HLS 14RS-2500 ORIGINAL

Regular Session, 2014

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HOUSE BILL NO. 1205

BY REPRESENTATIVE REYNOLDS

TEXTBOOKS/MATERIALS: Provides relative to textbooks and other instructional materials

AN ACT

2 To amend and reenact R.S. 17:7(4), 8(A)(1)(a), (B), and (C), 22(2)(e), 351(A), (B), and 3 (C)(1), and 352(A)(1), relative to textbooks and other instructional materials for use in elementary and secondary schools; to provide relative to textbooks and other 4 5 instructional materials prescribed by the State Board of Elementary and Secondary Education; to provide relative to rules and regulations; to provide relative to 6 7 technical corrections; to provide relative to terminology; and to provide for related 8 matters. 9 Be it enacted by the Legislature of Louisiana: 10 Section 1. R.S. 17:7(4), 8(A)(1)(a), (B), and (C), 22(2)(e), 351(A), (B), and (C)(1), 11 and 352(A)(1) are hereby amended and reenacted to read as follows: 12 §7. Duties, functions, and responsibilities of board 13 In addition to the authorities granted by R.S. 17:6 and any powers, duties, and 14 responsibilities vested by any other applicable laws, the board shall: 15 16 (4) Prescribe and adopt free school books textbooks and other materials of 17 instruction for the children of this state at the elementary and secondary levels and 18 at all other schools and programs under its jurisdiction for which the legislature 19 provides funds, in accordance with law. 20

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§8. School books Textbooks prescribed by board; contracts with publishers

A.(1)(a) The board shall prescribe and adopt and shall exercise control and supervision over the distribution and use of free school books textbooks and other materials of instruction for use in elementary and secondary schools and special schools, as provided by Part IV of this Chapter, and shall adopt necessary rules and regulations governing their use by schools, parish and city school boards public school governing authorities, and parish and city local superintendents of education. Such rules and regulations shall include but not be limited to a requirement that each parish and city school board public school governing authority shall adopt by not later than the beginning of the 1991-1992 school year procedures permitting any public school student to have use, after regular school hours during the week and on weekends, of any school book used to teach reading. Any public school student using any school book pursuant to the provisions of this Subsection shall be responsible for such the school book. These procedures shall not be applicable to basal readers and programs.

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B. The board shall prescribe, and adopt, and shall exercise supervision and control over the distribution and use of school books textbooks and other learning materials, supplies, and equipment for post secondary and vocational-technical schools and programs.

C. Each contract with a publisher for school books textbooks shall be awarded on a competitive basis. Each such contract shall be made for a term to be determined by the State Board of Elementary and Secondary Education. Each contract shall be so made as to authorize the board to terminate it upon ninety days' notice. The procedure for the announcement of school book adoptions, examining books, and awarding contracts shall be under the control of the board and in accordance with any applicable law. The board shall have authority to set and collect fees from publishers participating in state school book adoption procedures.

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1	§22. Superintendent; functions and duties
2	The superintendent shall:
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4	(2) Provide the staff services for the board. In that regard the superintendent
5	shall:
6	* * *
7	(e) Prepare the list of free school books textbooks and other materials of
8	instruction for adoption by the board.
9	* * *
10	PART IV. FREE SCHOOL BOOKS TEXTBOOKS AND OTHER MATERIALS OF
11	INSTRUCTION
12	§351. Free school books textbooks and other materials of instruction
13	A.(1) The State Board of Elementary and Secondary Education shall
14	prescribe and adopt school books textbooks and other materials of instruction, which
15	it shall supply without charge to the children of this state at the elementary and
16	secondary levels out of funds appropriated therefor by the legislature in accordance
17	with the requirements of Article VIII, Section 13(A) of the Constitution of Louisiana.
18	(2) The State Board of Elementary and Secondary Education shall prescribe
19	and adopt those school books textbooks and other materials of instruction which that
20	accurately reflect the contributions and achievements of people of differing races.
21	(3) The State Board of Elementary and Secondary Education shall prescribe
22	and adopt those school books textbooks and other materials of instruction which that
23	promote an understanding of the history and values of the people of the United States
24	and Louisiana, including the free enterprise system, private property, constitutional
25	liberties, democratic values, and traditional standards of moral values.
26	B. The board also shall prescribe and supply schoolbooks textbooks and
27	other materials of instruction for use by students attending vocational-technical
28	schools and programs under the jurisdiction of the board.

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C.(1) The board shall establish rules and procedures for supplying schoolbooks textbooks and other materials of instruction approved by the State Board of Elementary and Secondary Education as required by this Section for children participating in any home study program approved by the board when Such rules and procedures shall include but not be limited to a requirement that any schoolbooks textbooks and other materials of instruction provided pursuant to this Subsection shall be made available only to the child or children of the parent or legal guardian obtaining approval for a home study program. §352. Books, films, other school materials; screening required A.(1) The State Board of Elementary and Secondary Education or the state Department of Education shall take such action as is necessary to assure that all school books textbooks and materials of instruction submitted for state adoption are thoroughly screened, reviewed, and approved as to their content by the State Board of Elementary and Secondary Education and the local parish or city school board concerned public school governing authority.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Reynolds HB No. 1205

Abstract: Provides relative to textbooks and other instructional materials.

<u>Present law</u> provides as follows relative to textbooks and other instructional materials:

- (1) Requires the State Bd. of Elementary and Secondary Education (BESE) to prescribe and adopt school books and other materials of instruction, which it shall supply free of charge to the children of this state at the elementary and secondary levels out of funds appropriated therefor by the legislature in accordance with the requirements of Article VIII, Section 13(A) of the Constitution of La.
- (2) Requires the state superintendent of education to prepare the list of free school books and other materials of instruction for BESE adoption.

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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- (3) Requires that school books and instructional materials adopted accurately reflect the contributions and achievements of people of differing races and promote an understanding of the history and values of the people of the U.S. and La., including the free enterprise system, private property, constitutional liberties, democratic values, and traditional standards of moral values.
- (4) Requires BESE or the state Dept. of Education to assure that all school books and materials of instruction submitted for state adoption are thoroughly screened, reviewed, and approved as to their content by BESE and the local school board.
- (5) Requires BESE to adopt rules and regulations governing the use of school books and other instructional materials by schools, school boards, and local superintendents.
- (6) Requires BESE to establish rules and procedures for supplying school books and other materials of instruction for children participating in approved home study programs when available.
- (7) Requires that contracts with publishers for school books be awarded on a competitive basis and provides that such contacts contain specific provisions relative to termination rights, price controls and stability.

<u>Proposed law</u> refers to "textbooks" rather than "school books" or "schoolbooks" and otherwise retains all of the above <u>present law</u>. Also changes references to "school boards" to "public school governing authorities".

(Amends R.S. 17:7(4), 8(A)(1)(a), (B), and (C), 22(2)(e), 351(A), (B), and (C)(1), and 352(A)(1))