

1 AN ACT relating to public school curriculum.

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

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 156 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) The Kentucky Department of Education, in supporting school district adoption of*
6 *instructional materials and implementing curriculum, shall develop, for each*
7 *instructional materials collection adopted by the State Instructional Materials*
8 *Commission, a guide for educators that details:*

9 *(a) The academic standards addressed by the instructional materials;*

10 *(b) How the instructional materials are connected to specific learning targets*
11 *that are aligned to those academic standards;*

12 *(c) Questions students should be able to answer, skills students should be able*
13 *to demonstrate, and products students should be able to produce in*
14 *connection with the instructional materials, achieving learning targets, and*
15 *meeting the academic standard; and*

16 *(d) A curriculum guide for using the instructional materials with sample*
17 *instructional plans that provide a realistic instructional schedule for using*
18 *the materials over the school year.*

19 *(2) The guides shall be made available at no cost to all public school teachers and*
20 *administrators.*

21 ➔Section 2. KRS 156.395 is amended to read as follows:

22 For purposes of KRS 156.400 to 156.476, unless the context requires otherwise:⌋

23 *(1) "Instructional materials" means tools used to assist in student learning, as defined in*
24 *administrative regulations promulgated by the Kentucky Board of Education; and*

25 *(2) "Instructional materials collection" means a system of interrelated instructional*
26 *materials offered by a publisher or developer to support learning of a specific*
27 *content area or grade level.*

1 ➔Section 3. KRS 156.405 is amended to read as follows:

- 2 (1) The purpose of the State **Instructional Materials**~~[Textbook]~~ Commission is to **be**
3 **the sole provider of**~~[provide]~~ a recommended list of current and high quality
4 ~~[textbooks and]~~instructional materials to local school districts that complement the
5 educational program in Kentucky schools; to provide a consumer guide to schools
6 to aid with the selection of materials; and to provide for public participation in the
7 evaluation process. **The State Instructional Materials Commission shall be**
8 **attached to the Kentucky Department of Education for administrative and**
9 **support purposes.**
- 10 (2) The State **Instructional Materials**~~[Textbook]~~ Commission shall consist of the chief
11 state school officer and ten (10) appointive members. The ten (10) members shall
12 be appointed by the Kentucky Board of Education upon the recommendation of the
13 chief state school officer for terms of four (4) years with two (2) appointments each
14 year, except that every fourth year there shall be four (4) appointments. No member
15 shall be eligible to serve more than two (2) full terms consecutively. All vacancies
16 that occur on the State Textbook Commission shall be filled in like manner for the
17 remainder of the unexpired terms. The Department of Education and the State
18 **Instructional Materials**~~[Textbook]~~ Commission shall receive assistance in the
19 **instructional materials**~~[textbook]~~ evaluation process from professionals and lay
20 citizens who will be referred to in this chapter as the "~~[textbook]~~reviewers."
- 21 (3) The State **Instructional Materials**~~[Textbook]~~ Commission shall:
- 22 (a) Select and direct the activities of the ~~[textbook]~~reviewers who develop
23 selection criteria and review **instructional materials**~~[textbooks and~~
24 ~~programs]~~;
- 25 (b) Develop selection criteria and evaluation forms with the help of the ~~[textbook~~
26 ~~]reviewers~~ and Kentucky Department of Education staff to be used in the state
27 level review process;

- 1 (c) Approve the evaluative criteria and forms used by the commission and
2 ~~{textbook}~~ reviewers;
- 3 (d) Review the ~~{textbook}~~ reviewers' evaluations, and **instructional**
4 **materials**~~{textbooks or programs}~~ as it deems necessary, in order to select
5 from them a recommended list of high quality materials;
- 6 (e) Provide notice of and the opportunity for public inspection of **instructional**
7 **materials collections**~~{textbooks and programs}~~ offered for adoption and use in
8 the public schools;
- 9 (f) Conduct a public hearing for the purpose of receiving public comment
10 concerning **instructional materials collections**~~{textbooks and programs}~~
11 under consideration;
- 12 (g) Select, recommend, and publish a list of high quality **instructional materials**
13 **collections**~~{textbooks and programs}~~; and
- 14 (h) Publish a consumer guide and distribute it to Kentucky public schools.
- 15 (4) The ~~{textbook}~~ reviewers shall be comprised of twelve (12) individuals for the area
16 or areas being considered for adoption. The ~~{textbook}~~ reviewers shall be approved
17 by the State **Instructional Materials**~~{Textbook}~~ Commission based on the
18 recommendation of the chief state school officer.
- 19 (5) The ~~{textbook}~~ reviewers shall:
- 20 (a) Develop and submit to the commission subject specific evaluative criteria to
21 be used in reviewing **instructional materials**~~{textbooks and programs}~~;
- 22 (b) Review **instructional materials collections**~~{textbooks and programs}~~ to
23 determine those of high quality, using evaluative criteria and forms approved
24 by the commission;
- 25 (c) Submit to the commission reviews and evaluative forms regarding reviewed
26 **instructional materials collections**~~{textbooks and programs}~~;
- 27 (d) Attend meetings and training sessions as requested by the commission and the

- 1 Department of Education; and
- 2 (e) Ensure that instructional materials~~[textbooks]~~ are free from factual error.
- 3 (6) (a) 1. Eight (8) of the appointive members of the State Instructional
4 Materials~~[Textbook]~~ Commission shall have had not less than five (5)
5 years teaching or supervising experience in the public schools of
6 Kentucky and shall have had at the time of their appointment at least
7 four (4) years of college training in a recognized institution of higher
8 education.
- 9 2. Five (5) members of the commission shall be classroom teachers
10 actively employed in the public schools of Kentucky as teachers in
11 subject field or fields for which the commission will select books.
- 12 3. Two (2) members shall be principals, supervisors, or superintendents of
13 public schools or public school systems.
- 14 4. One (1) member shall be a member of the faculty of a public institution
15 of higher education engaged in teacher preparation.
- 16 5. Two (2) members shall be lay citizens, one (1) of whom shall have a
17 child enrolled in a public school at the time of appointment.
- 18 (b) In recommending the members of the State Instructional
19 Materials~~[Textbook]~~ Commission the chief state school officer shall give due
20 regard to representation from rural and urban areas and from the elementary,
21 middle, and high school levels when the educational levels are included in the
22 subject field or fields for which adoptions are to be made.
- 23 (7) ~~[Textbook]~~ Reviewers shall have the following qualifications: Six (6) of the
24 textbook reviewers shall be instructional supervisors and classroom teachers in
25 various and appropriate grade levels primary through grade twelve (12), with
26 experience and training in the subject areas to be reviewed. One (1) reviewer shall
27 have expertise and training in learning theory as applied to the classroom situation.

1 One (1) reviewer shall be a current or former university faculty member with
2 expertise in the content area of the textbooks to be reviewed. One (1) reviewer shall
3 have experience and training in development of instructional materials~~[readability~~
4 ~~and formatting of textbooks]~~. Three (3) reviewers shall be parents, two (2) of whom
5 shall have a child currently enrolled in public schools in Kentucky.

6 (8) Members of the State Instructional Materials~~[Textbook]~~ Commission shall receive
7 ~~[fifty (\$50) dollars per day and]~~reimbursement for their actual expenses while
8 attending commission meetings. ~~[Textbook]~~Reviewers shall receive remuneration
9 based on the amount of textbooks and programs to be reviewed and criteria to be
10 developed as determined by the chief state school officer. ~~[Textbook reviewers shall~~
11 ~~be paid one hundred dollars (\$100) per day, not to exceed one thousand dollars~~
12 ~~(\$1,000) annually. Textbook]~~Reviewers shall also receive reimbursement for actual
13 expenses while attending reviewer or commission meetings.

14 (9) The meetings of the State Instructional Materials~~[Textbook]~~ Commission shall be
15 open to the public and shall be held at least once every quarter and notice of such
16 meeting shall be given in accordance with KRS 424.110 to 424.210.

17 (10) Not later than May 1 each year the chief state school officer shall call the State
18 Instructional Materials~~[Textbook]~~ Commission into session. The members of the
19 State Instructional Materials~~[Textbook]~~ Commission shall elect one (1) of its
20 voting members as chairman and shall adopt administrative regulations for the
21 procedure of the commission. The chief state school officer shall be the secretary of
22 the commission.

23 ➔Section 4. KRS 156.415 is amended to read as follows:

24 Before instructional materials collections~~[textbooks and programs]~~ offered for adoption
25 and use in public schools of Kentucky may be lawfully recommended and listed by the
26 State Instructional Materials~~[Textbook]~~ Commission or purchased by any board of
27 education, the person, firm, or corporation offering the materials for adoption and use

1 shall file with the chief state school officer:

- 2 (1) Copies of all textbooks, materials, and programs that the person, firm, or
3 corporation desires to offer for adoption and use, with a sworn statement of the list
4 price and the lowest wholesale price at which each of the titles is sold in any
5 adopting unit;
- 6 (2) A statement that all the titles offered for sale, adoption, and use, do comply with the
7 standards and specifications for instructional materials~~[textbooks]~~ designated by
8 the chief state school officer as regards paper, binding, printing, illustrations,
9 subject matter, technological requirements, and other items included in the
10 standards and specifications;
- 11 (3) Copies of any revision or special editions of the instructional materials~~[textbooks]~~
12 and programs filed, with a statement describing in detail each point of difference
13 from the regular edition filed, and the list price and the lowest wholesale price at
14 which the revision or special edition is sold anywhere in the United States;
- 15 (4) A fee of ten dollars (\$10)~~[five dollars (\$5)]~~ for each instructional materials
16 collection~~[book]~~ filed~~[except when a series of books is filed, in which case the fee~~
17 ~~shall be five dollars (\$5) for the first book and one dollar (\$1) for each additional~~
18 ~~book in the series]~~. The fee provided by this subsection shall be paid at each and
19 every adoption period;
- 20 (5) A bond running to the Commonwealth of Kentucky, executed by a surety company
21 authorized to do business in this state, in a sum not less than four thousand dollars
22 (\$4,000)~~[two thousand dollars (\$2,000)]~~ nor more than twenty thousand dollars
23 (\$20,000)~~[ten thousand dollars (\$10,000)]~~, to be determined by the chief state
24 school officer; and
- 25 (6) An affidavit certifying any instructional materials~~[textbook]~~ the publisher or
26 developer~~[manufacturer]~~ offers in the state to be free of factual error at the time~~[the~~
27 ~~publisher or manufacturer executes]~~ a contract is executed.

1 ➔Section 5. KRS 156.433 is amended to read as follows:

2 (1) The Kentucky Board of Education, upon recommendation of the chief state school
3 officer, shall promulgate an administrative regulation identifying instructional
4 materials eligible for purchase with state ~~{textbook }~~funds. The regulation shall
5 identify instructional materials which are subject to review before being
6 recommended for use, establish a procedure for the review, and a process for
7 adding an instructional material to the recommended list. ~~{The Department of~~
8 ~~Education may pay instructional materials reviewers an amount not to exceed one~~
9 ~~thousand dollars (\$1,000) annually per reviewer for their services using funds from~~
10 ~~the appropriation for state textbooks.}~~

11 (2) The Department of Education shall establish a list of recommended instructional
12 materials for the use of school personnel.

13 ➔Section 6. KRS 156.474 is amended to read as follows:

14 (1) The Kentucky Board of Education, upon the recommendation of the chief state
15 school officer, shall have the authority to prescribe the conditions whereby a school
16 district may make multiple ***instructional materials collection***~~{textbook }~~ adoptions
17 for the different school subjects by grades.

18 (2) The Kentucky Board of Education, upon the recommendation of the chief state
19 school officer, shall have the authority to prescribe the administrative regulations to
20 govern the purchase of the multiple-adopted ***instructional materials***
21 ***collections***~~{textbooks }~~ for the school district.~~{The chief state school officer, subject~~
22 ~~to the approval of the Kentucky Board of Education, may purchase the textbooks~~
23 ~~from the publishers whose books have been adopted by the school district for~~
24 ~~grades kindergarten through twelve (12) and distribute them without cost to the~~
25 ~~pupils attending the public schools in the school district.}~~

26 ➔Section 7. KRS 156.407 is amended to read as follows:

27 (1) The chief state school officer shall, not later than February 1 of each year in which

- 1 an adoption is to be made, solicit applications for filling twelve (12) positions for
2 ~~textbook~~ reviewers.
- 3 (2) Solicitation shall be statewide for all appointments and include specifications which
4 ensure candidates have professional expertise in the subject areas to be reviewed if
5 appropriate for the appointment.
- 6 (3) The State **Instructional Materials**~~Textbook~~ Commission, at its first yearly
7 meeting, shall select ~~textbook~~ reviewers based on a list of qualified applicants
8 prepared by the chief state school officer and giving consideration to the
9 recommendations as specified in KRS 156.405.
- 10 (4) The Department of Education's curriculum and instruction specialists shall serve as
11 staff to the commission and reviewers. The staff shall:
- 12 (a) Orient and train the commission and reviewers regarding departmental policy
13 and review procedures;
- 14 (b) Make available existing standards and criteria for ~~textbook~~ evaluation; and
- 15 (c) Provide supplies and sample **instructional materials collections**~~textbooks~~
16 for the review process.
- 17 (5) The ~~textbook~~ reviewers shall develop subject specific criteria for **instructional**
18 **materials collections**~~textbook~~ review and evaluation in the following ~~textbook~~
19 areas:
- 20 (a) Subject content, including its relationship to the academic
21 **standards**~~expectations~~;
- 22 (b) Audience;
- 23 (c) Format;
- 24 (d) Readability **and use**;
- 25 (e) Accuracy; and
- 26 (f) **Associated**~~Ancillary~~ materials **and resources**.
- 27 (6) On or before July 15, the State **Instructional Materials**~~Textbook~~ Commission

1 shall develop general criteria, review and approve subject specific criteria, and
2 provide the standard criteria and evaluation forms to be used by the commission
3 and ~~textbook~~ reviewers.

4 (7) Based upon approval of the standard criteria and evaluation forms, the ~~textbook~~
5 ~~reviewers~~ shall review instructional materials collections~~textbooks and~~
6 ~~programs~~. The committee shall submit evaluation forms for each instructional
7 materials collection~~textbook or program~~ reviewed in each of the five (5) areas, set
8 forth in subsection (5) of this section, with comments related to strengths and
9 weaknesses in each area.

10 (8) The State Instructional Materials~~Textbook~~ Commission shall review the work of
11 the ~~textbook~~ reviewers and based on this review and any of its own reviews of
12 instructional materials collection~~textbooks or programs~~, establish a state multiple
13 list of recommended instructional materials collection~~textbooks and programs~~.
14 The list of recommended collections~~textbooks and programs~~ shall be free of
15 factual error. Copies of all evaluation forms submitted by the ~~textbook~~ reviewers
16 shall be made available to commission members and maintained on file within the
17 Department of Education for the length of the adoption cycle~~cycle length of the~~
18 ~~books~~. For those materials placed on the state multiple list of recommended
19 collections~~textbooks and programs~~, the Department of Education shall publish a
20 consumer guide that includes summary results of the evaluations and any factual
21 error identified in the instructional materials~~textbooks~~, and shall distribute it to
22 all public schools in the state.

23 ➔Section 8. KRS 156.410 is amended to read as follows:

24 (1) The chief state school officer shall prepare minimum ~~manufacturing~~ standards,
25 delineate content specifications, in accordance with the content standards and
26 curriculum requirements of the program of studies for Kentucky schools: grades K-
27 12, and formulate other criteria for use in the evaluation of instructional

- 1 materials~~[textbooks and programs]~~ in Kentucky. Criteria shall require that all
2 materials be suitable for use with a diverse population and be free of social, ethnic,
3 racial, religious, age, gender, and geographic bias.
- 4 (2) It shall be the duty of the chief state school officer to prepare all necessary forms
5 for use in the evaluation of instructional materials~~[textbooks and programs]~~, such
6 as advertising for ~~[textbook]~~ bids; forms for bids, bonds, and contracts; and other
7 forms.
- 8 (3) The Kentucky Board of Education, upon the recommendation of the chief state
9 school officer, shall have authority to promulgate administrative
10 regulations~~[prescribe]~~:
- 11 (a) ~~[Administrative regulations]~~ Pertaining to all instructional
12 materials~~[textbook]~~ samples for use on the state and local levels; and
- 13 (b) ~~[Shall have authority to promulgate administrative regulations]~~ Relating to the
14 agents and representatives of instructional materials collection publishers or
15 developers~~[textbooks and programs]~~, as to the methods and procedures for use
16 in adoptions on the state and local levels.
- 17 (4) The chief state school officer, on or before May 1 prior to any adoption year, shall
18 properly advertise the subjects for which instructional materials~~[textbook]~~
19 adoptions will be made and notify the different publishers and developers~~[of the~~
20 ~~textbooks]~~. The publishers and developers, on or before July 15, of any adoption
21 year, shall file with the chief state school officer instructional materials
22 collection~~[textbook]~~ samples, filing fees, ~~[textbook]~~ bids and bonds, and other
23 specified information relative to the instructional materials collections~~[books]~~ that
24 they desire to offer for adoption.
- 25 (5) The chief state school officer shall:
- 26 (a) Review the bid information submitted by the publishers and developers;
- 27 (b) Verify that the bid complies with the specifications; and

1 (c) Prepare a list of instructional materials collections~~[textbooks and programs]~~,
2 for consideration by the State Instructional Materials~~[Textbook]~~ Commission
3 indicating those in compliance with the standards and specifications and those
4 not in compliance, detailing areas of noncompliance.

5 ➔Section 9. KRS 156.420 is amended to read as follows:

6 The bond required by the person, firm, or corporation offering instructional
7 materials~~[the books]~~ for adoption shall be so conditioned that:

8 (1) The person, firm, or corporation will furnish any of the instructional
9 materials~~[books]~~ listed in the statement filed for the period of adoption from the
10 date of the bond to any school district in Kentucky, or to any dealer appointed by
11 the district, at the lowest wholesale price contained in the statement, f.o.b. the
12 publisher's nearest shipping point;

13 (2) The person, firm, or corporation shall not bid and enter into a contract for an
14 adoption period with the Commonwealth of Kentucky for instructional
15 materials~~[books]~~ at a higher wholesale price than is being bid for the same adoption
16 period elsewhere in the United States.

17 (3) The person, firm, or corporation will automatically reduce such prices in Kentucky
18 whenever reductions are made anywhere in the United States, so that no
19 instructional material~~[book]~~ shall at any time be sold in Kentucky at a higher
20 wholesale price than is received for that instructional material~~[book]~~ elsewhere in
21 the United States;

22 (4) If the person, firm, or corporation prepared an abridged or special edition of any
23 book that has been listed and sells it elsewhere at a lower wholesale price than the
24 wholesale price set out in the filed statement, the person will file a copy of the
25 special edition with the price of the special edition in a supplemental statement with
26 the chief state school officer;

27 (5) All instructional materials~~[books]~~ sold in Kentucky will be identical with the

1 specimens~~[specimen books]~~ filed with the chief state school officer as regards size,
2 paper, binding, print, illustrations, subject matter, technological specifications, and
3 other particulars which may affect the value of the instructional materials~~[books]~~;

4 (6) The person, firm, or corporation shall not enter into any agreement, understanding,
5 or combination to control the price of instructional materials~~[textbooks]~~ or to
6 restrict competition in their sale in Kentucky.

7 ➔Section 10. KRS 156.425 is amended to read as follows:

8 The form of the sworn statement and bond required shall be prescribed by the chief state
9 school officer. The bond shall be in force for the adoption period. The person, firm, or
10 corporation may at any time while the bond is in force file a supplemental statement
11 covering additional instructional materials~~[books]~~ or special editions of instructional
12 materials~~[books]~~ previously filed. The supplemental statement shall expire at the date of
13 expiration of the original statement and bond. Prior to the expiration of any statement and
14 bond the person may file a new statement and bond for a further period of adoption, and
15 if he fails to file a new statement and bond his right to offer instructional
16 materials~~[textbooks]~~ for adoption and use in the public schools of Kentucky shall expire
17 on the date of expiration of the former bond.

18 ➔Section 11. KRS 156.435 is amended to read as follows:

19 (1) The State Instructional Materials~~[Textbook]~~ Commission shall, not later than
20 September 20 of any year in which an adoption is to be made, select, recommend,
21 and publish a list of instructional materials collections~~[books or programs]~~ in each
22 subject and grade, taking into account the needs of the various types of students.

23 (2) The State Instructional Materials~~[Textbook]~~ Commission shall have the authority
24 to reject any instructional material~~[book]~~ which:

25 (a) Contains subversive material or information that is offered for listing or
26 adoption. If the commission finds on the multiple list any instructional
27 material~~[book]~~ which contains subversive material or information, provided

1 the publisher or developer~~[of the book]~~ has been given written notice by the
 2 secretary of the commission not less than thirty (30) days prior to the meeting,
 3 the ~~[textbook]~~commission shall have authority to remove the material~~[book]~~
 4 from the state multiple list;

5 (b) Is in noncompliance with standards and specifications set forth in KRS
 6 156.410; or

7 (c) Is not of high quality in terms of the content provided, the audience addressed,
 8 the format used, technological specifications, the readability and usability of
 9 material or the ancillary materials provided the teacher and students.

10 (3) The State Instructional Materials~~[Textbook]~~ Commission shall have the authority
 11 to solicit additions for the state list when the list does not contain ~~[books or~~
 12 ~~]materials~~ for subjects added to the state courses of study.

13 (4) The chief state school officer shall make and execute contracts for the
 14 recommended instructional materials collections~~[textbooks and programs]~~ with the
 15 publishers or developers on or before May 1 following the establishment of the
 16 state multiple list of recommended materials~~[titles]~~ selected by the commission.
 17 Except as described in KRS 156.400, all contracts shall run for six (6) years.

18 (5) The chief state school officer shall prepare a multiple list of recommended
 19 instructional materials collections~~[textbooks or programs]~~ and publish the list
 20 along with a consumer guide and distribute the documents to the superintendents of
 21 each county and independent school district in Kentucky on or before November 15
 22 of each adoption year.

23 ➔Section 12. KRS 156.437 is amended to read as follows:

24 The Kentucky Board of Education, upon the recommendation of the chief state school
 25 officer, shall have the authority to prescribe administrative regulations for the
 26 recommended listing by the State Instructional Materials~~[Textbook]~~ Commission,
 27 adoption by local adoption units, and the purchase of subject programs for the pupils in

1 the public schools.

2 ➔Section 13. KRS 156.438 is amended to read as follows:

- 3 (1) The Kentucky Board of Education shall promulgate administrative regulations to
4 establish procedures for reviewing and resolving claims of factual errors found in
5 instructional materials~~[textbooks]~~ after adoption by the State Instructional
6 Materials~~[Textbook]~~ Commission.
- 7 (2) The administrative regulations shall include:
- 8 (a) A process for an individual who believes that a factual error or errors have
9 been found to file notice of his or her findings;
- 10 (b) A methodology for validating the accuracy of a claim of factual error;
- 11 (c) The development of conditions to include in publishers' or developers'
12 contracts specifying protocols for correcting errors which take into account
13 the following:
- 14 1. The extensiveness of the errors found;
 - 15 2. The remaining time left until the next instructional materials~~[textbook]~~
16 adoption cycle at the time the claim is determined to be valid;
 - 17 3. Conditions that would necessitate replacement of printed instructional
18 material~~[a book]~~ in its entirety or correction of a digital instructional
19 material; and
 - 20 4. Conditions that could be addressed through the insertion of corrections
21 in a printed instructional material~~[textbooks]~~ without replacement;
- 22 (d) Notice to school districts of errors, if found, and the resolution determined to
23 be available; and
- 24 (e) Notice to the claimant relative to the validation review and the resolution
25 determined to be available if the claim of error was validated.

26 ➔Section 14. KRS 156.440 is amended to read as follows:

27 Publishers and developers, upon the request of the superintendents of the county and

1 independent school districts, shall furnish to the local boards of education the requested
 2 sample copies of their materials that were selected and placed on the state multiple list of
 3 recommended instructional materials~~[textbooks]~~ by the State Instructional
 4 Materials~~[Textbook]~~ Commission.

5 →Section 15. KRS 156.445 is amended to read as follows:

6 (1) No instructional materials collection~~[textbook or program]~~ shall be used in any
 7 public school in Kentucky as a basal instructional material~~[title]~~ unless it has been
 8 recommended and listed on the state multiple list by the State Instructional
 9 Materials~~[Textbook]~~ Commission or unless a school and district has met the
 10 notification requirements under subsection (2) of this section. Any changes of
 11 instructional materials~~[textbooks]~~ made by the State Instructional
 12 Materials~~[Textbook]~~ Commission shall not become effective until grades and
 13 classes of the respective county and independent school districts have completed
 14 work for which the adopted instructional materials~~[book]~~ then in use was
 15 originally intended. Nothing in this section shall apply to the supplementary
 16 instructional materials~~[books]~~ that are needed from time to time.

17 (2) A superintendent~~[school council, or if none exists, the principal,]~~ may notify~~[-~~
 18 ~~through the superintendent,]~~ the State Instructional Materials~~[Textbook]~~
 19 Commission that the district~~[it]~~ plans to adopt a basal instructional materials
 20 collection~~[textbook or program]~~ that is not on the recommended list by submitting
 21 evidence that the instructional materials collection~~[title]~~ it has chosen meets the
 22 selection criteria of the State Instructional Materials~~[Textbook]~~ Commission in
 23 KRS 156.405(3)(b) and the subject specific criteria of the ~~[textbook]~~ reviewers
 24 pursuant to KRS 156.407(5) and complies with the required ~~[publisher~~
 25 ~~]specifications.~~

26 (3) In approving instructional~~[text]~~ materials for private and parochial schools for the
 27 purpose of KRS 156.160(3) the ~~[text]~~ materials shall be approved if they are

1 comprehensive and appropriate to the grade level in question notwithstanding the
2 fact that they may contain elements of religious philosophy.

3 ➔Section 16. KRS 156.460 is amended to read as follows:

4 No superintendent, teacher, or other official or employee of any institution supported
5 wholly or in part by public funds shall act, directly or indirectly, as agent for any person
6 whose *instructional materials*~~[school textbooks]~~ are filed with the chief state school
7 officer.

8 ➔Section 17. KRS 156.465 is amended to read as follows:

9 No person shall secure or attempt to secure the adoption of any *instructional*
10 *materials*~~[school textbook]~~ in any school district in this state, by rewarding or promising
11 to reward, directly or indirectly, any person in any public school district in the state. No
12 person shall offer or give any emolument to any person in any school district in this state
13 for any vote or promise to vote, or the use of his influence, for any *instructional*
14 *materials*~~[school textbook]~~ to be used in this state.

15 ➔Section 18. KRS 156.470 is amended to read as follows:

16 A copy of all recommended *instructional materials*~~[titles]~~ listed by the State
17 *Instructional Materials*~~[Textbook]~~ Commission shall remain in an office specified by the
18 chief state school officer as an official sample for the period of the adoption.

19 ➔Section 19. KRS 156.476 is amended to read as follows:

20 (1) The Kentucky Board of Education, upon the recommendation of the chief state
21 school officer, shall select suitable *instructional materials collections*~~[textbooks~~
22 ~~and programs]~~ in an appropriate format, which include braille textbooks, and other
23 materials available in clear type of eighteen (18) to twenty-four (24) points in the
24 different subject areas for children with impaired vision who are attending the
25 public schools of the Commonwealth of Kentucky in grades kindergarten through
26 twelve (12). These books and materials shall not be subject to the official bids,
27 filing fees, sampling, and the stipulated list prices, lowest wholesale prices, and the

1 standards and specifications required for the books and materials approved and
2 listed by the State *Instructional Materials*~~[Textbook]~~ Commission for regular use
3 by the pupils attending the public schools of the State of Kentucky. The Kentucky
4 Board of Education, upon the recommendation of the chief state school officer, may
5 promulgate an administrative regulation determining the pupils eligible for the
6 books and materials, the number of books and types of materials to be purchased,
7 and the general administration of the program. The chief state school officer,
8 subject to the approval of the Kentucky Board of Education, may purchase these
9 books and materials and distribute them without cost to the pupils with impaired
10 vision attending the public schools of the state. All *instructional materials*~~[books~~
11 ~~and programs]~~ purchased under this section for the pupils with impaired vision are
12 the property of the state.

13 (2) The Department of Education shall require any publisher *or developer* of *an*
14 *instructional materials collection*~~[a textbook or program]~~ adopted for use in the
15 public schools of the Commonwealth to furnish the American Printing House for
16 the Blind with ~~[computer diskettes or tapes of]~~those ~~[print]~~materials ~~[either in the~~
17 ~~American Standard Code for Information Interchange, (ASCII), or]~~in any ~~[other]~~
18 format, either electronic or print, which can be readily translated into braille or
19 large print.