

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 3373

By: West (Tammy)

AS INTRODUCED

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

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

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

Section 16-102. A. The State Textbook Committee shall meet at the call of the chair as often as necessary, with two (2) weeks' public notice, to discharge its responsibilities. If necessary, not 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 twelve, which selections shall be for not more than six (6) years for every textbook.

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

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

11 D. "List of textbooks" or "the list", as used in Sections 16-
12 101 through 16-111 of this title, means the official textbook list
13 required by Section 6 of Article XIII of the Oklahoma Constitution.
14 The list shall include the textbooks and other instructional
15 materials selected by the State Textbook Committee for use in the
16 common schools of the state.

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

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

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

1 may include additional criteria specific to the subject area being
2 reviewed. The rubric shall require each criterion to be scored
3 individually with justification, and shall provide an overall
4 recommendation for the rating.

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

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

20 I. After a final textbook list is published, the State Textbook
21 Committee may determine that unusual or extraordinary circumstances
22 exist in a particular subject area during the period for which
23 textbooks have been selected for that subject area. Unusual or
24 extraordinary circumstances shall include but not be limited to

1 significant new techniques of teaching in a particular subject area
2 or significant new findings or discoveries in a particular subject
3 area. Upon a determination by three-fourths (3/4) of the members of
4 the State Textbook Committee that unusual or extraordinary
5 circumstances exist in a particular subject area, the Committee may
6 select one or more textbooks in that subject area for the remainder
7 of the adoption period.

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

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

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

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

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9 58-2-9011 EK 12/30/21

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