

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1370

By: West (Tammy)

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6 AS INTRODUCED

7 An Act relating to school textbooks; amending 70 O.S.
8 2021, Section 16-102, which relates to textbook
9 selection; clarifying when a school district may
10 petition the State Board of Education; mandating
11 approval of Board only if unusual or extraordinary
12 circumstances exist; including a rigorous review
13 process for district petitions; describing review
14 criteria; authorizing districts to request support
15 from the State Department of Education; and declaring
16 an emergency.

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 70 O.S. 2021, Section 16-102, is
19 amended to read as follows:

20 Section 16-102. A. The State Textbook Committee shall meet at
21 the call of the chair as often as necessary, with two (2) weeks'
22 public notice, to discharge its responsibilities. If necessary, not
23 later than the first day of December of each year, the State
24 Textbook Committee shall meet to select textbooks for subjects
taught in the public schools of the state for grades prekindergarten

1 through twelve, which selections shall be for not more than six (6)
2 years for every textbook.

3 B. The Committee may suspend any currently pending selection
4 process of textbooks and may extend by at least two (2) years the
5 six-year adoption period of those textbooks currently on the state
6 adopted list, for the purpose of delaying for two (2) years the six-
7 year adoption cycle of subjects.

8 C. "Textbooks", as used in Sections 16-101 through 16-124 of
9 this title, means instructional materials that are designed for use
10 by pupils as a learning resource. Instructional materials may be
11 printed or nonprinted and may include textbooks, technology-based
12 and other educational materials.

13 D. "List of textbooks" or "the list", as used in Sections 16-
14 101 through 16-111 of this title, means the official textbook list
15 required by Section 6 of Article XIII of the Oklahoma Constitution.
16 The list shall include the textbooks and other instructional
17 materials selected by the State Textbook Committee for use in the
18 common schools of the state.

19 E. The State Department of Education, in coordination with the
20 State Textbook Committee, shall approve an application process to
21 assemble annually one or more review teams comprised of subject
22 matter experts for each subject area under review to assist the
23 Committee in reviewing textbooks and instructional materials. The
24 number of review teams shall be contingent on the number of subject

1 areas under review each year. Members of the review teams shall
2 have specific expertise in the subject areas being reviewed that
3 year. Review teams shall consist of no less than twelve members
4 each, but may be as large as is deemed necessary by the State
5 Textbook Committee and the State Department of Education. Subject
6 to the availability of funds within the State Department of
7 Education, members of the review teams shall receive from the
8 Department necessary traveling expenses while in the performance of
9 duties pursuant to the State Travel Reimbursement Act.

10 F. The Committee shall select textbooks or series of textbooks
11 for each subject, which, to the greatest extent possible, are
12 aligned with the subject matter standards adopted by the State Board
13 of Education pursuant to Section 11-103.6 of this title. The
14 Committee, in consultation with the State Department of Education,
15 shall adopt a rubric to be used by the review teams as a means of
16 evaluating textbooks submitted for review. The rubric shall contain
17 a three-tiered rating system in which the first tier shall be
18 labeled "Exemplifies Quality", the second tier shall be labeled
19 "Approaching Quality", and the third tier shall be labeled "Not
20 Representing Quality". The rubric shall also include, but not be
21 limited to, criteria for alignment to subject matter standards such
22 that all standards are present and treated with the appropriate
23 depth to support students in learning the skills and information
24 contained in the subject matter standards, as well as usability for

1 teacher planning, learning, assessment and differentiated
2 instruction. The Committee, in consultation with the review teams,
3 may include additional criteria specific to the subject area being
4 reviewed. The rubric shall require each criterion to be scored
5 individually with justification, and shall provide an overall
6 recommendation for the rating.

7 G. Review teams shall review all materials in accordance with
8 the rubric adopted in subsection F of this section and shall submit
9 the review and recommended rating to the Committee. The Committee
10 shall consider but not be required to accept the recommended rating
11 of the review teams. The Committee may request that the review
12 teams supply additional information to support their recommendations
13 or the Committee may provide its own justification utilizing the
14 adopted rubric.

15 H. The Committee, having verified that the review process has
16 been conducted in a scrupulous and fair manner, shall adopt a final
17 rating for each textbook prior to including it on the textbook list
18 required by Section 16-110 of this title. The completed rubric for
19 each evaluated textbook, including the review team's
20 recommendations, shall be made publicly available on the State
21 Textbook Committee website.

22 I. After a final textbook list is published, the State Textbook
23 Committee may determine that unusual or extraordinary circumstances
24 exist in a particular subject area during the period for which

1 textbooks have been selected for that subject area. Unusual or
2 extraordinary circumstances shall include but not be limited to
3 significant new techniques of teaching in a particular subject area
4 or significant new findings or discoveries in a particular subject
5 area. Upon a determination by three-fourths (3/4) of the members of
6 the State Textbook Committee that unusual or extraordinary
7 circumstances exist in a particular subject area, the Committee may
8 select one or more textbooks in that subject area for the remainder
9 of the adoption period.

10 J. The State Department of Education shall house the website of
11 the State Textbook Committee on its agency website.

12 K. ~~Five~~ After a final textbook list is published, five or more
13 district boards of education may petition the State Board of
14 Education to add a book or series of textbooks to the approved list
15 selected by the State Textbook Committee. The Board shall only
16 approve a petition when it determines that unusual or extraordinary
17 circumstances exist. Petitions shall include a rigorous review
18 process completed by the petitioning districts in a manner
19 prescribed by the Board. At a minimum, the review shall include
20 alignment to subject matter standards such that all standards are
21 present and treated with the appropriate depth to support students
22 in learning the skills and information contained in the standards,
23 as well as usability for teacher planning, learning, assessment, and
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1 differentiated instruction. The petitioning districts may request
2 support from the State Department of Education in their review.

3 L. The State Board of Education shall promulgate rules to
4 implement the method and time frame for handling the petitions in
5 the most expeditious manner.

6 SECTION 2. It being immediately necessary for the preservation
7 of the public peace, health or safety, an emergency is hereby
8 declared to exist, by reason whereof this act shall take effect and
9 be in full force from and after its passage and approval.

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11 59-1-6596 EK 12/21/22

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