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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/15/2013	.	
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	.	

Appropriations Subcommittee on Education (Montford) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (1) and subsection (2) of section 1006.28, Florida Statutes, are amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) DISTRICT SCHOOL BOARD.—The district school board has the duty to provide adequate instructional materials for all students in accordance with the requirements of this part. The



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13 term "adequate instructional materials" means a sufficient
14 number of student or site licenses or sets of materials that are
15 available in bound, unbound, kit, or package form and may
16 consist of hardbacked or softbacked textbooks, electronic
17 content, consumables, learning laboratories, manipulatives,
18 electronic media, and computer courseware or software that serve
19 as the basis for instruction for each student in the core
20 courses of mathematics, language arts, social studies, science,
21 reading, and literature. The district school board has the
22 following specific duties:

23 (b) *Instructional materials.*—Provide for proper
24 requisitioning, distribution, accounting, storage, care, and use
25 of all instructional materials and furnish such other
26 instructional materials as may be needed. The district school
27 board shall ensure that instructional materials used in the
28 district are consistent with the district goals and objectives
29 and the course descriptions established in ~~curriculum frameworks~~
30 ~~adopted by~~ rule of the State Board of Education, as well as with
31 the state and district performance standards provided for in s.
32 1001.03(1).

33 (2) DISTRICT SCHOOL SUPERINTENDENT.—

34 (a) The district school superintendent has the duty to
35 recommend such plans for improving, providing, distributing,
36 accounting for, and caring for instructional materials and other
37 instructional aids as will result in general improvement of the
38 district school system, as prescribed in this part, in
39 accordance with adopted district school board rules prescribing
40 the duties and responsibilities of the district school
41 superintendent regarding the requisition, purchase, receipt,



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42 storage, distribution, use, conservation, records, and reports
43 of, and management practices and property accountability
44 concerning, instructional materials, and providing for an
45 evaluation of any instructional materials to be requisitioned
46 that have not been used previously in the district's schools.
47 The district school superintendent must keep adequate records
48 and accounts for all financial transactions for funds collected
49 pursuant to subsection (3), as a component of the educational
50 service delivery scope in a school district best financial
51 management practices review under s. 1008.35.

52 (b) Beginning in the 2013-2014 school year, each district
53 school superintendent shall certify to the department by March
54 31 of each year that all core instructional materials used by
55 the district are aligned with applicable state standards. A list
56 of the state-approved or district-approved core instructional
57 materials that will be used or purchased for use by the school
58 district shall be included in the certification ~~notify the~~
59 ~~department by April 1 of each year the state-adopted~~
60 ~~instructional materials that will be requisitioned for use in~~
61 ~~his or her school district. The notification shall include a~~
62 ~~district school board plan for instructional materials use to~~
63 ~~assist in determining if adequate instructional materials have~~
64 ~~been requisitioned.~~

65 (c) Each principal shall verify that all instructional
66 materials are fully and properly accounted for as prescribed by
67 adopted rules of the district school board.

68 Section 2. Section 1006.282, Florida Statutes, is repealed.

69 Section 3. Section 1006.283, Florida Statutes, is created
70 to read:



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71 1006.283 District school board instructional materials
72 review process.—

73 (1) A school board or consortium of school districts may
74 implement an instructional materials program that includes the
75 review, approval, and purchasing of instructional materials.
76 Beginning in the 2013-2014 school year, the district school
77 superintendent shall certify to the department by March 31 of
78 each year that all core instructional materials used by the
79 district are aligned with applicable state standards. Included
80 in the certification shall be a list of the core instructional
81 materials that will be used or purchased for use by the school
82 district.

83 (2) The school board shall adopt rules implementing the
84 district's instructional materials program which must include,
85 but need not be limited to:

86 (a) Its review and purchase process.

87 (b) Identification of a review cycle for instructional
88 materials.

89 (c) The duties and qualifications of the instructional
90 materials reviewers.

91 (d) The requirements for an affidavit made by a district
92 instructional materials reviewer, which substantially includes
93 the requirements of s. 1006.30.

94 (e) Compliance with s. 1006.32, relating to prohibited
95 acts.

96 (f) A process that certifies the accuracy of instructional
97 materials.

98 (g) The incorporation of applicable requirements of s.
99 1006.38, relating to the duties, responsibilities, and



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100 requirements of publishers of instructional materials.

101 (h) The process by which instructional materials will be
102 purchased, including advertising, bidding, and purchasing
103 requirements.

104 (3) (a) The school board may set and collect fees from
105 publishers participating in the instructional materials approval
106 process. The amount assessed and collected shall be advertised
107 and must be reported to the district school board. The fees may
108 not exceed the fees that are assessed for those materials
109 submitted for review by the state as defined by the State Board
110 of Education. Any fees collected for this process shall be
111 allocated for the support of the review process and maintained
112 in a separate line item for auditing purposes.

113 (b) The fees shall be used to cover the actual cost of
114 substitute teachers for each workday that a member of a school
115 district's instructional staff is absent from his or her
116 assigned duties for the purpose of rendering service as an
117 instructional materials reviewer. In addition, each reviewer may
118 be paid a stipend and is entitled to reimbursement for travel
119 expenses and per diem in accordance with s. 112.061 for actual
120 service in meetings.

121 (4) Instructional materials that have been reviewed by the
122 district instructional materials reviewers and approved must
123 have been determined to align with all applicable state
124 standards pursuant to s. 1003.41 and the requirements in s.
125 1006.31. The school board must annually certify to the
126 department that its all core instructional materials are aligned
127 with all applicable state standards.

128 (5) A publisher that offers instructional materials to a



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129 district school board must provide such materials at a price
130 which, including all costs of electronic transmission, does not
131 exceed the lowest price at which the publisher offers such
132 instructional materials for approval or sale to any state or
133 school district in the United States.

134 (6) A publisher shall reduce automatically the price of the
135 instructional materials to the district school board to the
136 extent that reductions are made elsewhere in the United States.

137 Section 4. Section 1006.29, Florida Statutes, is amended to
138 read:

139 1006.29 Department of Education ~~State~~ instructional
140 materials reviewers.-

141 (1) For purposes of this section, the term "instructional
142 materials" means items that have intellectual content and that,
143 by design, serve as a major tool or for assisting in the
144 instruction of a subject or course.

145 (2)(1)(a) The commissioner shall determine annually the
146 areas in which instructional materials shall be submitted for
147 approval ~~adoption~~, taking into consideration the desires of the
148 district school boards. ~~The commissioner shall also determine~~
149 ~~the number of titles to be adopted in each area.~~

150 (b) ~~By April 15 of each school year,~~ The department
151 ~~commissioner~~ shall appoint five reviewers for each submission by
152 a publisher or district school board ~~three state or national~~
153 ~~experts in the content areas submitted for adoption~~ to review
154 for approval the instructional materials and evaluate the
155 content for alignment with the applicable ~~Next Generation~~
156 ~~Sunshine~~ state standards. ~~These reviewers shall be designated as~~
157 ~~state instructional materials reviewers and shall review~~ The



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158 materials shall be evaluated for the level of instructional
159 support and the accuracy and appropriateness of progression of
160 introduced content. Instructional materials shall be made
161 electronically available to the reviewers. The state review of
162 the instructional materials shall be made by the five reviewers.
163 Two of the reviewers must be professional content experts, two
164 must be K-12 educators who are actively engaged in teaching or
165 in the supervision of teaching in the public elementary, middle,
166 or high schools and represent the major fields and levels in
167 which instructional materials are used in the public schools,
168 and one must be a lay person who is not professionally connected
169 with education. In the event only four reviewers can be
170 procured, or if one of the five reviewers is unable to fulfill
171 his or her responsibilities, the additional reviewer may be a
172 content expert from the department. As part of the review
173 process, each reviewer shall be provided training on the
174 electronic review system. The reviewers shall independently make
175 recommendations to the commissioner regarding materials that
176 should be placed on the list of adopted materials through an
177 electronic feedback review system.

178 (c) The department may assess and collect fees in
179 accordance with s. 1006.34(2). The amount assessed and collected
180 shall be advertised and must be reported to the State Board of
181 Education. Any fees collected for this process shall be
182 allocated for the support of the review process, maintained in a
183 separate account for auditing purposes, and deposited in the
184 department's Operating Trust Fund.

185 (d) Fees collected under paragraph (c) shall be used to
186 cover the cost of the review process including the cost of any



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187 meetings and applicable travel and per diem, and the amount paid
188 by a school district to substitute teachers who fill in for
189 instructional staff that is absent for the purpose of rendering
190 service as an instructional materials reviewer. In addition,
191 each reviewer may be paid a stipend and is entitled to
192 reimbursement for travel expenses and per diem in accordance
193 with s. 112.061 for actual service in meetings ~~The initial~~
194 ~~review of the materials shall be made by only two of the three~~
195 ~~reviewers. If the two reviewers reach different results, the~~
196 ~~third reviewer shall break the tie. The reviewers shall~~
197 ~~independently make recommendations to the commissioner regarding~~
198 ~~materials that should be placed on the list of adopted materials~~
199 ~~through an electronic feedback review system.~~

200 (e) ~~(e)~~ The commissioner shall request each district school
201 superintendent to nominate one classroom teacher or district-
202 level content supervisor to review two or three of the
203 submissions recommended by the department ~~state~~ instructional
204 materials reviewers. School districts shall ensure that these
205 district reviewers are provided with the support and time
206 necessary to accomplish a thorough review of the instructional
207 materials. District reviewers shall independently rate the
208 recommended submissions on the instructional usability of the
209 resources. District reviewers may be paid a stipend and are
210 entitled to reimbursement for travel expenses and per diem in
211 accordance with s. 112.061 for actual service in meetings, if
212 applicable.

213 (3) ~~(2)~~ For purposes of approving materials ~~state adoption~~,
214 the term "instructional materials" means items having
215 intellectual content that by design serve as a major tool or for



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216 assisting in the instruction of a subject or course. These items
217 may be available in bound, unbound, kit, or package form and may
218 consist of hardbacked or softbacked textbooks, electronic
219 content, consumables, learning laboratories, manipulatives,
220 electronic media, and computer courseware or software. A
221 publisher or manufacturer providing instructional materials as a
222 single bundle shall also make the instructional materials
223 available as separate and unbundled items, each priced
224 individually. A publisher shall ~~may~~ also offer sections of
225 ~~state-adopted~~ instructional materials in digital or electronic
226 versions at reduced rates to districts, schools, and teachers.

227 (4) ~~(3)~~ Beginning in the 2015-2016 academic year, all
228 approved ~~adopted~~ instructional materials for students in
229 kindergarten through grade 12 must be provided in an electronic
230 or digital format. For purposes of this section, the term:

231 (a) "Electronic format" means text-based or image-based
232 content in a form that is produced on, published by, and
233 readable on computers or other digital devices and is an
234 electronic version of a printed book, whether or not any printed
235 equivalent exists.

236 (b) "Digital format" means text-based or image-based
237 content in a form that provides the student with various
238 interactive functions; that can be searched, tagged,
239 distributed, and used for individualized and group learning;
240 that includes multimedia content such as video clips,
241 animations, and virtual reality; and that has the ability to be
242 accessed at any time and anywhere.

243
244 The terms do not include electronic or computer hardware even if



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245 such hardware is bundled with software or other electronic
246 media, nor does it include equipment or supplies.

247 (5)~~(4)~~ The department shall develop a training program for
248 persons selected to review submitted ~~as state~~ instructional
249 materials ~~reviewers and school district reviewers~~. The program
250 shall be structured to assist reviewers in developing the skills
251 necessary to make valid, culturally sensitive, and objective
252 decisions regarding the content and rigor of instructional
253 materials. All persons reviewing ~~servicing as~~ instructional
254 materials ~~reviewers~~ must complete the training program prior to
255 beginning the review and selection process.

256 (6) By March 1 of each year, the department shall post on
257 its website a list of department-approved instructional
258 materials and instructional materials approved by other states
259 which align with applicable state standards. The list shall be
260 maintained and updated periodically. The list shall be
261 comprehensive and include sufficient instructional materials or
262 major tools to cover all of the core content areas. The posting
263 must include the purchase price of each product once it is
264 purchased anywhere in the United States. In addition to the
265 posting, the department shall send school district
266 administrators periodic updates to the website. District-
267 approved instructional materials shall also be posted on the
268 website.

269 Section 5. Section 1006.30, Florida Statutes, is amended to
270 read:

271 1006.30 Affidavit of Department of Education ~~state~~
272 instructional materials reviewers.—Before transacting any
273 business, each department ~~state~~ instructional materials reviewer



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274 shall make an affidavit, to be filed with the department, that:

275 (1) The reviewer will faithfully discharge the duties
276 imposed upon him or her.

277 (2) The reviewer has no interest in any publishing or
278 manufacturing organization that produces or sells instructional
279 materials.

280 (3) The reviewer is in no way connected with the
281 distribution of the instructional materials.

282 (4) The reviewer does not have any direct or indirect
283 pecuniary interest in the business or profits of any person
284 engaged in manufacturing, publishing, or selling instructional
285 materials designed for use in the public schools.

286 (5) The reviewer will not accept any emolument or promise
287 of future reward of any kind from any publisher or manufacturer
288 of instructional materials or his or her agent or anyone
289 interested in, or intending to bias his or her judgment in any
290 way in, the selection of any materials to be approved ~~adopted~~.

291 (6) The reviewer understands that it is unlawful to discuss
292 matters relating to instructional materials submitted for
293 approval ~~adoption~~ with any agent of a publisher or manufacturer
294 of instructional materials, either directly or indirectly,
295 except during the period when the publisher or manufacturer is
296 providing a presentation for the reviewer during his or her
297 review of the instructional materials submitted for approval
298 ~~adoption~~.

299 Section 6. Section 1006.31, Florida Statutes, is amended to
300 read:

301 1006.31 Duties of the Department of Education and school
302 district ~~each state~~ instructional materials reviewer.—The duties



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303 of the each state instructional materials reviewer are:

304 (1) PROCEDURES.—To adhere to procedures prescribed by the
305 department or the district for evaluating instructional
306 materials submitted by publishers and manufacturers in each
307 review for approval adoption.

308 (2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To evaluate
309 carefully all instructional materials submitted, in order to
310 ascertain which instructional materials, if any, submitted for
311 consideration implement the selection criteria developed by the
312 department or the district and those curricular objectives
313 included within applicable performance standards provided for in
314 s. 1001.03(1).

315 (a) When evaluating ~~recommending~~ instructional materials
316 for use in the schools, each reviewer shall include only
317 instructional materials ~~that~~ accurately portray the ethnic,
318 socioeconomic, cultural, and racial diversity of our society,
319 including men and women in professional, career, and executive
320 roles, and the role and contributions of the entrepreneur and
321 labor in the total development of this state and the United
322 States.

323 (b) When evaluating ~~recommending~~ instructional materials
324 for use in the schools, each reviewer shall include only
325 materials that accurately portray, whenever appropriate,
326 humankind's place in ecological systems, including the necessity
327 for the protection of our environment and conservation of our
328 natural resources and the effects on the human system of the use
329 of tobacco, alcohol, controlled substances, and other dangerous
330 substances.

331 (c) When evaluating ~~recommending~~ instructional materials



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332 for use in the schools, each reviewer shall require such
333 materials as he or she deems necessary and proper to encourage
334 thrift, fire prevention, and humane treatment of people and
335 animals.

336 (d) When evaluating ~~recommending~~ instructional materials
337 for use in the schools, each reviewer shall require, when
338 appropriate to the comprehension of students, that materials for
339 social science, history, or civics classes contain the
340 Declaration of Independence and the Constitution of the United
341 States. A reviewer may not recommend any instructional materials
342 for use in the schools which contain any matter reflecting
343 unfairly upon persons because of their race, color, creed,
344 national origin, ancestry, gender, or occupation.

345 (e) When evaluating instructional materials, library media,
346 and other reading material for use in the schools, a reviewer
347 shall use the following standards to determine the propriety of
348 the material:

349 1. The age of students who normally could be expected to
350 have access to the material.

351 2. The educational purpose to be served by the material. In
352 considering instructional materials for classroom use, priority
353 shall be given to the selection of materials that encompass the
354 state and district school board performance standards provided
355 for in s. 1001.03(1) and include the instructional objectives
356 contained within the course descriptions established in rule by
357 the State Board of Education.

358 3. The degree to which the material would be supplemented
359 and explained by mature classroom instruction as part of a
360 normal classroom instructional program.



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361 4. The degree to which the material represents the broad
362 racial, ethnic, socioeconomic, and cultural diversity of
363 students in the state.

364
365 Any instructional material containing pornography or otherwise
366 prohibited by s. 847.012 may not be used or made available
367 within any public school.

368 ~~(c)(e)~~ Any Instructional material recommended by a ~~each~~
369 reviewer for use in the schools shall be, to the satisfaction of
370 the ~~each~~ reviewer, accurate, objective, and current and suited
371 to the needs and comprehension of students at their respective
372 grade levels. Reviewers shall consider for adoption materials
373 developed for academically talented students such as those
374 enrolled in advanced placement courses.

375 (3) REPORT OF REVIEWERS.—After a thorough study of all data
376 submitted on each instructional material, to submit an
377 electronic report to the department. The report shall be made
378 public and must include responses to each section of the report
379 format prescribed by the department.

380 Section 7. Section 1006.32, Florida Statutes, is amended to
381 read:

382 1006.32 Prohibited acts.—

383 (1) A publisher or manufacturer of instructional material,
384 or any representative thereof, may not offer to give any
385 emolument, money, or other valuable thing, or any inducement, to
386 any district school board official or department or district
387 ~~state~~ instructional materials reviewer to directly or indirectly
388 introduce, recommend, vote for, or otherwise influence the
389 approval ~~adoption~~ or purchase of any instructional materials.



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390 (2) A district school board official or a department or
391 district state instructional materials reviewer may not solicit
392 or accept any emolument, money, or other valuable thing, or any
393 inducement, to directly or indirectly introduce, recommend, vote
394 for, or otherwise influence the approval adoption or purchase of
395 any instructional material.

396 ~~(3) A district school board or publisher may not~~
397 ~~participate in a pilot program of materials being considered for~~
398 ~~adoption during the 18-month period before the official adoption~~
399 ~~of the materials by the commissioner. Any pilot program during~~
400 ~~the first 2 years of the adoption period must have the prior~~
401 ~~approval of the commissioner.~~

402 (3)-(4) A Any publisher or manufacturer of instructional
403 materials or representative thereof or a any district school
404 board official or department or district state instructional
405 materials reviewer who violates any provision of this section
406 commits a misdemeanor of the second degree, punishable as
407 provided in s. 775.082 or s. 775.083. A Any representative of a
408 publisher or manufacturer who violates any provision of this
409 section, in addition to any other penalty, shall be banned from
410 practicing business in the state for a period of 1 calendar
411 year.

412 (4)-(5) This section does not prohibit any publisher,
413 manufacturer, or agent from supplying, for purposes of
414 examination, necessary sample copies of instructional materials
415 to any district school board official or department or district
416 state instructional materials reviewer.

417 (5)-(6) This section does not prohibit a district school
418 board official or department or district state instructional



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419 materials reviewer from receiving sample copies of instructional
420 materials.

421 ~~(7)~~ (6) This section does not prohibit or restrict a
422 district school board official from receiving royalties or other
423 compensation, other than compensation paid to him or her as
424 commission for negotiating sales to district school boards, from
425 the publisher or manufacturer of instructional materials
426 written, designed, or prepared by such district school board
427 official, ~~and adopted by the commissioner or~~ purchased by any
428 district school board. A ~~No~~ district school board official may
429 not ~~shall be allowed to~~ receive royalties on any materials not
430 ~~on the state-adopted list~~ purchased for use by his or her
431 district school board.

432 ~~(8)~~ (7) A district school superintendent, district school
433 board member, teacher, or other person officially connected with
434 the government or direction of public schools may not receive
435 during the months actually engaged in performing duties under
436 his or her contract any private fee, gratuity, donation, or
437 compensation, in any manner whatsoever, for promoting the sale
438 or exchange of any instructional material, map, or chart in any
439 public school, or be an agent for the sale or the publisher of
440 any instructional material or reference work, or have a direct
441 or indirect pecuniary interest in the introduction of any such
442 instructional material, and any such agency or interest shall
443 disqualify any person so acting or interested from holding any
444 district school board employment whatsoever, and the person
445 commits a misdemeanor of the second degree, punishable as
446 provided in s. 775.082 or s. 775.083; however, this subsection
447 does not prevent the approval ~~adoption~~ of any instructional



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448 material written in whole or in part by a Florida author.

449 Section 8. Section 1006.33, Florida Statutes, is repealed.

450 Section 9. Section 1006.34, Florida Statutes, is amended to
451 read:

452 1006.34 Powers and duties of the State Board of Education
453 ~~commissioner and the department~~ in evaluating selecting and
454 ~~adopting~~ instructional materials.—

455 (1) PROCEDURES FOR EVALUATING INSTRUCTIONAL MATERIALS.—The
456 State Board of Education shall adopt rules prescribing the
457 procedures by which the department shall evaluate instructional
458 materials submitted by publishers and manufacturers in each
459 review for approval adoption. Included in these procedures shall
460 be provisions affording each publisher or manufacturer or his or
461 her representative an opportunity to provide a virtual
462 presentation to the department state instructional materials
463 reviewers on the merits of each instructional material submitted
464 in each review for approval adoption.

465 (2) FEES.—The State Board of Education may set and collect
466 fees from publishers participating in the instructional
467 materials approval process who request a review of their
468 submitted materials by the department. The fees set by the State
469 Board of Education shall specify the amount that may be
470 collected by the department per submission from publishers for
471 review. The fees may not exceed the actual costs necessary to
472 support the cost of reviewing instructional materials,
473 including, but not limited to, the costs associated with
474 reviewers. The State Board of Education shall adopt rules
475 regarding the fees.

476 ~~(2) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—~~



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477 ~~(a) The department shall notify all publishers and~~
478 ~~manufacturers of instructional materials who have submitted bids~~
479 ~~that within 3 weeks after the deadline for receiving bids, at a~~
480 ~~designated time and place, it will open the bids submitted and~~
481 ~~deposited with it. At the time and place designated, the bids~~
482 ~~shall be opened, read, and tabulated in the presence of the~~
483 ~~bidders or their representatives. No one may revise his or her~~
484 ~~bid after the bids have been filed. When all bids have been~~
485 ~~carefully considered, the commissioner shall, from the list of~~
486 ~~suitable, usable, and desirable instructional materials reported~~
487 ~~by the state instructional materials reviewers, select and adopt~~
488 ~~instructional materials for each grade and subject field in the~~
489 ~~curriculum of public elementary, middle, and high schools in~~
490 ~~which adoptions are made and in the subject areas designated in~~
491 ~~the advertisement. The adoption shall continue for the period~~
492 ~~specified in the advertisement, beginning on the ensuing April~~
493 ~~1. The adoption shall not prevent the extension of a contract as~~
494 ~~provided in subsection (3). The commissioner shall always~~
495 ~~reserve the right to reject any and all bids. The commissioner~~
496 ~~may ask for new sealed bids from publishers or manufacturers~~
497 ~~whose instructional materials were recommended by the state~~
498 ~~instructional materials reviewers as suitable, usable, and~~
499 ~~desirable; specify the dates for filing such bids and the date~~
500 ~~on which they shall be opened; and proceed in all matters~~
501 ~~regarding the opening of bids and the awarding of contracts as~~
502 ~~required by this part. In all cases, bids shall be accompanied~~
503 ~~by a cash deposit or certified check of from \$500 to \$2,500, as~~
504 ~~the department may direct. The department, in adopting~~
505 ~~instructional materials, shall give due consideration both to~~



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506 ~~the prices bid for furnishing instructional materials and to the~~
507 ~~report and recommendations of the state instructional materials~~
508 ~~reviewers. When the commissioner has finished with the report of~~
509 ~~the state instructional materials reviewers, the report shall be~~
510 ~~filed and preserved with the department and shall be available~~
511 ~~at all times for public inspection.~~

512 ~~(b) In the selection of instructional materials, library~~
513 ~~media, and other reading material used in the public school~~
514 ~~system, the standards used to determine the propriety of the~~
515 ~~material shall include:~~

516 ~~1. The age of the students who normally could be expected~~
517 ~~to have access to the material.~~

518 ~~2. The educational purpose to be served by the material. In~~
519 ~~considering instructional materials for classroom use, priority~~
520 ~~shall be given to the selection of materials which encompass the~~
521 ~~state and district school board performance standards provided~~
522 ~~for in s. 1001.03(1) and which include the instructional~~
523 ~~objectives contained within the curriculum frameworks approved~~
524 ~~by rule of the State Board of Education.~~

525 ~~3. The degree to which the material would be supplemented~~
526 ~~and explained by mature classroom instruction as part of a~~
527 ~~normal classroom instructional program.~~

528 ~~4. The consideration of the broad racial, ethnic,~~
529 ~~socioeconomic, and cultural diversity of the students of this~~
530 ~~state.~~

531
532 ~~Any instructional material containing pornography or otherwise~~
533 ~~prohibited by s. 847.012 may not be used or made available~~
534 ~~within any public school.~~



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535 ~~(3) CONTRACT WITH PUBLISHERS OR MANUFACTURERS; BOND. As~~
536 ~~soon as practicable after the commissioner has adopted any~~
537 ~~instructional materials and all bidders that have secured the~~
538 ~~adoption of any instructional materials have been notified~~
539 ~~thereof by registered letter, the department shall prepare a~~
540 ~~contract in proper form with every bidder awarded the adoption~~
541 ~~of any instructional materials. Each contract shall be executed~~
542 ~~by the commissioner, one copy to be kept by the contractor and~~
543 ~~one copy to be filed with the department. After giving due~~
544 ~~consideration to comments by the district school boards, the~~
545 ~~commissioner, with the agreement of the publisher, may extend or~~
546 ~~shorten a contract period for a period not to exceed 2 years;~~
547 ~~and the terms of any such contract shall remain the same as in~~
548 ~~the original contract. Any publisher or manufacturer to whom any~~
549 ~~contract is let under this part must give bond in such amount as~~
550 ~~the department requires, payable to the state, conditioned for~~
551 ~~the faithful, honest, and exact performance of the contract. The~~
552 ~~bond must provide for the payment of reasonable attorney's fees~~
553 ~~in case of recovery in any suit thereon. The surety on the bond~~
554 ~~must be a guaranty or surety company lawfully authorized to do~~
555 ~~business in the state; however, the bond shall not be exhausted~~
556 ~~by a single recovery but may be sued upon from time to time~~
557 ~~until the full amount thereof is recovered, and the department~~
558 ~~may at any time, after giving 30 days' notice, require~~
559 ~~additional security or additional bond. The form of any bond or~~
560 ~~bonds or contract or contracts under this part shall be prepared~~
561 ~~and approved by the department. At the discretion of the~~
562 ~~department, a publisher or manufacturer to whom any contract is~~
563 ~~let under this part may be allowed a cash deposit in lieu of a~~



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564 ~~bond, conditioned for the faithful, honest, and exact~~
565 ~~performance of the contract. The cash deposit, payable to the~~
566 ~~department, shall be placed in the Textbook Bid Trust Fund. The~~
567 ~~department may recover damages on the cash deposit given by the~~
568 ~~contractor for failure to furnish instructional materials, the~~
569 ~~sum recovered to inure to the General Revenue Fund.~~

570 ~~(4) REGULATIONS GOVERNING THE CONTRACT. The department may,~~
571 ~~from time to time, take any necessary actions, consistent with~~
572 ~~this part, to secure the prompt and faithful performance of all~~
573 ~~instructional materials contracts; and if any contractor fails~~
574 ~~or refuses to furnish instructional materials as provided in~~
575 ~~this part or otherwise breaks his or her contract, the~~
576 ~~department may sue on the required bond in the name of the~~
577 ~~state, in the courts of the state having jurisdiction, and~~
578 ~~recover damages on the bond given by the contractor for failure~~
579 ~~to furnish instructional materials, the sum recovered to inure~~
580 ~~to the General Revenue Fund.~~

581 ~~(5) RETURN OF DEPOSITS.—~~

582 ~~(a) The successful bidder shall be notified by registered~~
583 ~~mail of the award of contract and shall, within 30 days after~~
584 ~~receipt of the contract, execute the proper contract and post~~
585 ~~the required bond. When the bond and contract have been~~
586 ~~executed, the department shall notify the Chief Financial~~
587 ~~Officer and request that a warrant be issued against the~~
588 ~~Textbook Bid Trust Fund payable to the successful bidder in the~~
589 ~~amount deposited pursuant to this part. The Chief Financial~~
590 ~~Officer shall issue and forward the warrant to the department~~
591 ~~for distribution to the bidder.~~

592 ~~(b) At the same time or prior thereto, the department shall~~



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593 ~~inform the Chief Financial Officer of the names of the~~
594 ~~unsuccessful bidders. Upon receipt of such notice, the Chief~~
595 ~~Financial Officer shall issue warrants against the Textbook Bid~~
596 ~~Trust Fund payable to the unsuccessful bidders in the amounts~~
597 ~~deposited pursuant to this part and shall forward the warrants~~
598 ~~to the department for distribution to the unsuccessful bidders.~~

599 ~~(c) One copy of each contract and an original of each bid,~~
600 ~~whether accepted or rejected, shall be preserved with the~~
601 ~~department for at least 3 years after the termination of the~~
602 ~~contract.~~

603 ~~(6) DEPOSITS FORFEITED.—If any successful bidder fails or~~
604 ~~refuses to execute contract and bond within 30 days after~~
605 ~~receipt of the contract, the cash deposit shall be forfeited to~~
606 ~~the state and placed by the Chief Financial Officer in the~~
607 ~~General Revenue Fund.~~

608 ~~(7) FORFEITURE OF CONTRACT AND BOND.—If any publisher or~~
609 ~~manufacturer of instructional materials fails or refuses to~~
610 ~~furnish instructional materials as provided in the contract, the~~
611 ~~publisher's or manufacturer's bond is forfeited and the~~
612 ~~commissioner must make another contract.~~

613 Section 10. Section 1006.35, Florida Statutes, is amended
614 to read:

615 1006.35 Accuracy of instructional materials.—

616 (1) In addition to relying on statements of publishers or
617 manufacturers of instructional materials, the commissioner may
618 conduct or cause to be conducted an independent investigation to
619 determine the accuracy of approved ~~state-adopted~~ instructional
620 materials.

621 (2) When errors in approved ~~state-adopted~~ materials are



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622 confirmed, the publisher or manufacturer of the materials shall
623 provide to each district school board that has purchased the
624 materials the corrections in a format approved by the
625 department.

626 (3) The commissioner may remove materials from the list of
627 approved state-adopted materials:

628 (a) If he or she finds that the content is in error and the
629 publisher or manufacturer refuses to correct the error when
630 notified by the department.

631 ~~(b)(4) The commissioner may remove materials from the list~~
632 ~~of state-adopted materials~~ At the request of the publisher or
633 manufacturer if, in the commissioner's ~~his or her~~ opinion, there
634 is no material impact on the state's education goals.

635 (c) If the materials do not align with all applicable state
636 standards.

637 (4) If the commissioner removes materials from the list of
638 approved materials, the district may not purchase them for use
639 in core content areas.

640 Section 11. Section 1006.36, Florida Statutes, is amended
641 to read:

642 1006.36 State review cycle ~~Term of adoption~~ for
643 instructional materials.—

644 (1) The state review cycle ~~term of adoption~~ of any
645 instructional materials shall ~~must~~ be a 5-year period ~~beginning~~
646 ~~on April 1 following the adoption~~, except that the commissioner
647 may approve alternative schedules ~~terms of adoption~~ of less than
648 5 years for materials in content areas which require more
649 frequent revision. ~~Any contract for instructional materials may~~
650 ~~be extended as prescribed in s. 1006.34(3).~~



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651 (2) The department shall publish annually an official
652 schedule of subject areas to be called for review ~~adoption~~ for
653 each of the succeeding 2 years, and a tentative schedule for
654 years 3, 4, and 5. If extenuating circumstances warrant, the
655 commissioner may add one or more subject areas to the official
656 schedule, in which event the commissioner shall develop criteria
657 for such additional subject area or areas and make them
658 available to publishers or manufacturers as soon as practicable
659 before the date on which submission for review is ~~bids are~~ due.
660 The schedule shall be developed so as to promote balance among
661 the subject areas so that the required expenditure for new
662 instructional materials is approximately the same each year in
663 order to maintain curricular consistency.

664 Section 12. Section 1006.37, Florida Statutes, is amended
665 to read:

666 1006.37 Requisition of instructional materials from
667 publisher's depository.-

668 ~~(1)~~ The district school superintendent may ~~shall~~
669 requisition approved ~~adopted~~ instructional materials from the
670 depository of the publisher with whom a contract has been made.
671 ~~However, the superintendent shall requisition current~~
672 ~~instructional materials to provide each student with a textbook~~
673 ~~or other materials as a major tool of instruction in core~~
674 ~~courses of the subject areas specified in s. 1006.40(2). These~~
675 ~~materials must be requisitioned within the first 2 years of the~~
676 ~~adoption cycle, except for instructional materials related to~~
677 ~~growth of student membership or instructional materials~~
678 ~~maintenance needs. The superintendent may requisition~~
679 ~~instructional materials in the core subject areas specified in~~



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680 ~~s. 1006.40(2) that are related to growth of student membership~~
681 ~~or instructional materials maintenance needs during the 3rd,~~
682 ~~4th, 5th, and 6th years of the original contract period.~~

683 ~~(2) The district school superintendent shall verify that~~
684 ~~the requisition is complete and accurate and order the~~
685 ~~depository to forward to him or her the adopted instructional~~
686 ~~materials shown by the requisition. The depository shall prepare~~
687 ~~an invoice of the materials shipped, including shipping charges,~~
688 ~~and mail it to the superintendent to whom the shipment is being~~
689 ~~made. The superintendent shall pay the depository within 60 days~~
690 ~~after receipt of the requisitioned materials from the~~
691 ~~appropriation for the purchase of adopted instructional~~
692 ~~materials.~~

693 Section 13. 1006.38, Florida Statutes, is amended to read:

694 1006.38 Duties, responsibilities, and requirements of
695 instructional materials publishers and manufacturers. This
696 section applies to both the state and district approval
697 processes. Publishers and manufacturers of instructional
698 materials, or their representatives, shall:

699 (1) Comply with all provisions of this part.

700 (2) Electronically deliver fully developed sample copies of
701 all instructional materials upon which reviews ~~bids~~ are based to
702 the department pursuant to procedures adopted by the State Board
703 of Education.

704 (3) ~~Submit, at a time designated in s. 1006.33,~~ the
705 following information:

706 (a) Detailed specifications of the physical characteristics
707 of the instructional materials, including any software or
708 technological tools required for use by the district, school,



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709 teachers, or students. The publisher or manufacturer shall
710 comply with these specifications if the instructional materials
711 are approved ~~adopted~~ and purchased in completed form.

712 (b) Evidence that the publisher or manufacturer has
713 provided materials that address the performance standards
714 provided for in s. 1001.03(1) and that can be accessed through
715 the district's local instructional improvement system and a
716 variety of electronic, digital, and mobile devices.

717 (c) Evidence that the instructional materials include
718 specific references to statewide standards in the teacher's
719 manual and incorporate such standards into chapter tests or the
720 assessments. The statewide standards shall not be included at
721 the point of student use.

722 (5) Furnish the instructional materials offered by them at
723 a price in the state which, including all costs of electronic
724 transmission, may not exceed the lowest price at which they
725 offer such instructional materials for approval ~~adoption~~ or sale
726 to any state or school district in the United States.

727 (6) Reduce automatically the price of the instructional
728 materials to any district school board to the extent that
729 reductions are made elsewhere in the United States.

730 (7) Provide any instructional materials free of charge in
731 the state to the same extent as they are provided free of charge
732 to any state or school district in the United States.

733 (8) Guarantee that all copies of any instructional
734 materials sold in this state will be at least equal in quality
735 to the copies of such instructional materials that are sold
736 elsewhere in the United States and will be kept revised, free
737 from all errors, and up-to-date as may be required by the



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738 department.

739 (9) Agree that any supplementary material developed at the
740 district or state level does not violate the author's or
741 publisher's copyright, provided such material is developed in
742 accordance with the doctrine of fair use.

743 (10) Not in any way, directly or indirectly, become
744 associated or connected with any combination in restraint of
745 trade in instructional materials, nor enter into any
746 understanding, agreement, or combination to control prices or
747 restrict competition in the sale of instructional materials for
748 use in the state.

749 (11) Furnish the instructional materials offered by them at
750 a price in the state which, including all costs of electronic
751 transmission, may not exceed the lowest price at which they
752 offer such instructional materials for approval or sale to any
753 other school district in the state.

754 (12) Provide the department and school districts the cost
755 paid for an instructional materials product by a school or
756 district anywhere in the United States. The cost paid for that
757 product must remain the same for all future sales and must be
758 posted on all marketing materials.

759 ~~(11) Maintain or contract with a depository in the state.~~

760 ~~(12) For the core subject areas specified in s. 1006.40(2),~~
761 ~~maintain in the depository for the first 2 years of the contract~~
762 ~~an inventory of instructional materials sufficient to receive~~
763 ~~and fill orders.~~

764 (13) For the core subject areas specified in s. 1006.40(2),
765 ensure the availability of an inventory sufficient to receive
766 and fill orders for instructional materials for growth,



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767 including the opening of a new school, and replacement during
768 the 3rd and subsequent years of the original contract period.

769 (14) Accurately and fully disclose only the names of those
770 persons who actually authored the instructional materials. In
771 addition to the penalties provided in subsection (16), the
772 commissioner may remove from the list of state-approved ~~state-~~
773 ~~adopted~~ instructional materials those instructional materials
774 whose publisher or manufacturer misleads the purchaser by
775 falsely representing genuine authorship.

776 (15) Grant, without prior written request, for any
777 copyright held by the publisher or its agencies automatic
778 permission to the department or its agencies for the
779 reproduction of instructional materials and supplementary
780 materials in Braille, large print, or other appropriate format
781 for use by visually impaired students or other students with
782 disabilities that would benefit from use of the materials.

783 (16) Upon the willful failure of the publisher or
784 manufacturer to comply with the requirements of this section, be
785 liable to the department in the amount of three times the total
786 sum which the publisher or manufacturer was paid in excess of
787 the price required under subsections (5) and (6) and in the
788 amount of three times the total value of the instructional
789 materials and services which the district school board is
790 entitled to receive free of charge under subsection (7).

791 Section 14. Subsections (2), (3), and (4) of section
792 1006.40, Florida Statutes, are amended to read:

793 1006.40 Use of instructional materials allocation;
794 instructional materials, library books, and reference books;
795 repair of books.-



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796 (2) Each district school board must provide ~~purchase~~
797 current instructional materials to ~~provide~~ each student with a
798 major tool or assistance ~~of instruction~~ in core courses of the
799 subject areas of mathematics, language arts, science, social
800 studies, reading, and literature for kindergarten through grade
801 12. ~~Such purchase must be made within the first 2 years after~~
802 ~~the effective date of the adoption cycle. For the 2012-2013~~
803 ~~mathematics adoption, a district using a comprehensive~~
804 ~~mathematics instructional materials program adopted in the 2009-~~
805 ~~2010 adoption shall be deemed in compliance with this subsection~~
806 ~~if it provides each student with such additional state-adopted~~
807 ~~materials as may be necessary to align the previously adopted~~
808 ~~comprehensive program to common core standards and the other~~
809 ~~criteria of the 2012-2013 mathematics adoption.~~

810 (3)(a) By the 2015-2016 fiscal year, each district school
811 board shall use at least 50 percent of the annual allocation for
812 the purchase of digital or electronic instructional materials
813 that align with state standards ~~included on the state-adopted~~
814 ~~list, except as otherwise authorized in paragraphs (b) and (c).~~

815 ~~(b) Up to 50 percent of the annual allocation may be used~~
816 ~~for the purchase of instructional materials, including library~~
817 ~~and reference books and nonprint materials, not included on the~~
818 ~~state-adopted list and for the repair and renovation of~~
819 ~~textbooks and library books.~~

820 ~~(c) District school boards may use 100 percent of that~~
821 ~~portion of the annual allocation designated for the purchase of~~
822 ~~instructional materials for kindergarten, and 75 percent of that~~
823 ~~portion of the annual allocation designated for the purchase of~~
824 ~~instructional materials for first grade, to purchase materials~~



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825 ~~not on the state-adopted list.~~

826 (4) Remaining funds may ~~The funds described in subsection~~
827 ~~(3) which district school boards may use to purchase materials~~
828 ~~not on the state-adopted list shall be used for the purchase of~~
829 instructional materials or other items including library and
830 reference books and nonprint materials, having intellectual
831 content which assist in the instruction of a subject or course.
832 These items may be available in bound, unbound, kit, or package
833 form and may consist of hardbacked or softbacked textbooks,
834 electronic content, replacements for items which were part of
835 previously purchased instructional materials, consumables,
836 learning laboratories, manipulatives, electronic media, computer
837 courseware or software, and other commonly accepted
838 instructional tools as prescribed by district school board rule.

839 Section 15. Paragraphs (o), (p), and (q) of subsection (6)
840 of section 1001.10, Florida Statutes, are amended, and paragraph
841 (r) is added to that section to read:

842 1001.10 Commissioner of Education; general powers and
843 duties.-

844 (6) Additionally, the commissioner has the following
845 general powers and duties:

846 (o) To develop criteria for use by department state
847 instructional materials reviewers in evaluating materials
848 submitted for approval ~~adoption consideration~~. The criteria
849 shall, as appropriate, be based on instructional expectations
850 reflected in course descriptions ~~curriculum frameworks~~ and
851 student performance standards. The criteria for each subject or
852 course shall be made available to publishers and manufacturers
853 of instructional materials pursuant to the requirements of



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854 chapter 1006.

855 (p) To prescribe procedures for evaluating instructional
856 materials submitted by publishers and manufacturers in each
857 review for approval adoption.

858 (q) To remove any materials approved by the state or a
859 district enter into agreement with Space Florida to develop
860 innovative aerospace-related education programs that promote
861 mathematics and science education for grades K-20.

862 (r) To submit to the Governor, the President of the Senate,
863 the Speaker of the House of Representatives, and the State Board
864 of Education an annual report regarding district and state
865 instructional materials reviews, the impact on the quality and
866 availability of instructional materials, and the cost-
867 effectiveness of the state and district review processes. The
868 report shall be submitted on January 1 following the first
869 fiscal year of implementation of the program and each year
870 thereafter.

871 Section 16. Subsection (5) of section 1003.55, Florida
872 Statutes, is amended to read:

873 1003.55 Instructional programs for blind or visually
874 impaired students and deaf or hard-of-hearing students.—

875 (5) Any publisher or manufacturer of instructional
876 materials that have been approved by the department or a school
877 district a textbook adopted pursuant to the state instructional
878 materials adoption process shall furnish the department of
879 ~~Education~~ with a computer file in an electronic format specified
880 by the department ~~at least 2 years in advance~~ that is readily
881 translatable to Braille and can be used for large print or
882 speech access. Any instructional materials ~~textbook~~ reproduced



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883 pursuant to ~~the provisions of~~ this subsection shall be purchased
884 at a price equal to the price paid for the instructional
885 materials ~~textbook~~ as approved ~~adopted~~. The department of
886 ~~Education~~ shall not reproduce instructional materials ~~textbooks~~
887 obtained pursuant to this subsection in any manner that would
888 generate revenues for the department from the use of such
889 computer files or that would preclude the rightful payment of
890 fees to the publisher or manufacturer for use of all or some
891 portion of the instructional materials ~~textbook~~.

892 Section 17. Paragraph (j) of subsection (2) of section
893 1003.621, Florida Statutes, is amended to read:

894 1003.621 Academically high-performing school districts.—It
895 is the intent of the Legislature to recognize and reward school
896 districts that demonstrate the ability to consistently maintain
897 or improve their high-performing status. The purpose of this
898 section is to provide high-performing school districts with
899 flexibility in meeting the specific requirements in statute and
900 rules of the State Board of Education.

901 (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically
902 high-performing school district shall comply with all of the
903 provisions in chapters 1000-1013, and rules of the State Board
904 of Education which implement these provisions, pertaining to the
905 following:

906 (j) Those statutes relating to instructional materials,
907 except that s. 1006.40 ~~s. 1006.37, relating to the requisition~~
908 ~~of state-adopted materials from the depository under contract~~
909 ~~with the publisher, and s. 1006.40(3)(a), relating to the use of~~
910 50 percent of the instructional materials allocation, is ~~shall~~
911 ~~be~~ eligible for exemption.



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912 Section 18. Paragraph (b) of subsection (6) of section
913 1011.62, Florida Statutes, is amended to read:

914 1011.62 Funds for operation of schools.—If the annual
915 allocation from the Florida Education Finance Program to each
916 district for operation of schools is not determined in the
917 annual appropriations act or the substantive bill implementing
918 the annual appropriations act, it shall be determined as
919 follows:

920 (6) CATEGORICAL FUNDS.—

921 (b) If a district school board finds and declares in a
922 resolution approved ~~adopted~~ at a regular meeting of the school
923 board that the funds received for any of the following
924 categorical appropriations are urgently needed to maintain
925 ~~school board specified~~ academic classroom instruction specified
926 by the school board, the school board may consider and approve
927 an amendment to the school district operating budget
928 transferring the identified amount of the categorical funds to
929 the appropriate account for expenditure:

930 1. Funds for student transportation.

931 2. Funds for safe schools.

932 3. Funds for supplemental academic instruction if the
933 required additional hour of instruction beyond the normal school
934 day for each day of the entire school year has been provided for
935 the students in each low-performing elementary school in the
936 district pursuant to paragraph (1)(f).

937 4. Funds for research-based reading instruction if the
938 required additional hour of instruction beyond the normal school
939 day for each day of the entire school year has been provided for
940 the students in each low-performing elementary school in the



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941 district pursuant to paragraph (9) (a).

942 5. Funds for instructional materials if all instructional
943 material purchases necessary to provide updated materials that
944 are aligned with applicable ~~to Next Generation Sunshine~~ state
945 standards and course descriptions ~~benchmarks~~ and that meet
946 statutory requirements of content and learning have been
947 completed for that fiscal year, but no sooner than March 1.
948 Funds available after March 1 may be used to purchase hardware
949 for student instruction.

950 Section 19. This act shall take effect July 1, 2013.

951
952 ===== T I T L E A M E N D M E N T =====

953 And the title is amended as follows:

954 Delete everything before the enacting clause
955 and insert:

956 A bill to be entitled
957 An act relating to instructional materials for K-12
958 public education; amending s. 1006.28, F.S.; revising
959 the duties of a district school board and the district
960 superintendent with regard to instructional materials;
961 repealing s. 1006.282, F.S., relating to the pilot
962 program for the transition to electronic and digital
963 instructional materials; creating s. 1006.283, F.S.;
964 authorizing a district school board or a consortium of
965 school districts to implement an instructional
966 materials program; requiring the district
967 superintendent to certify to the Department of
968 Education that core instructional materials align with
969 applicable state standards; requiring the district



970 school board to adopt rules; authorizing the district
971 school board to set and collect fees from a publisher
972 that participates in the instructional materials
973 review process; providing a limit on fees; providing
974 for a stipend and reimbursement for travel expenses
975 and per diem for reviewers; requiring instructional
976 materials that are approved by the district
977 instructional materials reviewers to be aligned with
978 applicable state standards; requiring each district
979 school board to annually certify that the
980 instructional materials align with applicable state
981 standards; providing pricing requirements for
982 instructional materials; amending s. 1006.29, F.S.;
983 providing a definition; requiring the department to
984 appoint state instructional materials reviewers,
985 rather than state or national experts, to review
986 instructional materials; providing requirements,
987 appointments, and terms for state instructional
988 materials reviewers; authorizing the department to
989 compensate assigned reviewers with funds collected
990 through certain fees; providing a purpose for the use
991 of the fees; authorizing a stipend for service as a
992 reviewer; providing for payment for per diem and
993 reimbursement for travel expenses for service as a
994 reviewer; requiring a publisher to offer sections of
995 instructional materials in certain version at reduced
996 rates; requiring the department to post certain
997 instructional materials on its website; amending s.
998 1006.30, F.S.; conforming provisions to changes made



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999 by the act; amending s. 1006.31, F.S.; conforming
1000 provisions to changes made by the act; revising the
1001 procedure for evaluating instructional materials;
1002 providing standards to determine the propriety of
1003 instructional materials; amending s. 1006.32, F.S.;
1004 conforming provisions to changes made by the act;
1005 repealing s. 1006.33, F.S., relating to bids,
1006 proposals, and advertisement regarding instructional
1007 materials; amending s. 1006.34, F.S.; revising the
1008 powers and duties of the State Board of Education in
1009 evaluating instructional materials to include
1010 collecting fees and adopting rules; conforming
1011 provisions to changes made by the act; amending s.
1012 1006.35, F.S.; authorizing the Commissioner of
1013 Education to remove materials from the list of
1014 approved materials if the materials do not align with
1015 applicable state standards; prohibiting a school
1016 district from purchasing removed materials under
1017 certain circumstances; amending s. 1006.36, F.S.;
1018 providing for the state review cycle for instructional
1019 materials; amending s. 1006.37, F.S.; authorizing a
1020 district school superintendent to requisition approved
1021 instructional materials; conforming provisions to
1022 changes made by the act; amending s. 1006.38, F.S.;
1023 providing for applicability; revising duties of
1024 publishers and manufacturers; amending s. 1006.40,
1025 F.S.; revising the allocation for instructional
1026 materials; amending s. 1001.10, F.S.; revising the
1027 duties of the Commissioner of Education with regard to



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1028 instructional materials, including submission of a
1029 report to the Governor and the Legislature; amending
1030 s. 1003.55, F.S.; requiring a publisher or
1031 manufacturer of instructional materials that have been
1032 approved by the Department of Education or a school
1033 district to furnish the department with a computer
1034 file in an electronic format specified by the
1035 department; amending s. 1003.621, F.S.; conforming
1036 provisions to changes made by the act; amending s.
1037 1011.62, F.S.; conforming provisions to changes made
1038 by the act; providing an effective date.