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CALIFORNIA'S "SOCIAL CONTENT" GUIDELINES FOR TEXTBOOKS

Pat Zettner wrote a children's story called *A Perfect Day for Ice Cream*.¹ It first appeared in *Seventeen* magazine. Then a major textbook publisher selected it for inclusion in its 1985 eighth-grade reader. Naturally, Ms. Zettner was thrilled by this honor.

The publisher, however, wanted some changes in the story. A reference to Gloria Steinem was deleted on the ground that she represented "militant feminism." It was wrong, thought the publisher, for one child to call another a "pest"; that showed "sibling disrespect." Soccer must not be called "kamikaze ball," because that is a "possible ethnic offense."

The biggest change was in the title: from *A Perfect Day for Ice Cream* to *A Perfect Day*. You see, the story no longer had a trip to an ice cream parlor. That was deleted because ice cream is "junk food." (Sensing the spirit of the change, the author's son suggested that they should retitile it *A Perfect Day for Broccoli Spears*.)

According to the story in the *Washington Post*, such editing is a response to special interest groups. Conservatives abhor controversy or unhappiness in textbooks, creationists abhor evolution, feminists abhor traditional female roles, and so on.

To provide more formal advice to publishers, the State of California has adopted "social content" guidelines for instructional materials. Indeed, Zettner's publisher defended its deletion of ice cream from her story by pointing out that one of its previous reading texts had been banned in California, mainly because it included a story with a birthday party and ice cream. This was thought to violate California's rule against textbooks that feature foods of "low nutritive value."

All this piqued our interest, and so we requested a copy of the guidelines. We think that you will enjoy reading them. You will notice that the guidelines do not deal with sex. That topic is apparently too hot—even for California bureaucrats. Or maybe it just wasn't necessary to warn publishers about what is taboo in that area.

As professors of law, we feel obliged to conclude on an earnest

1. The Washington Post National Weekly Edition, Dec. 3, 1984, at 8, cols. 2-3.

note. Some of the guidelines are ridiculous. Others raise the difficult question of the degree to which depictions of reality should be aspirational—whether, for example, half the scientists in a sixth-grade reader should be women. Still others, we think you'll agree, would certainly be reasonable as informal rules of conduct. Who can object, for instance, to the idea that a grammar school text should not depict one race or sex as superior to another? Yet somehow common sense tends to become silly (and faintly Orwellian) when codified with Teutonic thoroughness. As an analogy, consider a faculty dress code.

Those who wish to pursue this topic can find an interesting account of *Bowlerizing the Bard* in the June 3 issue of *The New Republic*.

STANDARDS FOR EVALUATION OF INSTRUCTIONAL MATERIALS WITH RESPECT TO SOCIAL CONTENT

1982 Edition

Prepared by the
Curriculum Frameworks and Instructional
Materials Unit

CALIFORNIA STATE DEPARTMENT OF EDUCATION

Need for Compliance Review

It is generally recognized that the interests, prejudices, and ideas children develop as they mature are influenced directly by everything they see and hear. They tend to dream of and aspire to those goals they are encouraged to attain. Their exposure to various influences can make the world seem expansive and filled with exciting and infinite possibilities, or frustrating and filled with apparent limitations. Since much of a child's early development takes place in school, instructional materials used there will very likely contribute to the positive or negative effect of the school experience. The Legislature recognized the vital role of instructional materials in the formation of a child's attitudes and beliefs when it adopted Education Code Sections 60040 through 60044 (see pages 26-27).

In addition to providing positive experiences and encouraging aspirations unlimited by narrow and stereotyped portrayals, instructional materials should also provide an image of a pluralistic, multicultural society in which any member of any cultural group is looked upon as an individual, not just as a member of a group. In their contacts with others, as well as through the popular media and instructional materials, children are exposed to European Americans in many varied roles, both positive and negative. Because they are therefore more likely to judge European Americans as individuals, any adverse portrayal is generally perceived to be limited to the individual in question. In contrast, social contacts, media, and instructional materials may limit minorities, females, and aged and handicapped persons to stereotyped roles, with the result that they are often judged as groups. The Education Code sections referred to in this document were thus also intended to help dispel the erroneous stereotypes by emphasizing portrayal of members of these groups in diverse, positive, and contributing roles that underscore the multiethnic, multiracial, pluralistic society in which we live. Neither adverse reflections nor inappropriate portrayals may be allowed to occur in instructional materials to be used by pupils in California public schools.

Purpose of Standards

The laws as written require that instructional materials portray accurately the cultural and racial diversity and the male and female roles in our society, and the contributions of minority groups and males and females to the development of United States and California society. These requirements imply that instructional materials must also help students to understand both the historical roles and contributions of women and minorities in other societies, the forces which shaped those roles and contributions, and how and why the contemporary American roles and contributions of women and minorities are different from those at other times and in other cultures.

Because of the very large number of instructional materials submitted for use in California public schools, many evaluators are needed to review these materials for compliance with the various social content requirements specified in the Education Code. Evaluators must of necessity apply their individual judgments as to whether materials do in fact comply; it would be impossible to supplant such judgment with written specifications. The purpose of this document is rather to provide reasonable, systematic standards upon which evaluators may base their judgments, so that the results of the evaluation process will be as nearly consistent, and therefore as equitable, as possible.

Special Circumstances

1. Categories added by Board policy. Education Code Sections 60040 through 60044 do not include reference to age, disability, brand names, or nutrition. The standards in these areas represent policies of the State Board of Education, and as such must also be considered by reviewers for compliance approval. Policy areas are identified by date of Board approval instead of statutory code sections.
2. Teacher materials. Evaluators must use these standards for reviewing both student material and teacher material. Two considerations are especially important in connection with teacher material: (1) in no case may instructions in a teacher edition designed to counteract noncompliant pictures or text in a pupil edition be given any weight in the evaluation of the pupil edition; and (2) instructions to the teacher for pupil activities that

could reasonably be expected to cause adverse reflection or represent roles inaccurately must be considered noncompliant even though they are not seen by the student.

3. Literary, historical, and cultural perspectives. When examining an instructional material for adverse reflection or roles, an evaluator must make a qualitative judgment with respect to classical or contemporary literature (including folk tales), music and art, or stories or articles having a particular historical or cultural perspective. In such cases, it may be inappropriate to require complete compliance with these guidelines.

What might be considered adverse reflection or failure to portray appropriate roles should be judged in the appropriate context. The material should be examined for answers to such questions as these: Does it contain appropriate explanations of the reasons for the offenses? Is there discussion of the issues involved? Is there a description of attitudes prevalent during a certain period of history or now prevalent in the particular culture or country depicted? In such a situation, however, discussion material should be included in the pupil edition indicating that, for example, although a particular attitude toward women or a minority group was prevalent during a certain period in history, or is prevalent in the particular culture or country depicted, that attitude has changed, or is in the process of change, or does not occur in the contemporary United States, as appropriate. The instructional material should be considered noncompliant regarding adverse reflection only if, on the basis of the totality of its presentation, including explanations and discussions included in pupil material, the material would, in the mind of the average student for whom it is intended, reflect adversely upon a person because of race, color, creed, national origin, ancestry, age, sex, occupation, or physical handicap. In the same way, it should be considered noncompliant regarding roles in United States and California society only if no adequate discussion occurs concerning cultural and historical roles as distinct from roles as they exist, or as they are becoming, in contemporary society. This is true even considering that social reality today does not always comply with current laws and public values.

4. Reference to humans. Materials need not include references to human beings. For instance, math problems described solely in abstract terms or stories about animals without human attributes are perfectly acceptable in instructional materials but are outside the scope of these standards. Additionally, materials that contain references to children need not include references to adults, even though this omission may limit the scope of the roles and contributions that can be presented.
5. Special purpose—limited portrayals. Several kinds of circumstances make it necessary to modify specified requirements regarding proportion and balance of portrayals. These circumstances do not obviate the need for careful review for adverse reflection or derogatory references, but they do make it difficult to achieve the usual kind of required balance.
 - a. Narrow focus—limited scope and content. In determining how to apply the guidelines to a given piece of material, an evaluator must consider the number of characters presented and the relationships among them. For example, if a material includes only three or four main characters, or if all of the main characters are members of the same family, it will obviously be unrealistic to expect portrayal of a wide diversity of ethnic groups or roles and contributions. In the same way, if the setting is restricted to a limited locale, such as an inner city ghetto or a sparsely settled desert region, the possibilities for showing a wide range of socioeconomic groups in a wide range of activities are necessarily limited. Materials with a narrow focus and/or limited portrayals should be clearly identified as such so that no false impressions are conveyed.

This is not to say that an indefinite number of limited-character and limited-local selections can be used to make up a total adoption. Portrayal of diversity requires portrayal of interactions among various groups, under various conditions. Limited portrayals can accomplish only a small part of the total purpose. Publishers should, whenever possible, include limited-purpose portrayals in series covering a number of such portrayals, thus emphasizing diversity as well.

- b. Infrequent use. The materials are designed to be used infrequently—example: a test to be administered only two or three times a year.
- c. Small group. The materials are part of a small group of materials designed for a

special purpose—example: an enrichment series of pamphlets with less than eight pamphlets per grade level.

d. Audience. The intended audience is other than students—example: parents.

Basic textbooks, workbooks and practice books, and other materials that constitute the core of any basic program, or that are not included in any of the categories listed above, will not qualify as "Special Purpose" materials, but must be reviewed for proportion and balance of portrayals.

6. Series. When conducting a compliance review of a series of instructional materials designed to be used as a basic program, an evaluator must judge each component individually, without regard to the content of any other component. However, it is important to consider certain exceptions detailed in Special Circumstance #5 (above).
7. Purpose and method. The discussion of each social content area begins with a statement of the purpose of the statute or policy defining that area, followed by a description of the method by which the purpose may be accomplished. These statements of method are not intended to be all-inclusive, since there can be many ways to arrive at the same result. They usually represent the most direct and most commonly used methods in that area, but an evaluator should carefully consider any other method employed to determine if it does indeed accomplish the stated purpose and meet the specified standards.
8. Varying levels of compliance requirements. The standards established fall into two classes: those which require strict compliance and those which must comply "to a reasonable degree" or "when appropriate." The difference lies in the nature of the standards; some lend themselves to clear-cut distinctions which are relatively easy to make, while others require more subjective judgments based on interpretations of words like "fair," "reasonable," and "balance." The nature of each standard is clearly identified in the text.

Male and Female Roles

Education Code Sections 60040(a) and 60044(a)

Purpose To promote the individual development and self-esteem of each pupil, regardless of gender.

Method By portraying people of both sexes, or animals having identifiable human attributes, in the full range of their human potential in all societal roles.

Applicability of Standards. All of the following standards apply to all instructional materials that depict contemporary United States or California society or any unidentifiable society. In addition, Standard #1 applies to all materials that depict any society outside the United States, but subject to Special Circumstance #3 (pages 2-3).

The standards requiring compliance "to a reasonable degree" are each labeled with the same number, followed by an alphabetical sequence. Their degrees of compliance are determined separately for each. Every standard must be met "to a reasonable degree," and the aggregate of them all must leave an impression of a "reasonable degree" of compliance.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders which tend to demean, stereotype, or patronize males or females because of their sex must not appear.*

Examples of questions to be asked: Are members of one sex portrayed as inferior in intelligence, talent, or character to persons of the other sex? Is it implied that members of one sex are incapable of handling problems or situations without help from members of the other sex? There may be individual characters inferior in some ways to other characters who happen to be of the opposite sex, and there may be characters who need help in some situations from someone of the opposite sex, but there must be no implication that their inferiority or their need for assistance is because of their sex.

Remarks and descriptions disparaging to people because of their sex, such as "old maid," "fishwife," "dumb broad," "woman driver," "she's only a girl," "male

chauvinist pig," "dumb jock," "hairy ape," or "what do you expect from a man?" constitute adverse reflections, and materials containing such remarks are not in compliance.

2. Equal portrayal. *Instructional materials containing references to, or illustrations of, people must refer to or illustrate both sexes approximately evenly, in both number and importance, except as limited by accuracy or special purpose.*

This standard applies to any materials in which the gender of persons is referred to or illustrated, whether incidental to the purpose of the material or not. Counting portrayals alone is not sufficient to judge compliance with this standard; but a quantitative assessment could help to determine "approximately even" numbers of portrayals. In addition, evaluators must make a qualitative judgment concerning the relative importance or impact of those portrayals. For example, an illustration within a story of a female in a highly nontraditional occupation might be considered to have as much impact as a short story containing two male characters. Furthermore, a story on women in sports could not be expected to refer to men, nor could a story on men who have won Olympic medals in running be expected to discuss individual women runners. In dealing with instances like these, however, evaluators should keep in mind Special Circumstance #5 (page 3).

Standards requiring compliance to a reasonable degree

- 3a. Occupations. *If professional or executive occupations, trades, or other gainful occupations are portrayed, men and women should be represented therein approximately equally.*

The purpose of this standard is to expand the portrayal of occupational roles in order to enable children, regardless of sex, to identify with all fields of enterprise. Instructional materials should indicate an equally wide variety of vocational choices for men and women, measured by the number of vocations in which women are depicted compared to the number in which men are depicted.

Many vocations, such as medicine, law, engineering, and banking, are often portrayed as male-dominated. Others, such as nursing, teaching, and secretarial work, often show a preponderance of females. Instructional materials should not give the impression that either females or males are excluded from any particular vocation depicted. Further, if people are shown or discussed as occupying positions at different levels in a business, industry, or profession, neither sex should be represented as predominant at any level.

It could draw ridicule from pupils to portray equal representation of males and females in the coal mines or on a high-rise construction project, because it would constitute a complete departure from the reality they see around them. But it might be very important to include a few portrayals of females, in addition to the males, in such areas so that aspiration would appear possible in spite of current reality.

In some occupations, even today, to represent both sexes would still be a distortion of reality. For one example, in major league professional baseball and football, there are no female players, managers, or coaches, although several women have become active as owners. Evaluators must exercise judgment in recognizing and allowing appropriate exceptions to this standard.

- 3b. Achievements. *Whenever a material presents developments in history or current events, or achievements in art, science, or any other field, the contributions of women as well as men should be included in approximately equal numbers.*

This standard is designed to prevent a continuation of the common practice of failure to give sufficient attention to the achievements of women in all fields of endeavor. Because of the bias in our culture, women have, generally, been less esteemed and less recognized in most fields than men who made comparable contributions. Yet in the development of any field, the contributions of women, as well as men, can generally be included with accuracy.

If biographies are included in the material, certainly biographies of women should be included. Materials which ignore half the population of a society are not acceptable.

- 3c. Mental and physical activities. *Mentally and physically active, creative, problem-solv-*

ing roles, and success and failure in those roles, if such roles are depicted, should be divided approximately evenly between male and female characters.

Examples of the roles which this standard concerns are: conducting a science experiment, participating in sports, repairing a broken object, building a bookcase, playing a musical instrument, and the like. In addition, a pattern of positive or negative results of such activities, perhaps most simply defined as success or failure, should not appear to be correlated with either sex.

- 3d. Traditional and nontraditional activities. *The number of traditional activities engaged in by characters of one sex should be approximately even with the number of nontraditional activities presented for characters of that sex.*

In this standard, "traditional" refers to activities which previously were often considered appropriate for persons of only one of the sexes. Examples are women cooking, sewing, or cleaning in the home; men leaving home to work downtown; boys playing baseball; or girls playing house. Instructional materials need not necessarily exclude all such activities, but they should balance them with nontraditional activities. Examples are a boy reading a book, a girl playing soccer, a woman addressing a community meeting, or a man running the vacuum cleaner at home. Whenever domestic chores or recreational activities are portrayed in the materials, members of both sexes should be included.

- 3e. Emotions. *Fear, anger, aggressiveness, excitement, or tenderness, and the like, should occur randomly among characters regardless of gender.*

The idea that only females cry and only males fight is an inaccurate projection of reality and results in a tendency to stereotype persons of one sex or the other with respect to their emotions. Evaluators should look carefully for any such patterns.

- 3f. Sexually neutral language. *"People," "persons," "men and women," "pioneers," "they" should generally be used in order to avoid the apparent exclusion of females or males.*

The standard here is basically objective. This is an appropriate question: Does the material include so many male references as to exclude females as participants in society? Evaluators should exercise discretion in determining when extenuating circumstances exist, such as necessary adherence to grammatical rules or the requirement to convey the author's intended meaning.

Ethnic and Cultural Groups

Education Code Sections 60040(b) and 60044(a)

Purpose To project the cultural diversity of our society, instill in each child a sense of pride in his or her heritage, develop a feeling of self-worth related to equality of opportunity, eradicate the bases of prejudice, and thereby encourage the optimum individual development of each pupil.

Method By including a fair representation of majority and minority group characters portrayed in a wide variety of occupational and behavioral roles, including cultural and artistic.

Applicability of Standards. The word "group" as used in these standards refers generally to one of those cultural and social groups named in Section 60040: "American Indians, American Negroes, Mexican Americans, Asian Americans, European Americans, and members of other ethnic and cultural groups." Current federal and state reporting guidelines for affirmative action and other similar programs use a different type of classification. However, since any racial, ethnic, or cultural group can be fitted into those listed in the Education Code, that code section will remain the basis for implementation of these guidelines.

All of the following standards apply to all instructional materials that depict contemporary United States or California society or any unidentifiable society. In addition, Standards #1, #2, and #3 apply to all materials that depict any contemporary society outside the United States, subject to Special Circumstances #3 (pages 2-3) concerning certain perspectives regarding literature, music, art, history, or other cultures; and #5 (page 3) concerning certain kinds of limited portrayals.

When references to minority persons are omitted, their absence must be discussed and questioned in the student edition in order to make the student aware of: (1) the historical and cultural situation in which this inequality occurred, (2) the process of philosophical change and its effects on social patterns, and (3) the underlying goal of equality basic to our democratic system.

The standards requiring compliance "to a reasonable degree" are each labeled with the same number, followed by an alphabetical sequence. Their degrees of compliance are determined separately for each. Every standard must be met "to a reasonable degree" and the aggregate of them all must leave an impression of a "reasonable degree" of compliance.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders which tend to demean, stereotype, or patronize minority groups must not occur.*

References to any racial or ethnic group indicating that all or most members of that group have certain undesirable characteristics constitute adverse reflections and must not be used. Derogatory generalizations such as "savage Indian," "lazy Mexican," "miserly Jews," and "dumb Polack" fall into this category. There may be individual characters identified as members of a particular race or ethnic group who are depicted as inferior in some way to other characters who are members of other groups, but there must be no implication that their inferiority is attributable to their racial or ethnic origin.

2. Proportion of portrayals. *Instructional materials containing references to, or illustrations of, people must portray accurately the roles and contributions of a fair proportion of diverse ethnic groups, and especially those groups included in the statute (Section 60040(b)) and enumerated on page 9 of this document.*

To the extent possible, materials representing contemporary United States society must depict that society realistically, showing the multiracial, multiethnic composition of the population, except as limited by accuracy or special purpose.

"Fair proportion" in this standard is defined as a range of percentages of the total representations included based on current population for each statutorily-noted minority group. "Tokenism" for any minority group is as unacceptable in instructional materials as it is in the real world of employment.

In materials relating only to a narrow or special aspect of United States or California society, such as a book dealing solely with life in a barrio, or solely with black authors, or solely with Scandinavian immigrants to the middle west, the scope of racial and ethnic representation will be reduced accordingly (see Special Circumstance #5 on page 3).

In evaluating portrayals according to this standard, reference should be made to the standard regarding root culture (see page 12).

3. Customs and life-styles. *When diverse ethnic or cultural groups are portrayed, portrayals must not depict differences in customs or life-styles as undesirable and must not reflect an adverse value judgment of such differences.*

Diversity must be portrayed as an enriching and positive element of our society. In no manner should any other culture be represented as less worthy or less important than the culture of the majority group.

Standards requiring compliance to a reasonable degree

- 4a. Occupations. *If professional or executive roles, trade jobs, or other gainful occupations are portrayed, majority and minority groups should be presented therein in fair proportion.*

The purpose of this standard is to expand the portrayal of occupational roles of

minorities and thus enable children to identify with any field of enterprise, regardless of their race or ethnicity.

"Fair proportion" in this standard is defined as a range of percentages of the total representations included, based upon current population. The number of adult minority characters and majority characters portrayed as professionals or executives, or as working in whatever occupation, should fall within this range. "Tokenism" for any minority group must be avoided.

It is also important to be aware of those occupations that have been associated in a stereotypical way with persons of a certain group—Mexican American farm laborers, Japanese gardeners, Chinese laundry workers, black domestic servants. Although they need not necessarily be excluded entirely, such stereotypes should be referred to very sparingly and should be balanced by references to the same group in other occupations.

- 4b. Socioeconomic settings. *Minority persons should be depicted in the same range of socioeconomic settings as are persons of the majority group.*

This standard directs the evaluator to determine whether, if a range of socioeconomic settings is portrayed, minority group characters participate in the same range of settings as do majority group characters. Socioeconomic characteristics should not be portrayed as correlated to race or ethnicity.

- 4c. Achievements. *Whenever developments in history or current events, or achievements in art, science, or any other field are presented, the contributions of minority peoples, and particularly the identification of prominent minority persons, should be included and discussed, when historically accurate.*

It is important to note that, in the development of most fields, contributions of minority peoples can generally be accurately included. Because of cultural bias, minority persons, no matter what their field, have often been less esteemed and less recognized than majority persons who have made comparable contributions. If biographies are included in the material, biographies of minority persons should be presented.

- 4d. Mental and physical activities. *Mentally active, creative, and problem-solving roles, and success and failure in those roles, should be divided in fair proportion between majority and minority group characters.*

Members of minority groups have often been shown disproportionately in roles requiring primarily physical strength and stamina, as opposed to roles calling for intelligence, skill, or creativity. Instructional materials must display a reasonable balance between majority and minority group characters in each type of role depicted.

Positive or negative results, success or failure, can flow from the undertaking of any task; it is not suggested that all characters should succeed at all times. A pattern of success or failure, however, should not appear to be correlated with the race, ethnicity, or cultural background of any character.

- 4e. Traditional and nontraditional activities. *The portrayal of minority characters engaged in activities which have traditionally been viewed as typical of their culture should be balanced by portrayal of such characters engaged in other, less traditionally recognized activities.*

Examples of the "traditional" activities referred to are the Chinese New Year festivities, the Mexican "La Posada," or the Japanese tea ceremony. Descriptions of these and other minority cultures, while they might mention these traditionally recognized activities, should not focus their portrayals chiefly on such events. Further, in this country even persons whose life-styles are derived from their root culture engage in many other activities shared with persons of other cultural groups.

- 4f. Root culture. *Depiction of diverse ethnic and cultural groups should not be limited to their root cultures, but rather must include such groups within the mainstream of United States life and must identify them as Americans.*

Instructional materials have sometimes portrayed, for instance, Mexicans in Mexico and Japanese in Japan as a substitute for presenting the Mexican American and Asian American experiences. Root culture may be discussed in conjunction

with the particular minority group's United States or California experience and therefore need not be eliminated. But alone, such discussions do not satisfy the requirements of the law.

This standard is not applicable to materials dealing solely with other countries or cultures, but materials claiming to represent selections from around the world—music, art, literature, for instance—should not be limited to European sources, but should include the root cultures of diverse minority populations in the United States and California.

Older Persons and the Aging Process

Approved by the State Board of Education, July 12, 1979

Purpose To promote the development of a healthy perception of older people and a concept of the aging process as a natural phenomenon.

Method By depicting the involvement, activities, and contributions of older persons as a vital part of society.

Applicability of Standards. These standards apply to all materials that reflect contemporary United States or California society or any unidentifiable society. Standard #1 applies as well to materials that reflect any society outside the United States, subject to the limitations expressed in Special Circumstance #3 (pages 2-3).

Standards #3 and #4 require a judgment as to the degree to which the material complies, and Standard #4 can be applied only where the evaluator determines it is appropriate.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders that tend to demean, stereotype, or patronize older persons must not appear.*

References to older persons, indicating, without describing mitigating circumstances, that their talents, intelligence, or activities are inferior to those of younger people, or that they are incapable of handling a situation without a younger person's assistance, constitute adverse reflections. Labels such as "old maid," "old buzzard," "old geezer," "fuddy-duddy," "crone," "rocking chair wonder," or "the geriatrics set" should not be used.

2. Proportion of portrayals. *Instructional materials containing references to, or illustrations of, usual human activities must include older persons, except as limited by accuracy or special purpose.*

This standard applies to any materials in which the age of persons is referred to or illustrated, whether incidental to the purpose of the material or not. Numerically the portrayals of young and old persons are not expected to be even; determining the consideration of numbers and importance or impact of those portrayals is a qualitative judgment.

Standards requiring compliance to a reasonable degree

3. Roles. *The presentation of older persons in instructional materials should not, except as is necessary to identify them as older persons, be significantly different from the portrayal of people of other age groups.*

The reviewer must evaluate the portrayal of older people to determine if it is reasonably fair and accurate, considering all of the factors involved. The ultimate question is whether, on a total basis, the material would, in the mind of the average pupil for whom it is intended, foster an unhealthy attitude toward older people or the aging process.

Whereas it is true that many persons develop some physical or mental problems as they advance in age, it is also true that many maintain excellent physical and mental health. Although it is not expected that all older persons will be depicted as exceptionally active, productive, or successful, neither should all be depicted as necessarily inferior to, less active than, or dependent upon younger people.

4. Aging process. *When it is appropriate, the aging process should be pictured as a continuous process spanning the entire lifetime.*

Disabled Persons

Approved by the State Board of Education, July 12, 1979

Purpose To promote the development in pupils of a perception of disabled persons that is clear and undistorted, untinged by fear, distrust, loathing, amusement, ridicule, contempt, or pity.

Method By depicting the involvement, activities, and contributions of disabled persons as an integral part of society.

Applicability of Standards. These standards apply to all materials that depict contemporary United States or California society or any unidentifiable society. In addition, Standard #1 applies to all materials that depict any society outside the United States, within the limitations of Special Circumstance #3 (pages 2-3).

Evaluators should note that whether a disability is temporary or permanent is of no particular significance. In programs for the disabled, a disability is a disability, regardless of duration.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders which tend to demean, stereotype, or patronize disabled persons must not appear.*

This question, and other similar ones, could be asked: Do references to disabled persons indicate that they cannot live full, enjoyable, and productive lives? There should be no labels such as "spaz," "freak," "crip/cripple," or "vegetable." Such references constitute adverse reflections.

Evaluators should also be sensitive to the fact that an occasional story dealing with one or more disabled persons, perhaps even depicting some of the problems of everyday living with certain kinds of disabilities, is not necessarily demeaning or stereotyping. When sensitively done, such stories can be influential in affecting the attitudes of both disabled and nondisabled pupils.

2. Proportion of portrayals. *Instructional materials which depict a broad range of human activities must include some representation of disabled persons, except as limited by special purpose or the need for accuracy.*

Variations in length, subject matter, format, number of characters depicted, and many other factors affect the determination of which materials require portrayal of disabled persons. The evaluators must determine whether, in their judgment, the material covers a sufficiently wide range of activities, and therefore includes such a scope of individuals that one would normally expect to encounter in that milieu at least one visibly disabled person. If so, and the material does not depict any disabled persons, it is not in compliance.

Ideally, instructional materials should be prepared in such a way that the presence of disabled persons in various occupations, settings, and activities is accepted by the pupils as normal and does not seem unrealistic or contrived. While it is true that handicapped persons can and do compete on an equal basis in many fields, it is also true that numerically, they represent a very small percentage of participants in most common occupations, settings, and activities. To show them in a wide range of activities thus runs the risk of portraying a disproportionate number. It is not the intent of these guidelines to foster such distortions of reality.

Standards requiring compliance to a reasonable degree

3. Roles. *The presentation of disabled persons in instructional materials should not, except as is necessary to identify them as disabled, be significantly different from the portrayal of nondisabled persons.*

When it is possible to do so without sacrificing plausibility or educational value, instructional materials should show disabled people engaging in useful activities, contributing to society in a manner comparable with that of others. Their portrayals

should emphasize the things they have in common with other people rather than their differences.

4. **Emotions.** *Materials should not convey the impression that physically handicapped people are "different" in their emotions or their ability to love and be loved.*
5. **Achievements.** *When developments in history or current events, or achievements in art, science, or any other field are presented, the contributions of handicapped persons must be included when it is historically accurate to do so.*

Compliance with this standard is often more a matter of identifying already well-known persons as handicapped than it is of adding material about lesser-known figures simply because they were or are handicapped; some examples are Milton, Beethoven, Edison, and the two Roosevelts, Theodore and Franklin.

Entrepreneur and Labor

Education Code Sections 60040(c) and 60044(a)

Purpose To develop in pupils an unbiased view of the functions of each of these two groups in American society.

Method By presenting, when appropriate, a balanced picture of the roles of capital, as represented by entrepreneurs and managers, and labor, as represented by workers and their organizations, in the American economic system.

Applicability of Standards. The first standard requires strict compliance, whereas Standard #2 demands compliance only where appropriate. They apply to all instructional materials that depict contemporary United States or California society or any unidentifiable society. In addition, it is important for an evaluator to be thoroughly familiar with Special Circumstance #3 (pages 2-3) before making decisions in the area of either of these standards.

Standard requiring strict compliance

1. **Adverse reflection.** *References or labels which tend to demean, stereotype, or patronize any persons engaged in any particular occupation or vocation, whether essentially entrepreneurial, management, or labor, must not appear.*

Standard requiring compliance where appropriate

1. **Roles.** *Reference should be made to the role and contribution of the entrepreneur and labor in the total development of California and the United States, and any such reference should be accurate.*

If the nature of the material is such that reference should be made to the role and contribution of labor, then reference should generally also be made to the role and contribution of entrepreneur and/or manager, and vice versa. Since accuracy is important in this standard, evaluators who are in doubt as to the accuracy of a statement or reference should refer the question to the Department of Education, CFIM Unit, which will seek opinions from authoritative sources to resolve the issue.

Religion

Education Code Section 60044 (a) and (b)

Purpose To enable all pupils to become aware of and accepting of religious diversity while at the same time being allowed to remain secure in any religious beliefs they may already have.

Method By depicting, when appropriate, the diversity of religious beliefs held in United States and California society, as well as other societies, without displaying bias for or against any of those beliefs or against religious beliefs in general.

Applicability of Standards. Since these standards derive to a degree from the United States and the California constitutions, and are closely related to the requirements concerning the portrayal of cultural diversity, they all require strict compliance.

These standards should not be construed to mean that the mere depiction of religion constitutes indoctrination. Religious music and art, for instance, may be included in instructional materials when appropriate.

Standards requiring strict compliance

1. Adverse reflection. *No religious belief or practice may be held up to ridicule, nor any religious group portrayed as inferior.*
2. Indoctrination. *Any explanation or description of a religious belief or practice should be presented in a manner which neither encourages nor discourages belief, nor indoctrinates the student in any particular religious belief.*
3. Diversity. *Portrayals of contemporary United States society should, where religion is discussed or depicted, reflect its religious diversity.*

Except where a piece of material deals with a particular racial, ethnic, or cultural group, or a particular historical era in the United States or California, materials in, but not limited to, art, music, and social sciences must, to a reasonable extent, reflect the religious diversity of contemporary United States society. (Education Code Section 60040(b) operates here in conjunction with cultural diversity requirements.)

Ecology and Environment

Education Code Section 60041(a)

Purpose To develop in all pupils a sense of responsibility for the protection and improvement, insofar as possible and feasible, of the natural environment of this planet.

Method By emphasizing, whenever appropriate, issues that relate to ecology and the environment and what ordinary citizens can do to contribute to the resolution of those issues.

Applicability of Standards. This requirement is applicable only "where appropriate." A piece of material could avoid any discussion or portrayal of the kind required by these standards and still comply under this section. It may be silent on these issues *provided* such silence does not positively imply that no problems exist in ecology or the environment.

Standards requiring compliance where appropriate

1. Ecology. *The interdependence of people and their environment should be represented.*
2. Environmental protection. *Responsibilities of human beings for creation and protection of a healthy environment should be given direct attention.*

The appropriate means for protecting and improving the environment should be presented, along with the possible adverse effects of some solutions to environmental problems. In no case should the material encourage or condone pollution.

3. Resource use. *Wise use of natural resources should be encouraged. In no case should the material depict (except as necessary to illustrate a point), nor encourage, nor condone waste of resources.*

Dangerous Substances

Education Code Section 60041(b)

Purpose To provide to all pupils knowledge and awareness of what constitutes the various uses and misuses of dangerous substances.

Method By presenting factual data and realistic values relating to the use and misuse of dangerous substances.

Applicability of Standards. These standards both require compliance, although application of Standard #2 depends upon the evaluator's interpretation of what constitutes an "incidental manner." Special Circumstance #3 (pages 2-3) should also be considered in connection with these standards. The same principles can be applied here, even though the content area is different.

Standards requiring strict compliance

1. Discouragement of use. *The use of tobacco, alcohol, narcotics, or restricted dangerous drugs, except as prescribed by a physician, must not be glamorized or encouraged by illustrations or text.*
2. Hazards of use. *Where references to, or illustrations of, the use of substances are included in other than an incidental manner, such as a passing reference to a character taking cough medicine, or a classic short story referring to "father's" pipe, the hazards of such use should be depicted or pointed out.*

The intention here is not that every time the use of alcohol or tobacco is shown or mentioned, a discussion of the hazards of such use must ensue. Rather, the intention is that the evaluator exercise judgment in determining when the nature of the depiction is such that the pupil should be reminded of the hazards involved in the action shown.

Thrift, Fire Prevention, and Humane Treatment of Animals and People

Education Code Section 60042

Purpose To instill in all pupils certain basic values, particularly thrift and humane treatment, with fire prevention especially highlighted as a separate aspect of each of these values.

Method By demonstrating the connection between these values and both everyday and extraordinary occurrences in human living and history.

Applicability of Standards. The negative mandates listed first below require compliance in all cases; the positive mandates apply whenever appropriate. Special Circumstance #3 (pages 2-3) should also be considered in this connection, since the same principles can be applied. For example, vast differences have existed among different cultures and different historical periods with regard to acceptable standards of humane behavior.

Standards requiring strict compliance

1. Waste. *Wasteful or wildly extravagant behavior must not be encouraged nor glamorized.*
2. Fire hazards. *Practices and situations which constitute fire hazards must not be depicted, except for clarifying a point, nor condoned, nor encouraged.*
3. Inhumane treatment. *Physical abuse, violence, or other inhumane or depraved treatment of animals or people must not be depicted, except for purposes of clarifying a point, nor condoned, nor encouraged.*

Standards requiring compliance where appropriate

4. Thrift. *The practice of thrift should be encouraged through illustrations and/or text.*
5. Fire prevention. *Methods of prevention, and fire safety rules in general, should be explained and their use encouraged through illustrations and/or text.*
6. Humane treatment. *Such treatment should be encouraged through illustrations and text, but historical instances of inhumane treatment of people (such as slavery or the Holocaust) should not be omitted or glossed over but should be depicted when appropriate.*

Declaration of Independence and Constitution of the United States

Education Code Section 60043

This standard needs to be met only when it is appropriate to the comprehension of pupils at the level for which the material is designed. In addition, it applies only to instructional materials for social science, history, or civics classes.

1. *The Declaration of Independence should be presented.*
2. *The Constitution of the United States should be included.*

Brand Names and Corporate Logos

Approved by the State Board of Education, December 8, 1977

Purpose To prevent unfair exposure for any privately produced product.

Method By omission, whenever possible and feasible, of illustrations of or references to such private producers or their products.

Applicability of Standards. The two standards in this area require strict compliance.

However, they also require judgment concerning the "educational purpose" of the material or the segment of the material involved, since "educational purpose" determines how the standards are to be applied.

These standards apply to all instructional materials that depict contemporary United States society. In representation of foreign societies, they apply only to brand names, products, and logos familiar to the average American who has not traveled abroad.

Even though Standards #1 and #2 do require strict compliance, they also require a determination regarding educational purpose. Standards #3a through #3e are examples of standards that should be applied when educational purpose requires the inclusion of certain brand names or corporate logos.

Standards requiring strict compliance

1. Use of any such depictions. *Instructional materials shall not contain illustrations of any identifiable commercial brand names, products, or corporate or company logos unless such illustrations are necessary to the educational purpose of the instructional material, and that purpose cannot be achieved without using such illustrations, or unless such illustrations are incidental to a scene of a general nature (example: Times Square, New York City).*
2. Prominent use of any one depiction. *These exceptions aside, if a brand name, representation, or company logo is illustrated, prominence shall not be given to any one brand or company unless, in turn, such illustration is necessary to the educational purpose of the instructional material and that purpose cannot be achieved without using such illustration (example: Coca Cola sign in India, demonstrating social influence of American corporations abroad).*

Illustrative standards applicable when determined necessary for educational purpose

- 3a. Soft drinks. *If soft drinks must be mentioned, "cola" drinks should be referred to generically, and other kinds of drinks referred to as "soda," "soda pop," "orange soda," or the like. Specific brand names should not be used.*
- 3b. Restaurants. *If names of "fast food" restaurants are felt to be necessary, the names of several of the well-known ones of that kind should be included at some point in the text.*
- 3c. Recreational places. *Names of places may be mentioned when they are part of contemporary childhood culture, even though they are profit-making enterprises, such as Disneyland or Marine World.*
- 3d. Corporation names. *Inclusion of names of manufacturing or service corporations*

should not be found necessary except in very narrow context, when Standard #2 will apply.

- 3e. Automobiles. *Automobile names may be used if a fair sampling of different names appear, preferably including American, European, and Japanese.*

Foods

Approved by the State Board of Education, December 8, 1977

Purpose To accustom pupils to seeing and dealing with representations of nutritious foods.

Method By emphasizing, when appropriate, foods of high nutritive value.

Applicability of Standards. The standards for this area both require compliance to a reasonable degree. They do not constitute an absolute prohibition against portrayal of foods of low nutritive value, but rather deal with the application of emphasis.

Standards requiring compliance to a reasonable degree

1. High nutritive value. *When instructional materials contain illustrations of foods, foods of high nutritive value shall be emphasized.*
 - a. Enriched or whole grain cereals, breads, and other grain products.
 - b. Meats, poultry, and fish (lean, not fried), nuts (including nut butters), eggs, and dried legumes (beans and peas).
 - c. Fruits and vegetables, including juices, and edible seeds.
 - d. Dairy products.
2. Low nutritive value. *When instructional materials contain illustrations of foods, foods of low nutritive value and with undesirable content should be deemphasized.*
 - a. Foods with too much sugar and very few other nutrients (such as cake, candy, carbonated drinks, gum, jam).
 - b. Foods high in salt or other sodium compounds (such as chips, luncheon meats, pickles, pretzels).
 - c. Foods with especially high fat content (such as fried foods, salad dressing, butter).

APPENDIX

Social Content Requirements of the Education Code

Portrayal of Cultural and Racial Diversity

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 American Indians, American Negroes, Mexican Americans, Asian Americans, European Americans, 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.

Ecological System; Use of Tobacco, Alcohol, Drugs, and Other Dangerous Substances

60041. When adopting instructional materials for use in schools, governing boards shall include only instructional materials which accurately portray, whenever appropriate:

- (a) Man's and woman's place in ecological systems and the necessity for the protection of our environment.
- (b) The effects on the human system of the use of tobacco, alcohol, narcotics, and restricted dangerous drugs as defined in Section 11032 of the Health and Safety Code, and other dangerous substances.

Thrift, Fire Prevention, and Humane Treatment of Animals and People

60042. When adopting instructional materials for use in the schools, governing boards shall require such materials as they deem necessary and proper to encourage thrift, fire prevention, and the humane treatment of animals and people.

Declaration of Independence and Constitution of the United States

60043. When adopting instructional materials for use in the schools, governing boards shall require, when appropriate to the comprehension of pupils, that textbooks for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States.

Prohibited Instructional Materials

60044. No instructional materials shall be adopted by any governing board for use in the schools which, in its determination, contains:

- (a) Any matter reflecting adversely upon persons because of their race, color, creed, national origin, ancestry, sex, or occupation.
- (b) Any sectarian or denominational doctrine or propaganda contrary to law.