

1 **SENATE FLOOR VERSION**

2 March 29, 2022

3 ENGROSSED HOUSE  
4 BILL NO. 3373

By: West (Tammy) of the House

5 and

6 Pemberton of the Senate

7  
8 An Act relating to school textbooks; amending 70 O.S.  
9 2021, Section 16-102, which relates to textbook  
10 selection; clarifying when a school district may  
11 petition the State Board of Education; mandating  
12 approval of Board only if unusual or extraordinary  
13 circumstances exist; including a rigorous review  
14 process for district petitions; describing contents  
15 of review; authorizing districts to request review  
16 support from the State Department of Education; and  
17 declaring an emergency.

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

19 SECTION 1. AMENDATORY 70 O.S. 2021, Section 16-102, is  
20 amended to read as follows:

21 Section 16-102. A. The State Textbook Committee shall meet at  
22 the call of the chair as often as necessary, with two (2) weeks'  
23 public notice, to discharge its responsibilities. If necessary, not  
24 later than the first day of December of each year the State Textbook  
Committee shall meet to select textbooks for subjects taught in the  
public schools of the state for grades prekindergarten through

1 twelve, which selections shall be for not more than six (6) years  
2 for every textbook.

3 B. The Committee may suspend any currently pending selection  
4 process of textbooks and may extend by at least two (2) years the  
5 six-year adoption period of those textbooks currently on the state  
6 adopted list, for the purpose of delaying for two (2) years the six-  
7 year adoption cycle of subjects.

8 C. "Textbooks", as used in Sections 16-101 through 16-124 of  
9 this title, means instructional materials that are designed for use  
10 by pupils as a learning resource. Instructional materials may be  
11 printed or nonprinted and may include textbooks, technology-based  
12 and other educational materials.

13 D. "List of textbooks" or "the list", as used in Sections 16-  
14 101 through 16-111 of this title, means the official textbook list  
15 required by Section 6 of Article XIII of the Oklahoma Constitution.  
16 The list shall include the textbooks and other instructional  
17 materials selected by the State Textbook Committee for use in the  
18 common schools of the state.

19 E. The State Department of Education, in coordination with the  
20 State Textbook Committee, shall approve an application process to  
21 assemble annually one or more review teams comprised of subject  
22 matter experts for each subject area under review to assist the  
23 Committee in reviewing textbooks and instructional materials. The  
24 number of review teams shall be contingent on the number of subject

1 areas under review each year. Members of the review teams shall  
2 have specific expertise in the subject areas being reviewed that  
3 year. Review teams shall consist of no less than twelve members  
4 each, but may be as large as is deemed necessary by the State  
5 Textbook Committee and the State Department of Education. Subject  
6 to the availability of funds within the State Department of  
7 Education, members of the review teams shall receive from the  
8 Department necessary traveling expenses while in the performance of  
9 duties pursuant to the State Travel Reimbursement Act.

10 F. The Committee shall select textbooks or series of textbooks  
11 for each subject, which, to the greatest extent possible, are  
12 aligned with the subject matter standards adopted by the State Board  
13 of Education pursuant to Section 11-103.6 of this title. The  
14 Committee, in consultation with the State Department of Education,  
15 shall adopt a rubric to be used by the review teams as a means of  
16 evaluating textbooks submitted for review. The rubric shall contain  
17 a three-tiered rating system in which the first tier shall be  
18 labeled "Exemplifies Quality", the second tier shall be labeled  
19 "Approaching Quality", and the third tier shall be labeled "Not  
20 Representing Quality". The rubric shall also include, but not be  
21 limited to, criteria for alignment to subject matter standards such  
22 that all standards are present and treated with the appropriate  
23 depth to support students in learning the skills and information  
24 contained in the subject matter standards, as well as usability for

1 teacher planning, learning, assessment and differentiated  
2 instruction. The Committee, in consultation with the review teams,  
3 may include additional criteria specific to the subject area being  
4 reviewed. The rubric shall require each criterion to be scored  
5 individually with justification, and shall provide an overall  
6 recommendation for the rating.

7 G. Review teams shall review all materials in accordance with  
8 the rubric adopted in subsection F of this section and shall submit  
9 the review and recommended rating to the Committee. The Committee  
10 shall consider but not be required to accept the recommended rating  
11 of the review teams. The Committee may request that the review  
12 teams supply additional information to support their recommendations  
13 or the Committee may provide its own justification utilizing the  
14 adopted rubric.

15 H. The Committee, having verified that the review process has  
16 been conducted in a scrupulous and fair manner, shall adopt a final  
17 rating for each textbook prior to including it on the textbook list  
18 required by Section 16-110 of this title. The completed rubric for  
19 each evaluated textbook, including the review team's  
20 recommendations, shall be made publicly available on the State  
21 Textbook Committee website.

22 I. After a final textbook list is published, the State Textbook  
23 Committee may determine that unusual or extraordinary circumstances  
24 exist in a particular subject area during the period for which

1 textbooks have been selected for that subject area. Unusual or  
2 extraordinary circumstances shall include but not be limited to  
3 significant new techniques of teaching in a particular subject area  
4 or significant new findings or discoveries in a particular subject  
5 area. Upon a determination by three-fourths (3/4) of the members of  
6 the State Textbook Committee that unusual or extraordinary  
7 circumstances exist in a particular subject area, the Committee may  
8 select one or more textbooks in that subject area for the remainder  
9 of the adoption period.

10 J. The State Department of Education shall house the website of  
11 the State Textbook Committee on its agency website.

12 K. ~~Five~~ After a final textbook list is published, five or more  
13 district boards of education may petition the State Board of  
14 Education to add a book or series of textbooks to the approved list  
15 selected by the State Textbook Committee. The Board shall only  
16 approve a petition when it determines that unusual or extraordinary  
17 circumstances exist. Petitions shall include a rigorous review  
18 process completed by the requesting school districts in a manner  
19 prescribed by the Board. At a minimum, the review shall include  
20 alignment to subject matter standards such that all standards are  
21 present and treated with the appropriate depth to support students  
22 in learning the skills and information contained in the standards,  
23 as well as usability for teacher planning, learning, assessment, and  
24 differentiated instruction. The requesting school districts may

1 request support from the State Department of Education in their  
2 review.

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

6 SECTION 2. It being immediately necessary for the preservation  
7 of the public peace, health or safety, an emergency is hereby  
8 declared to exist, by reason whereof this act shall take effect and  
9 be in full force from and after its passage and approval.

10 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
11 March 29, 2022 - DO PASS  
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