A bill to be entitled
An act relating to instructional materials for K-12 public education; amending s. 1006.28, F.S.; providing that the district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students; redefining the term “adequate instructional materials”; amending s. 1006.283, F.S.; requiring a district school board or consortium of school districts to implement an instructional materials program; including criteria for the review and recommendation of instructional materials, the process by which instructional materials are adopted, and the process by which a school district will notify parents of their ability to access their children’s instructional materials in the list of the subjects that must be addressed by rule of the district school board; requiring adopted instructional materials to be provided in digital format; defining the term “digital format”; requiring the Department of Education to publish minimum, recommended technology requirements; requiring the district to make available, upon request, sample copies of its adopted instructional materials; repealing s. 1006.29, F.S., relating to state instructional materials reviewers; amending s. 1006.30, F.S.; requiring each district instructional materials reviewer to file an affidavit with the district school board, rather than the department; amending s. 1006.31, F.S.; deleting references to the...
Department of Education regarding the duties of instructional materials reviewers; revising the evaluation procedure for instructional materials; amending s. 1006.32, F.S.; conforming provisions to changes made by the act; repealing s. 1006.33, F.S., relating to bids, proposals, and advertisement regarding the adoption of instructional materials; repealing s. 1006.34, F.S., relating to powers and duties of the Commissioner of Education and the department in selecting and adopting instructional materials; amending s. 1006.35, F.S.; requiring the district school board, rather than the commissioner, to conduct an independent investigation to determine the accuracy of district-adopted instructional materials; authorizing the district school board, rather than the commissioner, to remove materials from the list of district-adopted materials under certain circumstances; repealing s. 1006.36, F.S., relating to the term of adoption for instructional materials; amending s. 1006.37, F.S.; authorizing, rather than requiring, the district school superintendent to requisition adopted instructional materials from the depository of a publisher with whom a contract has been made or any other vendor selling the adopted instructional materials; deleting provisions regarding the superintendent’s requisition of instructional materials; conforming provisions to changes made by the act; authorizing a district school board or a consortium of school districts to requisition
Be It Enacted by the Legislature of the State of Florida:

instructional materials from the publisher’s
depository or any other vendor selling adopted
instructional materials and to request assistance from
the publisher’s depository to recommend instructional
materials for review, approval, adoption, and
purchase; requiring the recommended materials to be
consistent with certain goals, objectives, and
requirements; requiring that personnel from the
publisher’s depository sign an affidavit in order to
be considered an instructional materials reviewer;
amending s. 1006.38, F.S.; conforming provisions to
changes made by the act; revising the duties,
responsibilities, and requirements of instructional
materials publishers and manufacturers; amending s.
1006.40, F.S.; deleting provisions regarding the
adoption of instructional materials for certain core
courses in the subject area of mathematics; requiring
each district school board to use a certain percentage
of the annual allocation for the purchase of digital,
rather than electronic, instructional materials that
meet certain goals, objectives, and requirements;
deleting provisions regarding the use of the
district’s annual allocation for the purchase of
instructional materials; amending s. 1006.41, F.S.;
conforming provisions to changes made by the act;
amending ss. 1006.282 and 1010.82, F.S.; conforming
cross-references; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:
Section 1. Subsection (1) of section 1006.28, Florida Statutes, is amended to read:

1006.28 Duties of district school board, district school superintendent; and school principal regarding K-12 instructional materials.—

(1) DISTRICT SCHOOL BOARD.—The district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students in accordance with the requirements of this part. The term “adequate instructional materials” means a sufficient number of student or site licenses or sets of materials that are available in bound, unbound, kit, or package form and may consist of hardbacked or softbacked textbooks, electronic content, consumables, learning laboratories, manipulatives, and electronic media, or computer courseware, or software, or applications that serve as the basis for instruction for each student in the core courses of mathematics, language arts, social studies, science, reading, and literature. The district school board has the following specific duties and responsibilities:

(a) Courses of study; adoption.—Adopt courses of study for use in the schools of the district.

(b) Instructional materials.—Provide for proper requisitioning, distribution, accounting, storage, care, and use of all instructional materials and furnish such other instructional materials as may be needed. The district school board shall ensure that instructional materials used in the district are consistent with the district goals and objectives and the course descriptions established in rule of the State...
Board of Education, as well as with the state and district performance standards provided for in s. 1001.03(1).

(c) Other instructional materials.—Provide such other teaching accessories and aids as are needed for the school district’s educational program.

(d) School library media services; establishment and maintenance.—Establish and maintain a program of school library media services for all public schools in the district, including school library media centers, or school library media centers open to the public, and, in addition such traveling or circulating libraries as may be needed for the proper operation of the district school system.

Section 2. Subsections (1) and (2) of section 1006.283, Florida Statutes, are amended, and subsections (7), (8), and (9) are added to that section, to read:

1006.283 District school board instructional materials review process.—

(1) A district school board or consortium of school districts shall implement an instructional materials program that includes the review, approval, adoption, and purchase of instructional materials. Beginning in the 2013-2014 school year, the district school superintendent shall certify to the department by March 31 of each year that all instructional materials for core courses used by the district are aligned with applicable state standards. Included in the certification shall be A list of the core instructional materials that will be used or purchased for use by the school district shall be included in

(2) The district school board shall adopt rules
implementing the district’s instructional materials program which must include, but need not be limited to:

(a) Criteria for the review and recommendation of instructional materials, including a thorough review of curriculum content. The district shall establish a local instructional materials review committee to review and recommend instructional materials to the district school board for final adoption. A district may enter into an agreement with other districts to combine their local instructional materials review committees into one super committee. A local instructional materials review committee shall consist of the following members, appointed as follows:

1. Each district school board member shall appoint one person who is not employed by the district.

2. The superintendent shall appoint a number of classroom teachers equal to the number of district school board members. The selection of classroom teachers shall be representative of the subject areas and grade levels of the instructional materials being considered for adoption.

3. The district school board and the superintendent shall each appoint at least one parent of a student who is currently enrolled in a public school in the district. Its review and purchase process.

(b) Identification, by subject area, of a review cycle for instructional materials.

(c) The duties and qualifications of the instructional materials reviewers.

(d) The requirements for an affidavit made by each a district instructional materials reviewer which substantially
meets includes the requirements of s. 1006.30.

(e) Compliance with s. 1006.32, relating to prohibited acts.

(f) A process for the district school board to determine and certify that certifies the accuracy of district-adopted instructional materials.

(g) The incorporation of applicable requirements of s. 1006.31, which relates to the duties of instructional materials reviewers.

(h) The incorporation of applicable requirements of s. 1006.38, relating to the duties, responsibilities, and requirements of publishers of instructional materials.

(i) The process by which instructional materials are adopted by the district school board. The process must allow the public, within 10 days after district school board adoption, to appeal the district school board’s adoption of specific instructional materials. Upon appeal, the district school board shall convene a public hearing to reevaluate the challenged instructional materials and determine suitability for use. Suitability includes the accuracy and appropriateness of the materials according to the evaluation criteria specified in s. 1006.31. The district school board’s decision to adopt instructional materials is final unless a public appeal is timely filed. If a public appeal is timely filed, the district school board’s decision after convening the public hearing is final and not subject to further review.

1. Instructional materials considered for adoption by the district school board must be posted in a read-only format on the district website at least 20 calendar days before the public
hearing and public meeting as specified in this paragraph. The district shall establish an electronic process for the public to submit, and the school board members and the superintendent to access, comments on the recommended instructional materials.

2. The district school board shall conduct an open, noticed district school board hearing to receive public comment on and review the recommended instructional materials.

3. The district school board shall hold an open, noticed public meeting to approve an annual instructional materials plan, including the adoption of instructional materials. This public meeting must be held on a different date than the public hearing.

4. The notices for the public hearing and the public meeting must specifically state which instructional materials are being reviewed and the manner in which the instructional materials can be accessed for public review.

(j) The process by which instructional materials will be purchased, including advertising, bidding, and purchasing requirements.

(k) The process by which the school district will notify parents of their ability to access their children’s textbooks and instructional materials through the district’s local instructional improvement system and by which the school district will encourage parents to access the system. This notification must be displayed prominently on the district school board’s website and provided annually in a written format to all parents of enrolled students.

(7) Beginning in the 2015-2016 academic year, all adopted instructional materials for students in kindergarten through
grade 12 must be available in a digital format. As used in this subsection, the term “digital format” means text-based or image-based content in a form that provides the student with various interactive functions; that can be searched, tagged, distributed, and used for individualized and group learning; that includes multimedia content such as video clips, animation, and virtual reality; and that can be accessed at anytime and anywhere. The term does not include electronic or computer hardware even if such hardware is bundled with software or other electronic media, nor does the term include equipment or supplies.

(8) The department shall publish recommended, minimum technology requirements that include guidelines on the number of students per device necessary to ensure that students can access all instructional materials in digital format and specifications for hardware, software, networking, and security.

(9) The school district shall make available upon request for public inspection sample copies of all instructional materials that have been adopted by the district school board.

Section 3. Section 1006.29, Florida Statutes, is repealed.

Section 4. Section 1006.30, Florida Statutes, is amended to read:

1006.30 Affidavit of district state instructional materials reviewers.—Before transacting any business, each district state instructional materials reviewer shall make an affidavit, to be filed with the district school board department, that:

(1) The reviewer will faithfully discharge the duties imposed upon him or her.

(2) The reviewer does not have an interest in any
publishing or manufacturing organization that produces or sells instructional materials.

(3) The reviewer is not in any way connected with the distribution of the instructional materials.

(4) The reviewer does not have any direct or indirect pecuniary interest in the business or profits of any person engaged in manufacturing, publishing, or selling instructional materials designed for use in the public schools.

(5) The reviewer will not accept any emolument or promise of future reward of any kind from any publisher or manufacturer of instructional materials or his or her agent or anyone interested in, or intending to bias his or her judgment in any way in, the selection of any materials to be adopted.

(6) The reviewer understands that it is unlawful 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 publisher or manufacturer is providing a presentation for the reviewer during his or her review of the instructional materials submitted for adoption.

Section 5. Section 1006.31, Florida Statutes, is amended to read:

1006.31 Duties of the Department of Education and district instructional materials reviewer.—The duties of the instructional materials reviewer are:

(1) PROCEDURES.—To adhere to procedures prescribed by the department or the district for evaluating instructional materials submitted by publishers and manufacturers in each adoption. This section applies to both the state and district.
(2) EVALUATION OF INSTRUCTIONAL MATERIALS.—To evaluate carefully all instructional materials submitted, in order to ascertain which instructional materials, if any, submitted for consideration implement the selection criteria developed by the district department and those curricular objectives included within applicable performance standards provided for in s. 1001.03(1).

(a) When recommending instructional materials for use in the schools, each reviewer shall include only instructional materials that accurately portray the ethnic, socioeconomic, cultural, and racial diversity of our society, including men and women in professional, career, 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 reviewer shall include only materials that 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 reviewer shall require such materials as he or she 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 reviewer shall require, when appropriate to the comprehension of students, that materials for social
science, history, or civics classes contain the Declaration of
Independence and the Constitution of the United States. A
reviewer may not recommend any instructional materials 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) Any instructional materials recommended by
each reviewer for use in the schools must be, to the
satisfaction of each reviewer, accurate, objective, and current,
and suited to the needs and comprehension of students at their
respective grade levels. A reviewer shall consider for
adoption materials developed for academically talented students
such as those enrolled in advanced placement courses.

(f) Any instructional materials containing pornography or
which are otherwise prohibited under s. 847.012 may not be used
or made available within a public school. When selecting
instructional materials, library media, and other reading
materials used in the public school system, each reviewer shall
use, at a minimum, the following standards to determine the
propriety of the material:

1. The age of the students who normally could be expected
to have access to the material.

2. The educational purpose to be served by the material. In
considering instructional materials for classroom use, priority
shall be given to the selection of materials that encompass the
performance standards provided for in s. 1001.03(1) and that
include the instructional objectives contained in the course
description approved by rule of the State Board of Education.

3. The degree to which the material would be supplemented
and explained by mature classroom instruction as part of a normal classroom instructional program.

4. The consideration of the broad racial, ethnic, socioeconomic, and cultural diversity of the students of this state.

(3) REPORT OF REVIEWERS.—After a thorough study of all data submitted on each instructional material, to submit an electronic report to the district school board department. The report shall be made public and must include responses to each section of the report format prescribed by the district school board department.

Section 6. Section 1006.32, Florida Statutes, is amended to read:

1006.32 Prohibited acts.—

(1) A publisher or manufacturer of instructional material, or any representative thereof, may not offer to give any emolument, money, or other valuable thing, or any inducement, to any district school board official or state instructional materials reviewer to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional materials.

(2) A district school board official or an instructional materials reviewer may not solicit or accept any emolument, money, or other valuable thing, or any inducement, to directly or indirectly introduce, recommend, vote for, or otherwise influence the adoption or purchase of any instructional material.

(3) A district school board or publisher may not participate in a pilot program of materials being considered for
adoption during the 18-month period before the official adoption of the materials by the commissioner. Any pilot program during the first 2 years of the adoption period must have the prior approval of the commissioner.

(4) Any publisher or manufacturer of instructional materials or representative thereof or any district school board official or state instructional materials reviewer who violates any provision of this section commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A representative of a publisher or manufacturer who violates any provision of this section, in addition to any other penalty, shall be banned from practicing business in the state for a period of 1 calendar year.

(5) This section does not prohibit any publisher, manufacturer, or agent from supplying, for purposes of examination, necessary sample copies of instructional materials to any district school board official or state instructional materials reviewer.

(6) This section does not prohibit a district school board official or state instructional materials reviewer from receiving sample copies of instructional materials.

(7) This section does not prohibit or restrict a district school board official from receiving royalties or other compensation, other than compensation paid to him or her as commission for negotiating sales to district school boards, from the publisher or manufacturer of instructional materials written, designed, or prepared by such district school board official, and adopted by the commissioner or purchased by any district school board. A district school board official may...
not shall be allowed to receive royalties on any materials not on the district-adopted state-adopted list purchased for use by his or her district school board.

(8) A district school superintendent, district school board member, teacher, or other person officially connected with the government or direction of public schools may not receive during the months actually engaged in performing duties under his or her contract any private fee, gratuity, donation, or compensation, in any manner whatsoever, for promoting the sale or exchange of any instructional material, map, or chart in any public school, or be an agent for the sale of, or the publisher of, any instructional material or reference work, or have a direct or indirect pecuniary interest in the introduction of any such instructional material, and any such agency or interest shall disqualify any person so acting or interested from holding any district school board employment whatsoever, and the person commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; however, this subsection does not prevent the adoption of any instructional material written in whole or in part by a Florida author.

Section 7. Section 1006.33, Florida Statutes, is repealed.

Section 8. Section 1006.34, Florida Statutes, is repealed.

Section 9. Section 1006.35, Florida Statutes, is amended to read:

1006.35 Accuracy of instructional materials.—

(1) In addition to relying on statements of publishers or manufacturers of instructional materials, the district school board commissioner may conduct or cause to be conducted an independent investigation to determine the accuracy of district-
adopted state-adopted instructional materials.

(2) When errors in district-adopted state-adopted materials are confirmed, the publisher of the materials shall provide to each district school board that has purchased the materials the corrections in a format approved by the investigating district school board department.

(3) The district school board commissioner may remove materials from the list of district-adopted state-adopted materials if it he or she finds that the content is in error and the publisher refuses to correct the error when notified by the district school board department.

(4) The district school board commissioner may remove materials from the list of district-adopted state-adopted materials at the request of the publisher if, in the district school board’s his or her opinion, there is no material impact on the district’s and the state’s education goals.

Section 10. Section 1006.36, Florida Statutes, is repealed.

Section 11. Section 1006.37, Florida Statutes, is amended to read:

1006.37 Requisition of instructional materials from publisher’s depository.—

(1) The district school superintendent may shall requisition adopted instructional materials from the depository of the publisher with whom a contract has been made or any other vendor selling the adopted instructional materials. However, the superintendent shall requisition current instructional materials to provide each student with a textbook or other materials as a major tool of instruction in core courses of the subject areas specified in s. 1006.40(2). These materials must be
requisitioned within the first 3 years of the adoption cycle, except for instructional materials related to growth of student membership or instructional materials maintenance needs. The superintendent may requisition instructional materials in the core subject areas specified in s. 1006.40(2) that are related to growth of student membership or instructional materials maintenance needs during the 3rd, 4th, 5th, and 6th years of the original contract period.

(2) The district school superintendent shall verify that the requisition is complete and accurate and order the depository or vendor selling the adopted instructional materials to forward to him or her the adopted instructional materials shown by the requisition. The depository or vendor shall prepare an invoice of the materials shipped, including shipping charges, and mail it to the superintendent to whom the shipment is being made. The superintendent shall pay the depository or vendor within 60 days after receipt of the requisitioned materials from the appropriation for the purchase of adopted instructional materials.

(3) A district school board or a consortium of school districts may which implements an instructional materials program pursuant to s. 1006.283 is not required to requisition instructional materials from the publisher’s depository or any other vendor selling the adopted instructional materials.

(4) A district school board or a consortium of school districts may request assistance from the publisher’s depository to recommend instructional materials for review, approval, adoption, and purchase pursuant to s. 1006.283.

Section 12. Section 1006.38, Florida Statutes, is amended
to read:

1006.38 Duties, responsibilities, and requirements of instructional materials publishers and manufacturers. This section applies to both the state and district approval processes. Publishers and manufacturers of instructional materials, or their representatives, shall:

(1) Comply with all provisions of this part.

(2) Electronically deliver fully developed sample copies of all instructional materials upon which bids are based to the district department pursuant to procedures adopted by the district school board State Board of Education.

(3) Submit, at a time designated by the district school board in s. 1006.33, the following information:

(a) Detailed specifications of the physical characteristics of the instructional materials, including any software or technological tools required for use by the district, school, teachers, or students. The publisher or manufacturer shall comply with these specifications if the instructional materials are adopted and purchased in completed form.

(b) Evidence that the publisher or manufacturer has provided materials that address the performance standards provided for in s. 1001.03(1) and that can be accessed through the district’s local instructional improvement system and a variety of electronic, digital, and mobile devices.

(c) Evidence that the instructional materials include specific references to statewide standards in the teacher’s manual and incorporate such standards into chapter tests or the assessments.

(4) Make available for purchase by any district school
board any diagnostic, criterion-referenced, or other tests that they may develop.

(5) Furnish the instructional materials offered by them at a price in the state which, including all costs of electronic transmission, may not exceed the lowest price at which they offer such instructional materials for adoption or sale to any state or school district in the United States.

(6) Reduce automatically the price of the instructional materials to any district school board to the extent that reductions are made elsewhere in the United States.

(7) Provide any instructional materials free of charge in the state to the same extent as they are provided free of charge to any state or school district in the United States.

(8) 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.

(9) Agree that any supplementary material developed at the district or state level does not violate the author’s or publisher’s copyright, provided such material is developed in accordance with the doctrine of fair use.

(10) Not in any way, directly or indirectly, become associated or connected with any combination in restraint of trade in instructional materials, nor enter into any understanding, agreement, or combination to control prices or restrict competition in the sale of instructional materials for use in the state.
(11) Maintain or contract with a depository in the state.

(12) For the core subject areas specified in s. 1006.40(2), maintain in the depository for the first 3 years of the contract an inventory of instructional materials sufficient to receive and fill orders.

(13) For the core subject areas specified in s. 1006.40(2), ensure the availability of an inventory sufficient to receive and fill orders for instructional materials for growth, including the opening of a new school, and replacement during the 3rd and subsequent years of the original contract period.

(13)(14) Accurately and fully disclose only the names of those persons who actually authored the instructional materials. In addition to the penalties provided in subsection (15) subsection (16), the district school board commissioner may remove from the list of district-adopted state-adopted instructional materials those instructional materials whose publisher or manufacturer misleads the purchaser by falsely representing genuine authorship.

(14)(15) Grant, without prior written request, for any copyright held by the publisher or its agencies automatic permission to the district school board department or its agencies for the reproduction of instructional materials and supplementary materials in Braille, large print, or other appropriate format for use by visually impaired students or other students with disabilities that would benefit from use of the materials.

(15)(16) Upon the willful failure of the publisher or manufacturer to comply with the requirements of this section, be liable to the district school board department in the amount of
three times the total sum which the publisher or manufacturer
was paid in excess of the price required under subsections (5)
and (6) and in the amount of three times the total value of the
instructional materials and services which the district school
board is entitled to receive free of charge under subsection
(7).

Section 13. Subsections (2) and (3) of section 1006.40,
Florida Statutes, are amended to read:

1006.40 Use of instructional materials allocation;
instructional materials, library books, and reference books;
repair of books.—

(2) Each district school board must purchase current
instructional materials to provide each student in kindergarten
through grade 12 with a major tool of instruction in core
courses of the subject areas of mathematics, language arts,
science, social studies, reading, and literature for
kindergarten through grade 12. Such purchase must be made within
the first 3 years after the effective date of the adoption
cycle. For the 2012-2013 mathematics adoption, a district using
a comprehensive mathematics instructional materials program
adopted in the 2009-2010 adoption shall be deemed in compliance
with this subsection if it provides each student with such
additional state-adopted materials as may be necessary to align
the previously adopted comprehensive program to common core
standards and the other criteria of the 2012-2013 mathematics
adoption.

(3)(a) By the 2015-2016 fiscal year, each district school
board shall use at least 50 percent of the annual allocation for
the purchase of digital or electronic instructional materials
that are consistent with district goals and objectives and the
course descriptions adopted in rule by the State Board of
Education, align with the performance standards provided for in
s. 1001.03(1), meet the requirements in s. 1006.31, and are on
the district-adopted list align with state standards included on
the state-adopted list, except as otherwise authorized in
paragraphs (b) and (c). This section does not apply to a
district school board or a consortium of school districts which
implements an instructional materials program pursuant to s.
1006.283, except that by the 2015-2016 fiscal year, each
district school board shall use at least 50 percent of the
annual allocation for the purchase of digital or electronic
instructional materials that align with state standards.

(b) Up to 50 percent of the annual allocation may be used
for the purchase of instructional materials, including library
and reference books and nonprint materials, not included on the
state-adopted list and for the repair and renovation of
textbooks and library books.

(c) District school boards may use 100 percent of that
portion of the annual allocation designated for the purchase of
instructional materials for kindergarten, and 75 percent of that
portion of the annual allocation designated for the purchase of
instructional materials for first grade, to purchase materials
not on the state-adopted list.

Section 14. Subsection (1) of section 1006.41, Florida
Statutes, is amended to read:

1006.41 Disposal of instructional materials.—
(1) Instructional materials that have become unserviceable
or surplus or are no longer on the district state contract may
be disposed of, under adopted rule of the district school board, by:

(a) Giving or lending the materials to other public
education programs within the district or state, to the teachers
to use in developing supplementary teaching materials, to
students or others, or to any charitable organization,
governmental agency, home education students, private school, or
state.

(b) Selling the materials to used book dealers, recycling
plants, pulp mills, or other persons, firms, or corporations
upon such terms as are most economically advantageous to the
district school board.

Section 15. Section 1006.282, Florida Statutes, is amended
to read:

1006.282 Pilot program for the transition to electronic and
digital instructional materials.—

(1) A district school board may designate pilot program
schools to implement the transition to instructional materials
that are in an electronic or a digital format as defined in s.
1006.283 s. 1006.29(3).

(2) A district school board may designate pilot program
schools if the school district:

(a) Implements a local instructional improvement system
pursuant to s. 1006.281 which enables district staff to plan,
create, and manage professional development and to connect
professional development with staff information and student
performance, provides the ability to seamlessly connect the
system to electronic and digital instructional materials and the
instructional materials to student assessment data, and includes
the minimum standards published by the Department of Education.

(b) Requests only the electronic or digital format of the sample copies of instructional materials submitted pursuant to s. 1006.283 or 1006.33.

(c) Uses at least 50 percent of the pilot program school’s annual allocation from the district for the purchase of electronic or digital instructional materials included on the district-adopted state-adopted list.

(3) A school designated as a pilot program school by the school board is exempt from:

(a) Section 1006.40(2), if the school provides comprehensive electronic or digital instructional materials to all students; and

(b) Section 1006.37.

(4) By August 1 of each year, beginning in 2011, the school board must report to the Department of Education the school or schools in its district which have been designated as pilot program schools. The department shall publish the list of pilot program schools on the department’s Internet website. The report must include:

(a) The name of the pilot program school, the contact person and contact person information, and the grade or grades and associated course or courses included in the pilot program school.

(b) A description of the type of technological tool or tools that will be used to access the electronic or digital instructional materials included in the pilot program school, whether district-owned or student-owned.

(c) The projected costs and funding sources, which must
include cost savings or cost avoidances, associated with the pilot program.

(5) By September 1 of each year, beginning in 2012, each school board that has a designated pilot program school shall provide to the Department of Education, the Executive Office of the Governor, and the chairs of the appropriations committees of the Senate and the House of Representatives a review of the pilot program schools which must include, but need not be limited to:

(a) Successful practices;

(b) The average amount of online Internet time needed by a student to access and use the school’s electronic or digital instructional materials;

(c) Lessons learned;

(d) The level of investment and cost-effectiveness; and

(e) Impacts on student performance.

Section 16. Section 1010.82, Florida Statutes, is amended to read:

1010.82 Textbook Bid Trust Fund.—Chapter 99-36, Laws of Florida, re-created the Textbook Bid Trust Fund to record the revenue and disbursements of textbook bid performance deposits submitted to the Department of Education as required in s. 1006.33.

Section 17. This act shall take effect July 1, 2014.