.
 - f. If professional or executive roles, or vocations, trades, or other gainful occupations are portrayed, men and women should be represented therein approximately equally.
 - g. Where lifestyle choices are discussed, boys and girls should be offered an equally wide range of such aspirations and choices.
 - h. Whenever a material presents developments in history or current events, or achievements in art, science, or any other field, the contributions of women should be included and discussed when historically accurate.
 - i. Imbalance or inequality of any kind, when presented for historical accuracy, should, in the student edition of the instructional material, be interpreted in light of contemporary standards and circumstances.
 - j. Sexually neutral language – for example, "people," "persons," "men and women," "pioneers," "they" – should be used.
2. Ethnic and Cultural Groups - Education Code Sections 60040(b) and 60044(a)

In order to project the cultural diversity of our society, instill in each student a sense of pride in his or her heritage, eradicate the seeds of prejudice, and encourage the individual development of each student, instructional materials, when portraying people (or animals having identifiable human attributes), shall include a fair representation of majority and minority* group characters portrayed in a wide variety of occupational and behavioral roles and present the contributions of ethnic and cultural groups, thereby reinforcing the self-esteem and potential of all people and helping the members of minority groups to find their rightful place in our society. The criteria are:

- a. Descriptions, depictions, inferences, or labels which tend to demean, stereotype, or be patronizing toward minority groups must not appear.

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- b. When diverse ethnic or cultural groups are portrayed, such portrayal must not depict differences in customs or lifestyle as undesirable and must not reflect an adverse value judgment of such differences.
- c. Instructional materials that generally or incidentally reflect contemporary American society, regardless of the subject area, must contain references to, or illustrations of, a fair proportion of diverse ethnic groups.
- d. Mentally active, creative, and problem-solving roles, and success and failure in those roles, should be divided in fair proportion between majority and minority group characters.
- e. The portrayal of minority characters in roles to which they have been traditionally restricted by society should be balanced by the presentation of nontraditional activities for characters of that race.
- f. Minority persons should be depicted in the same range of socio-economic settings as persons of the majority group.

* For purposes of these criteria, "minority" shall mean those cultural and racial minority groups referred to in Section 60040 of the California Education Code; namely, "American Indian, African American, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities and members of other ethnic and cultural groups."

- g. Depiction of diverse ethnic and cultural groups should not be limited to the root culture but rather expanded to include such groups within the mainstream of American life.
- h. If professional or executive roles, or vocations, trades, or other gainful occupations are portrayed, majority and minority groups should be presented therein in fair proportion.
- i. Whenever developments in history or current events or achievements in art, science, or any other field are presented, the contributions of minority peoples, and particularly the identification of prominent minority persons, should be included and discussed when historically accurate.
- j. Imbalance or inequality of any kind, when presented for historical accuracy, should, in the student edition of the instructional materials, be interpreted in light of contemporary standards and circumstances.

3. Entrepreneur and Labor - Education Code Section 60040(c)

The criteria are:

- a. References or labels which tend to demean, stereotype, or be patronizing toward an occupation, vocation, or livelihood must not appear.
- b. Where appropriate, reference should be made to the role and contribution of the entrepreneur in the total development of California and the United States, and any such reference should be accurate.
- c. Where appropriate, reference should be made to the role and contribution of labor in the total development of California and the United States, and any such reference should be accurate.

4. Ecology and Environment - Education Code Section 60041(a)

The criteria are:

- a. Responsibilities of human beings toward a healthy, sanitary environment are appropriately portrayed.
- b. Wise use of resources, both human and physical, is actively encouraged.
- c. Interdependence of people and their environment is portrayed.
- d. Adverse effects of solutions to environmental problems are identified.
- e. Appropriate means of protecting the environment are suggested.

5. Dangerous Substances - Education Code Section 60041(b)

The criteria are:

- a. The hazards of the use of tobacco, alcohol, narcotics, and restricted dangerous drugs are depicted in illustrations or discussions where references to these substances are included in instructional materials.
- b. The use of tobacco, alcohol, narcotics, or restricted dangerous drugs is not glamorized or encouraged by illustrations or discussion references.
- c. The involvement in gang or terrorist activity or use of weapons is not glamorized or encouraged by illustrations or discussion references.

6. Religion - Education Code 60044(b)

The criteria are:

- a. No religious belief or practice shall be held up to ridicule nor any religious group portrayed as inferior.

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- b. Portrayals of contemporary American society should, where religion is discussed or depicted, reflect its religious diversity. Except where a material deals with a particular historical era, materials in art and music must, where religious aspects thereof are depicted, reflect the religious diversity of contemporary American society.
- c. Any explanation or description of a religious belief or practice shall be presented in a manner which neither encourages nor discourages belief in the matter, nor indoctrinates the student in any particular religious belief, nor otherwise instructs students in religious principles.

Reference: State Board of Education "Guidelines" contained in memo form from legal office to State Superintendent of Schools, April 1976; Title IX of Education Amendments of 1972; Education Code Sections 60040, 60041, 60042, 60043, 60044, 60045, Senate Bill 48, Fair Accurate, Inclusive, and Respectful (FAIR) Act

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