Attachment C replaces Item number 20-6004 in Attachment A

Marion County Board of Education

Scope: This policy establishes the procedures of the review, selection, and adoption of instructional resources to be used in the county public schools.


Effective Date: December 17, 2019

Instructional Resources Adoption Process (Marion County Policy 2510)

It will be the responsibility of the Curriculum and Instruction Department, under the direction of the Superintendent, for initiating and facilitating the county adoption process.

Marion County Board of Education shall furnish, free of charge, the necessary instructional resources to students attending the public schools within the county. The Marion County Board, when choosing to furnish electronic resources to its students and teachers shall provide reasonable access to these resources and the necessary computer equipment to students for completing assignments that require using the resources and equipment. All instructional resources furnished, as provided in this section, shall be the property of the county board and loaned to students and teachers on terms as the board prescribes.

Instructional resources are defined as print materials, electronic resources and systems, kit based instructional materials, or combinations of such instructional resources, which convey information to a student that covers not less than 80% of the required content and skills approved by the WVBE for subjects taught in the public schools of the state.

Open Educational Resources (OER) or county created resources may be utilized as a primary classroom resource for county classrooms. If OER resources are being considered, the county instructional resource adoption committee will be responsible for compiling the resources under the direction of the Curriculum and Instruction Department. If the county decides to create their own instructional resources, the county instructional resource adoption committee will create, review and evaluate the resources. The final decision that all of the criteria, standards and skills are met will be the content area coordinator from the Marion County Curriculum and Instruction Department. The Superintendent or designee will be responsible for reporting the instructional resources adopted to the state board of education by June 1.

If the county board wishes to use free-of-charge, Open Educational Resources (OER), or county board-created primary instructional resources, the county board must complete the Vendor Registration to appear on the West Virginia List of Registered Vendors of Instructional Resources for these materials created. The county board must provide alignment and review documentation for materials adopted. The county will ensure any OER instructional resources adopted shall meet the accessibility guidelines.

This policy does not apply to the purchase of supplementary instructional resources, including, but not limited to, reading books, library books, reference books, or other supplementary instructional resources. These supplementary instructional resources shall be ordered, received, examined, and paid for in the same manner and by the same persons as other supplies and equipment.

Adopted resources must be current and information presented accurately; therefore, resources may be updated, substituted, or otherwise changed and improved to ensure their current and accurate. Copyright dates of instructional resources being registered must not be more than three years prior to the beginning date of the adoption period.
A county board member or employee may not act as sales agent or benefit personally by sales, either directly or indirectly, for any person, firm, or corporation that files an instructional resources statement with the State Superintendent.

All contracts for instructional resources will be between the county board and the vendor.

**Gifts and Bribes to Influence Adoption of Instructional Resources A Felony; Penalty.**

4.1. Per W. Va. Code §18-2A-9, “Any member of the state board, any county superintendent, any member of a county board or any other person who shall receive, solicit, or accept any gift, present, or thing of value to influence that individual in the vote for 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 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 confined in a correctional facility for not less than one year nor more than three years.”

Marion County may allow for off-cycle resource adoption. In the case of an off-cycle resource adoption, the county Central Office content area coordinator may establish a committee comprised of school, programmatic level, and/or content area representatives as deemed necessary.

**Instructional Resource Committee Members**

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

A. Central Office content area coordinator who shall serve as committee chair
B. School, programmatic level, and/or content area representatives as deemed necessary by the committee chair

The County Instructional Resource Committee may meet during regular work hours or after normal work hours. Training for the committee on the instructional resource adoption policy will be the responsibility of the Central Office content area coordinator and will include:

1. The policy and processes
2. Criteria used for evaluation
3. Ethic laws in regards to instructional resource review and selection

Following the review of instructional materials the committee will vote on the instructional resources for each programmatic level and/or content with a simple majority prevailing. The Superintendent, upon receiving the recommendation from the Instructional Committee chair, will make the recommendation to the county board.

**Instructional Resource Review and Implementation**

Publishers/vendors are required to register with the West Virginia Department of Education. This information will be used to create the *West Virginia List of Registered Vendors of Instructional Resources.*

The process for reviewing instructional resources will ensure that resources meet the non-negotiable requirements established by the WVBE and cover no less than 80% of the required content and skills for a subject as approved by the WVBE. Marion County may rely on an instructional material review completed by the West Virginia Department of Education (WVDE) to fulfill this requirement.

Non-Negotiable Criteria is defined as to ensure that primary instructional resources meet the equity, accessibility, and format requirements of inter-ethnic, equal opportunity, format, bias, and freedom form reference to Common
Core State Standards (per WV Code 18-2E-1b-1) All primary resources must meet 100% of the Non-Negotiable Criteria.

A. All resources on the West Virginia List of Registered Vendors of Instructional Resources may be considered.
B. The Central Office content area coordinator(s) will be responsible for contacting the vendors/publishers for samples of instructional resources or to ask questions.
C. Only the Central Office content area coordinator(s) will work directly with the publishers.
D. The County Instructional Resource Committee will consider any state instructional resource review results.
E. The county encourages a publisher to have the state review the instructional resources in order to be considered for the county adoption.
F. The county will provide school based technology for students to access the instructional resources.
G. The Central Office content area coordinator along with the Technology Department and the vendor/publisher will be responsible for ensuring the digital or online instructional resources will work with the county available/provided technology.
H. The Curriculum and Instruction Department under the supervision of the Superintendent will be responsible for purchasing the county selection of instructional resources.
I. The vendor/publisher will be required to sign a contract with the county to ensure the resources are available for the length of the adoption cycle and that the price will not increase during that time.
J. The county will not require but encourage that a book depository be used when placing an order for instructional resources.
K. Vendors, dealers, agents, and/or depositories shall promptly fill all orders of instructional resources by delivering, within ten days after the receipt of orders, to a common carrier at the point or points of shipment; shall on or before August 1 of each school year sell and cause to be delivered to the dealers, depositories, and/or county boards a sufficient number of instructional resources to supply the demand, and any failure or neglect to provide such instructional material at such time and place may cause the forfeiture of the contract. Furthermore, proper and adequate service shall be provided to assist state and local school authorities in making known to teachers and principals the philosophy, use, and best instructional methods and techniques. Vendors shall provide staff development activities to enable teachers to use approved instructional resources effectively and efficiently.
L. Shipment to the county board or school(s) shall require the vendor to bear the costs of shipping, mailing, or transporting, including any other benefits to the county.
M. The Central Office content area coordinator along with the Curriculum and Instruction Department will be responsible for organizing professional learning on the newly adopted instructional resources for teachers/staff.
N. A list of all approved instructional resources shall be maintained by the Superintendent and made available for the use of the professional staff.

Failure of vendor to comply with the West Virginia Ethics Act, and all state and county purchasing requirements may result in disqualification from the current adoption year and subsequent removal of any/all products from the West Virginia List of Registered Vendors of Instructional Resources.