

1                                   A bill to be entitled  
2           An act relating to instructional materials;  
3           amending s. 230.23, F.S.; prescribing duty of  
4           school boards to provide instructional  
5           materials; amending s. 233.09, F.S.; amending  
6           existing notice requirements and eliminating  
7           the requirements for providing weighted and  
8           unweighted aggregations; amending s. 233.16,  
9           F.S.; changing the reference from the  
10          Department of Education to the Commissioner of  
11          Education with respect to certain duties in  
12          selecting and adopting instructional materials;  
13          eliminating a condition for rejecting bids;  
14          amending s. 233.17, F.S.; changing the term of  
15          adoption for instructional materials;  
16          eliminating the optional escalator clause in  
17          certain contracts; amending s. 233.22, F.S.;  
18          requiring the superintendent of a school  
19          district to requisition certain materials;  
20          allowing the superintendent of a school  
21          district to requisition certain materials;  
22          amending s. 233.25, F.S.; requiring publishers  
23          and manufacturers to retain instructional  
24          materials in a depository for a specified  
25          period of time and to ensure the availability  
26          of materials; authorizing the Commissioner of  
27          Education to accept certain submissions under  
28          certain circumstances; amending s. 233.34,  
29          F.S.; requiring school districts to purchase  
30          instructional materials in core courses of  
31          subject areas within a specified time; allowing

1 school districts to make certain purchases when  
2 authorized in the General Appropriations Act;  
3 changing dates for authorized purchase orders;  
4 amending s. 233.37, F.S.; providing for the  
5 disposal of unserviceable instructional  
6 materials and those no longer on state  
7 contract; eliminating contracts between the  
8 Department of Education and recycling firms;  
9 authorizing the district school board to  
10 prescribe policies for destroying instructional  
11 materials; requiring that certain moneys be  
12 deposited in the district school fund and added  
13 to the district appropriation for instructional  
14 materials; repealing s. 233.38, F.S., relating  
15 to the exchange of textbooks by school  
16 districts; amending s. 233.43, F.S.; requiring  
17 district school board policies to include the  
18 superintendent's responsibilities for keeping  
19 records pursuant to s. 233.46(4), F.S.;  
20 establishing notification requirements for  
21 superintendents; requiring reports; amending s.  
22 233.46, F.S.; adding a responsibility for  
23 principals; requiring policies by district  
24 school boards related to lost or damaged books;  
25 requiring a report by the Department of  
26 Education; requiring that the Executive Office  
27 of the Governor and the Secretary of State  
28 renegotiate existing contracts for certain  
29 instructional materials; amending s. 230.23025,  
30 F.S.; requiring that administrative and  
31 instructional technology be included in the

1 review of best financial management practices;  
2 amending s. 233.07, F.S.; providing for more  
3 members on the state committees; providing for  
4 geographical representation; creating s.  
5 233.66, F.S.; authorizing the Commissioner of  
6 Education to take certain actions; creating  
7 additional responsibilities for publishers;  
8 providing an effective date.  
9

10 Be It Enacted by the Legislature of the State of Florida:

11  
12 Section 1. Subsection (7) of section 230.23, Florida  
13 Statutes, is amended to read:

14 230.23 Powers and duties of school board.--The school  
15 board, acting as a board, shall exercise all powers and  
16 perform all duties listed below:

17 (7) COURSES OF STUDY AND OTHER INSTRUCTIONAL MATERIALS  
18 ~~AIDS~~--Provide adequate instructional materials ~~aids~~ for all  
19 children as follows and in accordance with the requirements of  
20 chapter 233. For purposes of this subsection, the term  
21 "adequate instructional materials" means a sufficient number  
22 of textbooks or sets of materials serving as the basis for  
23 instruction for each student in the core courses of  
24 mathematics, language arts, social studies, science, reading,  
25 and literature, except for instruction for which the school  
26 advisory council approves the use of a program that does not  
27 include a textbook as a major tool of instruction.

28 (a) Courses of study; adoption.--Adopt courses of  
29 study for use in the schools of the district.

30 (b) Textbooks.--Provide for proper requisitioning,  
31 distribution, accounting, storage, care, and use of all

1 instructional materials furnished by the state and furnish  
2 such other instructional materials as may be needed. The  
3 school board is responsible for assuring that instructional  
4 materials used in the district are consistent with the  
5 district goals and objectives and the curriculum frameworks  
6 approved by the State Board of Education, as well as with the  
7 state and district performance standards provided for in ss.  
8 229.565 and 232.2454.

9 (c) Other instructional materials ~~aids~~.--Provide such  
10 other teaching accessories and aids as are needed to carry out  
11 the program.

12 (d) School library media services; establishment and  
13 maintenance.--Establish and maintain school library media  
14 centers, or school library media centers open to the public,  
15 and, in addition thereto, such traveling or circulating  
16 libraries as may be needed for the proper operation of the  
17 district school system. Establish and maintain a program of  
18 school library media services for all public schools.

19 Section 2. Subsection (1) and paragraphs (f) and (g)  
20 of subsection (4) of section 233.09, Florida Statutes, are  
21 amended to read:

22 233.09 Duties of each state instructional materials  
23 committee.--The duties of each state instructional materials  
24 committee shall be:

25 (1) PLACE AND TIME OF MEETING.--To meet at the call of  
26 the Commissioner of Education, at a place in the state  
27 designated by him or her, and to remain there in session for a  
28 period of time, not to exceed 20 days, for the purpose of  
29 evaluating and recommending instructional materials for  
30 adoption by the state. All meetings of state instructional  
31 materials committees shall be announced publicly through the

1 news media of the state and in the Florida Administrative  
2 Weekly at least 2 weeks prior to the date of convening. ~~The~~  
3 ~~announcement of the meeting shall include the agenda of the~~  
4 ~~meeting.~~ All meetings of the committees shall be open to the  
5 public.

6 (4) EVALUATION OF INSTRUCTIONAL MATERIALS.--To  
7 evaluate carefully all instructional materials submitted, to  
8 ascertain which instructional materials, if any, submitted for  
9 consideration best implement the selection criteria developed  
10 by the Commissioner of Education and those curricular  
11 objectives included within applicable performance standards  
12 provided for in s. 229.565.

13 (f) When recommending instructional materials for use  
14 in the schools, each committee shall have the recommendations  
15 of all districts which submit evaluations on the materials  
16 submitted for adoption in that particular subject area  
17 aggregated and presented to the members to aid them in the  
18 selection process. ~~; however, such aggregation shall be~~  
19 ~~weighted in accordance with the full-time equivalent student~~  
20 ~~percentage of each district. Each committee shall prepare an~~  
21 ~~additional aggregation, unweighted, with Each district~~  
22 ~~recommendation must be given equal consideration. No~~  
23 ~~Instructional materials may not shall be evaluated or~~  
24 ~~recommended for adoption unless each of the district~~  
25 ~~committees has shall have been loaned the specified number of~~  
26 ~~samples.~~

27 ~~(g) In addition to relying on statements of publishers~~  
28 ~~or manufacturers of instructional material, any committee may~~  
29 ~~conduct, or cause to be conducted, an independent~~  
30 ~~investigation as to the compliance of submitted materials with~~  
31 ~~the requirements of this section.~~

1           Section 3. Subsection (2) of section 233.16, Florida  
2 Statutes, is amended to read:

3           233.16 Powers and duties of Department of Education in  
4 selecting and adopting instructional materials.--The powers  
5 and duties of the Department of Education in selecting and  
6 adopting instructional materials shall be:

7           (2) SELECTION AND ADOPTION OF INSTRUCTIONAL  
8 MATERIALS.--The Department of Education shall notify all  
9 publishers or manufacturers of instructional materials who  
10 have submitted bids that within 3 weeks after the deadline for  
11 receiving bids, at a designated time and place, it will open  
12 bids and proposals which have been submitted and deposited  
13 with the Department of Education. At the time and place  
14 designated, the bids or proposals shall be opened, read, and  
15 tabulated in the presence of the bidders or their  
16 representatives. No one may revise his or her bid after the  
17 bids have been filed. When all bids or proposals have been  
18 carefully considered, the Commissioner of Education ~~department~~  
19 shall, from the list of suitable, usable, and desirable  
20 instructional materials reported by the state instructional  
21 materials committee, select and adopt instructional materials  
22 for each grade and subject field in the curriculum of public  
23 elementary and secondary schools in the state in which  
24 adoptions are made and in the subject areas designated in the  
25 advertisement, which adoption shall continue for the period  
26 specified in the advertisement, to begin on the ensuing April  
27 1. Such adoption shall not prevent the extension of a  
28 contract as provided in subsection (3). The Commissioner of  
29 Education ~~department~~ shall always reserve ~~to itself~~ the right  
30 to reject any and all bids or proposals ~~if it is of the~~  
31 ~~opinion that any or all bids, for any reason, should be~~

1 ~~rejected~~. The Commissioner of Education ~~department~~ may ask for  
2 new sealed bids from publishers or manufacturers whose  
3 instructional materials were recommended by the state  
4 instructional materials committee as suitable, usable, and  
5 desirable; specify the dates for filing such bids and the date  
6 on which they shall be opened; and proceed in all matters  
7 regarding the opening of bids and the awarding of contracts as  
8 required by the terms and provisions of this chapter. In all  
9 cases, bids or proposals shall be accompanied by a cash  
10 deposit or certified check of from \$500 to \$2,500, as the  
11 Commissioner of Education ~~department~~ may direct. The  
12 department, in adopting instructional materials, shall give  
13 due consideration both to the prices bid for furnishing  
14 instructional materials and to the report and recommendations  
15 of the state instructional materials committee. When the  
16 Commissioner of Education ~~department~~ has finished with the  
17 report of the state instructional materials committee, the  
18 report shall be filed and preserved in the office of the  
19 Department of Education and shall be available at all times  
20 for public inspection.

21 Section 4. Section 233.17, Florida Statutes, is  
22 amended to read:

23 233.17 Term of adoption for instructional materials.--

24 (1) The term of adoption of any instructional  
25 materials must be a 6-year ~~an 8-year~~ period beginning on April  
26 1 following the adoption, ~~except for the core subject areas~~  
27 ~~which include mathematics, science, social studies, reading,~~  
28 ~~and literature which shall be for a term not to exceed 6 years~~  
29 ~~beginning on April 1 following the adoption.~~ Any contract for  
30 instructional materials may be extended as prescribed in s.  
31 233.16(3). The Commissioner of Education may approve terms of

1 adoption of less than 8 years for materials in content areas  
2 which require more frequent revision.

3 ~~(2) Any contract placing an instructional material on~~  
4 ~~adoption for 4 or more years shall provide that a publisher or~~  
5 ~~manufacturer of instructional materials may, at the end of the~~  
6 ~~third year during the term of the contract, upon giving 60~~  
7 ~~days' notification, increase such contract price to the~~  
8 ~~publisher's or manufacturer's then-current lowest wholesale~~  
9 ~~price at which the materials are then being offered to any~~  
10 ~~state or school district in the United States, except that~~  
11 ~~such adjustment shall not exceed the percentage by which the~~  
12 ~~consumer price index as determined by the United States~~  
13 ~~Department of Labor has increased during the time the contract~~  
14 ~~has been in force. Such price increase shall remain in effect~~  
15 ~~for the remaining term of the contract, unless the contract~~  
16 ~~price is increased as permitted above.~~

17 (2)~~(3)~~ The department shall publish annually an  
18 official schedule of subject areas to be called for adoption  
19 for each of the succeeding 2 years, and a tentative schedule  
20 for years 3, 4, 5, and 6. If extenuating circumstances  
21 warrant, the Commissioner of Education may order the  
22 department to add one or more subject areas to the official  
23 schedule, in which event the commissioner shall develop  
24 criteria for such additional subject area or areas pursuant to  
25 s. 229.512(18) and make them available to publishers as soon  
26 as practicable. Notwithstanding the provisions of s.  
27 229.512(18), the criteria for such additional subject area or  
28 areas may be provided to publishers less than 24 months before  
29 the date on which bids are due. The schedule shall be  
30 developed so as to promote balance among the subject areas so  
31 that the required expenditure for new instructional materials



1 is approximately the same each year in order to maintain  
2 curricular consistency.

3 Section 5. Section 233.22, Florida Statutes, is  
4 amended to read:

5 233.22 Requisition of instructional materials from  
6 publisher's depository.--

7 (1) The superintendent shall requisition adopted  
8 instructional materials from the depository of the publisher  
9 with whom a contract has been made. However, the  
10 superintendent shall requisition current instructional  
11 materials to provide each student with a textbook or other  
12 materials as a major tool of instruction in core courses of  
13 the subject areas specified in s. 233.34(2). These materials  
14 must be requisitioned within the first 2 years of the adoption  
15 cycle, except for instructional materials related to growth of  
16 student membership or instructional-materials-maintenance  
17 needs. The superintendent may requisition instructional  
18 materials in the core subject areas specified in s. 233.34(2)  
19 that are related to growth of student membership or  
20 instructional-materials-maintenance needs during the 3rd, 4th,  
21 5th, and 6th years of the original contract period.

22 (2) The superintendent shall verify that such  
23 requisition is complete and accurate and order the depository  
24 to forward to him or her the adopted instructional materials  
25 shown by the requisition. The depository shall prepare an  
26 invoice of the materials shipped, including shipping charges,  
27 and mail it to the superintendent to whom the shipment is  
28 being made. The superintendent shall pay the depository within  
29 60 days after receipt of the requisitioned materials from the  
30 appropriation for the purchase of adopted instructional  
31 materials.

1           Section 6. Subsections (8) and (12) of section 233.25,  
2 Florida Statutes, are amended, present subsections (13) and  
3 (14) of that section are redesignated as subsections (16) and  
4 (17), respectively, and new subsections (13), (14), and (15)  
5 are added to that section, to read:

6           233.25 Duties, responsibilities, and requirements of  
7 publishers and manufacturers of instructional  
8 materials.--Publishers and manufacturers of instructional  
9 materials, or their representatives, shall:

10           (8) Provide any instructional materials free of charge  
11 in the state to the same extent as that received by any state  
12 or school district in the United States. The commissioner may  
13 accept submissions that include a charge for ancillary  
14 materials provided free of charge in other states' contracts  
15 if the publisher reduces the total program cost to state  
16 school districts.

17           (12) ~~Maintain~~<sup>or contract with</sup> a depository in the  
18 state ~~and maintain there an inventory sufficient to receive~~  
19 ~~and fill orders for instructional materials.~~

20           (13) For the core subject areas specified in s.  
21 233.34(2), maintain in the depository for the first 2 years of  
22 the contract an inventory of instructional materials which is  
23 sufficient to receive and fill orders.

24           (14) For the core subject areas specified in s.  
25 233.34(2), ensure the availability of an inventory sufficient  
26 to receive and fill orders for instructional materials for  
27 growth, including the opening of a new school, and replacement  
28 during the 3rd, 4th, 5th, and 6th years of the original  
29 contract period.

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1           (15) For all other subject areas, maintain in the  
2 depository an inventory of instructional materials which is  
3 sufficient to receive and fill orders.

4           Section 7. Section 233.34, Florida Statutes, is  
5 amended to read:

6           233.34 Use of instructional materials allocation;  
7 instructional materials, library books, and reference books;  
8 repair of books; exceptions.--

9           (1) On or before July 1 each year, the commissioner  
10 shall certify to the superintendent of each district the  
11 estimated allocation of state funds for instructional  
12 materials, computed pursuant to the provisions of chapter 236  
13 for the ensuing fiscal year.

14           (2)(a) Each school district must purchase current  
15 instructional materials to provide each student with a  
16 textbook or other instructional materials as a major tool of  
17 instruction in core courses of the subject areas of  
18 mathematics, language arts, science, social studies, reading,  
19 and literature for kindergarten through grade 12. Such  
20 purchase must be made within the first 2 years of the  
21 effective date of the adoption cycle.

22           (b) The requirement in paragraph (a) does not apply to  
23 contracts in existence before April 1, 2000, or to a purchase  
24 related to growth of student membership in the district or for  
25 instructional-materials-maintenance needs.

26           (c) Any school district that meets the requirement in  
27 paragraph (a) may use at least 5 percent of public school  
28 technology funds to purchase electronic book readers when  
29 authorized to do so in the General Appropriations Act.

30           (3)(a)+2) Each school district shall use the annual  
31 allocation for the purchase of instructional materials

1 included on the state-adopted list. No less than 50 percent  
2 of the annual allocation shall be used to purchase items which  
3 will be used to provide instruction to students at the level  
4 or levels for which the materials are designed.

5 (b) However, up to 50 percent of the annual allocation  
6 may be used for the purchase of instructional materials,  
7 including library and reference books and nonprint materials,  
8 not included on the state-adopted list and for the repair and  
9 renovation of textbooks and library books.

10 (c) Notwithstanding the provisions of this subsection,  
11 school districts may use 100 percent of that portion of the  
12 annual allocation which is designated by the district for the  
13 purchase of instructional materials for kindergarten, and 75  
14 percent of that portion of the annual allocation which is  
15 designated for the purchase of instructional materials for  
16 first grade, to purchase materials not on the state-adopted  
17 list.

18 (4)~~(3)~~ Notwithstanding the definition of instructional  
19 materials in s. 233.07(4), the funds described in subsection  
20 ~~(3)~~(2) which school districts may use to purchase materials  
21 not on the state adopted list may be used for the purchase of  
22 instructional materials or other items having intellectual  
23 content which assist in the instruction of a subject or  
24 course. These items may be available in bound, unbound, kit,  
25 or package form and may consist of hardbacked or softbacked  
26 textbooks, replacements for items which were part of  
27 previously purchased instructional materials, consumables,  
28 learning laboratories, manipulatives, electronic media,  
29 computer courseware or software, and other commonly accepted  
30 instructional tools as prescribed by school board policy. The  
31 funds available to school districts for the purchase of

1 materials not on the state adopted list may not be used to  
2 purchase electronic or computer hardware even if such hardware  
3 is bundled with software or other electronic media, nor may  
4 such funds be used to purchase equipment or supplies. However,  
5 when authorized to do so in the General Appropriations Act, a  
6 school or school district may use a portion of the funds  
7 available to it for the purchase of materials not on the state  
8 adopted list to purchase science laboratory materials and  
9 supplies.

10 (5)~~(4)~~ Each district school board shall adopt  
11 policies, and each superintendent shall implement procedures,  
12 that will assure the maximum use by the students of the  
13 materials herein authorized.

14 (6)~~(5)~~ District school boards are authorized to issue  
15 purchase orders subsequent to February 1 ~~March 15~~ in an  
16 aggregate amount that ~~which~~ does not exceed 20 percent of the  
17 current year's allocation, and subsequent to April ~~May~~ 1 in an  
18 aggregate amount that ~~which~~ does not exceed 90 percent of the  
19 current year's allocation, for the purpose of expediting the  
20 delivery of instructional materials which are to be paid for  
21 from the ensuing year's allocation.

22 (7)~~(6)~~ In any year in which the total allocation for a  
23 district has not been expended or obligated prior to June 30,  
24 the district shall carry forward such unobligated amount and  
25 shall add this amount to the next year's allocation.

26 Section 8. Section 233.37, Florida Statutes, is  
27 amended to read:

28 233.37 Disposal of instructional materials.--

29 (1) Under policy ~~rules of the commissioner, or rules~~  
30 of the district school board ~~which have been approved by the~~  
31 ~~commissioner~~, the district ~~school board~~ may dispose of the

1 instructional materials ~~of an old adoption~~ when they have  
2 become unserviceable or surplus or are no longer on state  
3 contract by:

4 (a) Giving or lending the materials to other public  
5 education programs within the district or state, to the  
6 teachers to use in developing supplementary teaching  
7 materials, to students or others, or to any charitable  
8 organization, governmental agency, private school, or state.

9 (b) Selling the materials to used book dealers,  
10 recycling plants, pulp mills, or other persons, firms, or  
11 corporations upon such terms as are most economically  
12 advantageous to the district school board.

13 (2) The district school board may prescribe by policy  
14 the manner for destroying instructional materials that cannot  
15 be disposed of as provided in subsection (1).

16 (3) All moneys received by reason of sale, exchange,  
17 or other disposition of instructional materials shall be  
18 deposited in the district school fund and added to the  
19 district appropriation for instructional materials. ~~, upon such~~  
20 ~~terms and conditions as will yield their fair salvage value.~~  
21 ~~The Department of Education shall enter into one or more~~  
22 ~~contracts with recycling firms for periodic pickup in school~~  
23 ~~districts of obsolete or unusable materials to be salvaged.~~

24 Section 9. Section 233.38, Florida Statutes, is  
25 repealed.

26 Section 10. Section 233.43, Florida Statutes, is  
27 amended to read:

28 233.43 Duties of superintendent relating to  
29 instructional materials.--

30 (1) The duties and responsibilities of each  
31 superintendent for the requisition, purchase, receipt,

1 storage, distribution, use, conservation, records, and reports  
2 of, and management practices and property accountability  
3 concerning, instructional materials shall be prescribed by  
4 policies of the district school board. Such policies shall  
5 also provide for an evaluation of any instructional materials  
6 to be requisitioned that have not been used previously in the  
7 schools of the district. The duties and responsibilities  
8 include keeping adequate records and accounts for all  
9 financial transactions for funds collected pursuant to s.  
10 233.46(4). Each superintendent shall provide an annual report  
11 on the funds collected from the sale, exchange, loss, or  
12 damage of instructional materials under s. 233.46(4) to the  
13 Department of Education. The Department of Education shall  
14 annually review these reports and compile a report to the  
15 Legislature, including recommendations for any needed changes.

16 (2) Each superintendent shall notify the Department of  
17 Education, by April 1 of each year of those instructional  
18 materials adopted by the Commissioner of Education which will  
19 be requisitioned for use in his or her district. The  
20 notification must include the district plans for  
21 implementation.

22 Section 11. Subsections (1) and (2) of section 233.46,  
23 Florida Statutes, are amended to read:

24 233.46 Duties of principals.--The duties and  
25 responsibilities of principals for instructional materials  
26 management and care include:

27 (1) PROPER USE OF INSTRUCTIONAL MATERIALS.--The  
28 principal is responsible for assuring that instructional  
29 materials are used to provide instruction to students enrolled  
30 at the grade level or levels for which the materials are  
31 designed, pursuant to policies of the school board. The

1 principal is responsible for effectively communicating to  
2 parents the manner in which instructional materials are used  
3 to implement the curricular objectives of the school.

4 (2) MONEY COLLECTED FOR LOST OR DAMAGED BOOKS;  
5 ENFORCEMENT.--It shall be the duty and responsibility of each  
6 principal to collect from each pupil or the pupil's parent the  
7 purchase price of any instructional material the pupil has  
8 lost, destroyed, or unnecessarily damaged and to report and  
9 transmit such amounts so collected to the superintendent. If  
10 such material so lost, destroyed, or damaged has been in  
11 school use for more than 1 year, a sum ranging between 50 and  
12 75 percent of the purchase price of the book shall be  
13 collected. Such sum shall be determined by the physical  
14 condition of the book. The failure to collect such sum upon  
15 reasonable effort by the principal may result in the  
16 suspension of the pupil from participation in extracurricular  
17 activities or satisfaction of the debt by the pupil through  
18 community service activities at the school site as determined  
19 by the principal. The provisions of this subsection must be  
20 included in the policies of the district school board.

21 Section 12. The Department of Education shall review  
22 the contracts used for the core subject areas and prepare a  
23 report that includes recommendations for any needed changes.  
24 The department shall provide a copy of the report to the  
25 President of the Senate, the Speaker of the House of  
26 Representatives, and the minority leader of each house by  
27 January 1, 2001.

28 Section 13. The Executive Office of the Governor and  
29 the Secretary of State shall renegotiate any contracts in  
30 existence on the effective date of this act which provide for  
31



1 instructional materials for the core subject area of science  
2 for kindergarten and for grades 1 through 12.

3 Section 14. Subsection (1) of section 230.23025,  
4 Florida Statutes, is amended to read:

5 230.23025 Best financial management practices;  
6 standards; reviews; designation of districts.--

7 (1) The Office of Program Policy Analysis and  
8 Government Accountability (OPPAGA) and the Office of the  
9 Auditor General are directed to develop a system for reviewing  
10 the financial management practices of school districts. In  
11 this system, OPPAGA and the Auditor General shall jointly  
12 examine district operations to determine whether they meet  
13 "best financial management practices." The best financial  
14 management practices adopted by the Commissioner of Education  
15 may be updated periodically after consultation with the  
16 Legislature, the Governor, the SMART Schools Clearinghouse,  
17 OPPAGA, and the Auditor General. The best financial management  
18 practices, at a minimum, must instill public confidence by  
19 addressing the following areas:

20 (a) Efficient use of resources, use of lottery  
21 proceeds, student transportation and food service operations,  
22 management structures, ~~and~~ personnel systems and benefits, and  
23 administrative and instructional technology;

24 (b) Compliance with generally accepted accounting  
25 principles and state and federal laws relating to financial  
26 management;

27 (c) Performance accountability systems, including  
28 performance measurement reports to the public, internal  
29 auditing, financial auditing, and information made available  
30 to support decisionmaking;

31

1 (d) Cost control systems, including asset, risk, and  
2 financial management, purchasing, and information system  
3 controls.

4 Section 15. Paragraphs (a) and (b) of subsection (1)  
5 of section 233.07, Florida Statutes, are amended to read:

6 233.07 State instructional materials committees.--

7 (1) Each school year, not later than April 15, the  
8 Commissioner of Education shall appoint state instructional  
9 materials committees composed of persons actively engaged in  
10 teaching or in the supervision of teaching in the public  
11 elementary or secondary schools and representing the major  
12 fields and levels in which instructional materials are used in  
13 the public schools of the state and, in addition, lay citizens  
14 not professionally connected with education. There shall be  
15 committees for the recommendation of instructional materials  
16 for the elementary and secondary grades as may be found  
17 necessary by the Commissioner of Education. Committee members  
18 shall receive training pursuant to s. 233.095 in competencies  
19 related to the evaluation and selection of instructional  
20 materials.

21 (a) There shall be nine or more members on each  
22 committee: Four shall be classroom teachers who are certified  
23 in an area directly related to the academic area or level  
24 being considered for adoption, two shall be laypersons, one  
25 shall be a school board member, and two shall be supervisors  
26 of teachers. The committee must have the capacity or expertise  
27 to address the broad racial, ethnic, socioeconomic, and  
28 cultural diversity of the student population of the state.  
29 Personnel selected as teachers of the year at the school,  
30 district, regional, or state level pursuant to the provisions

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1 of the program conducted by the Department of Education shall  
2 be encouraged to serve on instructional materials committees.

3 (b) The membership of each committee must reflect the  
4 broad racial, ethnic, socioeconomic, and cultural diversity of  
5 the state, including balanced representation from the state's  
6 geographic regions.

7 Section 16. Section 233.66, Florida Statutes, is  
8 created to read:

9 233.66 Accuracy of instructional materials.--

10 (1) In addition to relying on statements of publishers  
11 or manufacturers of instructional materials, the Commissioner  
12 of Education may conduct or cause to be conducted an  
13 independent investigation to determine the accuracy of  
14 state-adopted instructional materials.

15 (2) When errors in state-adopted materials are  
16 confirmed, the publisher of the materials shall provide to  
17 each district that has purchased the materials the corrections  
18 in a format approved by the Commissioner of Education.

19 (3) The Commissioner of Education may remove materials  
20 from the list of state-adopted materials if he or she finds  
21 that the content is in error and the publisher refuses to  
22 correct the error when notified by the department.

23 (4) The Commissioner of Education may remove materials  
24 from the list of state-adopted materials at the request of the  
25 publisher if, in his or her opinion, there is no material  
26 impact on the education goals of the state.

27 Section 17. This act shall take effect upon becoming a  
28 law.

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