

THE FLORIDA SENATE  
2013 SUMMARY OF LEGISLATION PASSED  
**Committee on Education**

**CS/CS/SB 1388— Instructional Materials**

by Appropriations Committee; Education Committee; and Senator Montford

The bill retains the existing statewide instructional materials process, except to:

- Require school districts that participate in the state adoption process to purchase instructional materials in the first three years of the adoption cycle; and
- Require instructional materials to reference statewide standards in the teacher's manual, not at the point of student use.

The bill provides school districts, or a consortium of school districts, with flexibility to implement their own instructional materials review, approval, adoption and purchase program. The bill authorizes school districts implementing their own instructional materials program to:

- Adopt rules implementing the program;
- Annually certify to the Department of Education that all instructional materials adopted for core courses are aligned with all applicable state standards;
- Require reviewers to comply with the standards and duties applicable to the state level instructional materials reviewers; and
- Use up to 50 percent of the annual allocation for the purchase of digital or electronic instructional materials that align with state standards by FY 2015-2016.

The bill authorizes school districts to collect fees from publishers who submit instructional materials for review, provided:

- The fees do not exceed the actual cost to review a publisher submission, or \$3,500, whichever is less; and
- The fees are not used to cover the actual cost of substitute teachers for instructional staff that serve as an instructional materials reviewer.

The bill provides school districts that implement their own instructional materials program with discretion to:

- Purchase instructional materials off the state-adopted list;
- Requisition instructional materials from the publisher's depository;
- Follow the same review cycle used for state instructional materials; and
- Purchase materials that have intellectual content which assist in the instruction of a subject or course, when purchasing materials not on the state adopted list.

For school districts implementing their own instructional materials program, the bill requires publishers to:

- Offer most-favored nations pricing, and automatically reduce the price of the instructional materials if a lower price is offered elsewhere in the United States; and
- Comply with the same duties that are applicable to publishers for the state level review.

If approved by the Governor, these provisions take effect July 1, 2013.

*Vote: Senate 40-0; House 117-0*