

Regular Session, 2014

SENATE BILL NO. 144

BY SENATOR CROWE

TEXTBOOKS/MATERIALS. Provides relative to the review and adoption of textbooks and other instructional materials. (gov sig)

1 AN ACT  
2 To enact R.S. 17:351.1 and to repeal R.S. 17:415.1, relative to the adoption of textbooks and  
3 other instructional materials by the State Board of Elementary and Secondary  
4 Education; to delete requirements for a physical review process and provide instead  
5 for a digital review process; to provide for review criteria and procedures; to provide  
6 relative to the purchase or acquisition of textbooks and instructional materials by  
7 public schools and school districts; to provide for rules; and to provide for related  
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 17:351.1 is hereby enacted to read as follows:

11 **§351.1. Review and adoption of textbooks and other instructional materials;**  
12 **digital process; requirements**

13 **A.(1) The State Board of Elementary and Secondary Education shall**  
14 **establish a transparent, digital process by which the Department of Education**  
15 **shall review textbooks and other instructional materials to be presented to the**  
16 **board for adoption for use in public elementary and secondary schools.**

17 **(2) All textbooks and other instructional materials adopted by the state**

1 board shall sufficiently support public schools and school districts in meeting  
2 state curriculum and content standards and the requirements of the school and  
3 district accountability system.

4 B.(1) The digital review process for textbooks and other instructional  
5 materials to be presented to the board for adoption shall be conducted entirely  
6 through a website created by the department specifically for this purpose. Every  
7 aspect of the digital review process, including the textbooks and instructional  
8 materials under review and any and all comments submitted by members of a  
9 review committee, parents and other members of the public, and publishers and  
10 other content providers, shall be posted on the website and readily accessible to  
11 all interested parties.

12 (2) The digital review process required by this Section shall, at a  
13 minimum, provide for the following:

14 (a) Criteria and procedures for the evaluation and selection of textbooks  
15 and other instructional materials that ensure that all textbooks and  
16 instructional materials presented to the state board for adoption are aligned  
17 with state curriculum and content standards and the requirements of the school  
18 and district accountability system.

19 (b) Guidelines and time lines for the submission, review, comment,  
20 consideration, and adoption of textbooks and other instructional materials.

21 (c) Establishment of review committees composed of teachers,  
22 educators, parents, and other educational stakeholders who have interest in or  
23 knowledge of curriculum and the subject matter under consideration.

24 (d)(i) The opportunity for parents and the public to view all textbooks  
25 and instructional materials under review and submit comments for review  
26 committee and state board consideration. A read-only copy of all textbooks and  
27 instructional materials under review shall be placed on the department's  
28 website and made readily available for this purpose.

29 (ii) The opportunity for publishers and other content providers to

1 **submit comments in response to any review committee evaluation.**

2 **(iii) All comments submitted to a review committee shall be posted to the**  
3 **website for ready access by the state board and any other interested party.**

4 **(e) A requirement that all textbooks and instructional materials**  
5 **submitted for review and adoption by the board shall also be supplied in an**  
6 **electronic format that meets the National Instructional Materials Accessibility**  
7 **Standards and can be converted into specialized formats for children with**  
8 **disabilities and from which Braille and large-print textbooks can be produced**  
9 **for blind and visually impaired students.**

10 **C. Nothing in this Section shall be construed as prohibiting a public**  
11 **school or school district from purchasing or otherwise acquiring textbooks and**  
12 **instructional materials that are not included in the lists approved by the State**  
13 **Board of Elementary and Secondary Education, provided the use of such**  
14 **textbooks and instructional materials is not prohibited by law or state board**  
15 **regulation.**

16 **D. The State Board of Elementary and Secondary Education shall**  
17 **promulgate rules in accordance with the Administrative Procedure Act to**  
18 **implement the provisions of this Section.**

19 Section 2. R.S. 17:415.1 is hereby repealed.

20 Section 3. This Act shall become effective upon signature by the governor or, if not  
21 signed by the governor, upon expiration of the time for bills to become law without signature  
22 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
23 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
24 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Jeanne C. Johnston.

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#### DIGEST

Crowe (SB 144)

Present law, in accordance with Article VIII, Section 13(A) of the La. Constitution, requires the State Board of Elementary and Secondary Education (BESE) to prescribe and adopt free

textbooks and other instructional materials for use in public elementary and secondary schools.

Proposed law retains present law.

Present law (R.S. 17:415.1) provides for the process by which textbooks and other instructional materials are to be submitted, reviewed, evaluated, and presented to BESE for adoption. Present law contemplates a physical process that includes meetings, written and oral public comment, and placement of hard copies of all textbooks and instructional materials under review in specified libraries across the state.

Proposed law repeals present law and instead provides for a transparent, digital process by which to review textbooks and other instructional materials to be presented to BESE for adoption as follows:

- (1) All textbooks and other instructional materials adopted by BESE shall sufficiently support public schools and school districts in meeting state curriculum and content standards and the requirements of the school and district accountability system.
- (2) The digital review process for textbooks and other instructional materials to be presented to BESE for adoption shall be conducted entirely through a website created by the department specifically for this purpose.
- (3) Every aspect of the digital review process, including the textbooks and instructional materials under review and any and all comments submitted by members of a review committee, parents and other members of the public, and publishers and other content providers shall be posted on the website and readily accessible to all interested parties.
- (4) The digital review process shall, at a minimum, provide for the following:
  - (a) Criteria and procedures for the evaluation and selection of textbooks and other instructional materials that ensure that all textbooks and instructional materials presented to the board for adoption are aligned with state curriculum and content standards and the requirements of the school and district accountability system.
  - (b) Guidelines and time lines for the submission, review, comment, consideration, and adoption of textbooks and other instructional materials.
  - (c) Establishment of review committees composed of teachers, educators, parents, and other educational stakeholders who have interest in or knowledge of curriculum and the subject matter under consideration.
  - (d) The opportunity for parents and the public to view all textbooks and instructional materials under review and submit comments for review committee and state board consideration. Further provides that a read-only copy of all textbooks and instructional materials under review shall be placed on the department's website and made readily available for this purpose.
  - (e) The opportunity for publishers and other content providers to submit comments in response to any review committee evaluation.
  - (f) All comments submitted to a review committee shall be posted to the website for ready access by the state board and any other interested party.
  - (g) A requirement that all textbooks and instructional materials submitted for review and adoption by the board shall also be supplied in an electronic

format that meets the National Instructional Materials Accessibility Standards and can be converted into specialized formats for children with disabilities and from which Braille and large-print textbooks can be produced for blind and visually impaired students.

- (5) Provides that nothing in proposed law shall be construed as prohibiting a public school or school district from purchasing or otherwise acquiring textbooks and instructional materials that are not included in the lists approved by the BESE, provided the use of such textbooks and instructional materials is not prohibited by law or state board regulation.
- (6) Requires BESE to promulgate rules in accordance with the Administrative Procedure Act to implement proposed law.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 17:351.1; repeals R.S. 17:415.1)