

ASSEMBLY BILL

No. 1398

Introduced by Assembly Member Blumenfield

February 27, 2009

An act to amend Section 60010 of the Education Code, relating to instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

AB 1398, as introduced, Blumenfield. Technology-based materials.

Existing law defines specified terms used in provisions of law related to instructional materials, including technology-based materials. Existing law defines technology-based materials as basic or supplemental instructional materials that are designed as learning resources and that require the availability of electronic equipment in order to be used. However, the technology-based materials do not include the electronic equipment required to make use of those materials.

This bill would change the definition of technology-based materials to specify that they may include the electronic equipment required in order to use them if that equipment is to be used by pupils and teachers as a learning resource.

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 60010 of the Education Code is amended
2 to read:

1 60010. For ~~the purpose~~ *purposes* of this part, the following
2 terms have the following meanings unless the context in which
3 they appear clearly requires otherwise:

4 (a) “Basic instructional materials” means instructional materials
5 that are designed for use by pupils as a principal learning resource
6 and that meet in organization and content the basic requirements
7 of the intended course.

8 (b) “Commission” means the Curriculum Development and
9 Supplemental Materials Commission.

10 (c) “Curriculum framework” means an outline of the components
11 of a given course of study designed to provide state direction to
12 school districts in the provision of instructional programs.

13 (d) “District board” means the board of education or governing
14 board of ~~any~~ a county, city and county, city, or other district that
15 has the duty to provide for the education of the children in its
16 county, city and county, city, or district.

17 (e) “Elementary school” means all public schools in which
18 instruction is given through grade 8 or in any one or more of those
19 grades.

20 (f) “Governing boards” means the state board and any one or
21 more district boards.

22 (g) “High school” means all public schools other than
23 elementary schools in which instruction is given through grade
24 12, or in any one or more of those grades.

25 (h) “Instructional materials” means all materials that are
26 designed for use by pupils and their teachers as a learning resource
27 and help pupils to acquire facts, skills, or opinions or to develop
28 cognitive processes. Instructional materials may be printed or
29 nonprinted, and may include textbooks, technology-based
30 materials, other educational materials, and tests.

31 (i) “Nonpublic school” means a school that both satisfies the
32 requirements of Section 48222, and is exempt from taxation under
33 Section 214 of the Revenue and Taxation Code.

34 (j) “School official” means ~~any~~ a member of ~~any~~ a governing
35 board, ~~any~~ a city, county, city and county, or district superintendent
36 of schools, and ~~any~~ a principal, teacher, or other employee under
37 his or her charge.

38 (k) “State board” means the State Board of Education.

(l) “Supplementary instructional materials” means instructional materials designed to serve, but not be limited to, one or more of the following purposes, for a given subject, at a given grade level:

(1) To provide more complete coverage of a subject or subjects included in a given course.

(2) To provide for meeting the various learning ability levels of pupils in a given age group or grade level.

(3) To provide for meeting the diverse educational needs of pupils with a language disability in a given age group or grade level.

(4) To provide for meeting the diverse educational needs of pupils reflective of a condition of cultural pluralism.

(m) “Technology-based materials” means—~~those~~ basic or supplemental instructional materials that are designed for use by pupils and teachers as learning resources and that require the availability of electronic equipment in order to be used as a learning resource. Technology-based materials include, but are not limited to, software programs, video disks, compact disks, optical disks, video and audio tapes, lesson plans, and data bases. Technology-based materials do not include the *electronic* equipment required to make use of those materials, *unless that equipment is to be used by pupils and teachers as a learning resource*.

(n) “Test” means—~~any~~ a device used to measure the knowledge or achievement of ~~students~~ pupils.