

California Department of Education

Executive Office

SBE-003 (REV. 11/2017)

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# California State Board of Education May 2020 Agenda Item #11

## Subject

Cancellation of the 2020 California Health Instructional Materials Adoption.

## Type of Action

Action, Information

## Summary of the Issue(s)

California *Education Code* (*EC*) Section 60213(f) provides that if the California Department of Education (CDE) determines that there is little or no publisher interest in participating in an instructional materials adoption, the CDE shall recommend to the State Board of Education (SBE) whether or not the adoption shall be conducted, and the SBE may choose not to conduct the adoption. Only one publisher, with a two-grade-level program, committed to participate in California’s 2020 Health Instructional Materials Adoption.

## Recommendation

The CDE recommends that the SBE cancel the scheduled 2020 Health Instructional Materials Adoption due to a lack of publisher participation.

## Brief History of Key Issues

The *California Constitution* Section 7.5 and *EC* Section 60200 provide the SBE with the authority to conduct instructional materials adoptions.

Following the SBE adoption of a new *Health Education Curriculum Framework* in May 2019, and pursuant to *EC* Section 60213, the CDE provided broad notice by letter, listserv, email, and internet-posting, of the state’s intent to conduct the 2020 Health Instructional Materials Adoption. In October 2019, the CDE conducted a publisher informational webinar regarding the adoption, and in January 2020, the CDE conducted an in-person and live-streamed publisher meeting regarding the adoption. By February 12, 2020, publishers were required to submit to the CDE an Intent to Submit form committing to participation in the state’s adoption process. Only one publisher, with a two-grade-level program, committed to participate. On March 11, 2020, the CDE determined that cancellation of the adoption was warranted and announced a suspension of all adoption-related activities, pending its formal recommendation to the SBE.

Despite the absence of an SBE-adopted list of heath instructional materials programs, local educational agencies (LEAs) will be able to acquire necessary instructional programs as *EC* Section 60210(c) allows LEAs to utilize instructional materials not adopted by the SBE.

## Summary of Previous State Board of Education Discussion and Action

At its March 13–14, 2019, meeting, the SBE approved the 2020 Health Instructional Materials Adoption Schedule of Significant Events. At its May 8–9, 2019, meeting, the SBE adopted the *Health Education Curriculum Framework*, including the instructional materials adoption evaluation criteria. At its November 6–7, 2019, meeting, the SBE appointed instructional materials reviewers.

## Fiscal Analysis (as appropriate)

*EC* Section 60213 mandates that state instructional materials adoptions must be funded in full by publisher participation fees and that general fund revenue shall not be used. In canceling this instructional materials adoption, there is no cost nor cost savings to the state.

## Attachment(s)

None.