

# Academic Transparency

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## Presentation to the House Education Quality Subcommittee

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# OPPAGA

Office of Program Policy Analysis and Government Accountability

JANUARY 25, 2023

# Scope and Methodology

As directed by the Legislature, OPPAGA updated key findings included in our office's December 2021 Academic and Fiscal Transparency report and examined the implementation status of additional academic transparency requirements included in HB 1467, passed during the 2022 Regular Session.

This presentation provides information on statutory requirements in three areas

- Library Media Center Materials
- Instructional Materials
- Reproductive Health and Disease Curriculum

Superintendent  
Questionnaire

District Survey

District Interviews

Website Review

# OPPAGA's District Survey



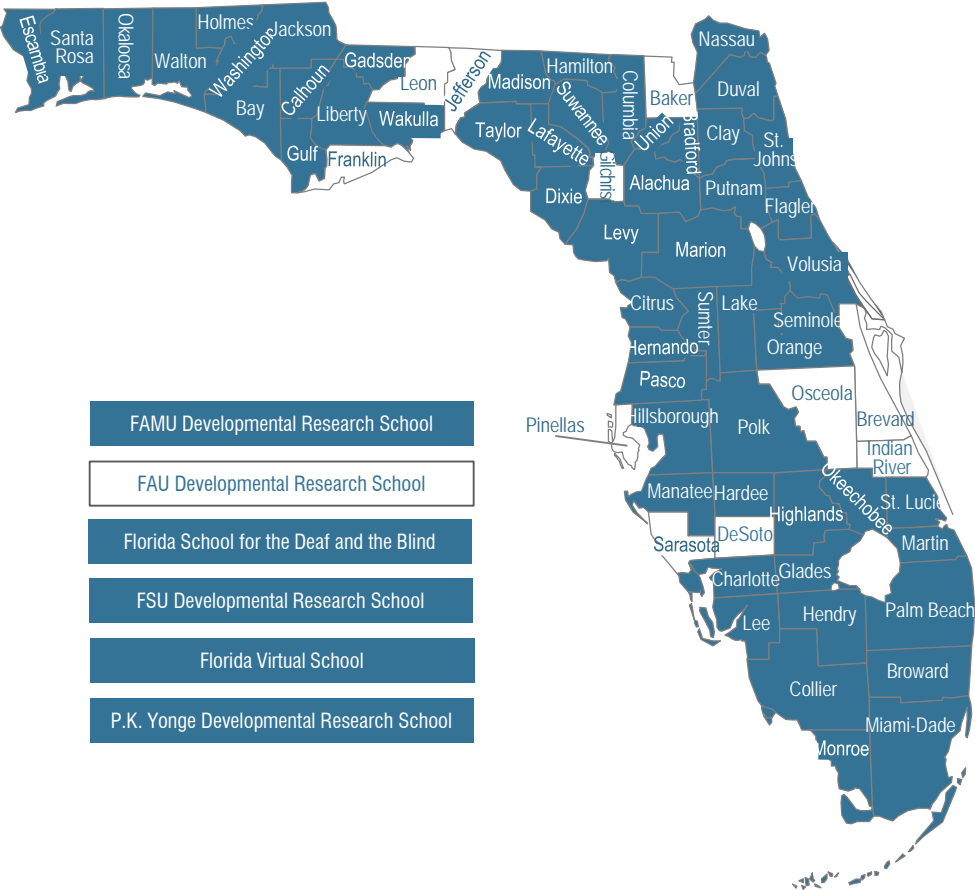
School Districts That Responded to OPPAGA's Survey (62)



School Districts That Did Not Respond to OPPAGA's Survey (11)

## Survey Responses

- OPPAGA surveyed the Florida School for the Deaf and the Blind and the Florida Virtual School, but because of the schools' unique circumstances, this research product does not include the schools' survey responses
- Due to a survey software error, Duval County School District received OPPAGA's survey later (January 11, 2023) than other school districts; while not included in this presentation, Duval's response will be included in OPPAGA's final report



# Library Media Center Materials Transparency

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- Media center collections procedures posted on school websites
- Searchable lists of media center materials
- Certified library media specialists

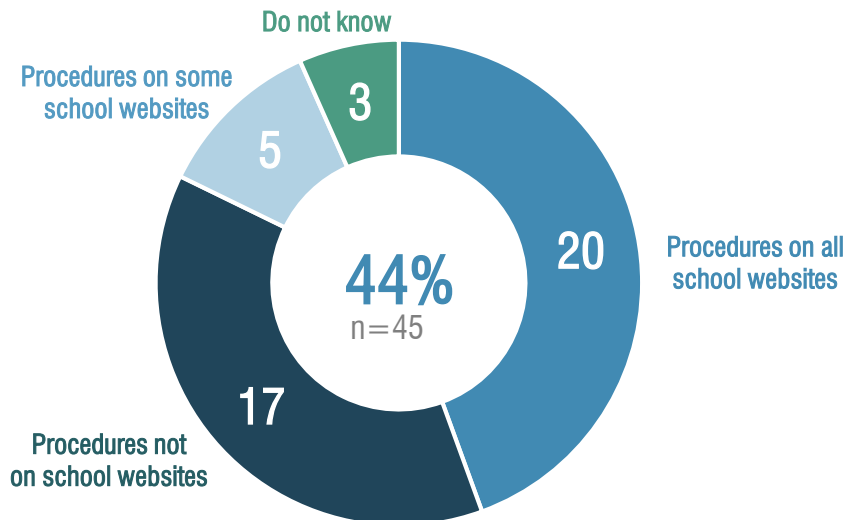
# Media Center Collections Procedures Posted on School Websites

44% (20 of 45) of school districts reported that media center procedures are posted on all school websites and an additional 5 districts reported that some, but not all school websites include the procedures.

## Requirement

Section 1006.28(2)(d)2., *FS.*, requires each district school board to adopt procedures for developing library media center collections and to post the procedures on each school's website. Among other requirements, statute outlines that these procedures must create a collection in support of state academic standards and provide for the regular removal of books based on alignment with standards and relevancy to the curriculum.

## Status



### Examples of Items Addressed in District Procedures

- Material Review Criteria
  - Relevance to the goals of the curriculum
  - Book condition
  - Date of material content
- Utilizing a circulation and catalog system to manage and maintain the collection

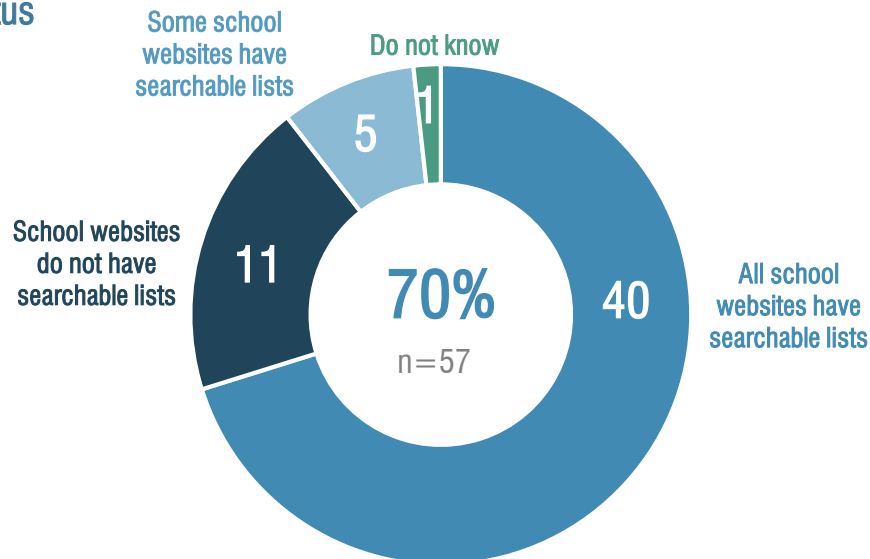
# Searchable Lists of Media Center Materials

70% (40 of 57) of school districts reported that all elementary school websites have a searchable list of media center materials. Some districts reported challenges, including a lack of sufficient funding and difficulty hiring media specialists to review and catalog materials, as well as the cost and implementation of software for classroom library management.

## Requirement

Section 1006.28(2)(d)3., *F.S.*, requires each elementary school to publish on the school website, in a searchable format prescribed by FDOE, a list of all materials maintained in the school library media center or required as part of a school or grade-level reading list. State Board of Education Rule 6A-7.0713, *F.A.C.*, which was adopted on November 22, 2022, clarified that library media centers include classroom libraries. OPPAGA surveyed school districts prior to the adoption of the rule; therefore, the survey did not ask about classroom libraries.

## Status



### Examples of District Experiences With Materials Lists

- Difficulties cataloging classroom library materials, funding certified media specialists, and acquiring catalog management software
- Concerns about having sufficient staff to complete required reviews of library materials

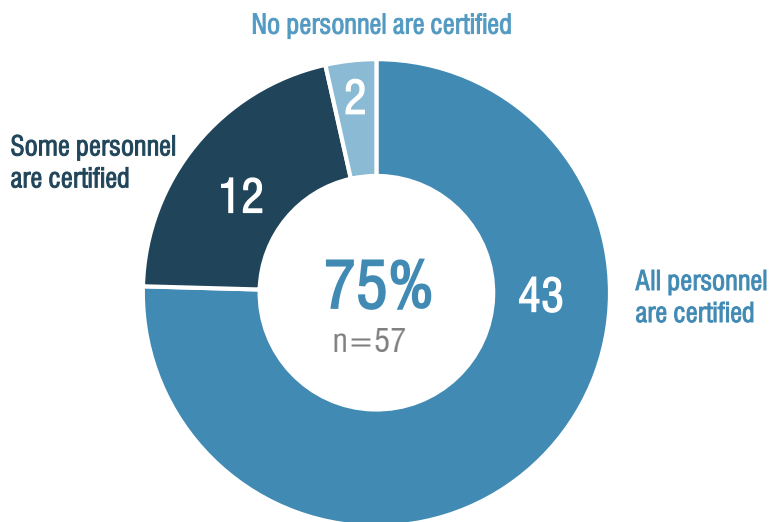
# Certified Library Media Specialists

75% (43 of 57) of school districts reported that all employees who select media center books hold an educational media specialist certificate. The remaining school districts reported challenges in meeting the requirement, such as a shortage of available specialists and difficulties in hiring certified personnel.

## Requirement

Section 1006.28(2)(d)1., *F.S.*, requires each book made available to students through a school district library media center or included in a recommended or assigned school or grade-level reading list to be selected by a school district employee who holds a valid educational media specialist certificate, regardless of whether the book is purchased, donated, or otherwise made available to students.

## Status



### Examples of District-Reported Actions

- Extending contracts for current certified staff to review materials
- Pairing certified personnel with uncertified staff for purchasing materials

### Examples of District Experiences With Certified Library Media Specialists

- Difficulty hiring certified personnel, including a shortage of media specialists
- Challenges in acquiring funds for additional certified media specialists

# Instructional Materials Transparency

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- Instructional materials adoption procedures
  - Instructional materials committees
  - Parental notification to review instructional materials
  - List of instructional materials on district websites
  - Notification of parental access to instructional materials
  - Objections to adopted instructional materials
  - Objections received on instructional and media center materials



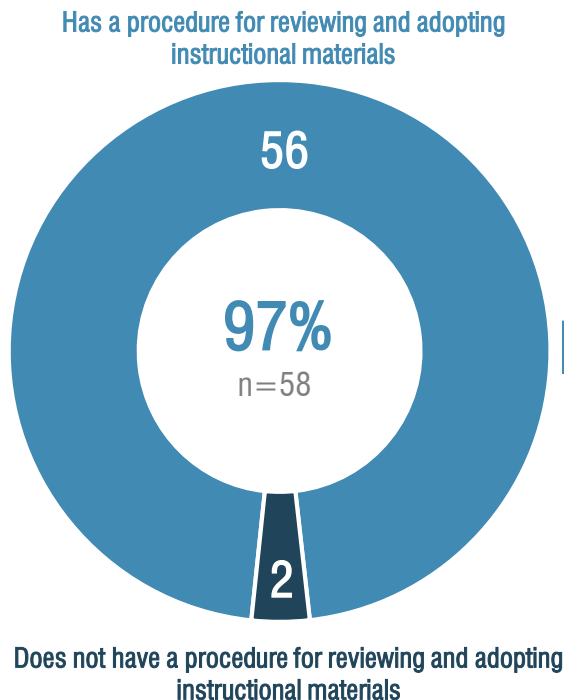
# Instructional Materials Adoption Procedures

97% (56 of 58) of school districts reported having a procedure for reviewing and adopting instructional materials; 54 reported that the procedure is available to parents and the public.

## Requirement

Section 1006.28(2)(e)1., *F.S.*, requires school districts to provide access to all materials, excluding teacher editions, in accordance with s.1006.283(2)(b)8.a., *F.S.*, before the district school board takes any official action on such materials.

## Status



### District Instructional Materials Adoption Processes

- 54 of the 56 districts reported in survey responses that the material review and adoption procedures are available to parents and the public.
- During interviews, two school districts mentioned receiving policy language from educational consortia or a board policy service.
- During interviews, three school districts mentioned restricting instructional materials purchases to state-adopted materials while awaiting clarification regarding material review requirements.

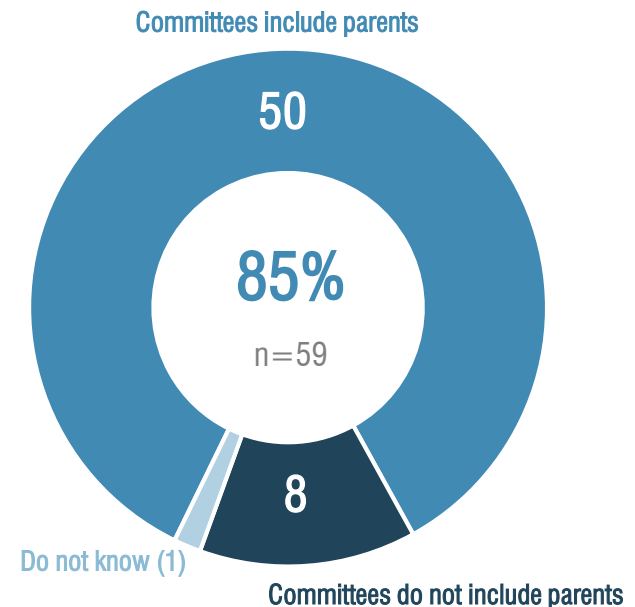
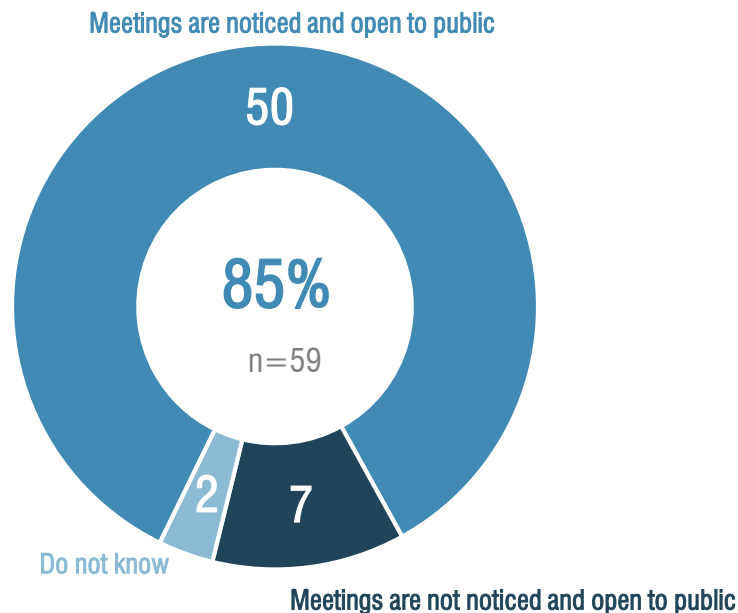
# Instructional Materials Committees

85% (50 of 59) of school districts reported that instructional materials committee meetings are noticed and open to the public; the same number of school districts reported that these committees include parents.

## Requirement

Section 1006.28(2)(a)4., *F.S.*, requires meetings of committees, which are convened for the purpose of ranking, eliminating, or selecting instructional materials for recommendation to the district school board, to be noticed and open to the public. Any committees convened for such purposes must include parents of district students.

## Status



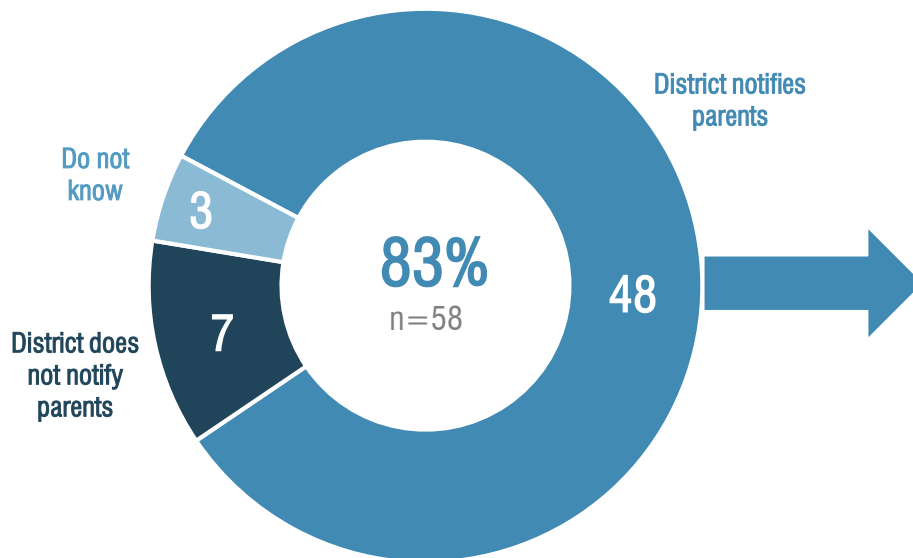
# Parental Notification to Review Instructional Materials

83% (48 of 58) of school districts reported notifying parents of their ability to access their child's instructional materials.

## Requirement

Section 1006.283(2)(b)11., *F.S.*, requires school districts to establish a process to notify parents of their ability to access their children's instructional materials through the district's local instructional improvement system. This notification must be published on the school district's website and provided annually in written format to all parents of enrolled students.

## Status



### Examples of When Parents Are Notified

- Beginning of the school year (37 districts)
- When new students are enrolled (10 districts)
- Each semester (5 districts)
- Other times, such as during open houses, when providing quarterly report cards, or ongoing through website (19 districts)

### Examples of How Parents Are Notified

- Information sent home with students (41 districts)
- School district websites (39 districts)
- School websites (27 districts)
- School-parent communication applications (20 districts)
- Parent portal (13 districts)
- Other ways such as social media, included in student conduct code or email listserv (15 districts)

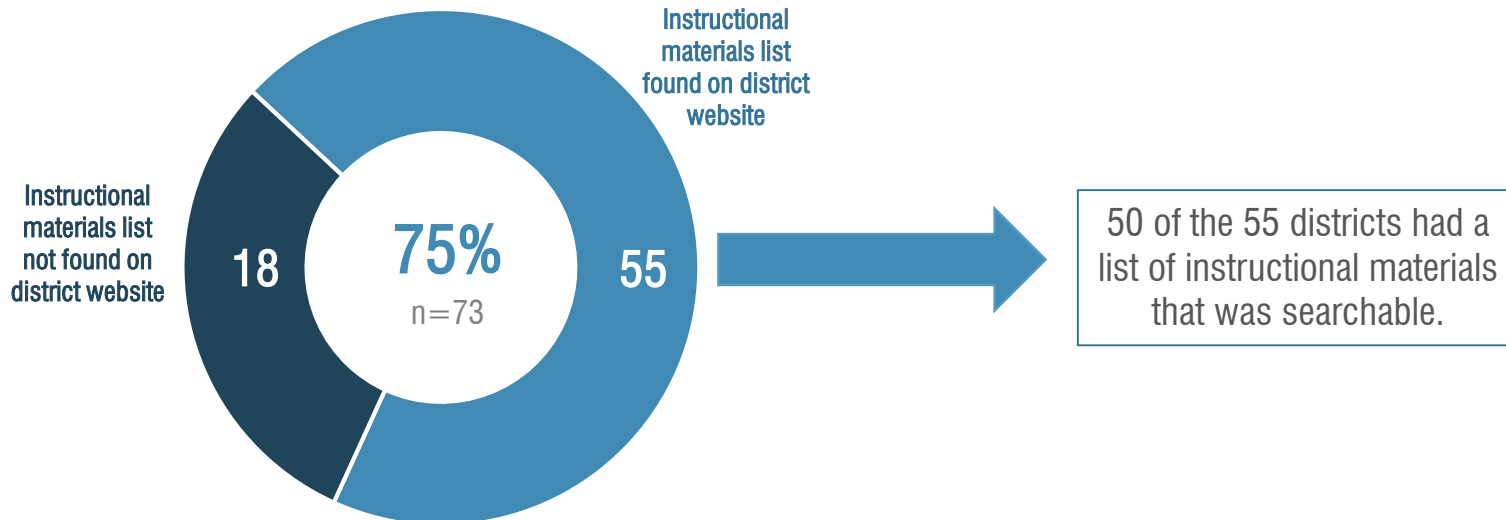
# List of Instructional Materials on District Websites

OPPAGA located a list of instructional materials on 75% (55 of 73) of school district websites; 50 of the lists were searchable.

## Requirement

Section 1006.28(2)(e), *F.S.*, requires district school boards to publish on district websites, in a searchable format prescribed by FDOE, a list of all instructional materials, including materials used to teach reproductive health and disease education.

## Web Search Results



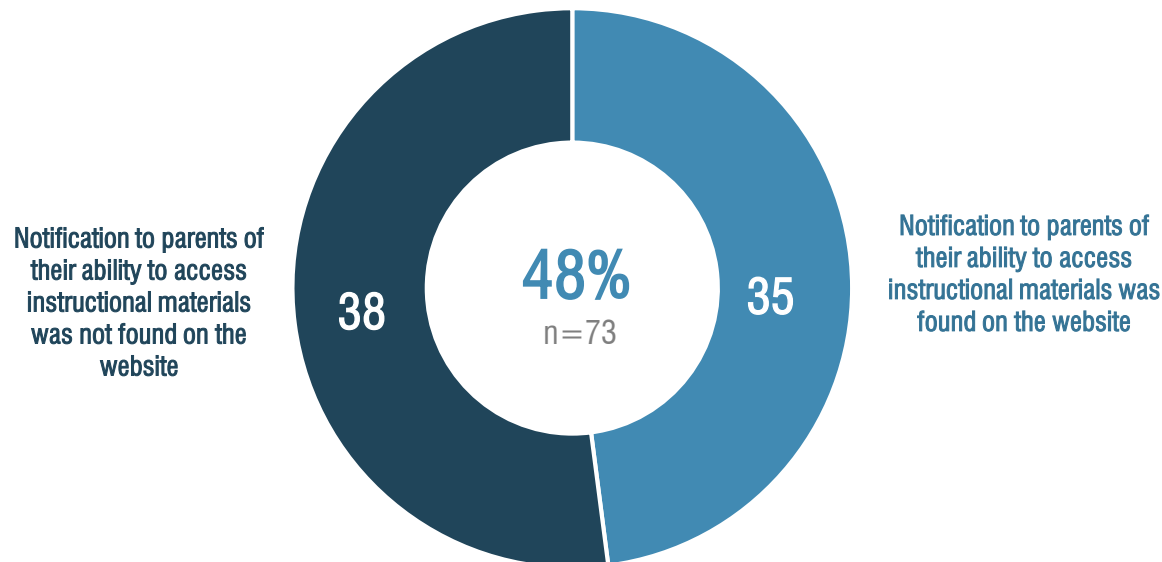
# Notification of Parental Access to Instructional Materials

OPPAGA located notification of parental access to instructional materials on 48% (35 of 73) of school district websites.

## Requirement

Section 1006.283(2)(b)11., *F.S.*, requires school districts to prominently display on district websites the notification to parents of their ability to access their children's instructional materials.

## Web Search Results



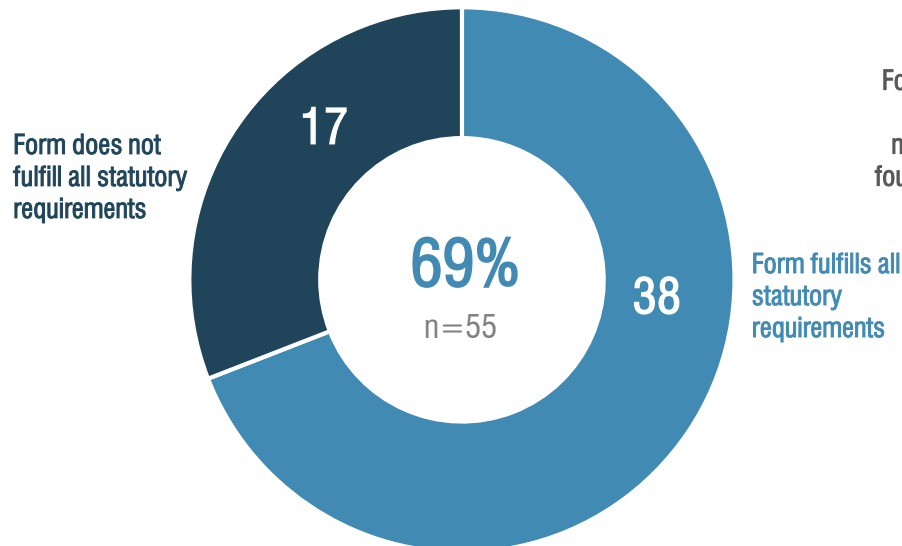
# Objections to Adopted Instructional Materials

69% (38 of 55) of school districts reported including all five criteria for objections to instructional materials in their district policies. 91% (51 of 56) reported having a form for individuals to submit their objections; OPPAGA located the form on 51% (37 of 73) of school district websites.

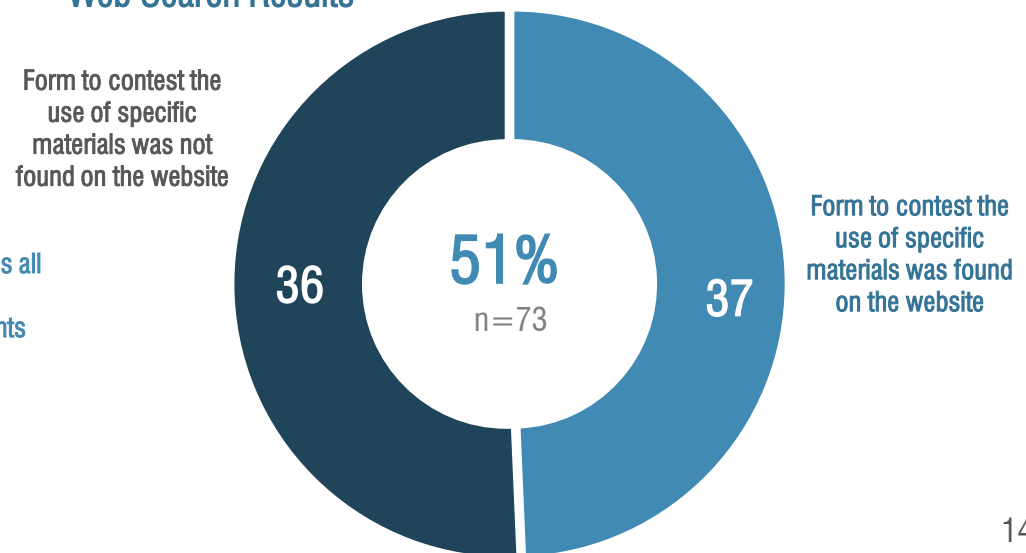
## Requirement

Section 1006.28(2)(a) 2. and 3., *F.S.*, requires school districts to provide parents or residents the opportunity to present evidence that a material was not subject to public notice, review, comment, or hearing procedures; contains pornographic or prohibited material; is not suitable to student needs; is not suitable to students' ability to comprehend the material presented; or is not appropriate for the grade level and age group for which it is used. School boards also must establish a process by which the parent of a public school student or a county resident may contest the district school board's adoption of a specific instructional material and to make the form available to the public on the school district's website.

## Status



## Web Search Results



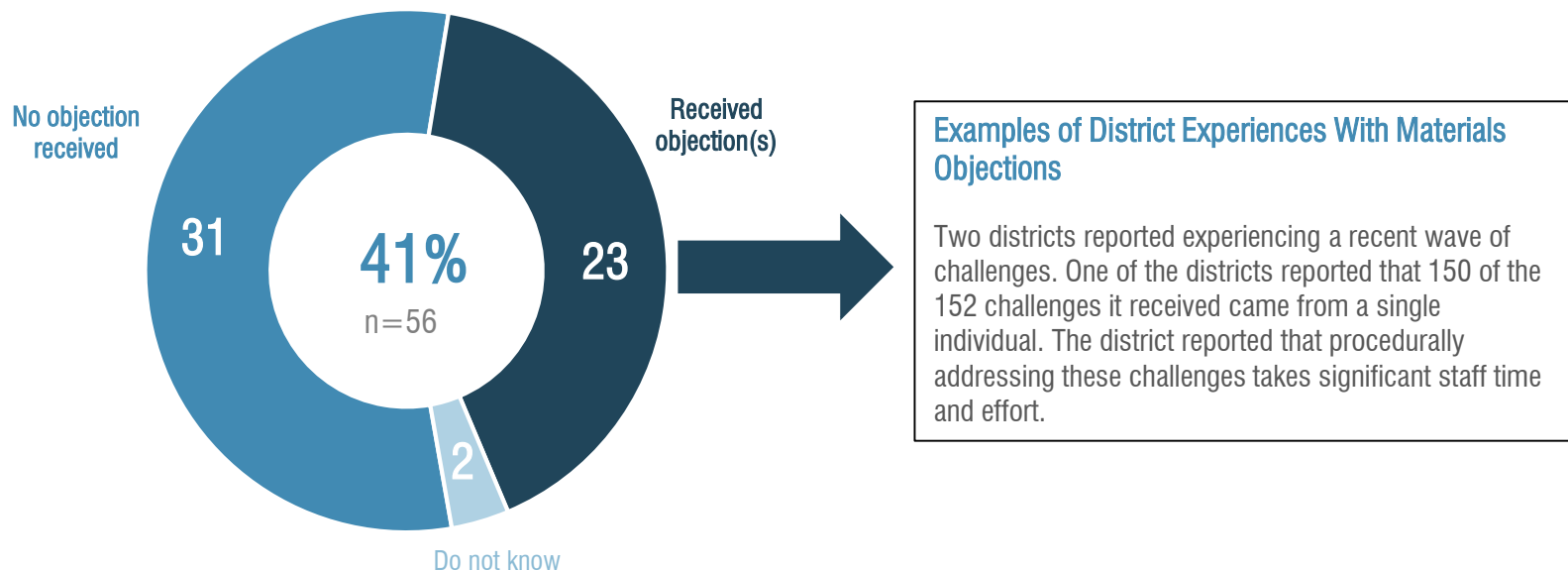
# Objections Received on Instructional and Media Center Materials

41% (23 of 56) of school districts reported receiving an objection to a specific instructional, media center, or reading list material since January 1, 2021.

## Requirement

Section 1006.28(2)(a)2., *F.S.*, requires each school district to adopt a policy regarding an objection by a parent or resident of the county to the use of a specific material. The process must provide the opportunity to proffer evidence that any material was not subject to the public notice, review, comment, or hearing procedures; contains content that is pornographic or prohibited under s. 847.012, *F.S.*; is not suited to student needs and their ability to comprehend the material presented; or is inappropriate for the grade level and age group for which the material is used.

## Status



# Reproductive Health and Disease Curriculum

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- Reproductive health and disease instruction—parental rights notification and materials access
- Reproductive health and disease curriculum exemption



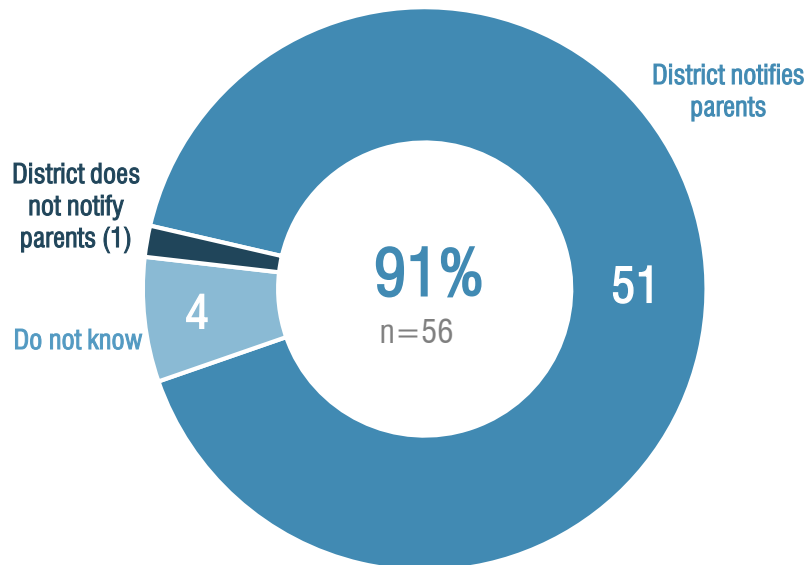
# Reproductive Health and Disease Instruction— Parental Rights Notification and Materials Access

91% (51 of 56) of school districts reported notifying parents of their right to request a student exemption from reproductive health or disease education instruction and of the process to request an exemption. OPPAGA located a link to reproductive health and disease education materials on the homepage of 7% (5 of 73) of school districts.

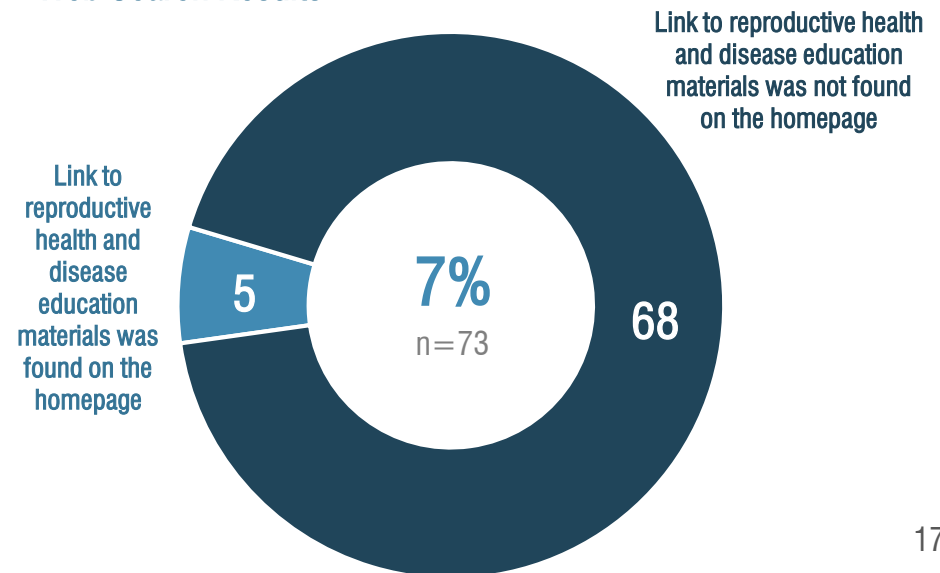
## Requirements

Section 1002.20(3)(d), *F.S.*, effective July 1, 2021, requires school districts to notify parents on the district website homepage of their right and the process to request that their students be exempted from the teaching of reproductive health or any disease. In addition, effective July 1, 2021 each school district's homepage must include a link for a student's parent to access and review the instructional materials used to teach the reproductive health or disease education curriculum.

## Status



## Web Search Results



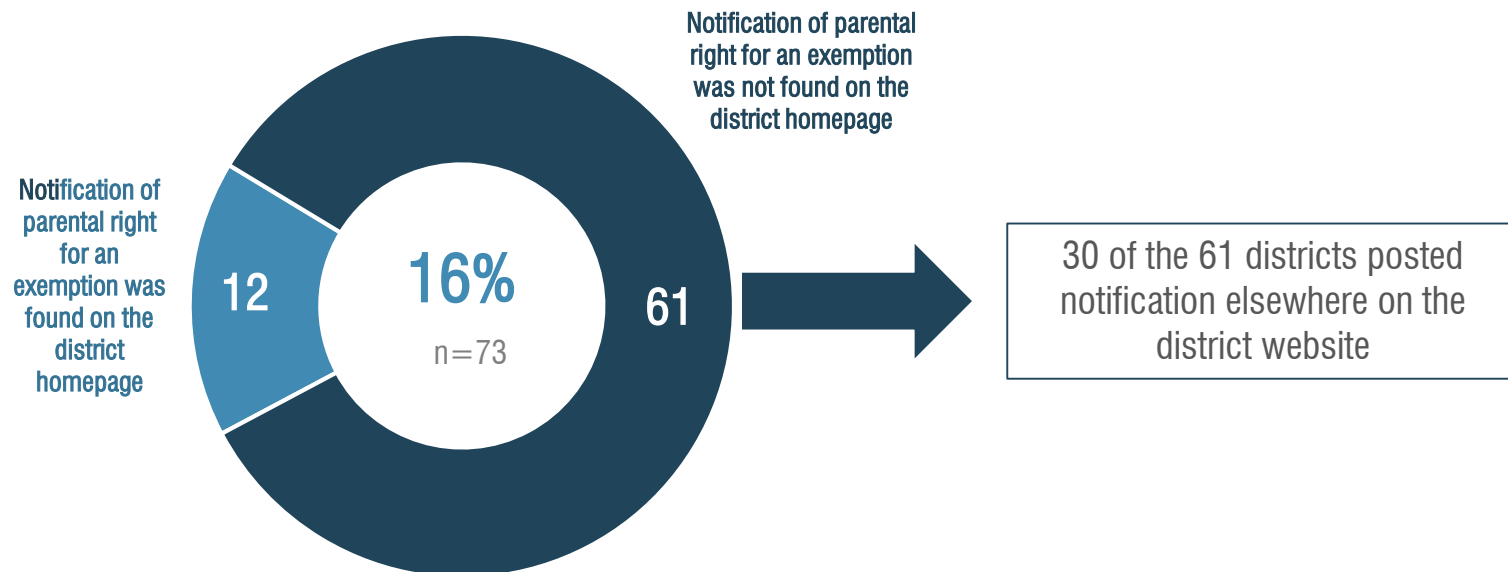
# Reproductive Health and Disease Curriculum Exemption

OPPAGA located information regarding the availability of an exemption from the teaching of reproductive health or disease on 16% (12 of 73) of school district homepages.

## Requirement

Section 1002.20(3)(d) *F.S.*, effective July 1, 2021, requires school districts to exempt students from the teaching of reproductive health or disease education when a parent makes a written request to the school principal. Additionally, each school district must, on the district's homepage, notify parents of this right and the process to request an exemption.

## Web Search Results



# Contact Information

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FLORIDA LEGISLATURE OFFICE OF PROGRAM POLICY ANALYSIS AND  
GOVERNMENT ACCOUNTABILITY

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OPPAGA supports the Florida Legislature by providing data, evaluative research, and objective analyses that assist legislative budget and policy deliberations.

# Summary of Findings

## FDOE Progress

- FDOE finalized the online media specialist training and made it available to districts on the department website January 1, 2023.
- In November 2022, the State Board of Education adopted a rule clarifying requirements for elementary school website listings of library materials and reading lists.
- FDOE is drafting a rule providing guidance to school districts for reporting objected-to and removed materials to the department. According to department officials, the rule will be presented for adoption at the State Board of Education meeting in Spring of 2023.

## Library Media Center Materials

- Most school districts responding to OPPAGA's survey reported meeting statutory requirements related to media center materials. For example, 70% reported that all elementary school websites have a searchable list of media center materials and 75% reported that all employees who select media center books hold an educational media specialist certificate.
- However, less than half (44%) of responding school districts reported having media center collection procedures posted on all school websites.

## Instructional Materials Transparency

- Most school districts reported meeting statutory requirements related to instructional materials. For example, 97% of responding school districts reported having implemented instructional materials adoption procedures and 93% reported that the process is open to parents and the public. In addition, 69% reported having a materials adoption form that included all statutory requirements.

## District Website Access

- OPPAGA found the required list of instructional materials on 75% of the district websites.
- OPPAGA could not locate other statutorily required information on most district websites. For example, on more than half of the district websites, OPPAGA could not find a notification to parents about their ability to access instructional materials or a form to contest instructional materials. In addition, OPPAGA could not find reproductive health and disease materials or exemption forms anywhere on many district websites.

# Methodology

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- **Superintendent questionnaire.** OPPAGA requested information on October 19, 2022, from 73 district superintendents regarding school district status in implementing HB 1467 requirements related to instructional materials. OPPAGA received responses through November 2, 2022, and used the responses to select a sample of school districts to interview.
- **District survey.** From November 10 to December 13, 2022, OPPAGA surveyed 73 Florida school districts to obtain information on school district status in implementing HB 1467 requirements related to library media center collections, reading lists, and instructional materials, and district policies and procedures regarding parental notification and access to reproductive health and disease education, per ss. 1002.20(3)(d) and 1003.42(5), *F.S.*
- **District interviews.** From November 18 to December 14, 2022, OPPAGA interviewed administrators in nine school districts (Broward, Charlotte, Duval, Escambia, Flagler, Jackson, Lafayette, Lake, and Pasco) to collect additional information. District selection was based on enrollment size, geographic location, and responses to the superintendent questionnaire.
- **District policies and procedures review.** OPPAGA reviewed a sample of district policies and procedures to determine if the processes align with current requirements and provide a process and criteria for the regular removal or discontinuance of materials. OPPAGA reviewed documents from districts that provided policies and procedures in response to the survey or districts that utilized consortia or a district school board policy service to develop policies.