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NEWS

Were any of these books banned by Palm Beach County schools? Here's what they reviewed and why

Giuseppe Sabella Palm Beach Post

Published 5:00 a.m. ET Sept. 2, 2022 | Updated 4:00 p.m. ET Sept. 8, 2022

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'We say gay': Atlantic High students hold walkout to protest 'Don't Say Gay' bill
More than 40 Atlantic High students walked off campus in Delray Beach on Thursday. The protest came two days after the Florida Senate passed HB 1557, dubbed the "Don't Say Gay" bill by opponents. Giuseppe Sabella, Palm Beach Post

The Palm Beach County school district reviewed 31 books and other learning materials to ensure they comply with Florida's new laws regarding classroom instruction on gender identity, sexual orientation and history.

It appears the list resulted from a survey the district created to review books after the laws passed.

Does a book instruct on sexual orientation or gender identity? Does it promote the idea that "people are racist, sexist, or oppressive, whether consciously or unconsciously"?

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Florida Gov. Ron DeSantis displays the signed Parental Rights in Education, called the Don't Say Gay bill by critics, flanked by elementary school students during a news conference March 28. *Douglas R. Clifford/AP, Douglas R. Clifford/AP*

If teachers or other district staff answered “Yes” or “Unsure” to those questions, among others, they had to give the book to a media specialist. The final review and decision-making often happens at the district level with help from a “library media team,” according to a training video provided to district employees.

The dozens of books eventually made it back to school libraries or classroom bookshelves. In most cases, the books centered on racism and history passed the reviews without issue, meaning they can still be used for classroom instruction or optional student reading.

Other books, mainly those focused on gender identity or sexual orientation, are now restricted to grades four and above.

The following list is current as of Aug. 22:

Palm Beach County schools restrict some books

Books and media that **can't be taught in class, but can be checked out from libraries; are restricted to grades four and above;** or have no restrictions.

Page 1 of 7 >

Title	Author
The 1619 Project: Born on the Water	Nikole Hannah-Jones and Renee Watson
It's Perfectly Normal: a book about changing bodies, growing up, sex, and sexual health	Robie Harris
It feels good to be yourself: a book about gender identity	Theresa Thorn
Gracefully Grayson	Ami Polonsky
Calvin	J.R. Ford

For the 2022-23 school year.

Table: Chris Persaud | The Palm Beach Post - Source: Palm Beach County School District - [Get the data](#) - [Embed](#) - [Download image](#) - Created with [Datawrapper](#)

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1 **Policy 8.122 - Textbooks and Instructional Materials**

2 **1. Adequate Instructional Materials.** -- Per Fla. Stat. § 1006.28, the School Board
3 has "the constitutional duty and responsibility to select and provide adequate
4 instructional materials for all students in accordance with the requirements of this
5 part."

6 a. Fla. Stat. § 1006.29 (2) provides that "the term '**instructional**
7 **materials**' means items having intellectual content that by design serve
8 as a major tool for assisting in the instruction of a subject or course.
9 These items may be available in bound, unbound, kit, or package form
10 and may consist of hardbacked or softbacked textbooks, electronic
11 content, consumables, learning laboratories, manipulatives, electronic
12 media, and computer courseware or software."

13 b. As stated in Fla. Stat. § 1006.28 (1) (a) 1, "The term 'adequate
14 instructional materials' means a sufficient number of student or site
15 licenses or sets of materials that are available in bound, unbound, kit,
16 or package form and may consist of hardbacked or softbacked
17 textbooks, electronic content, consumables, learning laboratories,
18 manipulatives, electronic media and computer courseware or software
19 that serve as the basis for instruction for each student in the **core**
20 subject areas of mathematics, language arts, social studies, science,
21 reading, and literature."

22 c. Pursuant to Fla. Stat. §§ 1006.37 (1) and 1006.28(3) (a), the
23 Superintendent or designee "shall requisition State—adopted
24 instructional materials from the depository of the publisher with whom
25 a—State contract has been made. ~~The~~ However, the Superintendent [or
26 designee] shall "requisition current instructional materials to provide
27 each student with a textbook or other materials as a major tool of
28 instruction in **core** courses of the subject areas specified in [Fla. Stat.]
29 § 1006.40(2). These materials must be requisitioned within the first 3
30 years after the adoption cycle, [unless the State changes the adoption
31 cycle], except for materials related to growth of student membership or
32 instructional materials maintenance needs. The Superintendent [or
33 designee] may requisition instructional materials in the core subject
34 areas specified in s. 1006.40(2) that are related to growth of student
35 membership or instructional materials maintenance needs during the
36 3rd, 4th, 5th, and 6th years of the original contract period." Further, per
37 Fla. Stat. § 1006.40(2), the School Board "shall purchase current
38 instructional materials to provide each student in kindergarten through
39 grade 12 with a major tool of instruction in core courses of the subject

40 areas of mathematics, language arts, science, social studies, reading,
41 and literature.”

42 d. Any decision by a school to use class sets or not to issue textbooks or
43 other instructional materials that are provided by the District on a one-
44 per-student basis shall be communicated to parents and regional
45 superintendents. In all instances, school staff shall ensure that students
46 have adequate materials for both in-class study and homework
47 assignments.

48 e. Instructional materials used in non-core courses may be purchased as
49 class sets if the materials are intended to be used as reference materials
50 for in-class use.

51 **2. Allocation. -- The annual allocation and expenditure of State funds for**
52 **textbooks and the annual purchase of State adopted or non-State**
53 **adopted materials shall be in accordance with Chapter 1006, Part I. F,**
54 **Florida Statutes, (including Fla. Stat. § 1006.40) annual legislative bills**
55 **Implementing the General Appropriation Act, and applicable State Board**
56 **of Education Rules.**

57 a. Use of State Instructional Materials Allocation (Categorical). -- Per Fla.
58 Stat. § 1006.28 (2) (a) the School Board “Each district school board is
59 responsible for the content of all materials used in a classroom or
60 otherwise made available to students.”

61 b. As provided by Fla. Stat. § 1006.40 (6), in any year in which the total
62 instructional materials allocation for the District, **including the portion**
63 **designated for library media materials and science laboratory**
64 **supplies,** has not been expended or obligated prior to June 30, the
65 School Board shall carry forward the unobligated amount and shall add
66 it to the next year's allocation.

67 c. Per HB 5003 (2022), the funds provided for Instructional Materials in
68 2022-2023 may also be used by the District to purchase electronic
69 devices and technology equipment and infrastructure that comply with
70 the eligible expenditures authorized pursuant to section 1011.62,
71 Florida Statutes. Prior to release of the funds by the Florida Department
72 of Education to the District for the purchase of electronic devices or
73 technology equipment or infrastructure, the District must: (1) certify
74 that it has the instructional materials necessary to provide instruction
75 aligned to the adopted statewide benchmarks and standards, and (2)
76 include an expenditure plan for the purchase of electronic devices and

77 technology equipment, and infrastructure that demonstrates its
78 compliance with section 1011.62, Florida Statutes.

79 e.d. _____ A portion of the State instructional materials allocation will be
80 distributed by the Accounting Services Department to charter schools
81 based on each school's unweighted FTE count. The allocation is to be
82 used for the purchase of instructional materials and library materials
83 that each charter school selects to best meet the curricular needs of its
84 students and teachers.

85 **3. Selection, Adoption and Specific Objections Process to Adoptions**
86 **Related to Instructional Materials Purchased with State Instructional**
87 **Materials Allocation. --**

88 ~~The process in this Section of the Policy for adopting and challenging~~
89 ~~instructional materials does not address instructional materials purchased~~
90 ~~outside the State Categorical allocation funded by the Florida Legislature,~~
91 ~~also known as State Categorical funding and Instructional Materials~~
92 ~~Allocation, as described in Fla. Stat. §§ 1006.40 and 1011.67.~~

93 The Board believes that the selection of instructional materials is within its
94 authority in accordance with Fla. Stat. §§ 1006.28, 1006.283, and 1006.40,
95 and pursuant to relevant statutes and constitutional law. Fla. Stat. § 1006.28
96 (2) (b) provides that "instructional materials used must be consistent with the
97 district goals and objectives and the course descriptions established in rule of
98 the State Board of Education" as well as with the applicable ~~Next Generation~~
99 ~~Sunshine State Standards~~ and State Statutes.

100 Further, per Fla. Stat. § 1006.28 (4) (a), principals shall ensure that
101 instructional materials are used to provide instruction to students enrolled at
102 the grade level or levels for which the materials are designed. The principal
103 shall communicate to parents the manner in which instructional materials are
104 used to implement the curricular objectives of the school.

105 The procedures outlined in this Policy shall be used to evaluate and recommend
106 instructional materials that are to be considered for District adoption, subject
107 to administrative review as stated in this Policy.

108 a. Composition of District Instructional Materials Adoption Committees

- 109 i. The District will create instructional materials adoption committees
110 based on subjects which are being reviewed annually. Committees
111 must have a minimum of three members, but may have as many
112 additional members as the Superintendent or designee appoints.
113 District committees will generally, except as stated below, consist of

114 six to twelve members. A member of a State adoption committee
115 may not serve on the District committee. Teacher members must be
116 certified in and teaching in the subject area being reviewed.

117 ii. Elementary core subject adoption committees will be comprised of
118 up to 24 voting members. Secondary adoption committees will be
119 comprised of between three and twelve members. At least two-thirds
120 of each District committee must be composed of teachers who are
121 currently teaching and are certified to teach in the area(s) or
122 subject(s) and appropriate grade levels being reviewed. District or
123 area subject specialists or resource teachers and lay members make
124 up the remaining third of the voting committee membership.

125 iii. Community representation on District adoption committees is
126 encouraged. Any committees convened for such purposes must
127 include parents of District students as reviewers.~~At least one of the~~
128 ~~reviewers must be a parent of a child attending a public school.~~ Lay
129 citizens are Palm Beach County residents who are not professionally
130 connected with education, such as professional or educational
131 consultants. Lay citizens selected to serve on adoption committees
132 may also be any resident of Palm Beach County, or adult student or
133 School Advisory Council members of a Palm Beach County public
134 school.

135 iv. Regional and/or District curricular staff members who have taught in
136 the subject area being reviewed may serve as facilitators on District
137 adoption committees to provide subject matter expertise and
138 communicate the District's curricular vision and goals to committee
139 members. They may assist in the review process and the correlation
140 of publisher submissions with course and subject instructional
141 objectives. Representatives from the Exceptional Student Education
142 Department, the Multicultural Education Department, and the
143 Educational Technology Department, or other appropriate District
144 departments may also serve as facilitators on District adoption
145 committees.

146 v. Teacher, specialist and lay citizen committee members will be
147 appointed from nominations submitted by principals and/or District
148 curricular staff. Nominations must be submitted on a completed
149 School District of Palm Beach County form entitled "Teacher or
150 Layperson Nomination for Instructional Materials Adoption
151 Committee" (PBSD 2181). A copy of the form is available ~~on the~~
152 ~~District's Records Management Department's web page currently~~
153 ~~located~~ at ~~https://www.palmbeachschools.org/wp-~~

154 content/uploads/sites/10/2181.pdf and in the District's Instructional
155 Materials office and is attached hereto. The form is incorporated
156 herein by reference as part of this Policy.

- 157 vi. The membership of each committee should reflect the broad racial,
158 ethnic, socioeconomic and cultural diversity of the District including
159 a balanced representation from the various geographic regions and
160 be representative of students of diverse learning styles and ability
161 levels. School representation will be rotated with each adoption
162 where possible.

163 b. District Adoption Procedures:

- 164 i. The District adoption cycle for instructional materials shall coincide
165 with the most up to date State Cycle. Adopted materials shall be
166 used during the adoption cycle until physically unsuitable, until
167 replaced with newly-adopted materials, or until the course is no
168 longer offered.

- 169 ii. The District review will focus on evaluating materials that are
170 submitted by publishers for State adoption or other materials
171 available at the time from appropriate publishers with a goal of
172 recommending the most suitable materials for District adoption in
173 Palm Beach County. The Superintendent's designee will develop
174 rubrics for each adoption based on alignment to appropriate course
175 descriptions, State Standards, State requirements, and District
176 specifications.

- 177 iii. In accordance with Fla. Stat. § 1006.31, instructional materials
178 recommended by each reviewer shall be, to the satisfaction of each
179 reviewer, "accurate, objective, balanced, non-inflammatory, current,
180 free of pornography and material prohibited under s. 847.012, and
181 suited to student needs and their ability to comprehend the material
182 presented." In the selection of instructional materials to be used in
183 the District, the standards used to determine the propriety of the
184 materials shall also include: those stated within Fla. Stat. § 1006.31
185 and 1006.34(2)(b) and age appropriateness, educational purpose to
186 be served by the materials, degree to which the materials encompass
187 the State and District school board performance standards, the
188 inclusion of instructional objectives contained within the curriculum
189 frameworks by the State Board of Education, the degree to which the
190 materials would be supplemented and explained by mature
191 classroom instruction, and a consideration of the broad racial, ethnic,
192 socioeconomic, and cultural diversity of the students of the District.

193 No book or materials that contain pornography or are otherwise
194 prohibited by Fla. Stat. §§ 847.012 (harmful to minors materials)
195 and/or 847.0133 (obscene materials) shall be recommended for use
196 in District schools.

197 ~~iii.~~iv. At the beginning of each adoption process, the District will share a
198 list of non-negotiables¹ with all publishers interested in participating
199 in the District adoption. A curriculum team from the District will
200 review all submissions to make sure that they meet the non-
201 negotiable criteria prior to moving the materials forward in the
202 review process. If any materials submitted by the publishers have
203 not met the non-negotiables, the District's curriculum team will
204 notify these publishers via email that they have been eliminated from
205 the process and will provide documentation regarding why the
206 products are being eliminated. Once notified, publishers have 48
207 hours to refute the elimination. If eliminated, the District's
208 curriculum team will provide, via email, the final determination with
209 accompanying documentation.

210 ~~iv.~~v. For District-wide adoptions in core subject areas, some teachers who
211 teach that subject at the appropriate grade level and who are not on
212 the District committee will be afforded opportunities to voluntarily
213 review samples of the top two or three rated publishers' programs
214 and give input to the District committee unless only one (1)
215 submission is deemed acceptable by the District committee.
216 Teachers' comments from the review opportunities will be presented
217 to the District committee and will be weighed by the committee as a
218 factor in its final decision-making process.

219 ~~v.~~vi. District committees will be convened for the ~~initial~~ review of
220 publisher's submissions during the summer months whenever
221 possible. Reconvening committees will meet for one to two days
222 during the fall whenever possible to make final recommendations to
223 administration.

224 ~~vi.~~vii. Each member of any District instructional materials adoption
225 committee must sign an affidavit declaring no conflict of interest
226 before transacting the business of the committee. A copy of the form
227 for the affidavit (PBSD 2290) (~~Rev. 12/4/2008~~) can be obtained from
228 the District's Instructional Materials office ~~may be found on the~~

¹ Non-negotiables are requirements identified by the District shared with potential publishers for a specific proposal related to instructional materials for a course.

229 District's , Records Management Department's web page currently
230 at: ~~https://www.palmbeachschools.org/wp-~~
231 ~~content/uploads/sites/10/2290.pdf~~, and is attached hereto. ~~the~~ The
232 form is incorporated herein by reference as part of this Policy.

233 ~~vii.~~viii. Members of any District instructional materials adoption committee
234 will receive instructions and training that they are prohibited from
235 accepting gifts, money, emoluments, or other valuables which shall
236 directly or indirectly influence the adoption or purchase of any
237 instructional materials. These prohibitions apply to committee
238 members as per Fla. Stat. § 1006.32. Committee members shall
239 conduct themselves in the best interest of students in support of the
240 District's mission statement.

241 ~~viii.~~ix. Each District adoption committee member will receive instruction and
242 training in the evaluation techniques to be used, characteristics of
243 effective instructional materials and the skills necessary to make
244 valid, culturally sensitive, and objective decisions regarding the
245 content and rigor of instructional materials. In addition to conducting
246 Topic Comparisons, Horizontal Traces, and Vertical Traces where
247 appropriate, the review process will include scrutiny of each
248 program's correlation to the ~~Next Generation Sunshine State~~
249 ~~Standards or subsequent Standards~~ adopted by the State Board of
250 Education and the assessments that are based on the standards.

251 ~~ix.~~x. District committee meetings will be open to the public with
252 reasonable public notice. Meetings must be noticed and held in
253 accordance with the Sunshine law-- Fla. Stat. § 286.011. Public
254 notification of adoption committee meeting dates and times will be
255 provided to the Department of Communications & Engagement and
256 Board Office for release and public comment allowed related to the
257 subject matter of the committee. Public comment is limited to three
258 minutes per speaker, unless the committee votes to shorten or
259 lengthen the time.

260 ~~x.~~xi. The District prohibits the publishers, manufacturers, or
261 representatives of instructional materials submitted for District
262 adoption from communicating directly with voting members during
263 the process of the review and during the time teachers are reviewing
264 materials. All contact must be made through the District instructional
265 materials office. Publishers should not be denied answers to
266 questions and should be advised of the procedures and all related
267 information. If a committee elects to have publisher presentations,
268 every publisher submitting materials for consideration in that specific

269 subject area will be provided an equal opportunity to present in the
270 same amount of time provided to any and all other publishers.
271 Committee members are prohibited from discussing matters relating
272 to the instructional materials submitted for adoption with agents or
273 representatives of a publisher either directly or indirectly except
274 during committee meetings where presentations are made.
275 Publishers are expected to abide by the Florida Department of
276 Education's Notification to Publishers or Manufacturers of
277 Instructional Materials for guidelines governing District adoptions. A
278 copy of the *Notice* is available on the District's K-12 Instructional
279 Material's web page currently at:
280 [https://www.palmbeachschools.org/imlms/wp-](https://www.palmbeachschools.org/imlms/wp-content/uploads/sites/67/2016/01/notificationtopublishers1.pdf)
281 [content/uploads/sites/67/2016/01/notificationtopublishers1.pdf](https://www.palmbeachschools.org/imlms/wp-content/uploads/sites/67/2016/01/notificationtopublishers1.pdf)
282 [https://www.palmbeachschools.org/cms/One.aspx?portalId=27061](https://www.palmbeachschools.org/cms/One.aspx?portalId=270616&pageId=7543423)
283 [6&pageId=7543423](https://www.palmbeachschools.org/cms/One.aspx?portalId=270616&pageId=7543423) and the *Notice* is incorporated herein by
284 reference as part of this Policy.

285 ~~xi.~~ xii. Materials submitted for possible adoption will be evaluated fairly by
286 committee members using pre-established criteria (as set forth in
287 section (3)(b)(~~iii~~iv) above) aligned with current legislation and the
288 same evaluation instrument. Publishers will be given written
289 notification of any special conditions for participation in the District's
290 adoption process as determined by the appropriate staff under the
291 Chief Academic Officer.

292 ~~xii.~~ xiii. Interim reviews may be conducted as necessary and are arranged
293 by the District instructional materials office.

294 ~~xiii.~~ xiv. For committees meeting outside of teacher contract hours, teachers
295 shall be paid at the appropriate hourly rate. For committee meetings
296 during teacher contract hours, the District will provide funding for
297 substitute teachers. Lay members will serve on a volunteer basis.

298 xv. The committees may make recommendations for District adoption.
299 All committee recommendations must be reviewed by relevant
300 District administrative staff who will review the appropriateness of
301 the materials to ensure that they meet District curricular objectives.

302 xvi. If the Chief Academic Officer (CAO) or designee rejects the initial
303 Committee recommendation, an alternate choice recommended by
304 the Committee will move forward in the adoption process.

305 c. School Board Process

306 Subsequent to District administrative review and approval, as stated
307 above in section (3)(b)(xiv), the final District committee
308 recommendations, along with any citizen comments and any CAO
309 recommendation, will be forwarded by the ~~Chief Academic Officer~~ CAO
310 to the Superintendent for review and approval based on findings of the
311 appropriateness of the materials. If approved by the Superintendent,
312 the recommendations are submitted to the School Board for final
313 approval and adoption. The School Board will vote on whether to
314 approve the adoption of the instructional materials.

315 Parents will be notified through the District's Department of
316 Communications & Engagement and the Board Office of the materials
317 being recommended for adoption prior to the School Board meeting and
318 hearing allowing them to review the materials under consideration. The
319 District will provide the statutory process, as mandated by Fla. Stat. §§
320 1006.28 (2) (a) 2 and 1006.40 (4) (b), for public review of, public
321 comment on, and the adoption of instructional materials, that satisfies
322 the requirements of Fla. Stat. § 1006.283(2) (b) 8, 9, and 11.

- 323 i. The District's process by which instructional materials are
324 adopted by the School Board, includes²:
- 325 (a) "A process to allow **student editions** of recommended
326 instructional materials to be accessed and viewed online
327 by the public at least 20 calendar days before the
328 School Board hearing and public meeting as specified in
329 this subparagraph. This process must include
330 reasonable safeguards against the unauthorized use,
331 reproduction, and distribution of instructional materials
332 considered for adoption."³
 - 333 (b) "An open, noticed School Board hearing to receive
334 public comment on the recommended instructional
335 materials."
 - 336 (c) "An open, noticed public meeting to approve an annual
337 instructional materials plan to identify any instructional

² HB 1467 (2022) amended Fla. Stat. § 1006.40 (4) (b) which states that the School Board shall "provide a process for public review of, public comment on, and the adoption of materials, **including those used to provide instruction required by s. 1003.42**, which satisfies the requirements of s. 1006.283(2)(b) 8., 9., and 11."

³ HB 1467 (2022) also created Fla. Stat. § 1006.28 (2) (e) and requires:
"1. Provide access to all materials, excluding teacher editions, in accordance with s. 1006.283(2) (b) 8.a. before the district school board takes any official action on such materials. This process must include reasonable safeguards against the unauthorized use, reproduction, and distribution of instructional materials considered for adoption."

338 materials that will be purchased through the School
339 Board instructional materials review process pursuant
340 to this section. This public meeting must be held on a
341 different date than the School Board hearing.”

342 (d) Per Fla. Stat. § 1006.28 (2) (e), the School Board must
343 “select, approve, adopt, or purchase all materials as a
344 separate line item on the agenda and must provide a
345 reasonable opportunity for public comment. The use of
346 materials described in this paragraph may not be
347 selected, approved, or adopted as part of a consent
348 agenda.”

349 ~~(d)~~(e) “Notice requirements for the School Board hearing
350 and the public meeting that must specifically state
351 which instructional materials are being reviewed and
352 the manner in which the instructional materials can be
353 accessed for public review. The hearing must allow the
354 parent of a public school student or a resident of this
355 County to proffer evidence that a recommended
356 instructional material does not meet the criteria
357 provided in s. 1006.31(2), taking into consideration
358 course expectations based on the District's
359 comprehensive plan for student progression under s.
360 1008.25(2) and course descriptions in the course code
361 directory.”

362 ~~(e)~~(f) The School Board “shall receive public comment on,
363 and review, the recommended instructional materials.”

364 d. The District “will notify parents of their ability to access their children's
365 instructional materials through the District's local instructional improvement
366 system and by which the District will encourage parents to access the system.
367 This notification must be displayed prominently on the District's website and
368 provided annually in written format to all parents of enrolled students.”
369 Notification of parents will include use of the student portal ~~which is currently~~
370 Edline.

371 e. Further, the School Board shall “publish on its website, in a searchable
372 format prescribed by the department [FL DOE], a list of all instructional
373 materials, including those used to provide instruction required by s.
374 1003.42” shall maintain on its website a current list of instructional materials,
375 by grade level, purchased by the District.”as required by -Fla. Stat. § 1006.28
376 (2) (e). Moreover, per Fla. Stat. § 1002.20 (3) (d), the District shall, on its
377 website homepage, notify parents of their right to exempt their student from
378 the teaching of reproductive health or any disease and the process to request

379 an exemption. The homepage must include a link for a student's parent to
380 access and review the instructional materials, as defined in s. 1006.29(2), used
381 to teach the health curriculum.

382
383 ~~f. Any request from a school center to use textbooks or other related~~
384 ~~instructional materials (such as AICE and Advanced Placement) as part of the~~
385 ~~curriculum and which are not District adopted, per se, must be approved by~~
386 ~~the Superintendent's designee based on the appropriateness of the materials~~
387 ~~to meet District curricular objectives as stated above in section (3) (b) (iii)...~~

388 f. The instructional materials for the courses designated as Advanced
389 Placement (AP), International Baccalaureate (IB), or Advanced International
390 Certificate of Education (AICE) are not subject to this process for selection. Per
391 Fla. Stat. § 1007.27, the curriculum for these courses is administered by the
392 corresponding entity.

393 g. Process for parents or a resident of the County to Contest Adoption of
394 Specific Instructional Materials as required by Fla. Stat. § 1006.28 (2) (a) ⁴:

395 This process is distinguished from the process for contesting materials
396 ~~purchased with categorical funds~~, as set forth in Policy 8.1205, where
397 the objections are not filed within 30 days after the School Board adopts
398 instructional materials. This process applies if a process is required by
399 Florida law.

400 i. Parents of students attending a public school in the District or a
401 County resident ~~(as defined in this Statute)~~ may contest the
402 Board's adoption of specific instructional materials as described
403 in the Adoption of Instructional Materials, section (3)(b) above.

404 ii. The parent or resident must file with the Board Clerk within thirty
405 (30) calendar days after the Board's adoption of specific
406 instructional materials a petition on form PBSB 2569 (Petition to
407 Object/Objection to Instructional Materials).

408 iii. The ~~petition form~~ petition form shall be publicly available by
409 visiting or by accessing the School Board's forms website at:
410 [https://www.palmbeachschools.org/students_parents/instructional_materials_textbook_adoption/textbooks_and_adoption_proc](https://www.palmbeachschools.org/students_parents/instructional_materials_textbook_adoption/textbooks_and_adoption_process)
411 [ess](https://www.palmbeachschools.org/students_parents/instructional_materials_textbook_adoption/textbooks_and_adoption_process)
412 <https://www.palmbeachschools.org/cms/One.aspx?portalId=27>
413

⁴ The Parent's Bill of Rights Policy informs the public of referring to this Policy for the method of filing Objections.

414 ~~0616&pageId=7543423~~ and attached hereto.
415 <https://www.palmbeachschools.org/forms/formsearch/> ~~and~~
416 ~~the form~~ This form is incorporated herein by reference as part of
417 this Policy.

- 418 iv. "The petition must be signed by the parent or resident, include
419 the required contact information, and state the objection to the
420 instructional material" based on the specified statutory criteria.

421 v. Public Hearing:

422 1. Unless the objection is resolved, within thirty (30) calendar
423 days after the thirty (30) day contest period has expired,
424 the School Board "must, for all petitions timely received,
425 conduct at least one open public hearing before an
426 unbiased and qualified hearing officer. ~~The hearing officer~~
427 may not be an employee or agent of the school district.
428 The hearing is not subject to the provisions of chapter 120;
429 however, the hearing must provide sufficient procedural
430 protections to allow each petitioner an adequate and fair
431 opportunity to be heard and present evidence to the
432 hearing officer." ~~To be qualified the person must either be~~
433 a retired public school administrator, a college professor,
434 or a person knowledgeable of the subject matter or the
435 process of conducting a hearing. All contested student
436 instructional materials will be made accessible to the public
437 on the District's website at least seven (7) calendar days
438 before a public hearing. "The Board's decision after
439 convening a public hearing is final and not subject to
440 further petition or review."

441 2. The hearing officer may not be an employee or agent of
442 the school district, although an agreement may be entered
443 into for purposes of hearing set forth herein. To be qualified
444 the person must either be a retired public school
445 administrator, a college professor, or a person
446 knowledgeable of the subject matter or the process of
447 conducting a hearing, such as an attorney. The hearing
448 officer shall be appointed by the Superintendent.

449 3. This hearing before the hearing officer would include
450 opening and closing statements and the presentation of
451 relevant evidence by the petitioner and District.

452 4. Within fourteen (14) calendar days after the conclusion of
453 the hearing, the hearing officer shall submit a
454 recommended order with findings in writing to the Board.

455 5. The Board shall consider the petition, the recommended
456 order, and any evidence presented to the hearing officer
457 and enter a final order at a publicly noticed Board meeting.
458 "The Board's decision after convening a public hearing is
459 final and not subject to further petition or review."⁵

460 h. Health Materials--As required by Fla. Stat. § 1003.42 (1) (b): "All
461 instructional materials, as defined in s. 1006.29(2), used to teach reproductive
462 health or any disease, including HIV/AIDS, its symptoms, development, and
463 treatment, as part of the courses referenced in subsection (3), must be
464 annually approved by a district school board in an open, noticed public
465 meeting."

466 i. Inventories--Annual textbook inventories of District-adopted instructional
467 materials shall be posted on the District's web page currently located at:
468 <https://www.palmbeachschools.org/imlms/adoptioninformation/>https://www.palmbeachschools.org/students_parents/instructional_materials_textbook_adoption/textbooks_and_adoption_process.

471 The online inventory report shall serve as:

- 472 i. the official District adoption listing of materials used in the
473 District's curriculum;
- 474 ii. the inventory/summary of all curricular instructional materials for
475 which a school center/department is responsible; and
- 476 iii. a guide for determining the following school year's needs as
477 provided by instructions/procedures issued annually.

478 ~~4. Selection, Adoption and Specific Objections Process to Adoptions~~
479 ~~Related to Instructional Materials Not Purchased with State~~
480 ~~Instructional Materials Allocation~~

⁵ Per HB 1467 (2022), which created Fla. Stat. § 1006.28 (2) (e) requires that:

"Annually, beginning June 30, 2023, [the School Board] submit to the Commissioner of Education a report that identifies: a. Each material for which the school district received an objection pursuant to [Fla. Stat. 1006.28] subparagraph (a)2 [regarding an objection by a parent or a resident of the county to the use of a specific instructional material or any material used in a classroom, made available in a school library, or included on a reading list] for the school year and the specific objections thereto. b. Each material that was removed or discontinued as a result of an objection. c. The grade level and course for which a removed or discontinued material was used, as applicable."

481 The School Board has the right to select and provide adequate instructional materials
482 for all students, including as stated in Fla. Stat. § 1006.28 (2) (a) 1 whether
483 purchased from state adopted instructional materials or "otherwise purchased and
484 made available."

485 a. Except for special programs, such as AICE, IB, and AP, a school, with
486 the approval of its principal and Regional Superintendent, or the
487 Superintendent's designee may purchase instructional materials not
488 funded by the State Instructional Materials Allocation using the
489 procedures set forth above in Section (3) (a) & (b) for use in a school
490 or schools if sufficient funds exist. If the purchase exceeds delegated
491 authority under School Board Policy 6.14 (4) (currently of \$250,000.00),
492 the Board must approve the purchase. For special programs the school
493 selects materials of the programs.

494 b. The instructional materials must be reviewed to meet the same criteria
495 and standards as set forth in Section 3 above, including (b) (iii).

496 c. Challenges to these materials are set forth in School Board Policy
497 8.1205.
498

499 **5.4. Disposal.** -- The District Instructional Materials Department shall
500 arrange for the disposal of obsolete or physically unsuitable materials or those
501 no longer on State contract, as stated in Fla. Stat. § 1006.41, and no longer
502 on the District's local adoption list or otherwise still officially in use in the
503 District, as follows:

504 a. Giving or lending the materials to other public education programs
505 within the District or State, to Charter schools in the District or State,
506 to the teachers to use in developing supplementary teaching materials,
507 to students or others (including the general public or foreign countries),
508 or to any charitable organization, governmental agency, home
509 education students, private school, or State; or

510 b. Selling the materials to used book dealers, recycling plants, pulp mills,
511 or other persons, firms, or corporations upon such terms as are most
512 economically advantageous to the District School Board.

513 c. Pursuant to Fla. Stat. § 1006.41(3), all monies received by reason of
514 sale, exchange or other disposition of instructional materials shall be
515 deposited in the District school fund and added to the District
516 appropriation for instructional materials.

517 d. In the event that any instructional materials cannot be disposed of as
518 provided in subsections (a) or (b), the materials may be destroyed,

519 using any reasonable and safe method. If the materials contain any
520 personally identifiable information about any student or any other
521 confidential information, the material must be shredded.

522 **6.5. Sale.** -- "The school principal, upon request of the parent of a student
523 in the school, shall sell to the parent any instructional materials used in the
524 school. All such sales shall be made pursuant to rule adopted by the district
525 school board, and the principal shall annually provide information to parents
526 that they may purchase instructional materials and how to purchase the
527 materials." Fla. Stat. § 1006.28 (4)(c) See Policy 8.1225, Section (4)(d)(v).
528 The criteria for the sale by the District would include that the materials are
529 available, payment would be the full purchase price, paid in advance (and
530 shipping costs if it needs to be mailed), only materials available to students
531 (thus no teacher editions, etc.), and if the sale is in compliance with the
532 contract of the vendor, and not a copyright violation.
533

534 **7.6. Policy Review**--This Policy will be periodically revised as necessary to
535 keep it current with the State law and rules which it supplements, although
536 appropriate staff should be familiar with Fla. Stat. Ch. 1006, Part I. F, as this
537 Policy is not intended to reproduce all the details set forth in the law. The
538 Superintendent may also issue bulletins consistent with the standards of this
539 Policy.
540

RULEMAKING AUTHORITY:

Fla. Stat. §§ 120. 81 (1) (a); 1001.32(2);
1001.41(2); 1001.42 (28)

LAWS IMPLEMENTED:

Fla. Stat. §§ 1001.32(2);1001.43(2) & (3);
1006.28; 1006.283; 1006.31, 1006.32;1006.34;
1006.37; 1006.40; 1006.41; 1007.27; 1011.67

HISTORY:

12/9/86; 11/17/99; 3/24/03; 3/25/09; 1/24/2018;
 / /2022

541
542 RELATED POLICIES:

543 School Board Policy 8.1205 Objection Procedures for Instructional Materials
544 School Board Policy 8.1225 Instructional Materials Accountability
545 School Board Policy 5.735 Parent's Bill of Rights
546