

**FUNDING FOR TEXTBOOKS**

2001 GENERAL SESSION

STATE OF UTAH

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**The act modifies provisions related to the State System of Public Education by requiring the State Board of Education to design and implement a statewide plan to provide for an adequate supply of textbooks for students on an ongoing basis and to replace outdated textbooks or textbooks in poor condition. This act provides an appropriation of \$23,790,000 in one-time monies to purchase new textbooks and has an immediate effective date.**

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

**53A-12-201.5**, Utah Code Annotated 1953

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-12-201.5** is enacted to read:

**53A-12-201.5. State plan to meet textbook needs -- Monitoring and auditing of textbook programs.**

(1) (a) The State Board of Education, in consultation with local school boards and local superintendents, shall design and implement a statewide plan to:

(i) provide for an adequate supply of textbooks for students in the state's public schools

on an ongoing basis; and

(ii) replace outdated textbooks or textbooks in poor condition.

(b) The board shall review the plan annually and make modifications if necessary to meet the requirements of Subsection (1)(a).

(c) (i) Each local school board shall provide an annual report to the State Board of Education by August 1 on:

(A) the district's textbook needs from the just completed school year;

(B) monies received prior to and during the school year to meet those needs by source and amount; and

(C) how the monies received under Subsection (c)(i)(B) were spent to meet the needs identified under Subsection (c)(i)(A).

(ii) The state board, through the superintendent of public instruction, shall provide a summary report of the data received under Subsection (c)(i) to the Legislative Education Interim Committee by October 1 of each year.

(2) The State Board of Education shall:

(a) make a rule in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, that provides uniform guidelines for determining what constitutes:

(i) an adequate supply of textbooks; and

(ii) an outdated textbook and a textbook in poor condition; and

(b) determine if the definition of textbooks under Section 53A-12-202 should be modified for purposes of this chapter and make its recommendation to the Education Interim Committee of the Legislature prior to November 30, 2001.

(3) (a) The State Board of Education and the Legislative Auditor General's Office shall jointly monitor and conduct an audit of the funding sources and expenditures for textbooks in the state's public schools.

(b) The monitoring and audit shall cover a period of at least three but no more than five years, beginning with the 2000-01 school year.

**Section 2. Appropriation.**

(1) For fiscal year 2000-01 only, there is appropriated from the Uniform School Fund \$23,790,000 in one-time monies to the State Board of Education.

(2) (a) The board shall allocate the appropriation to local school boards for the purchase of textbooks for students on the basis of:

(i) need as identified in the Legislative Auditor General's State Textbook Funding Audit dated November 2000 or as identified by the State Board of Education; and

(ii) effort made by each district to satisfy its textbook needs.

(b) Each local school board shall use its allocation to provide adequate numbers of textbooks for students or to replace textbooks in poor or outdated condition or to do both.

**Section 3. Effective date.**

If approved by two-thirds of all the members elected to each house, this act takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.