

**LEGISLATIVE EDUCATION STUDY COMMITTEE  
BILL ANALYSIS**

**Bill Number:** SB 261a

**50th Legislature, 1st Session, 2011**

**Tracking Number:** .183878.1

**Short Title:** Instructional Material Adoption Cycle

**Sponsor(s):** Senator Sander Rue

**Analyst:** Eilani Gerstner

**Date:** May 3, 2011

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**FOR THE LEGISLATIVE EDUCATION STUDY COMMITTEE**

**AS AMENDED**

**The House Floor Amendment provides that “the eight-year cycle shall only apply to instructional material adopted prior to January 1, 2014 and the department may adopt any cycle length it deems reasonable for material adopted after January 1, 2014.”**

**Bill Summary:**

SB 261 amends the *Instructional Material Law* to require the Public Education Department (PED) to establish, by rule, an eight-year instructional material adoption cycle.

**Fiscal Impact:**

SB 261 does not make an appropriation.

**Fiscal Issues:**

- The Fiscal Impact Report (FIR) from the Legislative Finance Committee estimates that, if enacted, the provisions in SB 261 could save as much as \$5.5 million per year in the annual instructional material appropriation to PED.
- The FY 12 Legislative Education Study Committee (LESC) Public School Support recommendations include approximately \$15.0 million for the Instructional Material Fund for the grades K-12 social studies, health education, and physical education adoption.
- Because of the economic crisis, the appropriations to the Instructional Material Fund for the past two adoption cycles have not been fully funded. According to LESC records:
  - for FY 11, for the adoption for K-8 language arts/reading; modern, classical, and native languages; and reading intervention programs:
    - the sanded and reduced appropriation was approximately \$14.6 million;
    - however, PED’s FY 11 request was approximately \$44.5 million;

- for FY 10, for the adoption of grades 9-12 language arts/reading; modern, classical, and native languages; and reading intervention:
  - the reduced appropriation was approximately \$15.2 million;
  - however, PED's FY 10 request was \$41.8 million.

**Substantive Issues:**

- Current law requires PED to establish by rule an instructional material review process for the adoption of instructional material on the multiple list, but does not specify the time length of the adoption cycle.
- According to PED rule, the current instructional materials adoption cycle is six years.
- According to the PED analysis of SB 261:
  - many school districts do not currently have the funds to comply with the provision in current law requiring districts to provide a textbook for each child; and
  - PED has made some changes to address the high cost of adoptions. For example, it has split the more costly adoption for reading into two parts: K-8 reading and 9-12 reading. The last 9-12 reading adoption was in 2008; the next adoption under current requirements is 2014, while the next adoption for K-8 reading is 2015. Previously, those adoptions were combined into one.

**Related Bills:**

None as of February 5, 2011.