

**SAN JOSÉ UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION  
RESOLUTION 2025-02-13-02**

**THE SAN JOSÉ UNIFIED SCHOOL DISTRICT DECLARING INSTRUCTIONAL  
MATERIALS OF THE DISTRICT UNDISTRIBUTED AND OBSOLETE AND  
ALLOWING FOR THE SALE THEREOF PURSUANT TO EDUCATION CODE  
SECTION 60510 ET SEQ.**

**WHEREAS**, Education Code section 60510(e) authorizes the sale of instructional materials in the possession of the San José Unified School District (“District”) if the instructional materials are surplus or undistributed and obsolete and are usable for educational purposes; and

**WHEREAS**, pursuant to Education Code section 60010(h), instructional materials are those materials that are designed for use by pupils and their teachers as learning resource and help pupils to acquire facts, skills, or opinions or to develop cognitive processes; and

**WHEREAS**, pursuant to Education Code section 60010(h), instructional materials may include technology-based materials; and

**WHEREAS**, pursuant to Education Code section 60010(m)(2), technology-based materials are basic or supplemental instructional materials that are designed for use by pupils and teachers as learning resources and that require the availability of electronic equipment in order to be used as a learning resource; and

**WHEREAS**, pursuant to Education Code section 60010(m)(2), technology-based materials also include the electronic equipment required to make use of those materials by pupils and teachers as a learning resource, including, but not limited to, laptop computers and devices that provide internet access; and

**WHEREAS**, the District is in possession of technology-based materials, as further identified in **Exhibit A** attached hereto and incorporated by reference, that qualify as instructional materials pursuant to Education Code sections 60010(h) and (m)(2) (“Instructional Materials”); and

**WHEREAS**, the Instructional Materials are no longer distributed to pupils and/or teachers and are considered outdated for use by pupils and/or teachers due to advancements in technology; and

**WHEREAS**, although outdated, the Instructional Materials may still be used for educational purposes; and

**WHEREAS**, District staff recommends that the District’s Governing Board (“Board”) find the Instructional Materials as undistributed and obsolete and usable for educational purposes; and

**WHEREAS**, District staff recommends that the Board authorize the unrestricted sale of the Instructional Materials pursuant to the provisions of Education Code section 60510(e); and

**NOW, THEREFORE, BE IT RESOLVED:** the Governing Board of San José Unified School District hereby finds, determines, declares, orders and resolves as follows:

- Section 1.** The above recitals are true and correct.
- Section 2.** The Instructional Materials described in **Exhibit A** to this Resolution are undistributed and obsolete and usable for educational purposes.
- Section 3.** The Instructional Materials may be sold, unrestricted, to any person or entity with which the District’s Superintendent or designee is able to negotiate the sale.
- Section 4.** The District’s Superintendent or designee is authorized pursuant to this Resolution to take all necessary action to dispose of the Instructional Materials pursuant to the provisions of Education Code section 60510 et seq.

**PASSED AND ADOPTED** by the Board of Education of the San José Unified School District, San José, California on this 13th day of February 2025, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

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Nancy Albarrán  
Superintendent and Secretary  
Governing Board of Education

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Teresa Castellanos  
President  
Governing Board of Education

**EXHIBIT A**  
**UNDISTRIBUTED AND OBSOLETE INSTRUCTIONAL MATERIALS**

<u>Manufacturer</u>	<u>Model #</u>
Apple	iPad 9 <sup>th</sup> Generation or older