

ASSEMBLY BILL

No. 1719

Introduced by Assembly Member Fuentes

February 16, 2012

An act to add and repeal Section 60605.87 of the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 1719, as introduced, Fuentes. Supplemental instructional materials: English language development.

Existing law requires the State Board of Education to adopt basic instructional materials for use in kindergarten and grades 1 to 8, inclusive, and authorizes the state board to establish criteria for that purpose. Existing law requires the state board in reviewing and adopting instructional materials to use specified criteria and ensure that, in its judgment, the submitted instructional materials meet all of the specified criteria.

Existing law requires the State Department of Education to recommend, and the state board to approve, evaluation criteria to guide the development and review of supplemental instructional materials for English language arts and mathematics to provide a bridge between the California common core academic content standards and the standards-aligned instructional materials currently being used by local educational agencies. Existing law requires the state board to perform specified reviews and to approve or reject all, or a portion, of the list of supplemental instructional materials proposed by the department and authorizes the state board to add an item to that list, as specified. Existing law also permits the governing board of a school district to approve supplemental instructional materials other than those approved

by the state board if the governing board performs specified reviews and determines that other supplemental instructional materials are aligned with the California common core academic content standards and meet the needs of the pupils of the district. Existing law requires supplemental instructional materials approved by the state board and the governing board of a school district to be reviewed by content review experts, as specified.

This bill would require the department to recommend, and the state board to approve, evaluation criteria to guide the development and review of supplemental instructional materials for English learners. The bill would require the department to develop a list by January 1, 2014, of supplemental instructional materials that are aligned with the California common core academic content standards for language arts and the English language development standards. The bill would require content review experts, who are recommended by the department and approved by the state board, to review the supplemental instructional materials. The bill would require the state board to approve or reject supplemental instructional materials, as specified. The bill would authorize the governing boards of school districts to approve supplemental instructional materials other than those approved by the state board if the governing board performs specified reviews and determines that other supplemental instructional materials are aligned with the California common core academic content standards and meet the needs of the pupils of the district.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) California and 40 other states have adopted common core
- 4 academic standards for language arts and mathematics to provide
- 5 consistent and clear expectations of what pupils need to learn to
- 6 compete in a global economy.
- 7 (b) Eighty-five percent of the standards are common across the
- 8 nation, with 1.5 percent unique to California.
- 9 (c) In 1999, California adopted the English language
- 10 development standards for the purpose of stating what pupils must
- 11 know and be able to do as they move toward full fluency in the

1 English language. The standards are to work in tandem with the
2 language arts academic standards; however, they have not been
3 revised or aligned to the approved common core language arts
4 standards.

5 (d) Chapter 605 of the Statutes of 2011 (A.B. 124) requires the
6 revision and alignment of the English language development
7 standards as specified.

8 (e) There are currently 1.4 million pupils who are English
9 learners and enrolled in California public schools.

10 (f) It is critical that “bridge” supplemental instructional materials
11 be available to English learners that reflect both the common core
12 language arts and English language development standards in order
13 for pupils to be held accountable to the common core language
14 arts standards via assessments.

15 (g) School districts, county offices of education, and charter
16 schools, at a minimum, need supplemental English language
17 development instructional materials to ensure teachers and pupils
18 have the proper tools to begin to bridge the curriculum between
19 the state’s current content standards in language arts to the English
20 language development standards.

21 SEC. 2. Section 60605.87 is added to the Education Code, to
22 read:

23 60605.87. (a) The department shall recommend, and the state
24 board shall approve, evaluation criteria to guide the development
25 and review of supplemental instructional materials for English
26 learners.

27 (b) Notwithstanding any other law, and on a one-time basis, the
28 department, on or before January 1, 2014, shall develop a list of
29 supplemental instructional materials for use in kindergarten and
30 grades 1 to 8, inclusive, that are aligned with the California
31 common core academic content standards for language arts and
32 the English language development standards. The supplemental
33 instructional materials shall provide a bridge between the revised
34 and aligned English language development standards to the
35 California common core academic language arts content standards
36 and the standards-aligned instructional materials currently being
37 used by local educational agencies.

38 (c) (1) The department shall recommend, and the state board
39 shall approve, content review experts to review, in an open and

1 transparent process, supplemental instructional materials submitted
2 for approval in the subject area of English language development.

3 (2) The majority of content review experts approved pursuant
4 to paragraph (1) shall be teachers who are credentialed in English
5 language arts, possess the appropriate state English learner
6 authorization, and have five years of classroom experience
7 instructing English learners. The content review experts also shall
8 include appropriate persons possessing English learner expertise
9 from postsecondary institutions and school and school district
10 curriculum administrators possessing English learner expertise,
11 and other persons who are knowledgeable in English language arts
12 and English language development.

13 (3) The content review experts shall serve without compensation.

14 (d) (1) On or before June 30, 2014, the state board shall do the
15 following:

16 (A) Approve all, or a portion, of the list of supplemental
17 instructional materials proposed by the department, taking into
18 consideration the review of the content review experts and any
19 other relevant information, as appropriate.

20 (B) Reject all, or a portion, of the list of supplemental
21 instructional materials proposed by the department, taking into
22 consideration the review of the content review experts and any
23 other relevant information, as appropriate.

24 (2) If the state board rejects all, or a portion, of the list of
25 supplemental instructional materials proposed by the department,
26 or adds an item to the list, the state board, in a public meeting held
27 pursuant to the Bagley-Keene Open Meeting Act (Article 9
28 commencing with Section 11120) of Chapter 1 of Part 1 of
29 Division 3 of Title 2 of the Government Code), shall provide
30 written reasons for the removal or addition of an item on the list.
31 The state board shall not approve a supplemental instructional
32 material it adds to the list at the same time it provides its written
33 reason for adding the material; instead, the state board shall
34 approve the added material at a subsequent public meeting.

35 (e) (1) The governing board of a school district may approve
36 supplemental instructional materials other than those approved by
37 the state board pursuant to subdivision (d) if the governing board
38 determines that other supplemental instructional materials are
39 aligned with the California common core academic content and
40 English language development standards and meet the needs of

1 pupils who are English learners of the district. The governing board
2 of a school district may only approve supplemental instructional
3 materials that comply with all of the following:

4 (A) The evaluation criteria approved pursuant to subdivision
5 (a).

6 (B) Section 60226.

7 (C) Subdivision (h).

8 (D) Article 4 (commencing with Section 60060) of Chapter 1.

9 (2) (A) A supplemental instructional material approved by a
10 governing board of a school district pursuant to this subdivision
11 that is in the subject area of English language development shall
12 be reviewed by content review experts chosen by the governing
13 board.

14 (B) The majority of the content review experts chosen pursuant
15 to subparagraph (A) shall be teachers who are credentialed in
16 English language arts, possess the appropriate state English learner
17 authorization, and have five years of classroom experience
18 instructing English learners.

19 (C) The content review experts also shall include appropriate
20 persons possessing English learner expertise from postsecondary
21 institutions and school and school district curriculum administrators
22 possessing English learner expertise, and other persons who are
23 knowledgeable in English language arts and English language
24 development.

25 (D) The content review experts shall serve without
26 compensation.

27 (f) Publishers choosing to submit supplemental instructional
28 materials for approval by the state board shall submit standards
29 maps.

30 (g) (1) Before approving supplemental instructional materials
31 pursuant to this section, the state board shall review those
32 instructional materials for academic content, social content, and
33 instructional support to teachers and pupils. Supplemental
34 instructional materials approved by the state board pursuant to this
35 section shall meet required program criteria for grade-level
36 programs and shall include materials for use by teachers.

37 (2) Before approving supplemental instructional materials
38 pursuant to this section, the governing board of a school district
39 shall review those instructional materials for academic content and
40 instructional support to teachers and pupils who are English

1 learners. Supplemental instructional materials approved by the
2 governing board of a school district pursuant to this section shall
3 meet required program criteria for grade-level programs and shall
4 include materials for use by teachers.

5 (h) Supplemental instructional materials approved pursuant to
6 this section shall comply with the social content review
7 requirements pursuant to Section 60050.

8 (i) The department shall maintain on its Internet Web site the
9 list of supplemental instructional materials approved by the state
10 board pursuant to subdivision (d).

11 (j) This section shall become inoperative on July 1, 2014, and,
12 as of July 1, 2015, is repealed, unless a later enacted statute, that
13 becomes operative on or before July 1, 2015, deletes or extends
14 the dates on which it becomes inoperative and is repealed.