



## Textbook Adoption

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### State Textbook Adoption

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#### Introduction

States use one of two methods to select the textbooks used in their schools. Thirty states allow local agencies or schools to choose the textbooks they will use. A total of 20 states – known as textbook adoption states – choose at the state level what textbooks can be used by all districts. California is an adoption state at the elementary level but allows local agencies to select textbooks at the secondary level. Two U.S. territories, the Virgin Islands and Puerto Rico, adopt textbooks at the territorial level. Washington D.C. is comprised of one school district, and adopts textbooks at the district level.

Forty-two states have provisions for providing free textbooks to students, although they often charge for textbooks that are damaged or lost through negligence. Many states waive fees for students unable to afford books. Washington D.C. and two U.S. territories, the Virgin Islands and Puerto Rico, provide free textbooks for their students.

The table below indicates the governing level – state or local – of textbook selection for each state and whether or not states have free textbook provisions. Following the table, listed for every state are the legislative language and code citation on textbook selection and provision.

State	State-Level Textbook Adoption	Local Education Agency-Level Textbook Adoption	Free Textbooks Provision	Some Rental Fees Allowable by Law
Alabama	X		X	
Alaska		X	X	
Arizona		X	X	Fees permitted at the high school level for non-required or supplementary textbooks
Arkansas	X		X	
California	X <sup>1</sup>		X	
Colorado		X		Fees permitted
Connecticut		X	X	
Delaware		X	X	
District of Columbia		X	X	
Florida	X		X	
Georgia	X		X	
Hawaii		X <sup>2</sup>	X	Fees for abused or damaged books permitted
Idaho	X		X	
Illinois		X <sup>3</sup>		Fees permitted
Indiana	X			Fees permitted
Iowa		X		Fees permitted
Kansas		X		Fees permitted

State	State-Level Textbook Adoption	Local Education Agency-Level Textbook Adoption	Free Textbooks Provision	Some Rental Fees Allowable by Law
Kentucky	X		X	Fees permitted for students in grades 9-12
Louisiana	X		X	
Maine		X	X	
Maryland		X	X	
Massachusetts		X	X	
Michigan		X	X	Refundable deposits permitted
Minnesota		X	X	
Mississippi	X		X	
Missouri		X	X	
Montana		X	X	
Nebraska		X	X	
Nevada		X <sup>4</sup>	X	
New Hampshire		X	X	
New Jersey		X	X	
New Mexico	X		X	
New York		X	X	
North Carolina	X		X	
North Dakota		X	X	Security deposit for return of textbooks and fees for abused or damaged textbooks permitted
Ohio		X	X	
Oklahoma	X		X	
Oregon	X		X	
Pennsylvania		X	X	
Rhode Island		X	X	Security deposit permitted
South Carolina	X			Fees permitted
South Dakota		X	X	
Tennessee	X		X	
Texas	X		X	
Utah	X <sup>5</sup>			Fees permitted
Vermont		X	X	
Virginia	X		X	
Washington		X		Fees permitted
West Virginia	X		X	
Wisconsin		X		Fees permitted
Wyoming		X	X	
<b>Territory</b>				
American Samoa				
Puerto Rico	X		X	
U.S. Virgin Islands	X		X	Fees permitted if books are lost or damaged

Notes:

1. California adopts textbooks statewide at the elementary levels. Local school boards select secondary level textbooks.
2. The state of Hawaii is comprised of a single school district.
3. In Illinois local school boards may only select textbooks in compliance with state law.
4. The state of Nevada approves textbooks selected by local districts.

5. Local districts in Utah may select textbooks not on the state recommended list, provided the textbooks meet specific criteria and the selection is based on recommendations by the district's curriculum materials review committee.

## **Alabama**

**Textbook Adoption:** The state of Alabama adopts textbooks on the recommendation of the state textbook committee. Local boards of education must adopt textbooks from the state list, unless they receive approval for a local contract from the state superintendent (ALA. CODE § 16-36-61).

**Free Textbooks:** Public school students are provided with textbooks and other necessary instructional supplies for use in their education (ALA. CODE § 16-36-70).

**Citizen Review and Participation:** Local textbook committees choose textbooks from the state approved list. These committees are appointed by local boards of education. The number, size and composition – parents are to be included – of the committee or committees are determined by each local board of education (ALA. CODE § 16-36-62).

## **Alaska**

**Textbook Adoption:** District boards select textbooks used in Alaska's public schools and statewide correspondence study programs. Correspondence study students, or the parents or guardians of correspondence students, may privately obtain or use textbooks or curriculum material not provided by the school district (ALASKA STAT. § 14.07.050).

**Free Textbooks:** School districts provide students with textbooks (ALASKA STAT. § 14.07.050).

**Minority Representation:** Discrimination in textbooks and instructional materials prohibited (ALASKA STAT. § 14.18.060).

## **Arizona**

**Textbook Adoption:** School district governing boards are responsible for the selection and purchase of textbooks (ARIZ. REV. STAT. ANN. § 15-721).

**Free Textbooks:** Free textbooks are to be furnished in schools and all state welfare institutions maintaining educational facilities (ARIZ. REV. STAT. ANN. § 15-723). A reasonable rental fee is allowed for the use of non-required or supplementary textbooks and non-related subject matter materials at the high school level (ARIZ. REV. STAT. ANN. § 15-724).

**Citizen Review and Participation:** All meetings of committees authorized for the purposes of textbook review and selection are to be open to the public (ARIZ. REV. STAT. ANN. § 15-721).

## **Arkansas**

**Textbook Adoption:** The state board of education provides districts with a list of suggested materials. A school district may purchase from the provided list or choose other educational materials (ARK. CODE ANN. § 6-21-405). Each school district appoints a textbook selection committee to be composed of a majority of certified personnel, including classroom teachers (ARK. CODE ANN. § 6-21-413). Contract periods are for no less than three years, nor more than five years for courses subject to rapid knowledge-base changes. For courses determined by the state board to be free of rapid knowledge-base changes, the contract period may be for a maximum of 10. Contract periods for paperback books, novels, plays and

other forms of literature in a softbound cover that are part of a basal textbook program may be from one to five years. The state is authorized to renegotiate contracts (ARK. CODE ANN. § 6-21-407).

**Free Textbooks:** Arkansas provides textbooks and instructional materials for all students attending public schools in 1st through 12th grade (ARK. CODE ANN. § 6-21-403).

## ***California***

**Textbook Adoption:** California adopts instructional materials for students in grades 1 through 8 (CAL. EDUC. CODE § 60200-60206). The governing board of each school district maintaining one or more high schools adopts instructional materials for use in the high schools under its control (CAL. EDUC. CODE § 60400-60048).

**Free Textbooks:** No school official may require any pupil, except pupils in classes for adults, to purchase any textbooks for the pupils' use in the school (CAL. EDUC. CODE § 60070).

**Minority Representation:** When adopting instructional materials for use in the schools, governing boards are to include only instructional materials that accurately portray the cultural and racial diversity of American society, including the role and contributions of Native Americans, African Americans, Mexican Americans, Asian Americans, European Americans and members of other ethnic and cultural groups in the development of California and the United States (CAL. EDUC. CODE § 60040).

## ***Colorado***

**Textbook Adoption:** Colorado's constitution forbids either the general assembly or the state board of education from mandating textbooks to be used in public schools (CO. CONST. ART. IX, § 16).

**Free Textbooks:** Districts may charge a reasonable rental fee for the use of textbooks (COLO. REV. STAT. ANN. § 22-32-110).

## ***Connecticut***

**Textbook Adoption:** Local boards of education, subject to the control of the state board of education, determine what textbooks are to be used (CONN. GEN. STAT. ANN. § 10-221).

**Free Textbooks:** Textbooks are to be loaned to students free of charge (CONN. GEN. STAT. ANN. § 10-228).

**Minority Representation:** Except where a legitimate educational purpose is otherwise served, each local or regional board of education must, in selecting textbooks, select those accurately presenting the achievements and accomplishments of individuals and groups from all ethnic and racial backgrounds (CONN. GEN. STAT. ANN. § 10-18A).

## ***Delaware***

**Textbook Adoption:** Local school districts adopt textbooks for use in their schools (DEL. CODE ANN. TITLE 14 § 1049).

**Free Textbooks:** Textbooks are to be loaned to students free of charge (DEL. CODE ANN. TITLE 14 § 1049).

## ***District of Columbia***

**Textbook Adoption:** The board of education is responsible for the selection of textbooks (D.C. CODE ANN. § 38-102).

**Free Textbooks:** The board of education provides students of public schools with free textbooks (D.C. CODE ANN. § 38-701).

## ***Florida***

**Textbook Adoption:** Florida adopts textbooks at the state level. Each school year, no later than April 15, the commissioner of education appoints state instructional materials committees composed of individuals actively engaged in teaching, or in the supervision of teaching, in the public elementary, middle or high schools and representing the major fields and levels in which instructional materials are used in the public schools. Lay citizens not professionally connected with education are also to be included on the committees. Committee members receive training relating to the evaluation and selection of instructional materials (FLA. STAT. ANN. § 1006.29).

**Free Textbooks:** The district school board has the duty to provide adequate instructional materials for all students (FLA. STAT. ANN. § 1006.28).

**Minority Representation:** When recommending instructional materials for use in the schools, each committee must include only instructional materials that accurately portray the ethnic, socioeconomic, cultural and racial diversity of American society (FLA. STAT. ANN. § 1006.31).

**Citizen Review and Participation:** The names and mailing addresses of the members of the state instructional materials committees are to be made public when appointments are made (FLA. STAT. ANN. § 1006.29).

## ***Georgia***

**Textbook Adoption:** Georgia adopts its textbooks at the statewide level. The state board of education appoints a committee of educators to examine textbooks and make recommendations to the state board. Textbooks may also be added to the state-approved list if either the superintendents of five or more school systems, or 20 or more teachers from 20 or more school systems, request that the textbook be added (GA. CODE. ANN. § 20-2-102).

**Free Textbooks:** The state of Georgia has a system of free textbooks for all students (GA. CODE. ANN. § 20-2-1013).

## ***Hawaii***

**Textbook Adoption:** School principals, after consulting with teachers, parents and students, are to submit educational plans to their complex area superintendents. Upon approval, the principal may purchase textbooks included in these plans (HAW. REV. STAT. § 302A-1308).

**Free Textbooks:** The department of education is responsible for providing students with appropriate instructional materials (HA. ADMIN. CODE § 8-57-1). Schools may assess fees if the student is found to have damaged or lost a textbook through negligence (HA. ADMIN. CODE § 302A-1130.50).

## ***Idaho***

**Textbook Adoption:** The state board of education determines how and under what rules curricular materials are adopted for the public schools (IDAHO CODE § 33-118).

**Free Textbooks:** The board of trustees of each school district is required to provide, or require pupils to be provided with, suitable textbooks and supplies (IDAHO CODE § 33-512).

**Citizen Review and Participation:** Curricular materials adoption committees, appointed by the state board of education, contain at least two members who are not public educators or school trustees. All committee meetings are open to the public and any member of the public may attend and file written, or make oral, objections to any curricular materials under consideration. A complete and cataloged library of all curricular materials adopted and used in Idaho public schools is maintained by the state department of education, and is open to the public (IDAHO CODE § 33-118A).

## ***Illinois***

**Textbook Adoption:** Textbook sellers must annually file sworn statements attesting that the textbooks sold in Illinois will be sold a lower price than anywhere else in the United States. The seller also must file a bond with the state board of education indicating that textbooks will be sold at the lowest net prices listed in the statements, that the price will be available throughout the state and that if the price of the textbook is lowered anywhere else in the United States, that price will be made available for all districts in Illinois (105 ILL. COMP. STAT. 5/28-1). Local school boards may only select textbooks in compliance with state law (105 ILL. COMP. STAT. 5/10-20.8).

**Free Textbooks:** Districts may charge fees for the use of textbooks. If 5% or more of the voters in a district petition the school board, a majority of the district's voters may decide to furnish free textbooks to students (105 ILL. COMP. STAT. 5/28-14).

## ***Indiana***

**Textbook Adoption:** The state board of education adopts textbooks and enters into contracts with publishers to furnish these textbooks at fixed prices (IND. CODE. ANN. § 20-10.1-9-1).

**Free textbooks:** If 51% of a district's voters petition the state, that local district is to set up a library where students may access adopted books free of charge (IND. CODE. ANN. § 20-10.1-11-2). Generally, schools may not charge more than 25% of the retail price of a book for rental, and under some circumstances, not more than 15% (IND. CODE. ANN. § 20-10.1-10-2).

**Citizen Review and Participation:** The textbook adoption committee must hold a public meeting to receive comments regarding the determination of adoption categories and the subsequent evaluation and selection of textbooks in these categories. The hearing must encourage presentations of diverse viewpoints, but does not include open debate. Oral and written testimony must be accepted, although oral testimony may be limited to a specific length of time. The advisory committee that selects textbook evaluators must include both educators and lay people. The state superintendent of public education must give notice of the availability of submitted textbooks by issuing a press release to the news media. The press release must state the dates, times and places where the textbooks will be available for inspection, and it must encourage the public to inspect the submitted textbooks and address written comments to the Indiana state board of education. The board must give public notice at least 30 days prior to the meeting in which adoption recommendations are developed. Local committees select which books to adopt for each district, and must include both parents and teachers, the majority of the advisory committee must be teachers, but at least 40% must be parents (IND. CODE. ANN. § 20-10.1-9).

## ***Iowa***

**Textbook Adoption:** The board of directors of each school district has the authority and responsibility to adopt and purchase textbooks (IOWA CODE ANN. § 301.1).

**Free Textbooks:** A majority of voters in a district can authorize the board of directors to procure textbooks and loan them to pupils. A majority of voters in a district may also discontinue the practice of

providing free textbooks to pupils. School fees are to be waived for students from indigent families (IOWA CODE ANN. § 256.7, IOWA CODE ANN. § 301.25, IOWA CODE ANN. § 301.26).

## ***Kansas***

**Textbook Adoption:** Individual school boards are responsible for adopting appropriate textbooks (KAN. STAT. ANN. § 72-8205).

**Free Textbooks:** State law authorizes districts to provide free textbooks, but does not require them to do so, allowing districts to establish textbook rental plans (KAN. STAT. ANN. § 72-4107). Children of parents who are financially unable to pay rental fees are exempted (KAN. STAT. ANN. § 72-4141).

## ***Kentucky***

**Textbook Adoption:** Kentucky adopts textbooks as advised by the state textbook commission. Contracts are awarded on a staggered six-year basis, with one group of textbooks up for adoption each year. The state textbook commission consists of the chief state school officer and 10 appointed members. The state textbook commission selects 12 textbook reviewers to present their findings to the commission. Districts may purchase textbooks not on the commission's recommended list, provided notification is given by the district and the textbook meets commission criteria, specific criteria of the textbook reviewers and complies with the required publisher specifications (KY. REV. STAT. ANN. § 156.400, KY. REV. STAT. ANN. § 156.405, KY. REV. STAT. ANN. § 156.407).

**Free Textbooks:** Districts may charge a reasonable fee for the use of textbooks for students between the 9th and 12th grade, although students who qualify for free and reduced price lunches are exempted (KY. REV. STAT. ANN. § 157.110).

**Citizen Review and Participation:** Two members of the state textbook commission are to be lay people, one of whom will have a child in public school at the time of appointment. The meetings of the State Textbook Commission must be open to the public and are to be held at least once a quarter. Notice is to be given between seven and 21 days prior to all meetings (KY. REV. STAT. ANN. § 156.405).

**Minority Representation:** Textbooks must be suitable for use with a diverse population and be free of social, ethnic, racial, religious, age, gender or geographic bias (KY. REV. STAT. ANN. § 156.410).

## ***Louisiana***

**Textbook Adoption:** Louisiana adopts textbooks at the state level (LA. REV. STAT. ANN. § 17:351).

**Free Textbooks:** The state board of elementary and secondary education supplies books free of charge to students (LA. REV. STAT. ANN. § 17:351).

**Minority Representation:** Textbooks adopted in the state are to reflect achievements and contributions of people of different races (LA. REV. STAT. ANN. § 17:351).

## ***Maine***

**Textbook Adoption:** Individual municipalities and school districts adopt textbooks (ME. REV. STAT. ANN. TITLE 30-A, § 1001).

**Free Textbooks:** A school administrative unit must provide its students with schoolbooks and necessary apparatus and appliances at the expense of the school administrative unit (ME. REV. STAT. ANN. TITLE 20-A, § 4002).

## ***Maryland***

**Textbook Adoption:** Local county boards of education are responsible for adopting textbooks (MD. CODE. ANN., EDUC. § 7-106). The Baltimore city board of commissioners may select textbooks used in the city of Baltimore (MD. CODE. ANN., EDUC. § 4-316).

**Free Textbooks:** Local boards of education are to furnish students with textbooks free of charge (MD. CODE. ANN., EDUC. § 7-106).

## ***Massachusetts***

**Textbook Adoption:** Regional school districts may choose the instructional materials used in their schools. A change may be made in the school books used in the public schools by a vote of two thirds of the whole school committee, notice of the intended change having been given at a previous meeting (MASS. GEN. LAWS ANN. CH. 71, § 50). The state department of education creates curriculum frameworks to assist in the selection of appropriate materials, and may identify and recommend textbooks that meet state standards (MASS. GEN. LAWS ANN. CH. 69, § 1E).

**Free Textbooks:** The principal at each school, subject to the direction of the superintendent, must, at the expense of the school district, purchase textbooks and loan them to students free of charge (MASS. GEN. LAWS ANN. CH. 71, § 48).

**Minority Representation:** Curriculum is to be designed to avoid perpetuating gender, cultural, ethnic or racial stereotypes (MASS. GEN. LAWS ANN. CH. 69, § 1E).

## ***Michigan***

**Textbook Adoption:** The board of each school district shall select, approve and purchase the textbooks to be used by the district (MICH. COMP. LAWS ANN. § 380.1422).

**Free Textbooks:** Textbooks are the property of the school district purchasing them and are loaned to pupils without charge. A board may require a reasonable and refundable deposit on textbooks (MICH. COMP. LAWS ANN. § 380.1422).

## ***Minnesota***

**Textbook Adoption:** Local school boards select textbooks to be used (MINN. STAT. ANN. § 123B.09).

**Free Textbooks:** School boards are to provide students with free textbooks (MINN. STAT. ANN. § 123B.02). Textbooks must also be loaned or provided free of charge to children in nonpublic schools (MINN. STAT. ANN. § 123B.42).

## ***Mississippi***

**Textbook Adoption:** Mississippi adopts textbooks at the state level (MISS. CODE ANN. § 37-43-19). Each field in which textbooks are considered has a textbook rating committee. Textbook rating committees consist of seven members. Four members are teachers currently teaching the subject for which they are evaluating textbooks and are appointed by the state superintendent of public education, while the other three are appointed by the governor. Each committee is to appraise the books, recommending eight for each subject. Only books receiving a majority vote will be recommended, and committee members must provide reasons for recommending or not recommending a book. The state board of education may reject any recommendations by the rating committees, they cannot, however, adopt a book that has not been recommended by the rating committee (MISS. CODE ANN. § 37-43-21). Local school boards may petition the state board of education to add textbooks between adoption cycles

if they are deemed innovative or would improve a particular course of study. If five or more school boards petition to add a textbook to the approved list, the state superintendent has 60 days to show cause to the state board of education why the books should or should not be purchased with state funds. If the petition is not acted upon within the 60 days, the petition is deemed approved (MISS. CODE ANN. § 37-43-31).

**Free Textbooks:** Textbooks are to be loaned free of charge to all students in public elementary or high schools (MISS. CODE ANN. § 37-43-1).

## ***Missouri***

**Textbook Adoption:** Local school boards may purchase textbooks of their choosing, provided the textbooks are registered with the Missouri state board of education along with a sworn statement from the publisher that the textbook is being sold at the lowest price in the United States. The textbooks must be sold at this price to any other school board in Missouri and lower the price if reductions are made elsewhere in the United States (MO. ANN. STAT. § 170.061).

**Free Textbooks:** Local school boards must loan textbooks to students free of charge (MO. ANN. STAT. § 170.051).

**Citizen Involvement and Review:** The school board of each school district must ensure that all textbooks used within that district are available for inspection by any person (MO. ANN. STAT. § 170.231).

## ***Montana***

**Textbook Adoption:** Textbooks are selected at the local district level. Textbooks are to be selected by the district superintendent or by the school principal if there is no district superintendent. Selections are subject to the approval of the trustees. In districts not employing a district superintendent or principal, the trustees select and adopt the textbooks on the basis of recommendations of the county superintendent (MONT. CODE ANN. § 20-7-602).

**Free Textbooks:** Local school districts are to provide free textbooks to public school students in the district (MONT. CODE ANN. § 20-7-601).

## ***Nebraska***

**Textbook Adoption:** The selection and purchase of textbooks is the responsibility of local school boards and boards of education, and this duty may be delegated to employees of the school district (NEB. REV. STAT. § 79-734).

**Free Textbooks:** Textbooks are to be loaned free of charge to all students (NEB. REV. STAT. § 79-737).

**Minority Representation:** American history and civil government textbooks are to be written to include contributions by ethnic groups (NEB. REV. STAT. § 79-724).

**Citizen Review and Participation:** As of July, 1995, all public school districts were to have developed and adopted policies stating how the district will seek to involve parents in the schools and what parents' rights will be relating to school curriculum matters. The policy was to be developed with parental input, be subject to public hearing before adoption by the board and be reviewed annually for alteration or reaffirmation following a public hearing (NEB. REV. STAT. § 79-531, NEB. REV. STAT. § 79-533).

## ***Nevada***

**Textbook Adoption:** Districts identify textbooks and send them to the state board of education for evaluation (NEV. ADMIN. CODE CH. 390, § 040). The superintendent of a school district must appoint a

committee to evaluate and recommend textbooks to be used in public schools before the district may forward any recommendations to the state board of education for adoption. The committee consists of at least one teacher licensed to teach the subject areas of textbooks being considered for use in secondary grades, or elementary education for textbooks being considered for use in elementary grades. The committee is also to include an administrator or a specialist in curriculum who is employed by the school district, a parent of a pupil who is enrolled in the school district and any other members the superintendent deems necessary (NEV. ADMIN. CODE CH. 390, § 010). The evaluation must include a comparison of the textbook with the courses of study offered in the state and the goals and objectives of the school district that the committee is representing, a summary of the organization and presentation of material in the textbook, a statement of the quality of production of the textbook, including the cover, binding and print, an analysis of the accuracy of the information contained in the textbook, a statement of the appropriateness of any materials of support or references provided with the textbook and an analysis of the ability of the textbook to stimulate interest in pupils (NEV. ADMIN. CODE CH. 390, § 020). The state board of education has final authority pertaining to the selection of textbooks (NEV. REV. STAT. ANN. 390.140). Districts may use textbooks without having them evaluated by the state board of education for no more than one year (NEV. ADMIN. CODE CH. 390, § 060).

**Free Textbooks:** Districts are to loan textbooks to students free of charge (NEV. REV. STAT. ANN. 393.170).

**Citizen Review and Participation:** For textbooks adopted by the state board of education that have not been evaluated by a committee appointed by the superintendent of a local school district, the superintendent of that school district must afford the parents of pupils enrolled in the district and other members of the community an opportunity to review the textbook and submit written comments to the school district (NEV. ADMIN. CODE CH. 390, § 030).

## ***New Hampshire***

**Textbook Adoption:** Local school superintendents are responsible for the selection and purchase of textbooks in accordance with the rules of the school board and state board (N.H. CODE ADMIN. R. ED 302.02).

**Free Textbooks:** The school board shall purchase textbooks and loan them to pupils free of charge (N.H. REV. STAT. ANN. § 189:16).

## ***New Jersey***

**Textbook Adoption:** Textbooks are selected by majority vote of the full membership of the board of education of local school districts (N.J. STAT. ANN. § 18A:34-1).

**Free Textbooks:** Textbooks are loaned to students enrolled in kindergarten through 12th grade without charge (N.J. STAT. ANN. § 18A:58-37.4).

## ***New Mexico***

**Textbook Adoption:** New Mexico adopts textbooks at the state level. The state board of education adopts a multiple list from which local school districts select textbooks (N.M. STAT. ANN. § 22-15-8). The state board of education appoints an instructional materials committee to evaluate textbooks and make recommendations regarding adoption. The instructional materials committee is composed of 12 members, including public school district administrators, educators, parents, the business community and a representative of the New Mexico Council on Technology in Education (N.M. ADMIN. CODE TITLE 6, § 2.5).

**Free Textbooks:** Students between 1st and 12th grades attending a public school, a state institution or a private school approved by the state board are entitled to the free use of instructional material (N.M. STAT. ANN. § 22-15-7).

**Minority Representation:** At least 10% of instructional material on the multiple list concerning language arts and social studies shall contain material that is relevant to the cultures, languages, history and experiences of multi-ethnic students (N.M. STAT. ANN. § 22-15-8).

## ***New York***

**Textbook Adoption:** It is the responsibility of each local school district to select appropriate textbooks (N.Y. EDUC. LAW § 701).

**Free Textbooks:** Textbooks are to be loaned free to children, subject to rules and regulations prescribed by the board of regents, boards of education, trustees or other school authorities (N.Y. EDUC. LAW § 701).

## ***North Carolina***

**Textbook Adoption:** The state board of education adopts textbooks at the state level. The governor appoints a 23-member textbook commission, including five teachers or principals in grades K-5, five teachers or principals in grades 6-8 and four superintendents, teachers or principals in grades 9-12. Additionally, the commission will have one superintendent of a local school administrative unit, three parents of students in K-5, three parents of students in grades 6-8 and two parents of students in grades 9-12. Each commission member is to examine and file a written evaluation for each proposed textbook for which they are responsible. At the next meeting of the board of education after all the reports have been filed, the textbook commission and the board of education jointly examine the reports. The board then selects which books will best meet the requirements and requests sealed bids from the publishers whose books are being considered. The state board of education approves textbooks to be adopted statewide through a majority vote (N.C. GEN. STAT. § 115C).

**Free Textbooks:** Local school boards are not permitted to charge textbook rental fees, although damage fees are authorized (N.C. GEN. STAT. § 115C-100).

## ***North Dakota***

**Textbook Adoption:** Local school boards are authorized to select and purchase textbooks (N.D. CENT. CODE § 15.1-09-33).

**Free Textbooks:** Rental fees for textbooks are not allowed, but a district may require a security deposit for the return of a textbook or charge for undue wear (N.D. CENT. CODE § 15.1-09-36).

## ***Ohio***

**Textbook Adoption:** The board of education of each city, exempted village or local school district is responsible for the selection and purchase of textbooks (OHIO REV. CODE ANN. § 3329.07). Textbook publishers must file with the state superintendent of public instruction a statement that the textbook's list wholesale price to school districts in Ohio will be no more than the lowest list wholesale price available to school districts in any other state (OHIO REV. CODE ANN. § 3329.01).

**Free Textbooks:** Textbooks are to be provided free of charge to all students attending public schools (OHIO REV. CODE ANN. § 3329.06).

## ***Oklahoma***

**Textbook Adoption:** Oklahoma adopts textbooks at the state level. The governor appoints a 13-member state textbook committee, which is comprised of two members from each congressional district, two members from the state at large and one lay citizen who does not have a teaching certificate and has at least one child in the Oklahoma public schools system. Committee members are appointed to three-year

terms, and the majority of the committee is to be classroom teachers (OKLA. STAT. ANN. TITLE 70, § 16-101).

**Free Textbooks:** Textbooks are to be furnished free of cost to students, however, fees and other penalties may be assessed if a student fails to return a textbook (OKLA. STAT. ANN. TITLE 70, § 16-121).

**Minority Representation:** Social studies core curriculum must reflect the racial, ethnic, religious and cultural diversity of the United States (OKLA. STAT. ANN. TITLE 70, § 11-103).

**Public Review and Participation:** The state textbook committee must conduct public hearings in the first two weeks of October each year for the purpose of gathering public testimony concerning the various textbooks being considered. The committee may hold additional hearings as they see fit (OKLA. STAT. ANN. TITLE 70, § 16-102.1).

## ***Oregon***

**Textbook Adoption:** The state board of education reviews and adopts, for periods established by the board, a list of textbooks and other instructional materials for use by school districts (OR. REV. STAT. § 337.050). The state board of education ratifies or rejects the books based on the criteria and guidelines it has adopted (OR. REV. STAT. § 337.075). With the assistance of teachers and administrators, local school boards select the textbooks from the state adopted multiple-choice list (OR. REV. STAT. § 337.120). With the approval of the state department staff, local school boards may select textbooks in place of, or in addition to those on the state adoption list, provided they meet the board's criteria and guidelines (OR. REV. STAT. § 337.141).

**Free Textbooks:** Public and charter schools are to provide students with textbooks, free of charge (OR. REV. STAT. § 337.150).

**Minority Representation:** Respect for all people, regardless of race, color, creed or national origin, and their contributions to Oregon's history and system of government must be reflected in the textbooks (OR. REV. STAT. § 337.260).

**Citizen Review and Participation:** Local school boards are to involve parents and citizens in the selection process (OR. REV. STAT. § 337.120).

## ***Pennsylvania***

**Textbook Adoption:** A majority vote of the board of local school directors is required to adopt a textbook (PA. STAT. ANN. TITLE 24, § 5-507).

**Free Textbook:** Textbooks are to be provided free of charge to students (PA. STAT. ANN. TITLE 24, § 8-801).

## ***Rhode Island***

**Textbook Adoption:** Local school committees determine what textbooks are to be adopted (R.I. GEN. LAWS § 16-2-16). A change may be made in the school books in the public schools of any city, town or regional school district by a vote of a majority of all the members of the school committee. Notice of the proposed change must be given, in writing, at a previous regular meeting of the committee. No change in any textbook in the public schools of any city, town or regional school district may occur more often than once in three years, unless by the consent of the state department of elementary and secondary education (R.I. GEN. LAWS § 16-23-1).

**Free Textbooks:** Textbooks are to be loaned, free of charge to all students. A reasonable deposit to ensure the return of the textbook is permitted (R.I. GEN. LAWS § 16-23-2).

## **South Carolina**

**Textbook Adoption:** The state board of education designates which textbooks are to be used in South Carolina public schools. Districts using textbooks not authorized by the state will not receive any state aid, unless they have been expressly permitted to use a separate series of textbooks or the district provides free textbooks in excess of twenty thousand dollars to its students (S.C. CODE ANN. § 59-31-30).

**Free Textbooks:** The state issues books to students on an annual rental basis (S.C. CODE ANN. § 59-31-210). Districts are authorized to charge rentals for textbooks, although they may decide to provide textbooks to students free of charge (S.C. CODE ANN. § 59-31-260).

**Minority Representation:** Each school must instruct students in black history as a regular part of its history and social studies courses. The state board of education establishes regulations for the adoption of history and social studies textbooks that incorporate black history and will, through the state department of education, assist the school districts in developing and locating suitable printed materials and other aids for instruction in black history (S.C. CODE ANN. § 59-29-55).

## **South Dakota**

**Textbook Adoption:** Local school boards have the authority to adopt textbooks (S.D. CODIFIED LAWS § 13-34-23).

**Free Textbooks:** Textbooks are to be loaned free of charge to students between the ages of five and 19 (S.D. CODIFIED LAWS § 13-34-16.2).

## **Tennessee**

**Textbook Adoption:** Tennessee adopts textbooks at the state level. The state textbook commission is comprised of 10 members, nine of whom are appointed by the governor. Six members are to be teachers. Commission members serve three-year terms (TENN. CODE ANN. § 49-6-2201). The commission prepares a list of four books in each subject and grade to be listed, and has the authority to recommend any textbooks to be either removed or added to the list (TENN. CODE ANN. § 49-6-2202). Local districts select textbooks through the use of local committees comprised of teachers and supervisors currently teaching or supervising the respective subject. The local committee will make recommendations to the local school board after evaluating texts available on the state list (TENN. CODE ANN. § 49-6-2207).

**Free Textbooks:** Students are to be supplied with adopted textbooks (TENN. CODE ANN. § 49-3-310).

**Minority Representation:** Textbooks in American history, or related subjects, should accurately and comprehensively portray the full range of diversity and achievement of racial and ethnic minorities (TENN. CODE ANN. § 49-6-2202).

## **Texas**

**Textbook Adoption:** Texas adopts textbooks at the state level. The state board of education adopts textbooks at least every six years, although they are not to review more than one-sixth of the textbooks to be used in the foundation curriculum each year. Textbooks may be used for more than six years if the board finds the textbook to be sufficiently current (TEX. EDUC. CODE ANN. § 31.022). Upon evaluation, the board places each textbook on either a conforming list or a nonconforming list and votes whether or not to accept a textbook for statewide adoption. Each nonconforming list must include the reasons an adopted textbook is not eligible for the conforming list (TEX. EDUC. CODE ANN. § 31.024). Each year, during a period of time established by the state board of education, school districts must notify the board of the textbooks they select from either the conforming or nonconforming list for the foundation curriculum. Districts may use books not included on either the conforming or nonconforming list, but the board will

pay only 70% of the cost of these textbooks, the remainder being the responsibility of the district (TEX. EDUC. CODE ANN. § 31.101).

**Free Textbooks:** Textbooks selected for use in the public schools are furnished without charge to students (TEX. EDUC. CODE ANN. § 31.001).

## ***Utah***

**Textbook Adoption:** The state board of education appoints a textbook commission consisting of the state superintendent of public instruction, a school district superintendent, a secondary school principal, an elementary school principal, a secondary school teacher, an elementary school teacher, five persons not employed in public education and a dean of a school of education of a state college or university. The commission recommends textbooks for adoption by the board (UTAH CODE ANN. § 53A-14-101). Districts may select a textbook from this recommended list, or they may choose other instructional material they deem necessary, provided the textbook meets specific criteria and the selection is based on recommendations by the school district's curriculum materials review committee (UTAH CODE ANN. § 53A-14-102).

Note: In 2004, Utah repealed a law (UTAH CODE ANN. § 53A-12-201.5), which had prohibited fees.

**Free Textbooks:** Local school boards are authorized to sell textbooks to students, but they may decide to provide free textbooks if they deem it desirable or necessary, or if petitioned by two-thirds of those voting in the district. Students whose parents or guardians are financially unable to pay are exempted from buying textbooks or paying fees for their use (UTAH CODE ANN. § 53A-12-205).

## ***Vermont***

**Textbook Adoption:** Individual school boards are free to choose and adapt their own educational programs, subject to the approval of the local district superintendent (VT. STAT. ANN. TITLE 16, § 3743).

**Free Textbooks:** School districts are to provide, at their expense, students with textbooks (VT. STAT. ANN. TITLE 16, § 3743). Students may be assessed a fee if their textbook is lost or damaged (VT. STAT. ANN. TITLE 16, § 556).

## ***Virginia***

**Textbook Adoption:** The state board of education has the authority to approve textbooks and other instructional materials used in the state. Local school boards may choose textbooks not approved by the state board of education, as long as those textbooks are in accordance with regulations promulgated by the board (VA. CODE ANN. § 22.1-238). The state board of education enters into contracts with publishers whose textbooks have been approved by the board. The price of a textbook sold in Virginia is not to exceed the lowest price the same textbook is sold at in any other part of the United States (VA. CODE ANN. § 22.1-241).

**Free Textbooks:** Each school board is to provide students with textbooks free of charge (VA. CODE ANN. § 22.1-251).

## ***Washington***

**Textbook Adoption:** It is the responsibility of each school district to set forth in writing a policy regarding the selection of textbooks. An instructional materials committee is to be appointed by the district's chief administrative officer, subject the approval of the school board. The committees are to consist of members of the professional staff, including representatives from the district's curriculum development committee. Districts that only serve elementary school students are to include an educational service district superintendent, who is to ensure correlation between the elementary adoptions and those of the

high school district. The committee may include parents at the board's discretion, though they are to comprise less than one-half of the total committee (WASH. REV. CODE ANN. § 28A.320.230).

**Free Textbooks:** Districts may provide free textbooks to students, when, in its judgment, the best interests of the district will be served (WASH. REV. CODE ANN. § 28A.320.230).

### ***West Virginia***

**Textbook Adoption:** West Virginia adopts textbooks at the state level. The adoption cycle for science and health textbooks is not to exceed six years and the adoption cycle for all other textbooks is not to exceed eight years (W. VA. CODE ANN. § 18-2A-1). School curriculum teams appointed by local county boards select which textbooks from the state list will be used in their schools (W. VA. CODE ANN. § 18-2A-5).

**Free Textbooks:** County boards of education are to provide free textbooks to all students (W. VA. CODE ANN. § 18-2-5).

### ***Wisconsin***

**Textbook Adoption:** Each school district has the authority to adopt its own textbooks. A list of all the adopted textbooks is to be filed with the school district clerk (WIS. STAT. ANN. § 118.03).

**Free Textbooks:** School districts are permitted to sell textbooks to students at cost or appoint an agent who may not sell textbooks at more than 15% of the net price (WIS. STAT. ANN. § 118.03).

### ***Wyoming***

**Textbook Adoption:** Textbook adoption is the responsibility of local school boards (WYO. STAT. ANN. § 21-2-304).

**Free Textbooks:** Textbooks are to be loaned to students free of charge, though students may be held responsible for damaged or lost textbooks (WYO. STAT. ANN. § 21-9-201).

### ***American Samoa***

**Textbook Adoption:** Unable to locate relevant statutes or regulations.

**Free Textbooks:** Unable to locate relevant statutes or regulations.

## ***Puerto Rico***

**Textbook Adoption:** The secretary of education selects textbooks to be used throughout Puerto Rico (18 P.R. LAWS ANN. § 154).

**Free Textbooks:** Students are to be loaned textbooks free of charge (18 P.R. LAWS ANN. § 151).

## ***U.S. Virgin Islands***

**Textbook Adoption:** The Virgin Islands board of education adopts curricula (V.I. CODE ANN. TITLE 17, § 21).

**Free Textbooks:** Students are to be loaned textbooks free of charge, although they may be charged a fee if books are lost or damaged (V.I. CODE ANN. TIT. 17, § 42).

*Kyle Zinth, researcher in the ECS Information Clearinghouse, compiled this ECS StateNote.*

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