

AMENDED IN ASSEMBLY JUNE 11, 2009

AMENDED IN SENATE MAY 6, 2009

AMENDED IN SENATE APRIL 14, 2009

SENATE BILL

No. 247

**Introduced by Senator Alquist
(Principal coauthor: Senator Romero)
(Coauthors: Senators Maldonado and Padilla)**

February 24, 2009

An act to amend Section 60422 of the Education Code, relating to electronic instructional materials.

LEGISLATIVE COUNSEL'S DIGEST

SB 247, as amended, Alquist. Electronic instructional materials.

Existing law, the Instructional Materials Funding Realignment Program, provides for funds to be apportioned to school districts based upon enrollment to ensure that each pupil is provided with a standards-aligned textbook or basic instructional materials, as adopted by the State Board of Education subsequent to the adoption of content standards, or as adopted by the local governing board, for grades 9 to 12, inclusive.

This bill would provide that a local governing board may use funding received pursuant to these provisions to purchase state-adopted instructional materials *for kindergarten and grades 1 to 8, inclusive, and state standards-aligned materials* for grades 9 to 12, inclusive, in an electronic *or hard-bound* format. ~~The bill would also require that if the local governing board only purchases instructional materials in an electronic format, the instructional materials shall be made available~~

~~for use in class and at home and shall be accessible, in their entirety, as needed to complete assignments in class and at home.~~

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 60422 of the Education Code is amended
2 to read:

3 60422. (a) A local governing board shall use funding received
4 pursuant to this chapter to ensure that each pupil is provided with
5 a standards-aligned textbook or basic instructional materials, as
6 adopted by the State Board of Education subsequent to the adoption
7 of content standards pursuant to Section 60605 for kindergarten
8 and grades 1 to 8, inclusive, or as adopted by the local governing
9 board pursuant to Sections 60400 and 60411, for grades 9 to 12,
10 inclusive. Pupils shall be provided with standards-aligned textbooks
11 or basic instructional materials by the beginning of the first school
12 term that commences no later than 24 months after those materials
13 were adopted by the State Board of Education.

14 (b) Notwithstanding any other provision of law, a local
15 governing board may use funding received pursuant to this chapter
16 to purchase state-adopted instructional materials *for kindergarten*
17 *and grades 1 to 8, inclusive, and state standards-aligned materials*
18 *for grades 9 to 12, inclusive, in an electronic format.* ~~If the local~~
19 ~~governing board only purchases instructional materials in an~~
20 ~~electronic format, the instructional materials shall be made~~
21 ~~available for use in class and at home and shall be accessible, in~~
22 ~~their entirety, as needed to complete assignments in class and at~~
23 ~~home, or hard-bound format.~~

24 (c) Once a governing board certifies compliance with
25 subdivision (a) with regard to standards-aligned instructional
26 materials in the core curriculum areas of reading/language arts,
27 mathematics, science, and history/social sciences, and if the
28 governing board of a school district has met the eligibility
29 requirements of Section 60119, the remaining funds may only be
30 used consistent with subdivision (a) of Section 60242 and pursuant
31 to Section 60242.5.

32 (d) The State Board of Education may grant the school district
33 additional time to meet the purchasing requirements of subdivision

1 (a) if the governing board of the school district demonstrates, to
2 the satisfaction of the state board, that all of the following criteria
3 apply to the district:

4 (1) The school district has implemented a well-designed,
5 standards-aligned basic instructional materials program.

6 (2) The school district, at the time of its request for additional
7 time pursuant to this subdivision, has sufficient textbooks or basic
8 instructional materials for use by each pupil.

9 (3) The school district has adopted a plan for the purchase of
10 standards-aligned instructional materials in accordance with
11 subdivision (a) but that plan indicated an alternative date for
12 compliance that is declared in the request for additional time.

13 (e) The funds provided for the purchase of instructional materials
14 in Schedules 1 and 2 of Item 6110-189-0001 and paragraph 6 of
15 Item 6110-485 of Section 2.00 of the Budget Act of 2002 shall be
16 used for the purposes of, and allocated consistent with, this chapter.