

CHAPTER 419

(SB 91)

AN ACT relating to instructional materials.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 156.400 is amended to read as follows:

- (1) The chief state school officer shall arrange the elementary, ***middle***, and ***high***~~[secondary]~~ school subjects included in the state courses of study as prescribed by the Kentucky Board of Education into six (6) adoption groups.
- (2) Contracts for each of the six (6) adoption groups shall be for a period of six (6) years and shall be executed on a staggered basis, with one (1) group being up for adoption each year. The six (6) adoption groups shall be ***arranged by similarity of content to the extent possible, while being*** arranged as nearly equal in number and purchase cost as possible. Subjects with rapidly changing or highly technical content may be considered more frequently than once during a six (6) year cycle.
- (3) The chief state school officer may delay the purchase of books due to insufficient funds, but any purchases of books shall be in accordance with KRS Chapter 156.

Section 2. KRS 156.405 is amended to read as follows:

- (1) The purpose of the State Textbook Commission is to provide a ***recommended*** list of current and high quality textbooks ***and instructional materials*** to local school districts ~~that, which~~ complement the educational program in Kentucky schools; ***to provide a consumer guide to schools to aid with the selection of materials;***~~;~~ and to provide for public participation in the ***evaluation***~~[adoption]~~ process.
- (2) The State Textbook Commission shall consist of the chief state school officer and ***ten*** ~~(10)[eleven-(11)]~~ appointive members. The ***ten*** ~~(10)[eleven-(11)]~~ members shall be appointed by the Kentucky Board of Education upon the recommendation of the chief state school officer for terms of four (4) years with two (2) appointments each year, except that every fourth year there shall be ***four*** ~~(4)[five-(5)]~~ appointments. No member shall be eligible to serve more than two (2) full terms consecutively. All vacancies that occur on the State Textbook Commission shall be filled in like manner for the remainder of the unexpired terms. The ***Department of Education and the*** State Textbook Commission shall receive assistance in the textbook ***evaluation***~~[selection]~~ process from professionals and lay citizens who will ~~serve on a contractual basis and~~ be referred to in this chapter as the "textbook reviewers."
- (3) The State Textbook Commission shall:
 - (a) Select and direct the activities of the textbook reviewers who develop selection criteria and review textbooks and programs;
 - (b) Develop selection criteria and evaluation forms with the help of the textbook reviewers ***and Kentucky Department of Education staff*** to be used in the state level ***review***~~[selection]~~ process;
 - (c) Approve the evaluative criteria and forms used by the commission and textbook reviewers;

- (d) Review the textbook reviewers' evaluations, and textbooks or programs as it deems necessary, in order to select from them a *recommended* list of high quality *materials*~~{books}~~;
 - (e) *Provide notice of and the opportunity for public inspection of textbooks and programs offered for adoption and use in the public schools;*
 - (f) *Conduct a public hearing for the purpose of receiving public comment concerning textbooks and programs under consideration;*
 - (g) Select, *recommend*~~{approve}~~, and publish a list of high quality textbooks *and programs; and*
 - (h) *Publish a consumer guide and distribute it to Kentucky public schools.*
- (4) The textbook reviewers shall be comprised of twelve (12) individuals for the area or areas being considered for adoption. The textbook reviewers shall be approved by the State Textbook Commission based on the recommendation of the chief state school officer.
- (5) The textbook reviewers shall:
- (a) Develop and submit to the commission subject specific evaluative criteria to be used in reviewing textbooks *and programs*;
 - (b) Review textbooks and programs to determine those of high quality, using evaluative criteria and forms approved by the commission;
 - (c) Submit to the commission reviews and evaluative forms regarding reviewed textbooks and programs;~~{and,}~~
 - (d) Attend meetings and training sessions as requested by the commission and the Department of Education; *and*
 - (e) *Ensure that textbooks are free from factual error.*
- (6) (a) *1.* Eight (8) of the appointive members of the State Textbook Commission shall have had not less than five (5) *years*~~{years}~~ teaching or supervising experience in the public schools of Kentucky and *shall*~~{must}~~ have had at the time of their appointment at least four (4) years of college training in a recognized institution of higher education.
- 2.* Five (5) members of the commission shall be classroom teachers actively employed in the public schools of Kentucky as teachers in subject field or fields for which the commission will select books.
- 3.* Two (2) members shall be principals, supervisors, or superintendents of public schools or public school systems.
- 4.* One (1) member shall be a member of the faculty of a public institution of higher education engaged in teacher *preparation*~~{education. One (1) member shall be the executive director of the Kentucky Educational Publishers Association or any other legitimate trade association of textbook publishers recognized by the Kentucky Board of Education, but shall not represent any particular publisher. This member shall have no vote but may otherwise participate in the business of the commission}~~.

5. Two (2) members shall be lay citizens, *one (1) of whom shall have a child enrolled in a public school at the time of appointment.*

(b) In recommending the members of the State Textbook Commission the chief state school officer shall give due regard to representation from rural and urban areas and *from the~~both~~* elementary, *middle* and *high~~secondary~~* levels when *the~~both~~* educational levels are included in the subject field or fields for which adoptions are to be made~~. The lay citizens shall have children in the public elementary or secondary schools at the time of appointment.~~

- (7) Textbook reviewers shall have the following qualifications: Six (6) of the textbook reviewers shall be instructional supervisors and classroom teachers in various and appropriate grade levels primary through grade twelve (12), with experience and training in the subject areas to be reviewed. One (1) reviewer shall have expertise and training in learning theory as applied to the classroom situation. One (1) reviewer shall be a current or former university faculty member with expertise in the content area of the textbooks to be reviewed. One (1) reviewer shall have experience and training in readability and formatting of textbooks. Three (3) reviewers shall be parents, *two (2) of whom shall have a child~~of children~~* currently enrolled in public schools in Kentucky.
- (8) Members of the State Textbook Commission~~[, except the trade association member,]~~ shall receive fifty (\$50) dollars per day and reimbursement for their actual expenses while attending commission meetings. Textbook reviewers shall receive remuneration based on the amount of textbooks and programs to be reviewed and criteria to be developed as determined by the chief state school officer. Textbook reviewers~~[shall be hired through a personal service contract and remuneration]~~ shall *be paid one hundred dollars (\$100) per day, not to exceed one thousand dollars (\$1,000)*~~[not exceed a maximum of seven hundred and fifty (\$750) dollars]~~ annually. Textbook reviewers shall also receive reimbursement for actual expenses while attending reviewer or commission meetings.
- (9) The meetings of the State Textbook Commission shall be open to the public and shall be held at least once every quarter and notice of such meeting shall be given in accordance with KRS 424.110 to 424.210.
- (10) Not later than May 1 each year the chief state school officer shall call the State Textbook Commission into session. The members of the State Textbook Commission shall elect one (1) of its voting members as chairman and shall adopt administrative regulations for the procedure of the commission. The chief state school officer shall be the secretary of the commission.

Section 3. KRS 156.407 is amended to read as follows:

- (1) The chief state school officer shall, not later than February 1 of each year in which an adoption is to be made, solicit applications for filling twelve (12) positions~~[in each subject area]~~ for textbook reviewers.~~[.]~~
- (2) Solicitation shall be statewide *for all appointments* and include specifications which ensure candidates have professional expertise in the subject areas to be reviewed *if appropriate for the appointment.*~~[or are parents of children currently enrolled in public schools in Kentucky;]~~

- (3) The State Textbook Commission, at its first yearly meeting, shall select textbook reviewers based on a list of qualified applicants prepared by the chief state school officer and giving consideration to *the*~~[his]~~ recommendations as specified in KRS 156.405.~~;~~
- ~~(4) The contracts for the textbook reviewers shall extend until the review of textbooks for a given year is completed, but no later than October 15.~~
- ~~(5)~~ The Department of Education's curriculum and instruction specialists shall serve as staff to the commission and reviewers. The staff shall:
- (a) Orient and train the commission and reviewers regarding departmental policy and *review*~~[selection]~~ procedures;
 - (b) Make available existing standards and criteria for textbook *evaluation*~~[selection]~~; and
 - (c) Provide supplies and sample textbooks for the review process.
- ~~(5)~~~~(6)~~ The textbook reviewers shall develop subject specific criteria for textbook review and evaluation in the following textbook areas:
- (a) Subject content, including its relationship to the *academic expectations*~~[valued outcomes]~~;
 - (b) Audience;
 - (c) Format;
 - (d) Readability;~~[and]~~
 - (e) *Accuracy; and*
 - (f) Ancillary materials.
- (6) On or before July 15, the State Textbook Commission shall develop general criteria, review and approve subject specific criteria, and provide the standard criteria and evaluation forms to be used by the commission and textbook reviewers.
- (7) Based upon approval of the standard criteria and evaluation forms, the textbook reviewers shall review textbooks and programs. The committee shall submit evaluation forms *for*~~[rating]~~ each textbook or program reviewed in each of the five (5) areas, set forth in subsection ~~(5)~~~~(6)~~ of this section, with comments related to strengths and weaknesses in each area.
- (8) The State Textbook Commission shall review the work of the textbook reviewers and based on this review and any of its own reviews of textbooks or programs, *establish a*~~[select books for the]~~ state multiple list of *recommended textbooks and programs. The list of recommended textbooks and programs shall be free of factual error.* Copies of all evaluation forms submitted by the textbook reviewers shall be made available to commission members and maintained on file within the Department of Education for the cycle length of the books. For those *materials*~~[textbooks]~~ placed on the state multiple list of *recommended textbooks and programs, the Department of Education shall publish a consumer guide that includes summary results of the evaluations and any factual error identified in the textbooks, and shall distribute it to all public schools in the state*~~[shall be provided to the local school districts]~~.

Section 4. KRS 156.410 is amended to read as follows:

- (1) The chief state school officer shall prepare minimum manufacturing standards, delineate content specifications, in accordance with the curriculum requirements of the program of studies for Kentucky schools: grades K-12, ~~construct score cards,~~ and formulate other criteria for use in the *evaluation* ~~[selection and adoption]~~ of textbooks *and programs* in Kentucky. Criteria shall require that *all materials be suitable for use with a* ~~[textbooks include the significance of the]~~ diverse *population and be free of social, ethnic, racial, religious, age, gender, and geographic bias* ~~[ethnic contributors to society]~~.
- (2) It shall be the duty of the chief state school officer to prepare all necessary forms for use in the *evaluation* ~~[selection and adoption]~~ of textbooks *and programs*, such as advertising for textbook bids; forms for bids, bonds, and contracts; and other forms.
- (3) The Kentucky Board of Education, upon the recommendation of the chief state school officer, shall have authority to prescribe:
 - (a) Administrative regulations pertaining to all textbook samples for use on the state and local levels; and
 - (b) Shall have authority to *promulgate* ~~[prescribe]~~ administrative regulations relating to the agents and representatives of textbooks *and programs*, as to the ~~[number participating and the]~~ methods and procedures for use in ~~[textbook]~~ adoptions on the state and local levels.
- (4) The chief state school officer, on or before May 1 prior to any adoption year, shall properly advertise the subjects for which textbook adoptions will be made and notify the different publishers of the textbooks. The publishers, on or before July 15, of any adoption year, shall file with the chief state school officer textbook samples, filing fees, textbook bids and bonds, and other specified information relative to the books that they desire to offer for adoption.
- (5) The chief state school officer shall:
 - (a) Review the bid information submitted by the publishers;
 - (b) Verify that the bid complies with the specifications; and
 - (c) Prepare a list of textbooks *and programs*, for consideration by the State Textbook Commission indicating those in compliance with the standards and specifications and those not in compliance, detailing areas of noncompliance.

Section 5. KRS 156.415 is amended to read as follows:

Before textbooks *and programs* offered for adoption and use in public schools of Kentucky may be lawfully *recommended* ~~[approved]~~ and listed by the State Textbook Commission or purchased by any board of education, the person, firm, or corporation offering the *materials* ~~[books]~~ for adoption and use shall file with the chief state school officer:

- (1) Copies of all textbooks *and programs* that the person, firm, or corporation desires to offer for adoption and use, with a sworn statement of the list price *and* ~~[,]~~ the lowest wholesale price ~~[,]~~ and the lowest exchange price, if required by the State Textbook Commission, at which each of the *titles* ~~[books]~~ is sold in any adopting unit;
- (2) A statement that all the *titles* ~~[books]~~ offered for sale, adoption, *and* use, ~~[and exchange]~~ do comply with the standards and specifications for textbooks designated by the chief state school officer as regards paper, binding, printing, illustrations, subject matter, and other items included in the standards and specifications;

- (3) Copies of any revision or special editions of the textbooks *and programs* filed, with a statement describing in detail each point of difference from the regular edition filed, and the list price *and* ~~the lowest wholesale price, and the lowest exchange price~~ at which the revision or special edition is sold anywhere in the United States;
- (4) A fee of five dollars (\$5) for each book filed except when a series of books is filed, in which case the fee shall be five dollars (\$5) for the first book and one dollar (\$1) for each additional book in the series. The fee provided by this subsection shall be paid at each and every adoption period;
- (5) A bond running to the Commonwealth of Kentucky, executed by a surety company authorized to do business in this state, in a sum not less than two thousand dollars (\$2,000) nor more than ten thousand dollars (\$10,000), to be determined by the chief state school officer; *and*
- (6) *An affidavit certifying any textbook the publisher or manufacturer offers in the state to be free of factual error at the time the publisher or manufacturer executes a contract.*

Section 6. KRS 156.433 is amended to read as follows:

- (1) The Kentucky Board of Education, upon recommendation of the chief state school officer, shall promulgate an administrative regulation identifying instructional materials eligible for purchase with state textbook funds. The regulation shall identify instructional materials which are subject to review before being *recommended* ~~approved~~ for use, establish a procedure for the review, and a process for adding an instructional material to the *recommended* ~~approved~~ list. The Department of Education may pay instructional materials reviewers an amount not to exceed *one thousand* ~~seven hundred fifty~~ dollars *(\$1,000)* ~~(\$750)~~ annually per reviewer for their services using funds from the appropriation for state textbooks.
- (2) The Department of Education shall establish a list of *recommended* ~~all approved~~ instructional materials for the use of school personnel. Section 7. KRS 156.435 is amended to read as follows:
 - (1) The State Textbook Commission shall, not later than September 20 of any year in which an adoption is to be made, select, *recommend* ~~approve~~, and publish a list of books or programs in each subject and grade, taking into account the needs of the various types of students ~~indicating the student functioning level for which the textbook or program is appropriate~~.
 - (2) The State Textbook Commission shall have the authority to reject any book which:
 - (a) Contains subversive material or information that is offered for listing or adoption. If the commission finds on the multiple list any book which contains subversive material or information, provided the publisher of the book has been given written notice by the secretary of the commission not less than thirty (30) days prior to the meeting, the textbook commission shall have authority to remove the book from the state multiple list;
 - (b) Is in noncompliance with standards and specifications set forth in KRS 156.410; or
 - (c) Is not of high quality in terms of the content provided, the audience addressed, the format used, the readability of material or the ancillary materials provided the teacher and students.

- (3) The State Textbook Commission shall have the authority to *solicit additions for*~~add books to~~ the state list when the list does not contain books *or materials* for subjects added to the state courses of study.
- (4) The chief state school officer shall make and execute contracts for the *recommended textbooks and programs*~~selected books~~ with the publishers on or before *May*~~January~~ 1 following the *establishment of the state multiple list of recommended titles*~~approval of the books~~ selected by the commission. Except as described in KRS 156.400, all contracts shall run for six (6) years.
- (5) The chief state school officer shall prepare a multiple list of *recommended textbooks*~~the selected books~~ or programs and publish the list *along with a consumer guide* and *distribute the documents*~~send a copy~~ to the superintendents of each county and independent school district in Kentucky on or before *November*~~October~~ 15 of each adoption year.

Section 8. KRS 156.437 is amended to read as follows:

The Kentucky Board of Education, upon the recommendation of the chief state school officer, shall have the authority to prescribe administrative regulations for the *recommended* listing by the State Textbook Commission, adoption by local adoption units, and the purchase of subject programs for the pupils in the public schools.

Section 9. KRS 156.439 is amended to read as follows:

- (1) The Kentucky Board of Education shall promulgate by administrative regulations the method for calculating and distributing a district's textbook and instructional materials allocation. The district's allocation shall be used by schools to purchase:
 - (a) Textbooks *and programs* from the state *recommended*~~adoption~~ list;
 - (b) Textbooks *and programs* not on the state's *recommended*~~approved~~ list, if *notification*~~evidence~~ is submitted *to the Department of Education* that the *material*~~textbook~~ meets the selection criteria of the State Textbook Commission in KRS 156.405(3)(b),~~and~~ the subject specific criteria of the textbook reviewers pursuant to KRS 156.407(5) *and compliance with the required publisher specifications*~~(6)~~;
 - (c) Instructional materials, with an approved plan pursuant to subsection (2) of this section; or
 - (d) Any combination of the above.
- (2) The district shall identify all purchases made with the textbook and instructional materials allocation and shall keep on file a plan developed by each school, in accordance with administrative regulations promulgated by the Kentucky Board of Education, for providing the necessary textbooks and instructional materials for all grades, and subject areas, including the replacement of books and materials during the six (6) year adoption period. A school may carry forward to the next school year any part of its textbook and instructional materials allocation which has been distributed to the district. If a local board does not approve a school council's plan, the council may appeal to the commissioner and an administrative hearing shall be conducted in accordance with KRS Chapter 13B.

Section 10. KRS 156.440 is amended to read as follows:

~~{(1) Textbook } Publishers, upon the request of the superintendents of the county and independent school districts, shall furnish to the local boards of education the requested sample copies of their *materials*~~{books}~~ that were selected and placed on the state multiple list of *recommended* textbooks by the State Textbook Commission.~~

~~{(2) Unless otherwise provided by the General Assembly in a budget bill, the board of education of each county and independent school district shall, upon the recommendation of its superintendent and not later than April 15 of any adoption year, select from the state multiple list books or programs for each subject and grade which may be selected for use as a basal text in its school system for a period of six (6) years, and any extensions thereof.~~

~~(3) After the local board of education has adopted the basal textbooks which may be used in the district, and not later than April 20, the superintendent of schools shall send to the chief state school officer a complete list of books adopted properly certified by the chairman and secretary of the board of education.~~

Section 11. KRS 156.445 is amended to read as follows:

- (1) No textbook *or program* shall be used in any public school in Kentucky as a basal *title*~~{textbook}~~ unless it has been *recommended*~~{approved}~~ and listed on the state multiple list~~{of textbooks}~~ by the State Textbook Commission or unless a school *and* district has *met the notification requirements under*~~{applied for and received a waiver of this requirement from the Kentucky Board of Education pursuant to}~~ subsection (2) of this section. Any changes of textbooks made by the State Textbook Commission shall not become effective until grades and classes of the respective county and independent school districts have completed work for which the adopted book then in use was originally intended. Nothing in this section shall apply to the supplementary books that are needed from time to time.
- (2) A~~{local school board or}~~ school council, *or if none exists, the principal*, may *notify, through the superintendent,*~~{apply to}~~ the *State Textbook Commission that it plans*~~{Kentucky Board of Education}~~ to adopt a basal textbook *or program that*~~{which}~~ is not on the *recommended*~~{multiple}~~ list, by submitting evidence that the *title*~~{textbook}~~ it has chosen meets the selection criteria of the State Textbook Commission in KRS 156.405(3)(b),~~{and}~~ the subject specific criteria of the textbook reviewers pursuant to KRS 156.407(5) *and complies with the required publisher specifications*~~{(6)}~~.
- (3) In approving text materials for private and parochial schools for the purpose of KRS 156.160(3) *the*~~{such}~~ text materials shall be approved if they are comprehensive and appropriate to the grade level in question notwithstanding the fact that they may contain elements of religious philosophy.

Section 12. KRS 156.470 is amended to read as follows:

A copy of *all recommended titles*~~{each textbook}~~ listed by the State Textbook Commission shall remain in *an*~~{the}~~ office *specified by*~~{of}~~ the chief state school officer as an official sample for the period of the adoption~~{. After the adoption period such samples shall be sold by the Kentucky Board of Education}~~.

Section 13. KRS 156.476 is amended to read as follows:

- (1) The Kentucky Board of Education, upon the recommendation of the chief state school officer, shall select suitable textbooks *and programs in an appropriate format*, which include braille textbooks, and other materials *available*~~{printed}~~ in clear type of eighteen (18) to twenty-four

(24) points in the different subject areas for children with impaired vision who are attending the public schools of the Commonwealth of Kentucky in grades kindergarten through twelve (12). These **books**~~{textbooks}~~ and materials shall not be subject to the official~~{textbook}~~ bids, filing fees,~~{textbook}~~ sampling, and the stipulated list prices, lowest wholesale prices,~~{exchange prices,}~~ and the standards and specifications required for the **books and materials**~~{textbooks}~~ approved and listed by the State Textbook Commission for regular use by the pupils attending the public schools of the State of Kentucky. The Kentucky Board of Education, upon the recommendation of the chief state school officer, may **promulgate an**~~{prescribe}~~ administrative **regulation**~~{regulations for}~~ determining the pupils eligible for the books **and materials**, the number of books **and types of materials** to be purchased, and the general administration of the program. The chief state school officer, subject to the approval of the Kentucky Board of Education, may purchase these books **and materials** and distribute them without cost to the pupils with impaired vision attending the public schools of the state. All **books and programs**~~{textbooks}~~ purchased under this section for the pupils with impaired vision are the property of the state.

- (2) The Department of Education shall require any publisher of a textbook **or program** adopted for use in the public schools of the Commonwealth to furnish the American Printing House for the Blind with computer diskettes or tapes of those **print materials**~~{books}~~ either in the American Standard Code for Information Interchange, (ASCII), or in any other format, **either electronic or print**, which can be readily translated into braille **or large print**~~{by the American Printing House for the Blind}~~.

Section 14. KRS 157.100 is amended to read as follows:

The Commonwealth of Kentucky shall provide funds for textbooks, programs, and other instructional materials that shall be distributed under an administrative regulation promulgated by the Kentucky Board of Education~~{chief state school officer, subject to the approval of the Kentucky Board of Education, shall purchase textbooks from the publishers whose books have been adopted by the State Textbook Commission and may purchase from any publisher other related media not approved by the State Textbook Commission and distribute them}~~ without cost to pupils attending grades kindergarten through twelve (12) of the public schools of the state, in the manner and upon the conditions set out in KRS 157.110 and 157.180.

Section 15. KRS 157.145 is amended to read as follows:

~~{(1)—}~~The chief state school officer shall each year cause textbooks **that**~~{which}~~ have not been made obsolete by new adoptions and **that**~~{which, in his discretion,}~~ are in need of, and have valid content justifying rebinding, to be rebound **by entering into a contract with a bindery who will perform services for districts within the Commonwealth of Kentucky at a state contract price**~~{upon request of the local districts}~~.

- ~~(2)—~~When the chief state school officer has received requests for rebinding, he shall prepare necessary forms to be mailed to the bindery under contract with the Commonwealth of Kentucky. Instructions for pick up and delivery are to be given to the bindery and local district by the chief state school officer.

- ~~(3)—~~Upon receipt of invoices from the bindery, the chief state school officer shall cause departmental purchase order forms to be prepared and mailed to the superintendent. The departmental purchase order form shall be checked against books rebound and returned to the Department of Education authorizing payment of the invoice].

Section 16. KRS 157.150 is amended to read as follows:

All textbooks purchased under the provisions of KRS 157.100 ~~shall be~~^{are} the property of the state. Each superintendent ~~shall be~~^{making requisition for the books is} custodian of the books in ~~the~~^{his} district. ~~The superintendent~~^{He} shall issue the books to the various schools in ~~the~~^{his} district according to ~~an administrative regulation promulgated~~^{rules and regulations formulated by the chief state school officer and approved} by the Kentucky Board of Education.

Section 17. KRS 157.160 is amended to read as follows:

The chief state school officer, subject to the approval of the Kentucky Board of Education, shall ~~promulgate an administrative regulation~~^{make rules and regulations} for the disposal of textbooks ~~and programs that~~^{which} will no longer be used for instruction. Each superintendent may make obsolete ~~books and materials~~^{textbooks} available to the residents of his district. He may publicize in the newspaper the availability of the books ~~and materials~~ and the procedure for obtaining them in accordance with this section. Any funds accruing from the sale of the books ~~and materials~~ shall be paid into the local district's account.

Section 18. KRS 157.170 is amended to read as follows:

The chief state school officer, subject to the approval of the Kentucky Board of Education, shall ~~promulgate an administrative regulation~~^{make rules and regulations} governing the sale of ~~books and materials~~^{textbooks} by superintendents to pupils, parents, or guardians of pupils attending the public schools of the state who desire to hold ~~books and materials~~^{textbooks} as their own property. Superintendents shall not sell ~~books and materials~~^{textbooks} to private or sectarian schools. Books ~~and materials~~ sold under this section shall be sold at the retail contract price. Funds accruing from the sales shall be paid into the local district's account.

Section 19. KRS 157.190 is amended to read as follows:

The Kentucky Department of Education shall cooperate with the Kentucky Educational Collaborative for State Agency Children to distribute funds for textbooks, programs, and instructional materials for use by children placed in facilities and programs operated or contracted by the Department of Juvenile Justice or the Cabinet for Families and Children's residential, day treatment, clinical, and group home programs.

~~(1) The chief state school officer, subject to the approval of the Kentucky Board of Education, shall provide basally adopted textbooks without cost to all children between the ages of six (6) and eighteen (18) who are confined in any state correctional institution in this state and who are regularly enrolled in classes of elementary and secondary grades. The textbooks shall be provided upon requisitions made by the person or persons in charge of the correctional institution.~~

~~(2) The chief state school officer may have an investigation made, at any time, to determine the need for the number and kinds of books requisitioned and to determine if the books are being properly maintained. If he finds anything improper about the requisitioning and use of the books, he shall report it to the Kentucky Board of Education.~~

~~(3) The books provided pursuant to this section shall be paid for out of the appropriations for the purchase of free textbooks for pupils attending public schools.]~~ Section 20. The following KRS sections are repealed:

156.450 Distribution of books -- Agents.

156.455 Purchase of books from pupil moving from district.

157.120 Requisitions for books -- Shipments -- Invoices.

157.130 Regulations governing textbooks.

Approved April 21, 2000