

Guidelines on Instructional Materials

- ↪ Instructional decisions will be guided by...
 - ↪ California Frameworks
 - ↪ California State Standards
 - ↪ Board Policy and Administrative Regulations
 - ↪ State and federal laws and regulations
 - ↪ Court decisions will also influence instructional decisions

California Law

The FAIR (Fair, Accurate, Inclusive, and Respectful) Education Act

- Also known as Senate Bill 48 (SB-48)
- Signed into law in 2011
- Incorporated into several sections of **ED Code**.
- **ED Code** is the the collection of all laws directly related to California K-12 public schools

ED Code Section 51204.5. Instruction in social sciences shall include the early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups, to the economic, political, and social development of California and the United States of America, with particular emphasis on portraying the role of these groups in contemporary society.

California Law

ED Code Section 60040: When adopting instructional materials for use in the schools, governing boards shall include only instructional materials which, in their determination, accurately portray the cultural and racial diversity of our society, including:

- (a) The contributions of both men and women in all types of roles, including professional, vocational, and executive roles.
- (b) The role and contributions of Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the total development of California and the United States.
- (c) The role and contributions of the entrepreneur and labor in the total development of California and the United States.

California Law

ED Code Section 51500: A teacher shall not give instruction and a school district shall not sponsor any activity that promotes a discriminatory bias on the basis of race or ethnicity, gender, religion, disability, nationality, or sexual orientation, or because of a characteristic listed in Section 220.

ED Code Section 220: No person shall be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the Penal Code, including immigration status, in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance, or enrolls pupils who receive state student financial aid.

District Definitions

Diversity: Diversity refers to the range of identities that exist in a group of people. Common identity categories referenced when discussing diversity include race, class, gender, religion, and sexual orientation. Diversity in education represents a broad range of ideas and initiatives to create learning environments that are safe, inclusive, and equitable for as many identities as possible.

Equity: Goals and expectations are the same for all students. Students must receive the supports that are needed to achieve their goals and it is based on the student's individual needs.

Inclusion: All students are fully accepted as members of the school community. Regardless of their challenges, students are placed in the same educational setting as the general population whenever appropriate.

Discrimination: To decide about or to treat a person or group of people less favorably than others based on race, color, ethnicity, religion, sex, age, national origin, sexual orientation, disability, gender identity, or gender expression.

Burbank USD Board of Education Policy: BP 0415

- “The Board of Education believes that the diversity that exists among the district's community of students, staff, parents/guardians, and community members is integral to the district's vision, mission, and goals. Addressing the needs of the most marginalized learners requires recognition of the inherent value of diversity and acknowledgement that educational excellence requires a commitment to equity in the opportunities provided to students and the resulting outcomes.”
- “The Burbank Unified Board of Education (“Board”) and the Burbank Unified School District (“district”) reject all forms of racism as destructive to the District’s mission, vision, values, and goals. The Board is committed to the following principles:
 1. Establishing and sustaining a school community that shares the collective responsibility to address, eliminate, and prevent actions, decisions, and outcomes that result in and perpetuate racism.
 2. Eliminating inequitable practices and cultivating the unique gifts, talents, and interests of every child to end the predictive value of social or cultural factors, such as race, ethnicity, class, sexual identity, sexual orientation, or gender, on student success.
 3. Respecting, honoring, integrating, and championing the diversity and life experiences of all children, parents/guardians, and community members to support the school district’s mission, vision, values, goals, and objectives.
 4. Acknowledging that racism is often compounded by other forms of discrimination, including, but not limited to, the protective classes identified by the state and federal government.”

District Policies

- Teachers will share the instructional materials used for class with parents upon request
- Teachers are not required to provide a specific calendar of when specific items will be taught
- Board Policy and Administrative Regulation 1312.2 will be followed when informal and formal complaints are registered
- DEI District Committee
 - <https://www.burbankusd.org/dei>

In practice within the classroom

Diverse, equitable and inclusive access to literature:

- Classroom and school libraries are diverse and have books available to all students that reflect people with all identities and from all backgrounds.
- All students deserve to find books in our libraries that reflect back their own identities.
 - A collection may highlight a particular marginalized group based on the monthly focus of a school (reflecting nationwide heritage months, awareness days, etc), but all books will be accessible for the entire year
 - This includes nonfiction texts about historical figures
 - This also includes fiction texts with characters of all races and characters who identify as lesbian, gay, bisexual, and transgender
 - All books are developmentally appropriate for elementary school and discuss issues of race, sexuality, and gender in developmentally appropriate terms.

In practice within the classroom

Diverse, equitable and inclusive instruction:

- Discussions of identity during social-emotional learning activities will include the diverse backgrounds and identities of all students and families in our community
 - This includes (but is not limited to) families with two moms, two dads, adopted families, foster families, single-parent families, families with step-parents, multigenerational families
 - This includes (but is not limited to) student identities that are gender nonconforming
 - This includes recognizing and supporting all of our students' varied cultural traditions
- Social studies lessons will include direct teaching of the historical impact, role, and contributions of people from all diverse backgrounds and identities
 - This includes naming a historical figure's identity and background, in grade-appropriate terms
- English-Language Arts instruction will include literature that highlights people from all diverse backgrounds and identities
 - This includes both nonfiction texts and fiction texts
 - Fiction texts might include a fairy tale adaptation of two male characters falling in love or two female characters falling in love, or a character who was identified as a boy at birth but who realizes they actually feel more like a girl, or a character that has two moms or two dads.
- As specified by the law, instruction will never exclude any of these backgrounds or identities. All groups will always be part of discussions and instruction.

Age-appropriate Information

Age-appropriate information. Consider using children's books or videos that discuss gender identity and/or sexual orientation. The television show *Steven Universe* and books like *And Tango Makes Three* or *I am Jazz* are great ways to start conversations. Give information based on your child's development age. Below are some suggestions on how to talk to your child.

- a. *Pre-school age (age 3-5)* – This age group is only able to understand simple and concrete answers to questions. When answering, use language your child understands. Try to only address the specific question asked, without giving any further details. For example, if your child asks why their friend from school has two mommies, you can say, "Families can be different. Some families have a mom and a dad. Some have two moms or two dads. Some have only one mom or one dad."
- b. *School age (age 6-12)* – Children at this age are beginning to explore and understand who they are in the world. As their questions about gender and sex become more complex and concrete, so should your answers. For example, your child may witness bullying of other classmates, and come to you for advice on how to respond. This is an opening to reinforce the value of treating others with respect. I.e., Your child tells you, "Tiffany cut her hair short and all the other kids were teasing her. Does that mean she's a boy?" You could reply, "Having short hair does not make you a girl or a boy. How did you feel when you saw the other kids teasing her?"
- c. *Teenage (13-18)* – As children become teenagers, not only does their sexual orientation become apparent; their friends' will too. Your children might ask questions as some of their classmates begin to be more open about their gender identities or sexual orientation. Teens may be using this conversation as a way to feel out your reaction to their friend's "coming out." However, also use this opportunity to really listen to how teens think and feels about LGBT people. Try to limit any judgments about things you don't understand or don't agree with. For example, if your child tells you that his friend is gay, ask what his thoughts and feelings are about it first before expressing your opinions.

Age Appropriate Materials

Children's Hospital Los Angeles - Talking to Your Child About What It Means to Identify as Lesbian, Gay, Bisexual or Transgender (LGBT)

<https://www.chla.org/blog/rn-remedies/talking-your-child-about-what-it-means-identify-lesbian-gay-bisexual-or-transgender>

Human Rights Campaign

https://www.google.com/url?q=https://hrc-prod-requests.s3-us-west-2.amazonaws.com/welcoming-schools/documents/WS_LGBTQ_Definitions_for_Students.pdf?mtime%3D20200713131845%26focal%3Dnone&sa=D&source=editors&ust=1678828194706777&usg=AOvVaw1Ouj1dRrc4svgA-NeC4zUE

https://www.google.com/url?q=https://assets2.hrc.org/welcoming-schools/documents/WS_Responding_to_Concerns.pdf&sa=D&source=editors&ust=16788281947069548&usg=AOvVaw2K1vmJzOB5P5u0U042svko

Social Studies and Literacy Lessons Are Not Sex Education

Proponents against teaching argue that LGBTQ topics is "grooming" children for pedophiles or that it is teaching explicitly about sexual behaviors. What inclusive curriculum does is ensures diverse identities, families, and communities are part of the history and stories taught in schools. We talk about straight families and historical figures all the time without mentioning their sex lives. The same is true for LGBTQ families and historical figures.

Schools are responsible for preparing our children to become engaged citizens responsible for our functioning democracy. By officially erasing a large segment of our population (10–12 percent by most estimates), we are reinforcing negative stereotypes and creating another generation of people who believe LGBTQ people's existence is "inappropriate." There are wonderful lessons, texts, and discussion guides that model how to incorporate these topics in K–5 classrooms. Teachers need to have the support of legislation, state standards, and their communities to be able to be effective. Our kids deserve a complete picture of the world we live in. As a judge in Canada once ruled on a case in 2002 for the inclusion of LGBTQ books in a kindergarten classroom, "tolerance is always age-appropriate."

Links to Documents that Guide Instructional Decisions

- California Department of Education
 - <https://www.cde.ca.gov/pd/ee/supportlgbtq.asp>
- California State Frameworks
 - <https://www.cde.ca.gov/ci/cr/cf/allfwks.asp>
- California State Standards
 - <https://www.cde.ca.gov/be/st/ss/index.asp>
- California Education Code 220 Prohibition of Discrimination
 - https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=220.&lawCode=EDC
- California Education Code 51101 Parent Involvement
 - https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC§ionNum=51101

Links to Documents that Guide Instructional Decisions

- California Education Code 51204.5 Required Courses of study
 - https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=51204.5.&lawCode=EDC
- California Education Code 51500 Prohibited Instruction
 - https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=51500.&lawCode=EDC
- California Education Code 60040 Instructional Materials
 - https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=60040.&lawCode=EDC

Burbank USD Board Policy and Administrative Regulation

- Board Policy 0415 Equity
 - <https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030557&revid=oWKBK34aAfXHSRriYOfX7w=&ptid=amlgTZiB9plushNjl6WXhfiOQ=&secid=&PG=6&IRP=0>
- Board Policy 1312.2 Complaints Concerning Instructional Materials
 - <https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030557&revid=plusT6bszk8tYiplusEyTw8AlmxA=&ptid=amlgTZiB9plushNjl6WXhfiOQ=&secid=zxfvZYmcKkpluslhKHxD4ftFA=&PG=6&IRP=0>
- Administrative Regulation 1312.2 Complaints Concerning Instructional Materials
 - <https://simbli.eboardsolutions.com/Policy/ViewPolicy.aspx?S=36030557&revid=xznCTKxgUI76eqja9BDLBA=&ptid=amlgTZiB9plushNjl6WXhfiOQ=&secid=zxfvZYmcKkpluslhKHxD4ftFA=&PG=6&IRP=0>