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60TH ASSEMBLY DISTRICT

AB 1078: Instructional Materials

BILL SUMMARY

Assembly Bill 1078 strengthens existing law to ensure California pupils have access to comprehensive, culturally competent, and accurate instruction about the history, experiences, and viewpoints of people from diverse communities in California.

AB 1078 requires the adoption of instructional materials as provided in the FAIR Act, which in 2011, was passed into California law.¹ AB 1078 will apply both to the curriculum taught in classrooms, as well as school libraries. This measure will ensure that the school curriculum reflects an accurate portrayal of the cultural and racial diversity of our society.

This bill also requires the county superintendent of schools to notify the local governing board and the California Department of Education (CDE) of a failure to provide sufficient textbooks or materials. If sufficient textbooks or materials are not provided, AB 1078 would require CDE to purchase textbooks or instructional materials for students.

To ensure compliance, AB 1078 allows for the Superintendent of Public Instruction to assess a financial penalty against a school district's local control funding formula allocation, if they fail to provide textbooks or sufficient materials. Prohibits local governing boards from banning books on the basis that it complies with the FAIR Act.

BACKGROUND

Currently, California's Instructional Quality Commission and State Board of Education

provides a model framework to all local governing boards on school curriculum. The state allows for each local governing board to align its curriculum and materials with state core academic content standards within an established model framework.²

Additionally, each local governing board's curriculum adoption process must involve classroom teachers assigned to the subject area or grade level of the materials. Importantly, local governing boards often include parents in this adoption process, allowing for a collaborative environment for parents to have a stake in their children's education.

PROBLEM

State law requires students to have standards-aligned, accurate, and reflective instructional materials; however, there is no remedy if a school district willfully decides not to provide them.

In recent years, many states across America and over 100 school districts have enacted some type of ban on instructional school material. PEN America, a leading organization protecting human rights and freedom of expression, recorded more book bans during the fall semester of 2022, than in each of the prior two semesters. PEN America also cites a 2022 American Library Poll, finding that over 70% of parents oppose book banning³.

SOLUTION

AB 1078 is an important measure to ensure all students have access to standards-aligned, accurate and reflective instructional materials. This measure puts students first by providing a

¹ [FAIR Education Act - Sacramento City Unified School District \(scusd.edu\)](https://www.scsd.edu/FAIR-Education-Act)

² [Curriculum Frameworks & Instructional Materials - Curriculum and Instruction Resources \(CA Dept of Education\)](#)

³ [Book Bans - PEN America](#)

backstop against action or inaction by a local governing board that willfully denies their students to standards-aligned instructional materials and FAIR Act compliant books.

AB 1078 does this by reinforcing and expanding on existing statute to ensure there are appropriate remedies for failures to comply with state law, including providing parents with an additional remedy if they have concerns about instructional materials.

SUPPORT

CA Superintendent of Public Instruction, Tony
Thurmond (sponsor)
CA Attorney General, Rob Bonta
ACLU California Action
California Faculty Association
California Federation of Teachers
City of Moreno Valley
City of Sacramento
National Association of Social Workers, California
Chapter
Teach Plus
Women for American Values and Ethics Action
Fund

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