

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2546

By: Wright (John)

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2001,
8 Section 16-111 and Section 7, Chapter 2, O.S.L. 2002
9 (70 O.S. Supp. 2009, Section 16-114a), which relate
10 to textbook adoption and allocations; exempting
11 school district from certain textbook adoption
12 requirements in certain circumstances; modifying
13 authorization to retain the textbook allocation;
14 allowing school districts to expend the textbook
15 allocation for other purposes in certain
16 circumstances; and declaring an emergency.

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

18 SECTION 1. AMENDATORY 70 O.S. 2001, Section 16-111, is
19 amended to read as follows:

20 Section 16-111. A. The Except as otherwise provided for in
21 subsection E of this section, the superintendent of schools of each
22 school district in the state shall appoint a local textbook
23 committee consisting of not fewer than three nor more than nine
24 members. Each committee shall have one lay member, with the
remainder of the members being teachers employed in the public
schools of the district, a majority of whom shall be classroom

1 teachers. The superintendent of schools or a designee who shall be
2 a principal or a curriculum specialist shall serve as chairperson of
3 ~~such~~ the local textbook committee.

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

13 C. ~~On~~ Except as otherwise provided for in subsection E of this
14 section, on or before a date to be fixed by the State Board of
15 Education, each local textbook committee shall adopt textbooks from
16 the multiple list selected by the State Textbook Committee in ~~such~~ a
17 manner as shall be prescribed by the State Board of Education. Each
18 local textbook committee shall serve without compensation and shall
19 cease to exist when local adoptions have been completed and shall be
20 replaced by another local textbook committee appointed in the same
21 manner as ~~herein~~ provided for in this section.

22 D. ~~On~~ Except as otherwise provided for in subsection E of this
23 section, on or before a date to be fixed by the State Board of
24 Education, the superintendent of each school district shall submit

1 to the State Board of Education a textbook plan outlining the
2 estimated number of textbooks needed by the school district and the
3 total amount of money to be expended by the district for textbooks
4 including the allocated funds and any additional supplemental funds
5 to be expended. The superintendent or textbook coordinator
6 appointed by the superintendent, shall place orders from the proper
7 depository or depositories for all of the textbooks needed as
8 outlined in the textbook plan by the district for the ensuing year.
9 The superintendent of a school district or textbook coordinator may
10 order any textbooks placed on the official multiple textbook list.
11 If the order exceeds the allocation for each school district as
12 provided in Section ~~16-114~~ 16-114a of this title any additional
13 funds expended shall be reported on the statement of expenditures
14 for the district.

15 E. A school district shall not be required to appoint a local
16 textbook committee, adopt textbooks, submit a textbook plan, or
17 expend money on the purchase of textbooks during a fiscal year if
18 the school district makes the election as provided for in subsection
19 B of Section 16-114a of this title.

20 SECTION 2. AMENDATORY Section 7, Chapter 2, O.S.L. 2002
21 (70 O.S. Supp. 2009, Section 16-114a), is amended to read as
22 follows:

23 Section 16-114a. A. Based upon legislative appropriations, the
24 State Board of Education shall determine the textbook allocation to

1 be distributed to each school district in the state. Each year the
2 textbook allocation for each school district shall be calculated and
3 distributed in July and adjusted in December. The initial
4 allocation shall be calculated based on the audited end-of-year
5 average daily attendance of the preceding school year multiplied by
6 Fifty-five Dollars (\$55.00). The initial allocation shall be
7 calculated and distributed to each school district in July. The
8 December adjustment shall be calculated by multiplying the audited
9 first nine (9) weeks' average daily attendance for that current
10 school year by Fifty-five Dollars (\$55.00) and subtracting from that
11 amount the amount of the initial allocation. The adjustment shall
12 be calculated in December and distributed to each eligible school
13 district no later than January 15. A school district shall receive
14 an adjustment only if the adjustment figure as calculated in this
15 section is greater than zero. The State Department of Education
16 shall retain from the total amount appropriated for textbooks not
17 less than one percent (1%) of the total amount to be used for the
18 purpose of making the adjustments. If the amount appropriated,
19 including the retained amount, is not sufficient to fully fund the
20 adjusted allocation, each school district eligible for an adjustment
21 shall receive a proportionate reduction in funding. Any unused
22 portion of the value of textbooks allowed to a school district shall
23 be cumulative and may be ~~retained~~ carried over by the school
24 district ~~the following~~ to proceeding fiscal year years, in addition

1 to the allocation it is entitled to receive during ~~such~~ that fiscal
2 year.

3 B. For the fiscal year ending June 30, 2010, and each fiscal
4 year thereafter, if a school district has a reduction in total
5 revenue of ten percent (10%) or more from the preceding fiscal year,
6 the school district may expend any monies allocated pursuant to this
7 section for textbooks for any purpose related to the support and
8 maintenance of the school district as determined by the board of
9 education of the school district.

10 C. All textbooks distributed to a school district that have
11 been destroyed by fire or other hazard shall be replaced by the
12 State Board of Education. The total cost of all additional
13 textbooks delivered to school districts to replace those destroyed
14 by fire or other hazard shall not exceed, for the entire state in
15 any fiscal year, the aggregate sum of One Hundred Thousand Dollars
16 (\$100,000.00), which sum shall be reserved for ~~such~~ that purpose
17 from any appropriation made to carry out the provision of this
18 ~~article~~ section for any fiscal year.

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

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24 52-2-9097 AM 01/10/10