

Book	Policy Manual
Section	Ready for the board
Title	Copy of ADOPTION OF INSTRUCTIONAL RESOURCES
Code	po2510
Status	
Legal	State Board policies 2445.40, 2445.41 and 2445.4A WV Code 18-2A-1 through 9; 18-5A-6; 18-5-21 Randolph County Board of Education v. Adams, 196 W.Va. 9, 467 S.E. 2d 150, West Virginia Supreme Court of Appeal
Adopted	July 9, 2009
Last Revised	August 7, 2012

2510 - **ADOPTION OF INSTRUCTIONAL RESOURCES**

Instructional materials, electronic-resources and systems, or combinations of such instructional resources and kit-based instructional materials which convey information to the student.

It is the legal responsibility of the Board of Education to approve all instructional resources used as the primary sources to deliver the instructional goals and objectives for State required courses. No such instruction resource will be approved which is not on the State multiple list approved by the State Board of Education. Software, print and electronic magazines, print and electronic newspapers, and other print and electronic periodicals and other licensed or subscription-based instructional resources may be purchased by the Board for classroom use to supplement those items adopted on the State multiple list without having to comply with the adoption procedures established in WV Code 18-2A-1.

The school curriculum team may apply through the school's local school improvement council for a waiver from the instructional resource adoption process established in WV Code 18-2A-1 et seq., if, in the judgment of the team, materials necessary for the implementation of such curriculum are not available through the normal adoption process.

The County instructional resource adoption committee with approval of the Board, may request permission from the State Board of Education for the continued use of previously adopted items that are listed on the most recently expired multiple list appropriate for the subject category under consideration. However, the continued use shall not exceed a period as designated by the State Board of Education.

School curriculum teams shall make their curriculum and instructional needs known to the Superintendent and selection committee prior to the consideration of any adopted grouping in accordance with WV Code 18-2A-3.

The Board of Education shall, upon recommendation of the Superintendent with the aid of a committee of teachers and not later than May 1st of the year following that in which the multiple list for the group was made and approved, select from the State multiple list one or more resources to deliver instruction. The adoption period is based on the fiscal year (July 1st to June 30th) and, unless otherwise noted, is established for six (6) years. If otherwise noted, the adoption period will be defined by years and group.

In order to avoid duplication and to maximize resources, with agreement of all county superintendents within the ~~Regional Education Service Agency (RESA)~~ Eastern Panhandle Instructional Cooperative (EPIC) area and subsequent ~~RESA~~ EPIC action, a ~~RESA~~ EPIC instructional resources selection team may be established to conduct a review of selected resources placed on the state multiple list by the state board. The membership of the selection team will be established through agreement of the county superintendents with representation of all ~~counties~~ districts, including any nonvoting advisors from the general public. The resource selection team will provide recommendations to each county superintendent for consideration, review and adoption by each county board.

If the Board adopts electronic instructional resources, it shall require equity of access for all students at school and shall have a plan to provide equity of access at home if necessary through alternate avenues including, but not limited to, print, software, and hardware support.

Disposition of and Request for Samples

Sample items submitted to the Board remain the property of the vendor submitting them if claimed within thirty (30) days after instructional materials have been formally adopted. Unclaimed items may be distributed free of charge by the board of education to any school, library or individual who may have need for the sample items.

Vendors claiming samples within the thirty (30) day period shall notify the Board at the time samples are submitted for study of their intent to recall the samples. All costs shall be borne by the vendors.

The County Adoption Committee is entitled to request or receive no more than eight (8) free samples of any multigrade program being considered for adoption. Any single grade level subject area items used above grade six shall be limited to five (5) free samples per County Selection Committee. Any individual requesting samples in excess of these limits shall be billed by the vendor at the lowest wholesale price plus shipping.

Gifts and Bribes to Influence Adoption of Instructional Resources

The Superintendent, any member of the county board of education or any other person who shall receive, solicit, or accept any gift, present, or thing of value to influence that individual in the vote of the adoption of instructional resources, print or electronic, or any combination thereof, or any person who shall either directly or indirectly give or offer to give any such gift, present, or thing of value to any person to influence that individual in voting for the adoption of instructional resources, print or electronic, or any combination thereof, shall be guilty of a felony, and, upon conviction thereof, shall be punished by confinement in a correctional facility for not less than one (1) year nor more than three (3) years.

County Instructional Resource Adoption Committees

The County Instructional Resource Adoption Committee shall be comprised of the following:

- A. assistant superintendent
- B. teachers currently employed in the programmatic level of the textbooks to be adopted
- C. one (1) non-voting lay member from the community

Cost of Instructional Resources and Other Instructional Materials

It is the legal responsibility of the Board to provide the duly adopted, required instructional resources and items that are integral and fundamental part of the elementary and secondary education to students who are enrolled in the County free of charge. Those items "integral and fundamental" include basic paper, writing implements and computers, and other basic items that a student must have in order to participate in the curriculum. Items such as backpacks, tissues, baggies, hand sanitizer, specialized binders and folders are not considered "integral and fundamental". Instructional resources may be in a printed and bound or electronic format. An "electronic instructional resource" is defined as computer software, interactive videodisc, magnetic media, CD-ROM, computer courseware, on-line service, electronic medium, or other means of conveying information to the student or otherwise contributing to the learning process through electronic medium, or other means of conveying information to the student or otherwise contributing to the learning process through electronic means.

It is acceptable for schools and teachers to request that students purchase their own equipment for performance-based classes such as band, orchestra, dance, theater, and choir. However, if a student cannot afford to buy items such as instruments and costumes, the Board will have in place a contingency plan to allow the student to fully participate in the class. No child shall be denied participation in any curricular offering or otherwise penalized because his/her parents' or guardians' inability to pay.

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

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