

Assembly Bill No. 339

CHAPTER 609

An act to add and repeal Section 60050 of the Education Code, relating to instructional materials.

[Approved by Governor October 8, 2011. Filed with
Secretary of State October 8, 2011.]

LEGISLATIVE COUNSEL'S DIGEST

AB 339, Bonilla. Instructional materials: social content reviews: fees.

Existing law requires the State Board of Education in reviewing and adopting instructional materials to use specified criteria and ensure that, in its judgment, the submitted basic instructional materials meet all of the specified criteria, including, but not limited to, compliance with the specified requirements and guidelines for social content.

This bill would require the state board to adopt regulations to govern the social content reviews conducted at the request of a publisher or manufacturer of instructional materials outside the primary instructional material adoption process. The bill would authorize the State Department of Education to contract with agents to conduct the specified social content reviews and require the department to assess a fee for the review that meets specified requirements, including notice to publishers and manufacturers. The bill would repeal these provisions on January 1, 2017.

The people of the State of California do enact as follows:

SECTION 1. Section 60050 is added to the Education Code, to read:

60050. (a) The state board shall adopt regulations to govern the social content reviews conducted at the request of a publisher or manufacturer of instructional materials outside the primary instructional material adoption process. A social content review is intended to determine compliance with Sections 60040, 60041, 60042, 60043, 60044, 60048, 60200.5, and 60200.6, and the guidelines for social content adopted by the state board.

(b) (1) For purposes of this section, social content reviews of instructional materials shall be conducted by the department or its agents for all instructional materials, as defined in subdivision (h) of Section 60010.

(2) The department may contract with agents to conduct social content reviews pursuant to this section.

(c) The department shall assess a fee on a publisher or manufacturer in an amount that does not exceed the reasonable costs to the department to conduct a social content review pursuant to this section. The publishers and manufacturers shall be provided notice of the establishment of the fee.

(d) Revenue derived from fees charged pursuant to subdivision (c) shall be budgeted as reimbursements and subject to review through the annual budget process and may be used to pay costs associated with the social content review of instructional materials.

(e) This section shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.