

Sacramento Office of Education County

10474 Mather Boulevard
P.O. Box 269003
Sacramento, CA 95826-9003
(916) 228-2500
www.scoe.net

David W. Gordon
Superintendent

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Dr. Steve Farrar, Superintendent
Natomas Unified School District
1901 Arena Boulevard
Sacramento, CA 95834

RE: Williams Implementation: Instructional Materials

Dear Superintendent Farrar:

The Williams inspections have been progressing well and I want to thank all of you for your assistance in implementing this new program so rapidly. As can be expected with any new state program, there are still issues to resolve as the Williams legislation is implemented.

One of these issues is the meaning to be given to the requirement that all students have sufficient instructional materials (Ed. C. 60119(c) and related provisions of Ed. C. 1240). The Sacramento County Office of Education (SCOE) has been working with the *Williams* plaintiffs, the California Department of Education (CDE) and other statewide education groups to ensure that we have statewide consistency and agreement in the application of the Williams legislation. This letter will provide you with the most current and specific guidance available as of this date on the issue of the sufficiency of instructional materials.

A focal point of the sufficient materials issue is whether a Williams school must use State Board of Education (SBE) adopted instructional materials in grades K-8. Although the question typically has been raised in the context of history/social science, it is equally applicable to all four content areas (e.g. English/language arts, mathematics, history/social science, and science).

In thinking through this issue, it may be helpful to initially note the textbook questions that have been resolved and should generate little, if any, disagreement. First, the instructional program used in the classroom, which would include materials or textbooks, must be adopted by either the governing board of the school district or through a process established by the governing board (see generally, Ed. C. 51053 and 51054). Thus, when a county inspection team reviews a school, the team is looking to confirm that the students have the materials that the local district governing board has stated each student is to have as part of their instruction. Second, although the county Williams team does not review which funds a district used to purchase the materials, it is

important to remember that Instructional Materials Funds (IMF) may only be used to purchase textbooks or instructional materials for grades K-8 that are SBE adopted – absent a SBE waiver of that requirement.

Back to the issue at hand, the Instructional Materials Funding Realignment Program (IMFRP) was amended in 2003 to require school districts that receive IMF money to have core SBE-adopted materials in the hands of children in grades K-8 within 24 months of a SBE adoption (Ed. C. 60422). The first core adoption to occur since this statute was enacted in 2003 is the upcoming history/social science adoption currently scheduled to take place in January 2006. That explains why the issue regarding adopted instructional materials has been coming up most commonly in the context of history/social science.

What this means in a practical sense is that districts will need to pilot SBE-adopted history programs and have the textbooks in K-8 classrooms by the 2007-08 school year (e.g. within the 24 months of the adoption). A similar schedule would apply to each future core adoption, including the upcoming science adoption currently scheduled for 2006-2007 (e.g. adopted science materials would need to be in the classroom by the 2008-09 school year).

With this background, let me address the issue of whether a Williams school must use SBE-adopted instructional materials in grades K-8. There is a short-term and a long-term answer. Right now, a school district may use non-adopted programs assuming, of course, that these programs were not purchased with IMF money and assuming that the programs are standards-aligned and consistent with the curriculum frameworks for the subject (Ed. C. 60119 and 60422). For example, a Williams school may be using a non-adopted but standards-aligned hands-on science program. If the requirements for adoption by the local governing board and standards alignment discussed above have been met, this program should be fine for use in a Williams school but only until the next SBE science adoption, which is currently scheduled for 2007-2008. Once the SBE adopts science materials, the district would have 24 months to put the adopted materials into the classroom, with sufficient materials for each child to use in class and take home.

It is the same result with history/social science. Schools may use non-adopted history materials (assuming they are standards-aligned and at least as current as the curriculum framework (e.g. 1999)) but will be required to have the new SBE-adopted materials in classrooms by 2007-08 (e.g. 24 months after the 2006 history adoption).

There may be some schools in California that do not currently offer a history program and therefore have no instructional materials for history. A district in that position is out of compliance with not only the Williams legislation but also the course of study requirements that direct schools to offer specific courses including history (Ed. C. 51210 and 51220; and see Ed. C. 51053 and 51054).

A district in that situation would be required to adopt a history program and purchase the necessary instructional materials immediately. Some have asserted that the district may want to wait to order instructional materials until after the 2006 SBE history adoption.

However, the district will not have this option under the Williams legislation because this delay could leave students without history instruction for up to three years (2005, 2006, and 2007). The district clearly would not be in compliance with the Williams legislation requiring that the students have sufficient instructional materials in the four core content areas within the first 8 weeks of the beginning of school (see Ed. C. 60119).

Periodically, we will be sending out similar briefing letters to update you on Williams implementation issues. If you have any questions, please call.

Sincerely,

A handwritten signature in black ink that reads "David W. Gordon". The signature is written in a cursive style with a small dash above the letter 'i' in "David".

David W. Gordon
Sacramento County Superintendent of Schools