

ASSEMBLY BILL

No. 2585

Introduced by Assembly Member Cardenas

February 25, 2000

An act to add Chapter 4.5 (commencing with Section 60550) to Part 33 of the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 2585, as introduced, Cardenas. Instructional materials: English language development.

The California Constitution requires the State Board of Education to adopt textbooks for the use in grades 1 to 8, inclusive, and requires that these be furnished without cost to pupils in those grades. Existing law requires the Curriculum Development and Supplemental Materials Commission to recommend to the State Board of Education for its adoption curriculum frameworks, which are outlines of the components of a given course of study designed to provide state direction to school districts in the provision of instructional programs, and instructional materials. Existing law requires certain procedures to be followed in the adoption of instructional materials.

This bill would require the State Board of Education to adopt a framework for English language development and related instructional materials. The bill would require that a task force be appointed for the purpose of assisting and advising the Curriculum Development and Supplemental Materials Commission in the development of the framework.

The bill would require the State Department of Education to perform a survey that is a statistically valid sample of school districts regarding the numbers of English language learners enrolled in school districts and instructional materials for those pupils.

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. It is the intent of the Legislature that the
2 State Board of Education give high priority to the
3 adoption of instructional materials, as defined in
4 subdivision (h) of Section 60010 of the Education Code,
5 and technology based materials, as defined in subdivision
6 (m) of Section 60010 of the Education Code, for use by
7 English language learners and their teachers and that the
8 materials be designed to accelerate a pupil's second
9 language development, aligned to the English language
10 development standards adopted by the State Board of
11 Education, designed for the acquisition of academic
12 English, and support content learning in all core subjects.

13 SEC. 2. Chapter 4.5 (commencing with Section
14 60550) is added to Part 33 of the Education Code, to read:

15

16 CHAPTER 4.5. INSTRUCTIONAL MATERIALS FOR ENGLISH
17 LANGUAGE LEARNERS
18

19 60550. (a) The State Board of Education shall adopt,
20 by June 1, 2001, an English language development
21 framework that is based on the adopted English language
22 development standards when adopted and the English
23 language arts standards. The English language
24 development framework shall be the basis for the design,
25 development, and adoption of instructional materials
26 that are approved by the State Board of Education and
27 that will be provided to English language learners
28 enrolled in program and instructional settings pursuant
29 to Chapter 3 (commencing with Section 300) of Part 1.
30 This framework shall be developed in the timeframe



1 necessary so that the adoption of instructional materials
2 for English language learners occurs in the 2002 adoption
3 cycle and thereafter, not less than two times every six
4 years and not less than two times every eight years as
5 specified in paragraph (1) of subdivision (b) of Section
6 60200.

7 (b) The framework shall serve as a guide to publishers
8 in producing instructional materials for English language
9 learners and as a guide for all of the following:

10 (1) Curriculum, instruction, and support services for
11 English language learners.

12 (2) Local identification of assessment procedures,
13 tools, and strategies for assessing what pupils know.

14 (3) Program organization and structure on what
15 pupils learn each year.

16 60551. (a) The State Board of Education shall, by
17 October 1, 2001, adopt instructional materials as defined
18 in subdivisions (h), (l), and (m) of Section 60010. The
19 instructional materials shall prepare English language
20 learners for an expedient and smooth transition to the
21 English language arts standards approved by the State
22 Board of Education and the utilization of adopted English
23 language arts materials. The instructional materials shall
24 meet the following requirements:

25 (1) Be based on the English language development
26 framework.

27 (2) Be designed for instruction in English language
28 development.

29 (3) Be designed for specially designed academic
30 instruction in English for each content area adopted by
31 the State Board of Education.

32 (4) Be designed for instruction in the language arts in
33 the five primary languages spoken by English language
34 learners based upon the language arts framework.

35 (b) The State Board of Education shall adopt
36 instructional materials for specially designed academic
37 instruction in English and for primary language arts when
38 it adopts the English language arts instructional
39 materials.



1 60552. The English language development
2 framework and instructional materials shall be developed
3 in the same manner as all other curriculum frameworks
4 and instructional materials, but the Curriculum
5 Development and Supplemental Materials Commission
6 and the State Board of Education shall also adhere to the
7 following procedures and activities:

8 (a) By March 1, 2001, the Superintendent of Public
9 Instruction shall recommend, and the commission shall
10 appoint, a task force composed of researchers and
11 practitioners in different program settings where English
12 language learners receive instruction and
13 representatives of statewide professional organizations.
14 The primary criteria for membership shall be second
15 language acquisition expertise and professional
16 knowledge of and successful experience with effective
17 educational programs and practices required for
18 effective instruction of English language learners.
19 Membership shall reflect the diversity of the state, types
20 of programs and practices provided to English language
21 learners, and types of school districts in the state. The task
22 force shall assist and advise the commission in the
23 development of the English language development
24 framework.

25 (b) Thirty days before recommending the English
26 language development framework for adoption by the
27 State Board of Education, the commission shall ensure
28 that copies of the framework are made available at
29 locations designated by the Superintendent of Public
30 Instruction and are mailed to any person upon request to
31 the commission. Public comment forms shall be provided
32 at the designated locations or attached to frameworks
33 that are mailed and shall be used for written statements
34 regarding the instructional materials and curriculum
35 framework. Use of a public comment form to submit a
36 written statement shall not be required. The commission
37 shall review all public comments for revision of the
38 framework and instructional materials. The commission
39 shall submit these public comments and disposition of



1 public comments with its recommended framework to
2 the State Board of Education for adoption purposes.

3 (c) Before adopting instructional materials for English
4 language learners, the State Board of Education shall
5 make available for public review the instructional
6 materials recommended for adoption, for not less than 30
7 days at locations designated by the Superintendent of
8 Public Instruction.

9 60553. (a) The State Department of Education shall,
10 by November 15, 2001, perform a statistically valid sample
11 of school districts to determine the following:

12 (1) The number of school districts that have purchased
13 instructional materials for pupils who are English
14 language learners.

15 (2) The type of instructional materials purchased.

16 (3) The total amount of funds allocated for the
17 purchase of instructional materials per English language
18 learner.

19 (4) The funding source for the purchase.

20 (5) The number of English language learners enrolled
21 in the school district.

22 (6) The number of English language learners enrolled
23 in an instructional program taught with instructional
24 materials based on the English language development
25 standards.

26 (b) The State Department of Education shall report to
27 the legislative budget subcommittees on education the
28 results of the survey and shall recommend the amount of
29 funding needed statewide to provide instructional
30 materials based on the English language development
31 standards to every pupil designated as an English
32 language learner as well as the budget instrument to
33 implement the recommendations.

34 (c) The report shall also include recommendations as
35 to the types and amount of incentives to be provided to
36 the following kinds of textbook publishers:

37 (1) Publishers that provide content textbooks for
38 specially designed academic instruction in English to
39 English language learners.



1 (2) Publishers that develop language arts materials in
2 the five most common primary languages of English
3 language learners and which are based on the English
4 language arts standards and framework.

5 (3) Publishers that develop supplementary
6 instructional tools like dictionaries and glossaries.

7 (4) Publishers that develop instructional aids that are
8 technology based to teach English language
9 development and primary language arts.

10 60554. Costs incurred as a result of the development
11 and adoption of the English language development
12 framework and the process involved in the adoption of
13 the instructional materials shall be accommodated within
14 the existing resources of the Curriculum Development
15 and Supplemental Materials Commission and the State
16 Board of Education. Funds for the purchase of
17 instructional materials adopted pursuant to this chapter
18 shall be separately appropriated for purpose of those
19 purchases.

