

## CHAPTER 97-285

### Committee Substitute for Senate Bill No. 798

An act relating to instructional materials; amending s. 229.512, F.S.; prescribing power of the Commissioner of Education; amending s. 233.07, F.S.; deleting obsolete language relating to state instructional materials committee appointments; conforming provisions relating to committee meetings; providing a definition; amending s. 233.09, F.S.; requiring state instructional materials committees to adhere to procedures prescribed by the commissioner; revising provisions relating to evaluation of instructional materials by state instructional materials committees; deleting obsolete provisions; amending s. 233.11, F.S.; conforming language relating to committee procedures; amending s. 233.16, F.S.; providing procedures for evaluating instructional materials; authorizing a publisher or manufacturer to provide a cash deposit in lieu of a bond; revising provisions relating to preservation of contracts; amending s. 233.17, F.S.; providing for the commissioner to approve terms of adoption for instructional material; amending s. 233.18, F.S.; revising requirements for specimen copies of instructional materials; amending s. 233.25, F.S.; revising requirements for samples of nonprint instructional materials; revising requirements of publishers or manufacturers relating to description of instructional materials; conforming provisions; amending s. 233.34, F.S.; providing for use of certain materials; providing for a school or school district to use certain funds to purchase science laboratory materials and supplies when authorized in the General Appropriations Act; amending s. 233.46, F.S.; providing additional penalties for lost or damaged books; deleting obsolete provisions; amending s. 233.061, F.S.; providing required instruction; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (15) of section 229.512, Florida Statutes, is amended and a new subsection (16) is added to that section to read:

229.512 Commissioner of Education, general powers and duties.—The Commissioner of Education is the chief educational officer of the state, and has the following general powers and duties:

(15) To develop criteria for use by state instructional materials committees in evaluating materials submitted for adoption consideration. The criteria shall, as appropriate, be based on instructional expectations reflected in curriculum frameworks and student performance standards. The criteria for each subject or course shall be made available to publishers of instructional materials at least 24 months prior to the date on which bids are due as provided by s. 233.14, except as otherwise permitted under s. 233.17(3). It is the intent of the Legislature that publishers have ample time to develop instructional materials designed to meet requirements in this state.

(16) To prescribe procedures for evaluating instructional materials submitted by publishers and manufacturers in each adoption.

Section 2. Paragraph (c) of subsection (1), paragraphs (a) and (d) of subsection (2), and subsection (4) of section 233.07, Florida Statutes, are amended to read:

233.07 State instructional materials committees.—

(1) Each school year, not later than April 15, the Commissioner of Education shall appoint state instructional materials committees composed of persons actively engaged in teaching or in the supervision of teaching in the public elementary or secondary schools and representing the major fields and levels in which instructional materials are used in the public schools of the state and, in addition, lay citizens not professionally connected with education. There shall be committees for the recommendation of instructional materials for the elementary and secondary grades as may be found necessary by the Commissioner of Education. Committee members shall receive training pursuant to s. 233.095 in competencies related to the evaluation and selection of instructional materials.

(c) The commissioner shall determine annually the areas in which instructional materials shall be submitted for adoption. One of the factors upon which the commissioner shall base his or her decision is the desires of the school districts. The commissioner shall also determine the number of titles to be adopted in each area, ~~not to exceed 15 titles.~~

(2)(a) All appointments shall be pursuant to the conditions prescribed in this section. No member shall serve more than two consecutive terms on any committee. ~~After October 1, 1991, All appointments shall be for 18-month terms. All vacancies shall be filled in the manner of the original appointment for only the time remaining in the unexpired term. A committee member whose term has not expired as of July 1, 1991, shall continue to serve for the remaining period of his or her appointment.~~ At no time may a school district have more than one representative on a committee, it being the intent of the Legislature to involve representatives from the maximum number of school districts in the process of instructional materials selection. The Commissioner of Education and a member of the Department of Education whom he or she shall designate shall be additional and ex officio members of each committee.

(d) ~~Each committee shall meet at the call of its chair, at the request of a majority of its membership, at the request of the division, or at such times as may be prescribed by its rules. Any member of a committee who fails to attend two consecutive meetings without cause may be removed by the Commissioner of Education for cause.~~

(4) For purposes of state adoption this chapter, “instructional materials” ~~means are defined as items having intellectual content that by design serve as a major tool for assisting in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, consumables, learning laboratories, slides, films and filmstrips, recordings, manipulatives, electronic~~

media, and computer courseware or software coursework, video discs, or other such electronic media, and other commonly accepted instructional tools. The term does not include electronic or computer hardware even if such hardware is bundled with software or other electronic media.

Section 3. Subsections (3) and (4) of section 233.09, Florida Statutes, are amended to read:

233.09 Duties of each state instructional materials committee.—The duties of each state instructional materials committee shall be:

(3) PROCEDURES.—To adhere adopt procedures prescribed by the Commissioner of Education for evaluating instructional materials submitted by publishers and manufacturers in each adoption. Included in these procedures shall be the following minimum standards:

(a) ~~Provisions which afford each publisher or manufacturer or his or her representative an opportunity to present to members of the state instructional materials committees the merits of each instructional material submitted in each adoption;~~

(b) ~~Forms on which a district superintendent or his or her designee shall submit the results of the district instructional materials committee's recommendations; and~~

(c) ~~Guidelines for district instructional materials committees, professional associations, and individuals for evaluating instructional materials for state adoption; however, the following minimum standards apply:~~

1. ~~A district instructional materials committee must reflect the broad racial, ethnic, socioeconomic, and cultural diversity of the district and may not consist of fewer than three persons. One must be a layperson and two must be teachers, it being the intent of the Legislature that committees of three or more persons include at least one layperson and one-half teachers as a part of their total membership. The committee must have the capacity or expertise to address the broad racial, ethnic, socioeconomic, and cultural diversity of the student population of the district. Teachers serving on district instructional materials committees must be certified in an area directly related to the academic area or level being considered for adoption. Personnel selected as teachers of the year at the school, district, regional, or state level pursuant to the provisions of the program conducted by the Department of Education are encouraged to serve on instructional materials committees.~~

2. ~~A district instructional materials committee may not deny any publisher or manufacturer or his or her representative time to present his or her product equal to that time given any other publisher or manufacturer or his or her representative.~~

3. ~~Evaluations by district instructional materials committees, professional associations, and individuals must be submitted in such form and manner as prescribed by the state committee. Each instructional material shall be ranked numerically as to its choice in relation to all other materials~~

of the same type evaluated, and no two materials in the same subject area may receive the same numerical rating.

4.—District instructional materials committees, professional associations, and individuals who evaluate instructional materials and submit their findings and recommendations to the state committee shall do so in accordance with the provisions of subsection (4).

(4) EVALUATION OF INSTRUCTIONAL MATERIALS.—To evaluate carefully all instructional materials submitted, to ascertain which instructional materials, if any, submitted for consideration best implement the selection criteria developed by the Commissioner of Education and those curricular objectives included within applicable curriculum frameworks approved by the State Board of Education and the state and district performance standards provided for in s. ss. 229.565 and 232.2454. The committees shall file with the Commissioner of Education a written statement of the procedures used in the evaluation of instructional materials, and certified copies of such statements shall be made available to the public upon request. The state instructional materials committees shall be prohibited from conducting their assigned duties until such written statements are on file with the Commissioner of Education.

(a) When recommending instructional materials for use in the schools, each committee shall include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, and racial diversity of our society, including men and women in professional, vocational, and executive roles, and the role and contributions of the entrepreneur and labor in the total development of this state and the United States.

(b) When recommending instructional materials for use in the schools, each committee shall include only materials which accurately portray, whenever appropriate, humankind's place in ecological systems, including the necessity for the protection of our environment and conservation of our natural resources and the effects on the human system of the use of tobacco, alcohol, controlled substances, and other dangerous substances.

(c) When recommending instructional materials for use in the schools, each committee shall require such materials as it deems necessary and proper to encourage thrift, fire prevention, and humane treatment of people and animals.

(d) When recommending instructional materials for use in the schools, each committee shall require, when appropriate to the comprehension of pupils, that materials for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States. No instructional materials shall be recommended by any committee for use in the schools which contain any matter reflecting unfairly upon persons because of their race, color, creed, national origin, ancestry, gender, or occupation.

(e) ~~Instructional materials recommended for mathematics, science, and computer education shall be consistent with the Comprehensive Plan for Mathematics, Science, and Computer Education.~~

(e)(f) All instructional materials recommended by each committee for use in the schools shall be, to the satisfaction of each committee, accurate, objective, and current and suited to the needs and comprehension of pupils at their respective grade levels. Instructional materials committees shall consider for adoption materials developed for academically talented students such as those enrolled in advanced placement courses.

(f)(g) When recommending instructional materials for use in the schools, each committee shall have the recommendations of all districts which submit evaluations on the materials submitted for adoption in that particular subject area aggregated and presented to the members to aid them in the selection process; however, such aggregation shall be weighted in accordance with the full-time equivalent student percentage of each district. Each committee shall prepare an additional aggregation, unweighted, with each district recommendation given equal consideration. No instructional materials shall be evaluated or recommended for adoption unless each of the district committees shall have been loaned the specified number of samples.

(g)(h) In addition to relying on statements of publishers or manufacturers of instructional material, any committee may conduct, or cause to be conducted, an independent investigation as to the compliance of submitted materials with the requirements of this section.

~~(i) In the event that, after good faith acquisition of instructional materials by a district school board, the instructional materials are found to be not in accordance with the requirements of this subsection and the school board is unable to acquire other instructional materials which meet the requirements of this subsection in time for them to be used as intended, the school board may use the acquired materials, but only for that academic year.~~

Section 4. Section 233.11, Florida Statutes, is amended to read:

233.11 Contact with publishers, manufacturers, or their representatives prohibited.—It is unlawful for any member of a state instructional materials committee to discuss matters relating to instructional materials submitted for adoption with any agent of a publisher or manufacturer of instructional materials, either directly or indirectly, except during the period when the committee shall have been called into session for the purpose of evaluating instructional materials submitted for adoption. Such discussions shall be limited to official meetings of the committee and in accordance with procedures prescribed rules and regulations adopted by the Commissioner of Education committee for that purpose.

Section 5. Section 233.16, Florida Statutes, is amended to read:

233.16 Powers and duties of Department of Education in selecting and adopting instructional materials.—The powers and duties of the Department of Education in selecting and adopting instructional materials shall be:

(1) PROCEDURES FOR EVALUATING INSTRUCTIONAL MATERIALS.—To implement procedures prescribed by the Commissioner of Education for evaluating instructional materials submitted by publishers and

manufacturers in each adoption. Included in these procedures shall be the following minimum standards:

(a) Provisions which afford each publisher or manufacturer or his or her representative an opportunity to present to members of the state instructional materials committees the merits of each instructional material submitted in each adoption;

(b) Forms on which a district superintendent or his or her designee shall submit the results of the district instructional materials committee's recommendations; and

(c) Guidelines for district instructional materials committees, professional associations, and individuals for evaluating instructional materials for state adoption; however, the following minimum standards apply:

1. A district instructional materials committee must reflect the broad racial, ethnic, socioeconomic, and cultural diversity of the district and may not consist of fewer than three persons. One must be a layperson and two must be teachers, it being the intent of the Legislature that committees of three or more persons include at least one layperson and one-half teachers as a part of their total membership. The committee must have the capacity or expertise to address the broad racial, ethnic, socioeconomic, and cultural diversity of the student population of the district. Teachers serving on district instructional materials committees must be certified in an area directly related to the academic area or level being considered for adoption. Personnel selected as teachers of the year at the school, district, regional, or state level pursuant to the provisions of the program conducted by the Department of Education are encouraged to serve on instructional materials committees.

2. A district instructional materials committee may not deny any publisher or manufacturer or his or her representative time to present his or her product equal to that time given any other publisher or manufacturer or his or her representative.

3. Each instructional material evaluated by district instructional materials committees, professional associations, and individuals shall be ranked numerically in relation to all other materials of the same type evaluated, and no two materials in the same subject area may receive the same numerical rating.

4. District instructional materials committees, professional associations, and individuals who evaluate instructional materials and submit their findings and recommendations to the state committee shall do so in accordance with the provisions of section 233.09(4).

(2)(4) SELECTION AND ADOPTION OF INSTRUCTIONAL MATERIALS.—The Department of Education shall notify all publishers or manufacturers of instructional materials who have submitted bids that within 3 weeks after the deadline for receiving bids, at a designated time and place, it will open bids and proposals which have been submitted and deposited with the Department of Education. At the time and place designated, the

bids or proposals shall be opened, read, and tabulated in the presence of the bidders or their representatives. No one may revise his or her bid after the bids have been filed. When all bids or proposals have been carefully considered, the department shall, from the list of suitable, usable, and desirable instructional materials reported by the state instructional materials committee, select and adopt instructional materials for each grade and subject field in the curriculum of public elementary and secondary schools in the state in which adoptions are made and in the subject areas designated in the advertisement, which adoption shall continue for the period specified in the advertisement, to begin on the ensuing April 1. Such adoption shall not prevent the extension of a contract as provided in subsection (3) (2). The department shall always reserve to itself the right to reject any and all bids or proposals if it is of the opinion that any or all bids, for any reason, should be rejected. The department may ask for new sealed bids from publishers or manufacturers whose instructional materials were recommended by the state instructional materials committee as suitable, usable, and desirable; specify the dates for filing such bids and the date on which they shall be opened; and proceed in all matters regarding the opening of bids and the awarding of contracts as required by the terms and provisions of this chapter. In all cases, bids or proposals shall be accompanied by a cash deposit or certified check of from \$500 to \$2,500, as the department may direct. The department, in adopting instructional materials, shall give due consideration both to the prices bid for furnishing instructional materials and to the report and recommendations of the state instructional materials committee. When the department has finished with the report of the state instructional materials committee, the report shall be filed and preserved in the office of the Department of Education and shall be available at all times for public inspection.

~~(3)~~(2) CONTRACT WITH PUBLISHERS OR MANUFACTURERS; BOND.—As soon as practicable after the department has adopted any instructional materials and all bidders that have secured the adoption of any instructional materials have been notified of the same by registered letter, the Department of Legal Affairs shall prepare a contract in accordance with the provisions of the school code with every bidder awarded the adoption of any instructional materials. Said contracts shall be executed by the Governor and Secretary of State under the seal of the state, one copy to be kept by the contractor, one copy to be filed in the Department of State, and one copy to be filed in the Department of Education. After giving due consideration to comments by the districts, the department, with the agreement of the publisher, may extend or shorten a contract period for a period not to exceed 2 years; and the terms of any such contract shall remain the same as those set forth in the original contract. Any publisher or manufacturer to whom any contract is let under the provisions of this chapter must give bond in such amount as the department deems advisable, payable to the state, conditioned for the faithful, honest, and exact performance of the contract. The bond must further provide for the payment of reasonable attorney's fees in case of recovery in any suit upon the same. The surety on the bond must be a guaranty or surety company authorized by the laws of the state to do business in the state; however, the bond shall not be exhausted by a single recovery but may be sued upon from time to time until the full amount thereof is recovered, and the department may at any time,

after giving 30 days' notice, require additional security or additional bond. The form of any bond or bonds or contract or contracts under the provisions of this chapter shall be prepared and approved by the Department of Legal Affairs. At the discretion of the Commissioner of Education, a publisher or manufacturer to whom any contract is let under provisions of this chapter may be allowed a cash deposit in lieu of a bond, conditioned for the faithful, honest, and exact performance of the contract. The cash deposit, payable to the Department of Education, shall be placed in the Textbook Bid Trust Fund. The department may recover damages on the cash deposit given by the contractor for failure to furnish instructional materials, the sum recovered to inure to the General Revenue Fund.

(4)(3) REGULATIONS GOVERNING THE CONTRACT.—The Department of Education may, from time to time, make any necessary regulations, not contrary to the provisions of this chapter, to secure the prompt and faithful performance of all contracts; and it is expressly provided that, should any contractor fail or refuse to furnish instructional materials as provided in this chapter or otherwise break his or her contract, the department may sue on the bond hereinbefore required in the name of the state, in the courts of the state having jurisdiction, and recover damages on the bond given by the contractor for failure to furnish instructional materials, the sum recovered to inure to the General Revenue Fund.

(5)(4) RETURN OF DEPOSITS.—

(a) The successful bidder shall be notified by registered mail of the award of contract; and such bidder shall, within 30 days of receipt of the contract, execute the proper contract and post the required bond. When such bond and contract have been executed, the department shall notify the Comptroller and request that a warrant be issued against the Textbook Bid Trust Fund payable to the successful bidder in the amount deposited under the provisions of s. 233.15. The Comptroller shall issue and forward such warrant to the department for distribution to the bidder.

(b) At the same time or prior thereto, the department shall inform the Comptroller of the names of the unsuccessful bidders. Upon receipt of such notice, the Comptroller shall issue warrants against the Textbook Bid Trust Fund payable to the unsuccessful bidders in the amounts deposited under the provisions of s. 233.15 and shall forward such warrants to the department for distribution to the unsuccessful bidders.

(c) One copy of each contract and an original of each bid, whether accepted or rejected, shall be preserved in the office of the Department of Education for at least 3 5 years beyond the termination of the contract.

(6)(5) DEPOSITS FORFEITED.—Should any successful bidder fail or refuse to execute contract and bond within 30 days of receipt of the contract, the cash deposit shall be forfeited to the state and placed by the Treasurer in the General Revenue Fund.

(7)(6) FORFEITURE OF CONTRACT AND BOND.—In case of the failure of any publisher or manufacturer of instructional materials to furnish a book, or books, or other instructional materials as provided in the contract,

his or her bond shall stand forfeited; and the department shall make another contract on such terms as it may find desirable, after giving due consideration to the recommendations of the Commissioner of Education.

Section 6. Section 233.17, Florida Statutes, is amended to read:

233.17 Term of adoption for instructional materials.—

(1) The term of adoption of any instructional materials shall be for an 8-year ~~a 6-year~~ period beginning on April 1 following the adoption, except for the core subject areas which include mathematics, science, social studies, reading, and literature which shall be for a term not to exceed 6 years beginning on April 1 following the adoption. Any contract for instructional materials may be unless the contract is extended as prescribed in s. 233.16(2). ~~However, The Commissioner State Board of Education may approve by rule~~ terms of adoption of less than ~~8~~ 6 years for materials in content areas which require more frequent revision.

(2) Any contract placing an instructional material on adoption for 4 or more years shall provide that a publisher or manufacturer of instructional materials may, at the end of the third year during the term of the contract, upon giving 60 days' notification, increase such contract price to the publisher's or manufacturer's then current lowest wholesale price at which the materials are then being offered to any state or school district in the United States, except that such adjustment shall not exceed the percentage by which the consumer price index as determined by the United States Department of Labor has increased during the time the contract has been in force. Such price increase shall remain in effect for the remaining term of the contract, unless the contract price is increased as permitted above.

(3) The department shall publish annually an official a schedule of subject areas to be called for adoption for each of the succeeding 2 years, and a tentative schedule for years 3, 4, 5 and 6 ~~6 years~~. If extenuating circumstances warrant, the Commissioner of Education may order the department to add one or more subject areas to the official schedule, in which event the commissioner shall develop criteria for such additional subject area or areas pursuant to s. 229.512(15) and make them available to publishers as soon as practicable. Notwithstanding the provisions of s. 229.512(15), the criteria for such additional subject area or areas may be provided to publishers less than 24 months before the date on which bids are due. The schedule shall be developed so as to promote balance among the subject areas so that the required expenditure for new instructional materials is approximately the same each year in order to maintain curricular consistency.

Section 7. Section 233.18, Florida Statutes, is amended to read:

233.18 Copies of bids, contracts, and instructional materials ~~books~~ retained.—Specimen copies of all instructional materials ~~textbooks~~, which have been made the bases of contracts under the provisions of this chapter, shall, upon request for the purpose of public inspection, be made available by the publisher to clearly marked and identified as such, shall be deposited by their publishers with the Department of Education and the superintendent of each school district that adopts such materials from the state list upon

~~request for the purpose of public inspection, which specimens shall be preserved and kept open for inspection by the public.~~ All contracts and bonds executed under the provisions of this chapter shall be signed in triplicate. One copy of each contract and an original of each bid, whether accepted or rejected, shall be preserved in the office of the Department of Education for at least 3 ~~5~~ years beyond the termination of the contract.

Section 8. Subsections (2), (4), (9), and (14) and paragraph (b) of subsection (3) of section 233.25, Florida Statutes, are amended to read:

233.25 Duties, responsibilities, and requirements of publishers and manufacturers of instructional materials.—Publishers and manufacturers of instructional materials, or their representatives, shall:

(2)(a) ~~Deliver specimen copies of all instructional materials upon which bids or proposals are based to each member of a state instructional materials committee. Written descriptions and representative samples of each nonprint instructional material upon which a bid or proposal is based shall be delivered for use by all members of the committee.~~ At the conclusion of the review process, manufacturers submitting samples of instructional materials shall be entitled to the return thereof, at the expense of the manufacturers; or, in the alternative, the manufacturers shall be entitled to reimbursement by the individual committee members for the retail value of such samples.

(b) ~~Lend Loan~~ Lend copies of such materials in quantities to be determined by the Department of Education to those districts participating in preadoption evaluations ~~or in lieu thereof, in the case of nonprint instructional materials, descriptions and representative selections therefrom.~~ At the conclusion of the review process, if the district does not return such instructional materials to the publishers and manufacturers, at their expense, the publishers and manufacturers shall be entitled to reimbursement by the district for the retail value of such materials.

(3) Submit, at a time designated in s. 233.14, the following information:

(b) Written proof that the publisher has provided written correlations to appropriate curricular objectives included within applicable performance standards provided for in s. 229.565 ~~the following instructional objectives when appropriate: standards of excellence, the minimum student performance standards, and the raise achievement in secondary education program (RAISE) which provides for curriculum frameworks for secondary level courses.~~

(4) ~~By a date set by the Commissioner of Education for the year that a committee is considering a specific academic area for adoption, each publisher or manufacturer shall submit to the committee a written description of how materials meet each of the specifications and criteria developed by the commissioner. The description shall include an explanation of the function and goals of the instructional materials program, including the rationale for the design of the program, and the relationship between each of the components comprising the program. Such reports shall be made available to each school district.~~

(9) Guarantee that all copies of any instructional materials sold in this state will be at least equal in quality to the copies of such instructional materials that are sold elsewhere in the United States and will be kept revised, free from all errors, and up-to-date as may be required by the Department of Education state board.

(14) Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, be liable to the Department of Education state board in the amount of 3 times the total sum which the publisher or manufacturer was paid in excess of the price required under subsections (6) and (7) and in the amount of 3 times the total value of the instructional materials and services which the district board is entitled to receive free of charge under subsection (8).

Section 9. Present subsections (3), (4), and (5) of section 233.34, Florida Statutes, are redesignated as subsections (4), (5), and (6), respectively, and a new subsection (3) is added to that section to read:

233.34 Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books.—

(3) Notwithstanding the definition of instructional materials in s. 233.07(4), the funds described in subsection (2) which school districts may use to purchase materials not on the state adopted list may be used for the purchase of instructional materials or other items having intellectual content which assist in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, replacements for items which were part of previously purchased instructional materials, consumables, learning laboratories, manipulatives, electronic media, computer courseware or software, and other commonly accepted instructional tools as prescribed by school board policy. The funds available to school districts for the purchase of materials not on the state adopted list may not be used to purchase electronic or computer hardware even if such hardware is bundled with software or other electronic media, nor may such funds be used to purchase equipment or supplies. However, when authorized to do so in the General Appropriations Act, a school or school district may use a portion of the funds available to it for the purchase of materials not on the state adopted list to purchase science laboratory materials and supplies.

Section 10. Subsections (2), (6), and (7) of section 233.46, Florida Statutes, are amended to read:

233.46 Duties of principals.—The duties and responsibilities of principals for instructional materials management and care include:

(2) MONEY COLLECTED FOR LOST OR DAMAGED BOOKS.—It shall be the duty and responsibility of each principal to collect from each pupil or the pupil's parent the purchase price of any instructional material the pupil has lost, destroyed, or unnecessarily damaged and to report and transmit such amounts so collected to the superintendent. If such material so lost, destroyed, or damaged has been in school use for more than 1 year, a sum ranging between 50 and 75 percent of the purchase price of the book shall

be collected. Such sum shall be determined by the physical condition of the book. The failure to collect such sum upon reasonable effort by the principal may result in the suspension of the pupil from participation in extracurricular activities or satisfaction of the debt by the pupil through community service activities at the school site as determined by the principal.

(6) ACCOUNTING FOR TEXTBOOKS.—Principals shall see that all books are fully and properly accounted for ~~as on forms prescribed by rules of the local school district the state board, and on forms which are supplied through the office of the superintendent.~~

(7) ~~RECORDS AND REPORTS.—Principals shall prepare and transmit such textbook records and reports as may be required by the Department of Education and such supplementary records and reports as the superintendent may direct.~~

Section 11. Subsection (1) of section 233.061, Florida Statutes, is amended to read:

233.061 Required instruction.—

(1) Members of the instructional staff of the public schools, subject to the rules and regulations of the state board and of the school board, shall teach efficiently and faithfully, using the books and materials required, following the prescribed courses of study, and employing approved methods of instruction the following:

(a) The content of the Declaration of Independence and how it forms the philosophical foundation of our government;

(b) The arguments in support of adopting our republican form of government, as they are embodied in the most important of the Federalist Papers;

(c) The essentials of the United States Constitution and how it provides the structure of our government;

(d) Flag education, including proper flag display and flag salute;

(e) The elements of civil government shall include the primary functions of and inter-relationships between the Federal Government, the state, and its counties, municipalities, school districts, and special districts;

(f) The history of the Holocaust (1933-1945), the systematic, planned annihilation of European Jews and other groups by Nazi Germany, a watershed event in the history of humanity, to be taught in a manner that leads to an investigation of human behavior, an understanding of the ramifications of prejudice, racism, and stereotyping, and an examination of what it means to be a responsible and respectful person, for the purposes of encouraging tolerance of diversity in a pluralistic society and for nurturing and protecting democratic values and institutions;

(g) The history of African-Americans, including the history of African peoples before the political conflicts that led to the development of slavery,

the passage to America, the enslavement experience, abolition, and the contributions of African-Americans to society;

- (h) The elementary principles of agriculture;
- (i) The true effects of all alcoholic and intoxicating liquors and beverages and narcotics upon the human body and mind;
- (j) Kindness to animals;
- (k) The history of the state;
- (l) The conservation of natural resources; and
- (m) Such additional materials, subjects, courses, or fields in such grades as may be prescribed by law or by rules of the state board and the school board in fulfilling the requirements of law.

Section 12. This act shall take effect July 1, 1997.

Became a law without the Governor's approval May 31, 1997.

Filed in Office Secretary of State May 30, 1997.