

**Title of Regulation:**

**Regulation No.:** 43-73

**DISPOSITION OF INSTRUCTIONAL  
MATERIALS SAMPLES AFTER STATE  
ADOPTION PROCESS**

**Effective Date:** 05/23/03

**Constitutional and Statutory Provisions:**

Section(s):

59-5-60.

General powers of [State] Board.

59-5-65.

Powers and responsibilities of State Board of Education

Code of Laws of South Carolina, 1976.

**State Board Regulation:**

Disposition of Instructional Materials Samples after State Adoption Process.

A. Sample copies of instructional materials, textbooks, and supplementary materials furnished to members of the Instructional Materials Review Panels shall remain in possession of panel members until the adoption process has been completed. State Board of Education action on recommendations from the panels will be considered as the completion of the adopted cycle in a given year. Samples furnished by publishers shall be handled in the following manner:

1. The publisher shall notify the State Department of Education of its intent to reclaim samples when official bids are submitted.

2. Each publisher electing to reclaim samples must arrange for collecting samples at its own expense from panel members within 30 days after the State Board of Education has approved the adoption.

3. Where publishers do not elect to reclaim samples or fail to collect the materials according to the procedures set forth in the policy, panel members may use them in their own work, donate them to public schools, state-supported institutions, or charitable non-profit organizations.

4. A panel member or employee of the State Department of Education shall not dispose of any instructional material samples or supplementary materials for profit or personal gain.

5. Samples furnished to the State Department of Education that are not adopted may be reclaimed at the publisher's expense by mail or picked up by the publisher's representative within 30 days after the adoption. Any samples not collected after 30 days may be donated to public schools, state-supported institutions, or charitable non-profit organizations but may not be sold.

6. A sample copy of all adopted instructional materials including workbooks and other supplemental materials shall be stored at the State Department of Education for the duration of the contract with its publisher.

7. Samples of materials stored at the State Department of Education, with expired contracts, be sent to the Central Depository for donating to public schools, state-supported institutions, charitable non-profit organizations, or disposing/recycling but may not be sold.

**B. Samples of Non-Textbook Materials**

1. A publisher may propose in writing to the instructional materials adoption program coordinator an alternative plan for sampling of non-textbook materials (kits, software, Internet-based programs, etc.). If the proposal is approved by the program coordinator such sampling shall be deemed acceptable for meeting State Board of Education sampling requirements.

2. Samples under the approved alternative plan must be reclaimed from panel members in the same manner as traditional samples as stated in A.2. of this policy. Unless excluded by the alternative plan, the

State Department of Education shall retain non-textbook samples of adopted materials and access to adopted Internet programs for the duration of