

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 206

By: Boren

4  
5  
6 AS INTRODUCED

7 An Act relating to public school textbooks; amending  
8 70 O.S. 2011, Section 16-111, as last amended by  
9 Section 3, Chapter 253, O.S.L. 2016 (70 O.S. Supp.  
10 2018, Section 16-111), which relates to textbook  
11 committees; directing school principals to appoint  
12 building-level textbook committees; providing for  
13 membership; directing superintendents of certain  
14 schools to appoint district-level textbook  
15 committees; modifying references; providing for  
16 membership; requiring certain administrator to serve  
17 on the district-level textbook committee; allowing  
18 members of textbook committees to receive  
19 compensation; requiring certain textbook plan to be  
20 affirmatively approved by certain majority; requiring  
21 certain textbook order to be affirmatively approved  
22 by certain majority; removing language allowing  
23 school districts to be exempt from certain  
24 requirements when the state financial support of  
25 public schools is below certain amount; amending 70  
26 O.S. 2011, Section 16-111.1, which relates to  
27 supplementary textbooks and materials; prohibiting  
28 certain funds from being used for certain purposes;  
29 amending 70 O.S. 2011, Section 16-114a, as last  
30 amended by Section 4, Chapter 253, O.S.L. 2016 (70  
31 O.S. Supp. 2018, Section 16-114a), which relates to  
32 textbook allocations; increasing amount to be used in  
33 calculation of certain initial allocation; removing  
34 language directing school districts seeking certain  
35 flexibility to make certain demonstration to the  
36 State Board of Education; modifying references;  
37 providing an effective date; and declaring an  
38 emergency.

1 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

2 SECTION 1. AMENDATORY 70 O.S. 2011, Section 16-111, as  
3 last amended by Section 3, Chapter 253, O.S.L. 2016 (70 O.S. Supp.  
4 2018, Section 16-111), is amended to read as follows:

5 Section 16-111. A. ~~Except as otherwise provided for in~~  
6 ~~subsection E of this section, the~~ The principal of each public  
7 school site shall appoint a building-level textbook committee  
8 consisting of one teacher for each grade level to include a  
9 representative for each content area in the adoption cycle and  
10 representatives for special education and English language learner  
11 teachers. The superintendent of schools of each independent or  
12 dependent public school district in the state shall appoint a local  
13 district-level textbook committee consisting of not fewer than three  
14 nor more than nine members one member from each building-level  
15 textbook committee. Each committee shall have one lay member, with  
16 the remainder of the members being teachers employed in the public  
17 schools of the district, a majority all of whom shall be classroom  
18 teachers. The superintendent of schools or a designee who shall be  
19 a principal or a curriculum specialist shall serve as a non-voting  
20 chairperson of the local district-level textbook committee. The  
21 district's administrator with the authority to approve the  
22 expenditure of textbook funds shall also serve on the district-level  
23 committee so that budgetary issues can be addressed during the  
24 adoption process.

1 B. Upon the written request of any duly appointed local  
2 textbook coordinator, the publisher of a textbook selected by the  
3 State Textbook Committee shall furnish at least one examination copy  
4 of the textbook and the teacher edition of the textbook, if one is  
5 published, and a copy of software for purposes of complete  
6 demonstration and review, if available, to the school district so  
7 that the ~~local~~ district-level textbook committee may examine any or  
8 all new adoptions in the subjects taught or to be taught in schools  
9 in the district.

10 C. ~~Except as otherwise provided for in subsection E of this~~  
11 ~~section, on~~ On or before a date to be fixed by the State Board of  
12 Education, each ~~local~~ district-level textbook committee shall adopt  
13 textbooks from the multiple list selected by the State Textbook  
14 Committee in a manner as shall be prescribed by the State Board of  
15 Education. ~~Each local~~ Members of each district-level and building-  
16 level textbook committee ~~shall serve without compensation and may be~~  
17 compensated with extra duty pay to cover the time and labor expended  
18 to serve on the building-level or district-level textbook  
19 committees. The committees shall cease to exist when local  
20 adoptions have been completed and shall be replaced by another ~~local~~  
21 district-level textbook committee appointed in the same manner as  
22 provided for in this section.

23 D. ~~Except as otherwise provided for in subsection E of this~~  
24 ~~section, on~~ On or before a date to be fixed by the State Board of

1 Education, the superintendent of each independent or dependent  
2 public school district shall submit to the State Board of Education  
3 a textbook plan outlining the estimated number of textbooks needed  
4 by the school district and the total amount of money to be expended  
5 by the district for textbooks including the allocated funds and any  
6 additional supplemental funds to be expended. The plan shall be  
7 affirmatively approved by a majority of the district-level textbook  
8 committee members as evidenced by a cover letter signed by the  
9 members and attached to the district's textbook plan. The  
10 superintendent or textbook coordinator appointed by the  
11 superintendent, shall place orders from the proper depository or  
12 depositories for all of the textbooks needed as outlined in the  
13 textbook plan by the district for the ensuing year. The order shall  
14 be affirmatively approved by a majority of the district-level  
15 textbook committee members as evidenced by a cover letter signed by  
16 the members and attached to the district's textbook order. The  
17 superintendent of a school district or textbook coordinator may  
18 order any textbooks placed on the official multiple textbook list.  
19 If the order exceeds the allocation for each school district as  
20 provided in Section 16-114a of this title any additional funds  
21 expended shall be reported on the statement of expenditures for the  
22 district.

23 ~~E. 1. If a school district makes the election as provided for~~  
24 ~~in subsection B of Section 16-114a of this title, the district shall~~

1 ~~not be required to appoint a local textbook committee, adopt~~  
2 ~~textbooks, submit a textbook plan, or expend money on the purchase~~  
3 ~~of textbooks during any fiscal year as provided for in this~~  
4 ~~subsection.~~

5 ~~2. The provisions of paragraph 1 of this subsection shall cease~~  
6 ~~to be effective during a fiscal year immediately following a fiscal~~  
7 ~~year that the state financial support of public schools provides an~~  
8 ~~amount equal to or more than Three Thousand Two Hundred Ninety one~~  
9 ~~Dollars and sixty cents (\$3,291.60) per weighted average daily~~  
10 ~~membership as calculated pursuant to Section 18-200.1 of this title~~  
11 ~~and reported to school districts by the State Department of~~  
12 ~~Education on the initial tentative State Aid allocation notice.~~

13 ~~3. If the amount set and calculated as provided for in~~  
14 ~~paragraph 2 of this subsection is reduced by one percent (1%) or~~  
15 ~~more as reported to school districts by the Department on the~~  
16 ~~initial tentative State Aid allocation notice for the following~~  
17 ~~fiscal year, the provisions of paragraph 2 of this subsection shall~~  
18 ~~cease to be effective and the provisions of paragraph 1 of this~~  
19 ~~subsection shall continue to be effective.~~

20 SECTION 2. AMENDATORY 70 O.S. 2011, Section 16-111.1, is  
21 amended to read as follows:

22 Section 16-111.1. The funds allocated for textbooks in Section  
23 16-114a of this title may be used by a school district for  
24 supplementary textbooks and other instructional materials other than  
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1 those selected and listed by the State Textbook Committee that are  
2 approved for purchase by the district-level textbook committee  
3 pursuant to Section 16-111 of this title.

4 SECTION 3. AMENDATORY 70 O.S. 2011, Section 16-114a, as  
5 last amended by Section 4, Chapter 253, O.S.L. 2016 (70 O.S. Supp.  
6 2018, Section 16-114a), is amended to read as follows:

7 Section 16-114a. A. Based upon legislative appropriations, the  
8 State Board of Education shall determine the textbook allocation to  
9 be distributed to each independent or dependent public school  
10 district in the state. Each year the textbook allocation for each  
11 independent or dependent public school district shall be calculated  
12 and distributed in July and adjusted in December. The initial  
13 allocation shall be calculated based on the audited end-of-year  
14 average daily attendance of the preceding school year multiplied by  
15 ~~Fifty-five Dollars (\$55.00)~~ Two Hundred Dollars (\$200.00). The  
16 initial allocation shall be calculated and distributed to each  
17 independent or dependent public school district in July. The  
18 December adjustment shall be calculated by multiplying the audited  
19 first nine (9) weeks' average daily attendance for that current  
20 school year by ~~Fifty-five Dollars (\$55.00)~~ Two Hundred Dollars  
21 (\$200.00) and subtracting from that amount the amount of the initial  
22 allocation. The adjustment shall be calculated in December and  
23 distributed to each eligible independent or dependent public school  
24 district no later than January 15. ~~A~~ An independent or dependent

1 public school district shall receive an adjustment only if the  
2 adjustment figure as calculated in this section is greater than  
3 zero. The State Department of Education shall retain from the total  
4 amount appropriated for textbooks not less than one percent (1%) of  
5 the total amount to be used for the purpose of making the  
6 adjustments. If the amount appropriated, including the retained  
7 amount, is not sufficient to fully fund the adjusted allocation,  
8 each independent or dependent public school district eligible for an  
9 adjustment shall receive a proportionate reduction in funding. Any  
10 unused portion of the value of textbooks allowed to a an independent  
11 or dependent public school district shall be cumulative and may be  
12 carried over by the independent or dependent public school district  
13 to subsequent fiscal years, in addition to the allocation it is  
14 entitled to receive during that fiscal year.

15 B. ~~A school district seeking flexibility in the use of state-~~  
16 ~~appropriated funding allocated pursuant to this section for~~  
17 ~~textbooks shall be required to demonstrate to the State Board of~~  
18 ~~Education that the textbooks and instructional materials used by the~~  
19 ~~district for the subject areas being considered in the current~~  
20 ~~textbook adoption cycle are current and appropriate for student~~  
21 ~~learning. Subject to the provisions of subsection E of Section 16-~~  
22 ~~111 of this title, a school district that has received textbook~~  
23 ~~funding flexibility approval from the Board may elect to expend any~~  
24 ~~monies allocated pursuant to this section for textbooks, including~~

1 ~~any monies carried over as authorized pursuant to subsection A of~~  
2 ~~this section, for any purpose related to the support and maintenance~~  
3 ~~of the school district as determined by the board of education of~~  
4 ~~the school district.~~

5 C. All textbooks distributed to a an independent or dependent  
6 public school district that have been destroyed by fire or other  
7 hazard shall be replaced by the State Board of Education. The total  
8 cost of all additional textbooks delivered to independent or  
9 dependent public school districts to replace those destroyed by fire  
10 or other hazard shall not exceed, for the entire state in any fiscal  
11 year, the aggregate sum of One Hundred Thousand Dollars  
12 (\$100,000.00), which sum shall be reserved for that purpose from any  
13 appropriation made to carry out the provision of this section for  
14 any fiscal year.

15 SECTION 4. This act shall become effective July 1, 2019.

16 SECTION 5. It being immediately necessary for the preservation  
17 of the public peace, health or safety, an emergency is hereby  
18 declared to exist, by reason whereof this act shall take effect and  
19 be in full force from and after its passage and approval.

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