

1 State of Arkansas
2 84th General Assembly
3 Second Extraordinary Session, 2003
4

Call Item4

A Bill

SENATE BILL 45

5 By: Senators Bisbee, J. Bookout, Capps, Critcher, T. Smith, Trusty
6 By: Representatives Anderson, P. Bookout, Childers, Harris, Jackson, Mathis, Medley, Pace, Rosenbaum
7

For An Act To Be Entitled

10 AN ACT TO REQUIRE THE ADOPTION OF UNIFORM
11 TEXTBOOKS TO BE USED IN ARKANSAS PUBLIC SCHOOLS;
12 AND FOR OTHER PURPOSES.

Subtitle

15 AN ACT TO REQUIRE THE ADOPTION OF
16 UNIFORM TEXTBOOKS TO BE USED IN ARKANSAS
17 PUBLIC SCHOOLS.
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. Arkansas Code § 6-21-403 is amended to read as follows:
23 6-21-403. Requirements generally.

24 (a) Public school districts shall provide textbooks and other
25 instructional materials for all pupils attending the public schools of this
26 state in grades kindergarten through twelve (K-12), inclusive, in all
27 subjects taught in those grades, without cost to the pupils.

28 (b) ~~School~~ Except as provided under § 6-21-405(e), school districts
29 may select their own textbooks or instructional materials, or districts may
30 select from the recommended state-approved list.

31 (c) Any materials purchased with state funds shall be consistent with
32 the curriculum and educational goals established by the State Board of
33 Education.
34

35 SECTION 2. Arkansas Code § 6-21-404 is amended to read as follows:
36 6-21-404. Duties of State Board of Education generally.



1 (a) The State Board of Education is authorized and empowered to:

2 (1) Make rules and regulations to implement this subchapter and
 3 to provide for a statewide textbook selection committee;

4 (2) Require reports from school districts on the use and
 5 distribution of these items; and

6 (3) Do whatever else may be necessary for the general welfare of
 7 the public school textbook and instructional materials system in order to
 8 acquire the items at the lowest possible cost.

9 (b)(1) Beginning with the 2004-2005 school year, the State Board shall
 10 adopt a uniform list as required under §6-21-405(a) of textbooks to provide
 11 for a single common textbook for use in:

12 (A) Each of the thirty-eight (38) classes required to be
 13 offered to students in grades nine through twelve (9-12) under the Arkansas
 14 Standards of Accreditation in Arkansas Public Schools; and

15 (B) Reading, English, and math classes offered to students
 16 in grades kindergarten through eight (K-8).

17 (2) As uniform textbooks are adopted, the requirement for school
 18 districts to use the textbooks shall be incorporated into Arkansas Standards
 19 of Accreditation in Arkansas Public Schools.

20 ~~(b)(c)~~ The powers enumerated in this section are cumulative and not
 21 restrictive.

22 ~~(e)-(1)-(d)(1)~~ The state board shall have power to include any
 23 additional regulations in the bid and contract form that the state board
 24 deems best for the administration of this subchapter.

25 (2) Any regulations included in the bid and contract forms and
 26 accepted by the publisher shall be construed as a part of this subchapter.

27 (3) Publishers shall be required to comply with the additional
 28 regulations as if they were included in this subchapter.

29 ~~(d)-(e)~~ Publishers must sell their materials at the same price to all
 30 schools and districts in the state and must guarantee that price for the life
 31 of a state adoption cycle.

32
 33 SECTION 3. Arkansas Code § 6-21-405 is amended to read as follows:

34 6-21-405. Determination of recommended instructional materials.

35 (a) By March 15 of each year, the Department of Education shall
 36 prepare and distribute to school districts a:

1 (1) Recommended list of books, series of books, and other
 2 instructional materials for all subjects required by the Arkansas Standards
 3 for Accreditation;

4 (2) List of mandatory uniform books, series of books, and other
 5 instructional materials for no fewer than three (3) subjects required by the
 6 Arkansas Standards for Accreditation with three (3) additional subjects added
 7 each school year until all textbooks for all subjects required by the
 8 Arkansas Standards for Accreditation for grades eight through twelve (8-12)
 9 are listed; and

10 (3) List of mandatory, uniform books, series of books, and other
 11 instructional materials for reading, English, or math in grades kindergarten
 12 through eight (K-8) for no fewer than one (1) subject at three (3) grade
 13 levels with one (1) additional subject at three (3) additional grade levels
 14 to be added each school year until a uniform textbook for all three (3)
 15 subjects at each grade level is adopted.

16 (b) ~~School~~ Except as required in subsection (e) of this section with
 17 respect to uniform textbooks, school districts may elect to purchase
 18 instructional materials from the state-recommended list, or districts may
 19 select other instructional materials.

20 (c) If a school district selects other instructional material not
 21 recommended by the state, the district shall certify to the department by
 22 June of each year which instructional materials the district wishes to
 23 purchase by state contract from the state-recommended list.

24 (d) If a school district selects other instructional materials not
 25 recommended by the state, the district may purchase such materials outside
 26 any state contract.

27 (e) School districts shall use uniform textbooks adopted by the State
 28 Board of Education under subsection (b) of this section.

29 (f) The textbook list shall be adopted pursuant to the state textbook
 30 adoption cycle as established by the State Board of Education.

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 32 SECTION 4. Arkansas Code § 6-21-411 is amended to read as
 33 follows:

34 6-21-411. Tax exemption.

35 No textbooks, library books, or other items purchased by ~~the state to~~
 36 ~~be distributed free to the public schools of Arkansas~~ school districts and

1 included on the uniform textbook list under §6-21-405(a)(2) and (3) pursuant
2 to this subchapter shall be subject to the Arkansas gross receipts tax or the
3 Arkansas compensating tax.

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