

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2144

By: Boyd (Betty)

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Sections 16-102, as amended by Section 3, Chapter 229, O.S.L. 1993, and 16-113, as amended by Section 13, Chapter 229, O.S.L. 1993 (70 O.S. Supp. 1993, Sections 16-102 and 16-113), which relate to textbooks; requiring petitioning districts to purchase textbooks added to the list of state adopted books; requiring certain contracts; requiring publishers of textbooks added to the list of state adopted books to comply with certain laws; clarifying textbook requisition process; stating certain duties of State Board of Education; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 16-102, as amended by Section 3, Chapter 229, O.S.L. 1993 (70 O.S. Supp. 1993, Section 16-102), is amended to read as follows:

Section 16-102. A. The State Textbook Committee shall meet at the call of the chairperson as often as necessary, with two (2) weeks' public notice, to discharge its responsibilities. Not later than the first day of December of each year the State Textbook Committee shall meet at the call of the chairperson at the State Capitol and select textbooks for subjects taught in the public

schools of the state up to and including the twelfth grade, which selections shall be for not more than six (6) years for every textbook.

B. From the effective date of this act until December 31, 1993, the Committee may extend by up to two (2) years the five-year adoption period of those textbooks currently on the state adopted list, or provide for an interim adoption period of not to exceed three (3) years for textbooks for certain subjects, for the purpose of correlation with a six-year adoption cycle or for restructure of the adoption cycle of subjects. "Textbooks", as used in Sections 16-101 through 16-124 of this title, means instructional materials that are designed for use by pupils as a learning resource. Instructional materials may be printed or nonprinted and may include textbooks, technology-based and other educational materials. Technology-based materials do not include the equipment required to make use of those materials.

C. Said Committee shall select textbooks or series of textbooks for each subject, which are in its judgment satisfactory. The State Textbook Committee may determine that unusual or extraordinary circumstances exist in a particular subject area during the period for which textbooks have been selected for that subject area. Unusual or extraordinary circumstances shall include but not be limited to significant new techniques of teaching in a particular subject area or significant new findings or discoveries in a particular subject area. Upon a determination by three-fourths (3/4) of the members of the State Textbook Committee that unusual or extraordinary circumstances exist in a particular subject area, the Committee may select one or more textbooks in that subject area for the remainder of the adoption period.

D. Five or more district boards of education may petition the State Board of Education to add a book or series of textbooks to the approved list selected by the State Textbook Committee. The

district boards of education which sign a petition to add a textbook shall be required to purchase the textbook if approved by the State Board of Education. Upon approval of the petitioned textbook by the State Board of Education, the State Textbook Committee shall enter into a contract with the publisher of the textbook. The contract shall be consistent with and the publisher shall agree to comply with the provisions of Sections 16-106 through 16-124 of this title.

The State Board of Education shall promulgate rules to implement the method and time frame for handling such petitions in the most expeditious manner.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 16-113, as amended by Section 13, Chapter 229, O.S.L. 1993 (70 O.S. Supp. 1993, Section 16-113), is amended to read as follows:

Section 16-113. A. All textbooks shall be requisitioned, and no money allocated for the purchase of textbooks shall be sent directly to a school district. The cost of textbooks to be distributed to the several districts of the state shall be paid from funds appropriated for such purposes upon claims approved by the State Board of Education. The price to be paid shall be that stipulated in the contract with the publisher. ~~Upon receipt of a proper requisition for textbooks,~~ All requisitions from school districts for textbooks shall be sent directly to the State Board of Education. The State Board of Education shall issue purchase orders for the requisitioned books to the Oklahoma depository of the publisher of the books and. The Oklahoma depository shall cause the textbooks requisitioned to be delivered to the school district. The amount requisitioned shall not exceed the total of the allocation of the school district as provided in Section 16-114 of this title. All textbook requisitions, orders and accounting duties shall be performed directly by the State Board of Education.

B. The State Board of Education shall provide sufficient office space, equipment, records and supplies necessary for a proper

performance of the duties and functions vested in it and the State Textbook Committee, and the State Board of Education shall appoint and fix the compensation and duties of necessary personnel to assist the State Board of Education in performing its said duties and functions.

C. The State Board of Education may provide a repair service for printed textbooks distributed to school districts. The State Board of Education shall prescribe rules for the repair of textbooks and for the distribution of repaired textbooks. Nothing herein shall require the State Board of Education to repair textbooks which in its judgment cannot be economically reconditioned.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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