

AMENDED IN SENATE MAY 15, 2013

AMENDED IN SENATE APRIL 2, 2013

SENATE BILL

No. 682

Introduced by Senator Lara

February 22, 2013

An act to add Section 60053 to the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

SB 682, as amended, Lara. Instructional materials: digital versions.

Existing law requires the State Board of Education and the governing board of each school district maintaining one or more high schools to adopt instructional materials for use in kindergarten and grades 1 to 8, inclusive, and high schools, respectively. Existing law authorizes the governing board of a school district to include relevant technology-based materials when adopting instructional materials for use in schools, if the materials are both available and comparable to other equivalent instructional materials.

This bill would authorize the governing board of a school district to provide a digital version of an adopted instructional material to a pupil that may be downloaded onto an electronic device. The bill would provide that during the school year digital versions of an adopted instructional material may be provided to pupils in compliance with a specified court case settlement agreement. The bill, ~~notwithstanding any other law,~~ would provide that at the end of the school year digital versions of an adopted instructional material supplied to pupils may be ~~treated as surplus property and~~ retained by those pupils *provided that the retention of the digital version of an adopted instructional material*

does not violate any copyright law or contract between the school district and publisher or manufacturer.

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

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

1 SECTION 1. Section 60053 is added to the Education Code,
 2 to read:
 3 60053. (a) The governing board of a school district may
 4 provide a digital version of an adopted instructional material to a
 5 pupil that may be downloaded onto an electronic device.
 6 (b) During the school year, digital versions of an adopted
 7 instructional material may be provided to pupils in compliance
 8 with the settlement agreement in the case of Williams v. State of
 9 California (Case Number ~~CGC-00-312236~~, *CGC-00-312236* of
 10 the Superior Court for the County of San Francisco).
 11 ~~Notwithstanding any other law, at~~ *At* the end of the school year,
 12 digital versions of an adopted instructional material supplied to
 13 pupils pursuant to this section may be ~~treated as surplus property~~
 14 ~~and~~ retained by those pupils *provided that the retention of the*
 15 *digital version of an adopted instructional material does not violate*
 16 *any copyright law or contract between the school district and*
 17 *publisher or manufacturer.*