

Virginia Board of Education Agenda Item



Agenda Item: J

Date: April 28, 2016

Title	First Review of Recommendation to Discontinue State Review of Health Education, Physical Education, and Driver Education Textbooks		
Presenter	Vanessa Wigand, Principal Specialist for Health, Physical Education, and Driver Education		
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Purpose of Presentation:

Action required by state or federal law or regulation.

Previous Review or Action:

No previous review or action.

Action Requested:

Action will be requested at a future meeting. Specify anticipated date below:
May 26, 2016

Alignment with Board of Education Goals: Please indicate (X) all that apply:

	Goal 1: Accountability for Student Learning
X	Goal 2: Rigorous Standards to Promote College and Career Readiness
	Goal 3: Expanded Opportunities to Learn
	Goal 4: Nurturing Young Learners
	Goal 5: Highly Qualified and Effective Educators
	Goal 6: Sound Policies for Student Success
	Goal 7: Safe and Secure Schools
	Other Priority or Initiative. Specify:

Background Information and Statutory Authority:

The Board of Education’s authority for approving textbooks and other instructional materials is prescribed in the Virginia Constitution and the *Code of Virginia*.

Virginia Constitution, Article VIII, § 5 (d)

It [the Board of Education] shall have authority to approve textbooks and instructional aids and materials for use in courses in the public schools of the Commonwealth.

Code of Virginia, § 22.1-238

A. The Board of Education shall have the authority to approve textbooks suitable for use in the public schools and shall have authority to approve instructional aids and materials for use in the public schools. The Board shall publish a list of all approved textbooks on its website and shall list the publisher and the current lowest wholesale price of such textbooks.

- B. Any school board may use textbooks not approved by the Board provided the school board selects such books in accordance with regulations promulgated by the Board.
- C. For the purposes of this chapter, the term "textbooks" means print or electronic media for student use that serve as the primary curriculum basis for a grade-level subject or course.

The Board of Education’s current textbook regulations state the following:

Regulations Governing Textbook Adoption, 8 VAC 20-220-30
Only those materials which are designed to provide basic support for the instructional program of a particular content area at an appropriate level will be adopted.

Summary of Important Issues:

Virginia’s Textbook Review Process was revised and approved by the Virginia Board of Education on March 24, 2011. The current document states in *Section II: Initiating the Textbook Review Process: The Board will approve textbooks for, but not limited to, the four core subjects of English, mathematics, science, and history and social science.*

Prior to this change, the last adoption process for health education, physical education, and driver education textbooks occurred in 2001 following revisions to the *Standards of Learning* for these areas. The Board of Education approves the textbook review process and determines the schedule for approval of specific content area textbooks. The Virginia Department of Education administers the review process on behalf of the Board of Education.

Local school boards may approve textbooks that are not on the Board-approved list. In accordance with the *Code of Virginia*, §22.1-238, any school board may use textbooks not approved by the Board provided the school board selects such books in accordance with regulations promulgated by the Board. Local school boards that choose to approve textbooks that are not on the Board-approved list are required to engage in a process similar to the Board’s new process, where they request certifications of accuracy from publishers.

The revised *Virginia’s Textbook Review Process* does not include health education, physical education and driver education as designated content areas for textbook approval, and the Department has limited staff available to oversee a statewide textbook review process. In addition, given the scope and pace of digital content changes, the current seven to eight year review cycle renders books on the approved list as obsolete well before the next review is scheduled. New technology-based platforms and other digital resources provide local school divisions with innovative instructional materials that support 21st Century teaching and learning. Local school divisions will still have the option of approving health education, physical education, and driver education textbooks, but would not be required to do so.

Impact on Fiscal and Human Resources:

The agency’s existing resources can absorb this fiscal responsibility at this time. However, due to the limited staff and competing priorities there would be a challenge on staff’s time.

Timetable for Further Review/Action:

If the Board accepts the Superintendent’s recommendation, the Department will notify school divisions of the decision via a Superintendent’s Memorandum and post the revised information on the appropriate sections of the Department’s Web site.

Superintendent's Recommendation:

The Superintendent of Public Instruction recommends that the Board of Education receive for first review the recommendation to discontinue the state review of health education, physical education, and driver education textbooks for the current review cycle.