Textbooks and Instructional Materials Certification Resolution

Action Proposed:
It is proposed that the Board of Education of the City of Los Angeles adopt the attached resolution certifying the sufficiency of textbooks and instructional materials in the core and required subject areas.

Background:
As required by Education Code Section 60119, the Board of Education must annually certify, through a resolution after a public hearing, as to whether students in all District schools have sufficient textbooks or instructional materials in the core and required subject areas. The core and required subjects are mathematics, science, history/social science, reading/language arts, including the English language development (ELD) component, health (K-7 & 9) and foreign language (9-12).

The District has taken the following significant actions to ensure sufficient textbooks in the targeted core subjects:

- Expending $67.0 million in FY 2014-15 for Core and Required textbooks (including textbooks for new schools) and in the FY 2015-16 budgeting (including carryover from 2014-15) $120.8 million primarily to purchase other Core and Required textbooks for school year 2015-16 and 2016-17. As of September 10, 2015, $19.0 million has already been expended.
- Requiring all teachers to certify textbook sufficiency in their classrooms.
- Requiring all principals to certify textbook sufficiency in their schools.
- Requiring Local District Superintendents to resolve identified insufficiencies in a timely manner.
- Requiring Local District Superintendents to certify sufficiency in their respective districts.
- Presenting policies and procedures to Local District personnel.
- Establishing a database to track all appropriate textbook requests, certifications, and LACOE audit results.
- Follow up on all insufficiencies identified as a result of norm day enrollment projections.

Expected Outcomes:
The Board will adopt the attached resolution declaring the District has sufficient textbooks, thus meeting compliance with Education Code 60119.

Board Options and Consequences:
If the District is found to have insufficient textbooks in the core subject areas and cannot remedy the insufficiency within three days of the Board meeting, the county superintendent would request that the CDE purchase the textbooks or instructional materials necessary to comply with the sufficiency requirement. The
funds used to make this purchase of instructional materials would be considered a loan that LAUSD would need to repay to the CDE. The CDE would also issue a public statement at the next SBE meeting indicating that the LAUSD Superintendent and Board of Education failed to provide students with sufficient instructional materials.

**Policy Implications:**
There is no change in District policy of targeting funding to purchase textbooks to ensure full compliance with Education Code Section 60119.

**Budget Impact:**
The Board of Education of the City of Los Angeles is required to conduct a public hearing to certify compliance with Education Code Section 60119. If the District is found to have insufficient textbooks in the core subject areas and cannot remedy the insufficiency within three days of the Board meeting, the county superintendent would request that the CDE purchase the textbooks or instructional materials necessary to comply with the sufficiency requirement. The funds used to make this purchase of instructional materials would be considered a loan that LAUSD would need to repay to the CDE. The CDE would also issue a public statement at the next SBE meeting indicating that the LAUSD Superintendent and Board of Education failed to provide students with sufficient instructional materials.

**Issues and Analysis:**

**Attachments:**
Board Resolution: Operational and Budget Impact Statement

**Informatives:**
Clarifications Regarding *Williams* Sufficiency Hearing On October 6, 2015 Textbooks And Instructional Materials Certification Public Hearing
Whereas, As a recipient of state instructional materials funds, the Board of Education of the City of Los Angeles (“Board of Education”) is required under section 60119 of the Education Code to hold a public hearing and to encourage comment and participation from parents, teachers, bargaining unit members and leaders, and other community members on this resolution certifying the availability of textbooks and instructional materials for all pupils at all District schools; and

Whereas, The Board of Education provided at least ten (10) days notice of the public hearing posted in at least three (3) public places within the District that stated the time, place, and purpose of the hearing; and

Whereas, The Board of Education must make a determination, through resolution, as to whether each pupil in each school in the District has sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in mathematics, science, history-social science and reading/language arts, including the English language development (“ELD”) component of the adopted program (“Core Subject Areas”); and

Whereas, The Board of Education must also make a determination as to whether each pupil enrolled in a foreign language or health course has sufficient textbooks or instructional materials, or both, that are consistent with the content and cycles of the curriculum frameworks adopted by the State Board of Education for those subjects (“Required Subject Areas”); and

Whereas, Section 60119 of the Education Code defines sufficient textbooks and instructional materials to mean that each pupil, including English learners, has a standards-aligned textbook or instructional materials, or both, to use in class and to take home in the Core and Required Subject Areas. Section 60119 does not require two sets of textbooks or instructional materials for each pupil; and

Whereas, In FY 2014-15 the District expended $67.0 million for Core and Required textbooks (including textbooks for new schools) and in the FY 2015-16, the District has a budget (including carryover from 2013-14) of $120.8 million primarily to purchase other Core and Required textbooks for school year 2015-16 and 2016-17 and as of September 10, 2015, the District has already expended and encumbered $19.0 million; and

Whereas, In July, August, September of the 2015-2016 school year, all teachers, principals, and Local District Superintendents in the District have provided certifications and supporting documentation indicating whether each pupil in each school in the District has, as of the date of certification, sufficient textbooks or instructional materials, or both, in the Core and Required Subject Areas, and, in those instances in which the initial certification indicated that an insufficiency existed, that the insufficiency has been remedied; and

Whereas, The District has put into place procedures by which it will address, on an ongoing and continuous basis, reported subsequent identified needs for textbooks or instructional materials, or both, in the Core and Required Subject Areas; and

Whereas, The Superintendent of Schools, or designee, verifies, on an on-going and continuous basis, the subsequent identified needs for textbooks or instructional materials, or both, in Core and Required Subject Areas and funds appropriate requests within 10 days of the receipt of the request; and
Whereas, The Superintendent of Schools, or designee, will ensure, on an on-going and continuous basis, that orders for needed textbooks or instructional materials or both, in Core and Required Subject Areas will be placed within 5 days of Integrated Library & Textbook Support Services confirming the quantities required; and

Whereas, The Board of Education must make a determination regarding the availability of laboratory science equipment, as applicable, to science laboratory science courses offered in grades 9 to 12; and

Whereas, In July, August, September of the 2015-2016 school year, all principals of school offering science laboratory courses in grades 9 to 12, and Local District Superintendents in the District have provided certifications and supporting documentation indicating sufficient science laboratory equipment in science laboratory courses offered in grades 9 to 12; and now, therefore be it

Resolved, That the Board of Education of the City of Los Angeles finds that, as of the date of this hearing, for the 2015-16 school year, all pupils in all schools in the District have been provided with sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in the Core and Required Subject areas; and

Resolved, Further, that the Board of Education declares that as of the date of this hearing, for the 2015-16 school year, that all science laboratory classes offered in grades 9 to 12 in the District have been provided with sufficient science laboratory materials; and

Resolved, Further, That the Board of Education declares that it has timely and fully complied with the requirements of section 60119 of the Education Code for the 2015-2016 school year.

APPROVED:  DR. RUTH PÉREZ, Deputy Superintendent
          Division of Instruction
INTEROFFICE CORRESPONDENCE  
Los Angeles Unified School District  
Division of Instruction  

TO: Members, Board of Education  
Ramon C. Cortines, Superintendent  

FROM: Dr. Ruth Pérez, Deputy Superintendent, Division of Instruction  

DATE: September 9, 2015  

SUBJECT: CLARIFICATIONS REGARDING WILLIAMS SUFFICIENCY HEARING ON OCTOBER 6, 2015  

The purpose of this informative is to provide the Board of Education (Board) with additional clarifications related to the October 6, 2015, Williams textbook sufficiency hearing.

Section 60119 of the Education Code requires that the Board make a determination, through resolution, as to whether each pupil in each school in the district has sufficient textbooks or instructional materials, or both, that are aligned to the content standards that are consistent with the content and cycles of the curriculum framework adopted by the State Board in the Core and Required Subject Areas. Thus, the hearing should focus solely on the question of whether each student has a District-adopted or approved textbook in each of his/her core and required subject areas of mathematics, science, history-social science, English language arts including English language development (Grades K-12), health (Grades K-7 and 9), and foreign language (Grades 9-12).

However, speakers, on occasion, have used the Williams textbook sufficiency hearing as a venue to share their views on other textbook-related issues that do not change a finding of sufficiency as defined by the Education Code. These issues may include:

**The lack of a classroom set of the textbooks:** Education Code Section 60119(c)(1) states, in pertinent part, that sufficient textbooks or instructional materials means, "each pupil, including English Learners, has a standards-aligned textbook or instructional materials, or both, to use in class and to take home. This paragraph does not require two sets of textbooks or instructional materials for each pupil."

**The school does not have sufficient textbooks for courses such as art, computer programming, and agriculture:** Williams sufficiency is based upon the core and required subject areas of mathematics, science, history-social science, English language arts including English language development (Grades K-12), health (Grades K-7 and 9), and foreign language (Grades 9-12).

**The teacher lacks a teacher’s edition of the textbook:** Williams sufficiency is
based upon the students having their textbook.

**The teacher may question the District’s textbook adoption for a particular grade level:** As long as the teacher has sufficient District-adopted textbook/instructional materials for each student in his/her classroom, the District is sufficient.

If you have any questions, please contact Dr. Esther Sinofsky, Administrative Coordinator, Integrated Library & Textbook Support Services at (213) 241-1236.

c: Michelle King
   David Holmquist
   Enrique Boull’t
   Jefferson Crain
   Linda del Cueto
   Esther Sinofsky
Parents, teachers, administrators, students, and community members are encouraged to comment at a public hearing on a Board resolution regarding the sufficiency of textbooks and/or instructional materials. The resolution will be acted on at the Public Hearing on October 6, 2015, Board of Education meeting to be held in the Board Room at 333 South Beaudry, which is scheduled to take place between 4:00 p.m. and 6:00 p.m. The Board resolution under consideration follows below:

TEXTBOOKS AND INSTRUCTIONAL MATERIALS CERTIFICATION PUBLIC HEARING

Comments Sought at October 6, 2015, Board of Education Meeting

Whereas, As a recipient of state instructional materials funds, the Board of Education of the City of Los Angeles (“Board of Education”) is required under section 60119 of the Education Code to hold a public hearing and to encourage comment and participation from parents, teachers, bargaining unit members and leaders, and other community members on this resolution certifying the availability of textbooks and instructional materials for all pupils at all District schools; and

Whereas, The Board of Education provided at least ten (10) days notice of the public hearing posted in at least three (3) public places within the District that stated the time, place, and purpose of the hearing; and

Whereas, The Board of Education must make a determination, through resolution, as to whether each pupil in each school in the District has sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in mathematics, science, history-social science and reading/language arts, including the English language development (“ELD”) component of the adopted program (“Core Subject Areas”); and

Whereas, The Board of Education must also make a determination as to whether each pupil enrolled in a foreign language or health course has sufficient textbooks or instructional materials, or both, that are consistent with the content and cycles of the curriculum frameworks adopted by the State Board of Education for those subjects (“Required Subject Areas”); and

Whereas, Section 60119 of the Education Code defines sufficient textbooks and instructional materials to mean that each pupil, including English learners, has a standards-aligned textbook or instructional materials, or both, to use in class and to take home in the Core and Required Subject Areas. Section 60119 does not require two sets of textbooks or instructional materials for each pupil; and

Whereas, In FY 2014-15 the District expended $67.0 million for Core and Required textbooks (including textbooks for new schools) and in the FY 2015-16, the District has a budget (including carryover from 2013-14) of $120.8 million primarily to purchase other Core and Required textbooks for school year 2015-16 and 2016-17 and as of September 10, 2015, the District has already expended and encumbered $19.0 million; and
Whereas, In July, August, September of the 2015-2016 school year, all teachers, principals, and Local District Superintendents in the District have provided certifications and supporting documentation indicating whether each pupil in each school in the District has, as of the date of certification, sufficient textbooks or instructional materials, or both, in the Core and Required Subject Areas, and, in those instances in which the initial certification indicated that an insufficiency existed, that the insufficiency has been remedied; and

Whereas, The District has put into place procedures by which it will address, on an ongoing and continuous basis, reported subsequent identified needs for textbooks or instructional materials, or both, in the Core and Required Subject Areas; and

Whereas, The Superintendent of Schools, or designee, verifies, on an on-going and continuous basis, the subsequent identified needs for textbooks or instructional materials, or both, in Core and Required Subject Areas and funds appropriate requests within 10 days of the receipt of the request; and

Whereas, The Superintendent of Schools, or designee, will ensure, on an on-going and continuous basis, that orders for needed textbooks or instructional materials or both, in Core and Required Subject Areas will be placed within 5 days of Integrated Library & Textbook Support Services confirming the quantities required; and

Whereas, The Board of Education must make a determination regarding the availability of laboratory science equipment, as applicable, to science laboratory science courses offered in grades 9 to 12; and

Whereas, In July, August, September of the 2015-2016 school year, all principals of school offering science laboratory courses in grades 9 to 12, and Local District Superintendents in the District have provided certifications and supporting documentation indicating sufficient science laboratory equipment in science laboratory courses offered in grades 9 to 12; and now, therefore be it

Resolved, That the Board of Education of the City of Los Angeles finds that, as of the date of this hearing, for the 2015-16 school year, all pupils in all schools in the District have been provided with sufficient textbooks or instructional materials, or both, that are aligned to the content standards and are consistent with the content and cycles of the curriculum framework adopted by the State Board of Education in the Core and Required Subject areas; and

Resolved, Further, that the Board of Education declares that as of the date of this hearing, for the 2015-16 school year, that all science laboratory classes offered in grades 9 to 12 in the District have been provided with sufficient science laboratory materials; and

Resolved, Further, That the Board of Education declares that it has timely and fully complied with the requirements of section 60119 of the Education Code for the 2015-2016 school year.

APPROVED: DR. RUTH PÉREZ, Deputy Superintendent
Division of Instruction