

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL 206

6 By: Boren and Stanley

7 COMMITTEE SUBSTITUTE

8 An Act relating to public school textbooks; amending  
9 70 O.S. 2011, Section 16-111, as last amended by  
10 Section 3, Chapter 253, O.S.L. 2016 (70 O.S. Supp.  
11 2018, Section 16-111), which relates to textbook  
12 committees; requiring certain publisher to furnish  
13 certain copy of instructional materials, including  
14 certain teacher's edition; allowing members of a  
15 textbook committee to receive compensation; removing  
16 language allowing school districts to be exempt from  
17 certain requirements when the state financial support  
18 of public schools is below certain amount; amending  
19 70 O.S. 2011, Section 16-114a, as last amended by  
20 Section 4, Chapter 253, O.S.L. 2016 (70 O.S. Supp.  
21 2018, Section 16-114a), which relates to textbook  
22 allocations; modifying references; removing language  
23 directing school districts seeking certain  
24 flexibility to make certain demonstration to the  
State Board of Education; providing an effective  
date; and declaring an emergency.

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

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

Section 16-111. A. ~~Except as otherwise provided for in~~  
~~subsection E of this section, the~~ The superintendent of schools of

1 each independent or dependent public school district in the state  
2 shall appoint a local textbook committee consisting of not fewer  
3 than three nor more than nine members. Each committee shall have  
4 one lay member, with the remainder of the members being teachers  
5 employed in the public schools of the district, a majority of whom  
6 shall be classroom teachers. The superintendent of schools or a  
7 designee who shall be a principal or a curriculum specialist shall  
8 serve as chairperson of the local textbook committee.

9 B. Upon the written request of any duly appointed local  
10 textbook coordinator, the publisher of a textbook or instructional  
11 materials selected by the State Textbook Committee shall furnish at  
12 least one examination copy of the textbook or instructional  
13 materials, including supplementary items, and the teacher edition of  
14 the textbook or instructional materials, if ~~one~~ a teacher's edition  
15 of the textbook or instructional materials is published, and a copy  
16 of software for purposes of complete demonstration and review, if  
17 available, to the school district so that the local textbook  
18 committee may examine any or all new adoptions in the subjects  
19 taught or to be taught in schools in the district.

20 C. ~~Except as otherwise provided for in subsection E of this~~  
21 ~~section, on~~ On or before a date to be fixed by the State Board of  
22 Education, each local textbook committee shall adopt textbooks from  
23 the multiple list selected by the State Textbook Committee in a  
24 manner as shall be prescribed by the State Board of Education. ~~Each~~

1 ~~local~~ Members of each textbook committee ~~shall serve without~~  
2 ~~compensation and~~ may be compensated with extra duty pay to cover the  
3 time and labor expended to serve on the textbook committee. The  
4 committee shall cease to exist when local adoptions have been  
5 completed and shall be replaced by another local textbook committee  
6 appointed in the same manner as provided for in this section.

7 D. ~~Except as otherwise provided for in subsection E of this~~  
8 ~~section, on~~ On or before a date to be fixed by the State Board of  
9 Education, the superintendent of each independent or dependent  
10 public school district shall submit to the State Board of Education  
11 a textbook plan outlining the estimated number of textbooks needed  
12 by the school district and the total amount of money to be expended  
13 by the district for textbooks including the allocated funds and any  
14 additional supplemental funds to be expended. The superintendent or  
15 textbook coordinator appointed by the superintendent, shall place  
16 orders from the proper depository or depositories for all of the  
17 textbooks needed as outlined in the textbook plan by the district  
18 for the ensuing year. The superintendent of a school district or  
19 textbook coordinator may order any textbooks placed on the official  
20 multiple textbook list. If the order exceeds the allocation for  
21 each school district as provided in Section 16-114a of this title  
22 any additional funds expended shall be reported on the statement of  
23 expenditures for the district.

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1 ~~E. 1. If a school district makes the election as provided for~~  
2 ~~in subsection B of Section 16-114a of this title, the district shall~~  
3 ~~not be required to appoint a local textbook committee, adopt~~  
4 ~~textbooks, submit a textbook plan, or expend money on the purchase~~  
5 ~~of textbooks during any fiscal year as provided for in this~~  
6 ~~subsection.~~

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

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

22 SECTION 2. AMENDATORY 70 O.S. 2011, Section 16-114a, as  
23 last amended by Section 4, Chapter 253, O.S.L. 2016 (70 O.S. Supp.  
24 2018, Section 16-114a), is amended to read as follows:

1 Section 16-114a. A. Based upon legislative appropriations, the  
2 State Board of Education shall determine the textbook allocation to  
3 be distributed to each independent or dependent public school  
4 district in the state. Each year the textbook allocation for each  
5 independent or dependent public school district shall be calculated  
6 and distributed in July and adjusted in December. The initial  
7 allocation shall be calculated based on the audited end-of-year  
8 average daily attendance of the preceding school year multiplied by  
9 Fifty-five Dollars (\$55.00). The initial allocation shall be  
10 calculated and distributed to each independent or dependent public  
11 school district in July. The December adjustment shall be  
12 calculated by multiplying the audited first nine (9) weeks' average  
13 daily attendance for that current school year by Fifty-five Dollars  
14 (\$55.00) and subtracting from that amount the amount of the initial  
15 allocation. The adjustment shall be calculated in December and  
16 distributed to each eligible independent or dependent public school  
17 district no later than January 15. ~~A~~ An independent or dependent  
18 public school district shall receive an adjustment only if the  
19 adjustment figure as calculated in this section is greater than  
20 zero. The State Department of Education shall retain from the total  
21 amount appropriated for textbooks not less than one percent (1%) of  
22 the total amount to be used for the purpose of making the  
23 adjustments. If the amount appropriated, including the retained  
24 amount, is not sufficient to fully fund the adjusted allocation,

1 each independent or dependent public school district eligible for an  
2 adjustment shall receive a proportionate reduction in funding. Any  
3 unused portion of the value of textbooks allowed to a an independent  
4 or dependent public school district shall be cumulative and may be  
5 carried over by the independent or dependent public school district  
6 to subsequent fiscal years, in addition to the allocation it is  
7 entitled to receive during that fiscal year.

8 B. ~~A school district seeking flexibility in the use of state-~~  
9 ~~appropriated funding allocated pursuant to this section for~~  
10 ~~textbooks shall be required to demonstrate to the State Board of~~  
11 ~~Education that the textbooks and instructional materials used by the~~  
12 ~~district for the subject areas being considered in the current~~  
13 ~~textbook adoption cycle are current and appropriate for student~~  
14 ~~learning. Subject to the provisions of subsection E of Section 16-~~  
15 ~~111 of this title, a school district that has received textbook~~  
16 ~~funding flexibility approval from the Board may elect to expend any~~  
17 ~~monies allocated pursuant to this section for textbooks, including~~  
18 ~~any monies carried over as authorized pursuant to subsection A of~~  
19 ~~this section, for any purpose related to the support and maintenance~~  
20 ~~of the school district as determined by the board of education of~~  
21 ~~the school district.~~

22 C. All textbooks distributed to a an independent or dependent  
23 public school district that have been destroyed by fire or other  
24 hazard shall be replaced by the State Board of Education. The total

1 cost of all additional textbooks delivered to independent or  
2 dependent public school districts to replace those destroyed by fire  
3 or other hazard shall not exceed, for the entire state in any fiscal  
4 year, the aggregate sum of One Hundred Thousand Dollars  
5 (\$100,000.00), which sum shall be reserved for that purpose from any  
6 appropriation made to carry out the provision of this section for  
7 any fiscal year.

8 SECTION 3. This act shall become effective July 1, 2019.

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

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