

AMENDED IN ASSEMBLY AUGUST 15, 2013

AMENDED IN SENATE MAY 15, 2013

AMENDED IN SENATE APRIL 2, 2013

SENATE BILL

No. 682

Introduced by Senator Lara

(Principal coauthor: Senator Block)

(Principal coauthor: Assembly Member Garcia)

*(Coauthors: Senators Beall, Corbett, Correa, Evans, Hueso, Padilla,
and Torres)*

*(Coauthors: Assembly Members Fong, Levine, Logue, Morrell,
Nestande, Olsen, V. Manuel Pérez, Waldron, Wilk, and Williams)*

February 22, 2013

~~An act to add Section 60053 to the Education Code, relating to instructional materials.~~ *An act relating to the California State University, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 682, as amended, Lara. ~~Instructional materials: digital versions.~~ *California State University: student enrollment.*

Existing law establishes the California State University, which is administered by the Trustees of the California State University, as one of the segments of public postsecondary education in this state. Existing law authorizes the trustees to, by rule, require all persons to pay fees, rents, deposits, and charges for services, facilities, or materials provided by the trustees to such persons, and requires the trustees to control and expend all money appropriated for the support and maintenance of the California State University.

This bill would appropriate \$22,000,000 to the California State University for purposes of enrolling additional students. The bill would express legislative intent that the appropriated funds be used for specified matters and would include legislative findings and declarations related to student enrollment.

~~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 would provide that at the end of the school year digital versions of an adopted instructional material supplied to pupils may be 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~~ yes. Fiscal committee: ~~no~~ 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) *Since the enactment of the 1960 Master Plan for Higher*
- 4 *Education, California's system of public postsecondary education*
- 5 *has provided access to affordable, high-quality educational*
- 6 *opportunities that have fueled California's economic growth and*
- 7 *promoted social mobility.*
- 8 (b) *Since the 2007–08 fiscal year, California's economic crisis*
- 9 *and resulting budget reductions have forced the California State*
- 10 *University to turn away tens of thousands of eligible students. For*
- 11 *the 2013–14 academic year, the California State University*

1 *estimates that as many as 30,000 eligible students will be denied*
2 *admission because the Budget Act of 2013 did not include adequate*
3 *funding for enrollment growth.*

4 *(c) In the Budget Act of 2013, the Legislature strengthened its*
5 *commitment to college affordability for all needy students by*
6 *maintaining the Cal Grant Program awards and establishing the*
7 *Middle Class Scholarship Program to ensure that California's*
8 *four-year public postsecondary institutions will continue to be*
9 *financially reasonable for families with annual household incomes*
10 *that do not exceed \$150,000.*

11 *(d) The Public Policy Institute of California projects that*
12 *California's workforce will have one million fewer graduates than*
13 *it needs in 2025, and that increasing transfer rates from community*
14 *colleges to four-year postsecondary educational institutions would*
15 *dramatically reduce the education skills and workforce gaps.*

16 *(e) With the historic passage of Senate Bill 1440 in the 2010–11*
17 *Regular Session, the state reaffirmed the importance of community*
18 *college transfers to the state and sought to increase the number*
19 *of students transferring from the California Community Colleges*
20 *to the California State University by establishing an associate*
21 *degree for transfer.*

22 *(f) The California State University plays a critical role in*
23 *meeting the state's workforce needs by annually awarding one-half*
24 *of all bachelor's degrees in the state and graduating 100,000*
25 *students per year. Despite this substantial contribution to the*
26 *state's workforce, the California State University can increase the*
27 *number of degrees awarded and graduating students if funding is*
28 *available to serve additional students.*

29 *SEC. 2. (a) The sum of twenty-two million dollars*
30 *(\$22,000,000) is hereby appropriated from the General Fund to*
31 *the California State University for purposes of enrolling additional*
32 *students.*

33 *(b) It is the intent of the Legislature that the appropriation made*
34 *in subdivision (a) be used to enroll community college transfer*
35 *students in the 2014 spring semester or quarter.*

36 *(c) It is also the intent of the Legislature that the appropriation*
37 *made in subdivision (a) be made every year to provide access to*
38 *classes and support services for community college transfer*
39 *students and future students.*

1 SECTION 1. ~~Section 60053 is added to the Education Code, to~~
2 ~~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 of the Superior Court~~
10 ~~for the County of San Francisco). At the end of the school year,~~
11 ~~digital versions of an adopted instructional material supplied to~~
12 ~~pupils pursuant to this section may be retained by those pupils~~
13 ~~provided that the retention of the digital version of an adopted~~
14 ~~instructional material does not violate any copyright law or contract~~
15 ~~between the school district and publisher or manufacturer.~~