

1 State of Arkansas *As Engrossed: S12/31/03* Call Item4
2 84th General Assembly **A Bill**
3 Second Extraordinary Session, 2003 SENATE BILL 45
4

5 By: Senators Bisbee, J. Bookout, Capps, Critcher, T. Smith, Trusty
6 By: Representatives Anderson, P. Bookout, Childers, Harris, Jackson, Mathis, Medley, Pace,
7 Rosenbaum, *Walters*
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10 **For An Act To Be Entitled**

11 AN ACT TO REQUIRE THE ADOPTION OF UNIFORM
12 TEXTBOOKS TO BE USED IN ARKANSAS PUBLIC SCHOOLS;
13 AND FOR OTHER PURPOSES.
14

15 **Subtitle**

16 AN ACT TO REQUIRE THE ADOPTION OF
17 UNIFORM TEXTBOOKS TO BE USED IN ARKANSAS
18 PUBLIC SCHOOLS.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 6-21-403 is amended to read as follows:
24 6-21-403. Requirements generally.

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

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

32 (c) Any materials purchased with state funds shall be consistent with
33 the curriculum and educational goals established by the State Board of
34 Education.
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36 SECTION 2. Arkansas Code § 6-21-404 is amended to read as follows:



1 6-21-404. Duties of State Board of Education generally.

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

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

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

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

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

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

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

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

21 (3) The State Board may approve nonuniform textbooks for use in
22 alterative learning environments or for any learning environment involving
23 nontraditional pedagogies.

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

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

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

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

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

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

2 6-21-405. Determination of recommended instructional materials.

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

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

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

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

20 (4)(A) List of approved nonuniform textbooks for use in
21 alterative learning environments or for any learning environment involving
22 nontraditional pedagogies.

23 (B) The list of nonuniform textbooks may updated
24 throughout the school year.

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

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

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

36 (e) School districts shall use uniform textbooks adopted by the State

1 Board of Education under 6-21-404(b).

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

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

7 6-21-411. Tax exemption.

8 No textbooks, library books, or other items purchased by ~~the state to~~
9 ~~be distributed free to the public schools of Arkansas~~ school districts and
10 included on the uniform textbook list under §6-21-405(a)(2) and (3) pursuant
11 to this subchapter shall be subject to the Arkansas gross receipts tax or the
12 Arkansas compensating tax.

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14 SECTION 5. This act shall not be construed to limit in any way
15 the use of additional instructional materials, books, or textbooks that a
16 teacher may select to complement the uniform textbooks adopted under this
17 act.

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19 /s/ Bisbee
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