

California Department of Education

Executive Office

SBE-003 (REV. 11/2017)

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# California State Board of Education January 2020 Agenda Item #13

## Subject

State Board of Education-Adopted Instructional Materials Revisions Process: Instructional Quality Commission Advisory Report.

## Type of Action

Action, Information

## Summary of the Issue(s)

California *Education Code* (*EC*) and State regulations allow publishers to initiate proposals for revisions to their State Board of Education (SBE)-adopted programs during given periods. Publishers’ proposed revisions must be consistent with the SBE-adopted content standards, curriculum framework, relevant statutes, and evaluation criteria utilized in the original adoption. The approval process includes public meetings of the Instructional Quality Commission (IQC) and the SBE. The publisher Studies Weekly has proposed revisions for their kindergarten through grade six history–social science program, adopted by the SBE in 2017. This SBE item presents the IQC’s Advisory Report.

## Recommendation

The California Department of Education (CDE) recommends that the SBE accept the findings of the IQC Advisory Report and approve Studies Weekly’s proposed revisions to their 2017 SBE-adopted history–social science program.

## Brief History of Key Issues

*EC* Section 60200(b)(2) allows publishers to propose revisions to their SBE-adopted programs for a fee. Title 5 of the *California Code of Regulations*, Section 9526, provides the details of this process which include: a window of submission every two years; a fee for every word proposed for change; that there is no identified definition of “revision,” so publishers may propose to add, delete, or modify existing adopted content; that proposed revisions must be consistent with the SBE-adopted content standards, curriculum framework, relevant statutes, and evaluation criteria utilized in the original adoption; that revisions submitted are considered proposed and are subject to a review by the CDE or its agents and an approval process including public meetings of the IQC and the SBE; and, that except for online programs, publishers must continue to make available originally adopted programs in addition to revised programs.

Pursuant to regulations, the CDE conducted the initial review of the publisher’s proposed revisions and developed a Review Advisory Recommendation to the IQC. The CDE advised the IQC on this project, posted the Review Advisory Recommendation online, and solicited public comment. The CDE received no written public comment.

At their November 14, 2019, public meeting, the IQC considered the publisher’s proposed revisions, voted unanimously to approve them, and directed the CDE to forward to the SBE the IQC Advisory Report.

## Summary of Previous State Board of Education Discussion and Action

In 2016, the SBE approved the rulemaking process to initiate the regulations necessary to implement the authorizing statute. While this revisions process has been available to publishers for several years, and each year the CDE notifies the relevant adopted publishers of their window of opportunity to propose revisions to their SBE-adopted programs, until this year no publisher has elected to participate.

## Fiscal Analysis

The CDE invoiced Studies Weekly at a per-word-modified basis of 13 cents, pursuant to regulations, and the publisher paid the mandated fee.

The publisher’s proposed revisions will not result in additional costs to local educational agencies or the State.

## Attachment(s)

Attachment 1: Instructional Quality Commission Advisory Report (7 pages)

# INSTRUCTIONAL QUALITY COMMISSION ADVISORY REPORT

## 2019 INSTRUCTIONAL MATERIALS REVISIONS PROCESS: 2017 HISTORY–SOCIAL SCIENCE

Submitted to the State Board of Education

January 2020

### Introduction

In 2016, the State Board of Education (SBE) and the California Department of Education (CDE) established new state regulations to provide procedural details for Education Code which allows for a fee-based publisher-initiated revisions process for SBE-adopted instructional materials. These regulations establish a biennial window of opportunity for publishers to submit proposed revisions. Until 2019, no publisher had elected to participate in this process.

In 2019, the CDE advised publishers of adopted history–social science (HSS) instructional materials of their option to propose revisions to those programs which the SBE had adopted at its meeting on November 9, 2017. That list consists of 10 programs offered by seven publishers. One publisher, Studies Weekly, elected to participate and proposed revisions to their adopted kindergarten through grade six (K–6) program, *California Studies Weekly – Social Studies*.

### Revision Process

### AUTHORITY

California *Education Code* Section 60200(b)(2) permits publishers to propose revisions to currently adopted materials, and Title 5 of the California *Code of Regulations* (5 *CCR*), Section 9526 details the process.

### TIMELINE

* 90-day publisher notice of pending submission period: February 2019
* Submission period: June 2019
* CDE invoicing of participating publishers: June 2019
* Review period: June 2019–August 2019
* CDE notification of preliminary review results: September 2019
* IQC public comment meeting: October 4, 2019
* IQC meeting to formulate recommendations to the SBE: November 14–15, 2019
* SBE meeting for consideration of adoption of revisions: January 8–9, 2020

### PUBLISHER PARTICIPATION

Studies Weekly proposed to delete, add, or otherwise modify a total of 4,639 words across the grade levels of their K–6 program. These proposed revisions occur in both student and teacher materials.

### REVIEW

The HSS curriculum framework provides the criteria for evaluating kindergarten through grade eight (K–8) instructional materials. During the 2017 HSS instructional materials adoption, the criteria served as the evaluation instrument for determining whether instructional materials aligned to the content standards, curriculum framework, and the other requirements established by the SBE*.*

The criteria for the evaluation of HSS instructional materials for K–8 are organized into five categories:

1. History–Social Science Content/Alignment with the Standards. Instructional materials include content as specified in the *Education Code*, the *HSS Content Standards*, and the *HSS Framework*. Programs had to meet all standards for the submitted grade levels in full to be eligible for adoption.
2. Program Organization. Instructional materials support instruction and learning of the standards and include such features as the organization and design of the program.
3. Assessment. Instructional materials include assessments for measuring what students know and are able to do and provide guidance for teachers on how to use assessment results to guide instruction.
4. Universal Access. Instructional materials provide access to the standards-based curriculum for all students, including students eligible for special education, English learners, and students whose achievement is either below or above that typical of the class or grade level.
5. Instructional Planning and Support. Information and materials contain a clear road map for teachers to follow when planning instruction and are designed to help teachers provide effective standards-based instruction.

5 *CCR* section 9526 stipulates for the revisions process review the following:

(d) The CDE and/or its agents shall conduct a review of the proposed revisions for consistency with SBE-adopted content standards, curriculum frameworks and evaluation criteria for the corresponding adoption and the relevant statutes. For this review process the CDE may include previously SBE-appointed Commission members, instructional materials reviewers, and content experts (collectively “reviewers”).

(e) Any review conducted pursuant to subdivision (d) shall confirm that all proposed revisions comply with the social content standards….

Studies Weekly provided a link to their proposed instructional materials changes, which remains available at the following CDE website: [https://www.cde.ca.gov/ci/hs/im/revprocessfor2017hssim.asp.](https://www.cde.ca.gov/ci/hs/im/revprocessfor2017hssim.asp" \o "Revision Process for 2017 HSS Instructional Materials )

Professional staff of the CDE completed an initial review of the publisher’s proposed revisions to determine whether or not the CDE should engage additional outside reviewers. The CDE determined that in fact the publisher’s proposed revisions were minimal and in most cases even met the criteria of 5 *CCR* Section 9529 which allows a publisher, with only approval by the CDE, to replace the original adopted edition with a new edition of an adopted instructional material provided that the changes contained in the new edition are so minimal that both the new edition and the original adopted edition may be used together in a classroom environment.

### INSTRUCTIONAL QUALITY COMMISSION REVIEW AND DELIBERATIONS

At the September 19, 2019, meeting of the IQC, the CDE made a presentation informing members of the revisions process, their role of voting upon the publisher’s proposed revisions at their November 2019 IQC meeting, and the online availability of the publisher’s proposed revisions for their own review.

Pursuant to 5 *CCR* Section 9526(g)(3), Commissioners must evaluate proposed revisions to instructional materials according to the SBE-adopted content standards, curriculum frameworks, evaluation criteria, and social content standards.

At its November 14, 2019, meeting, the Commission determined its recommendation to the SBE regarding Studies Weekly’s proposed revisions to their previously adopted instructional materials. The members of the IQC considered the recommendations from the CDE’s Review Advisory Recommendation, incorporated within this Commission Advisory Report, and their own personal reviews. The Commission voted unanimously to approve the proposed revisions and forward to the SBE the IQC Advisory Report.

### PUBLIC COMMENT

The CDE’s website dedicated to this review process made available to the public the authorizing *Education Code*, regulations, process timeline, a link to the publisher’s proposed revisions, the CDE’s Review Advisory Recommendation, and a public comment template with instructions and a dedicated email address to receive public comment. The CDE received no written public comment.

Additionally, prior to making its recommendations to the SBE, the IQC held two public meetings wherein it invited public comment. The CDE received no written public comment.

The second was during the full IQC meeting on November 14, 2019, at which there was no public comment.

### PUBLISHER’S RESPONSIBILITIES

Pursuant to 5 *CCR* Section 9526(l), the publisher must agree to supply the previous version of state-adopted instructional materials to school districts that choose to continue using the previous version during the duration of the adoption period. This subdivision does not apply to online instructional materials.

### COMMISSION RECOMMENDATION

The IQC recommends SBE approval of the revisions proposed by Studies Weekly to their *California Studies Weekly – Social Studies*, having found that the proposed revisions are consistent with the SBE-adopted content standards, curriculum framework, and evaluation criteria utilized in the 2017 History–Social Science Instructional Materials Adoption and the relevant statutes.

## REVIEW ADVISORY RECOMMENDATION 2019 INSTRUCTIONAL MATERIALS REVISIONS PROCESS: 2017 HISTORY–SOCIAL SCIENCE

| **Publisher** | **Program** | **Grade Level(s)** |
| --- | --- | --- |
| Studies Weekly | *California Studies Weekly – Social Studies* | K–6 |

### Program Summary:

California Studies Weekly *–* Social Studies includes*: Student Edition (SE), Teacher Supplement (TS), digital content.*

### Parameters of Review:

California *Education Code* Section 60200(b)(2) permits publishers to propose revisions to currently adopted materials, and Title 5 of the California *Code of Regulations* (5 *CCR*) Section 9526 details the process. Regulations stipulate of a publisher’s proposed revisions that

* any revisions submitted will be considered “proposed” and will be subject to a review and approval process;
* proposed revisions must be consistent with the State Board of Education (SBE)-adopted content standards, curriculum framework, and evaluation criteria utilized in the 2017 History–Social Studies Instructional Materials Adoption and the relevant statutes;
* the approval process will include public meetings of the Instructional Quality Commission and the SBE;
* publishers must continue to make available originally adopted programs in addition to revised programs (not applicable to online programs); and
* additionally, 5 *CCR* Section 9523 requires publishers to post online for public review all proposed revisions.

### Publisher’s Revision Proposal:

Studies Weekly proposed revisions to their 2017 SBE-adopted instructional materials program. The publisher proposed to delete, add, or otherwise modify a total of 4,639 words across the grade levels of their kindergarten through grade six program. These proposed revisions occur in both student and teacher materials.

A link to the publisher’s proposed instructional materials changes is available at the following California Department of Education (CDE) website: [https://www.cde.ca.gov/ci/hs/im/revprocessfor2017hssim.asp.](https://www.cde.ca.gov/ci/hs/im/revprocessfor2017hssim.asp" \o "Revision Process for 2017 HSS Instructional Materials )

### Review:

5 *CCR* Section 9529 allows a publisher, with only a simple approval by the CDE, to replace the original adopted edition with a new edition of an adopted instructional material provided that:

(1) Changes contained in the new edition are so minimal that both the new edition and the original adopted edition may be used together in a classroom environment. No additional content may be included in the new edition.

(2) All changes comply with the social content standards set forth in the publication entitled *Standards for Evaluating Instructional Materials for Social Content*, 2013 Edition, as referenced in 5 *CCR* Section 9518. The price of the new edition is equal to or lower than the price of the original adopted edition.

In the vast majority of the publisher’s proposed revisions, this regulations section is applicable—the changes are so minimal as to allow side-by-side classroom use with the original materials.

Instances of where this regulations section is not applicable include where the publisher has proposed replacing images or short narratives; these revisions would qualify as new content. Additionally, in some cases the publisher has revised or replaced student activities and or assessments, which would also constitute new content.

For all proposed revisions, the CDE reviewed the materials to confirm that nothing proposed would violate the original adoption process finding that the publisher had fully met the evaluation criteria, including standards coverage, consistency with the curriculum framework, and abidance with all relevant statutes.

### Recommendation:

The CDE recommends approval of the revisions proposed by Studies Weekly to their *California Studies Weekly – Social Studies*, having found that the proposed revisions are consistent with the SBE-adopted content standards, curriculum framework, and evaluation criteria utilized in the 2017 History–Social Science Instructional Materials Adoption and the relevant statutes.

California Department of Education: September 2019