

**SOUTH CAROLINA CODE OF LAWS**  
**Title 59 – Education, Chapter 31 - Textbooks**

<b>Status</b>	<b>ARTICLE 1 - General Provisions</b>
Library – Not Instructional Materials	<p><b>SECTION 59-31-10.</b> Library committee.</p> <p>There shall be a library committee composed of the State Superintendent of Education, the director of the division of elementary education, the high school supervisor and four other members to be appointed by the State Superintendent of Education, two representing the elementary schools and two representing the high schools. All library books provided for under Article 3 of this chapter shall be selected from an approved list to be furnished the State Board of Education by the library committee.</p> <p>HISTORY: 1962 Code Section 21-454; 1952 Code Section 21-454; 1942 Code Section 5286; 1932 Code Section 1549; 1937 (40) 206; 1939 (41) 1; 1945 (44) 266.</p>
Obsolete	<p><b>SECTION 59-31-20.</b> Field workers.</p> <p>The State Board of Education may appoint five field workers who shall be charged with the duties assigned by the Board and shall perform any and all duties required by the provisions of this chapter. As compensation for their services such field workers shall each receive a salary and, in addition thereto, actual traveling expenses incurred while in the discharge of their duties as provided by law.</p> <p>HISTORY: 1962 Code Section 21-455; 1952 Code Section 21-455; 1942 Code Section 5290; 1936 (39) 1549.</p>
Obsolete	<p><b>SECTION 59-31-30.</b> Use of uniform series of textbooks in State-aided schools; exceptions.</p> <p>The State Board of Education shall designate a uniform series of textbooks which shall be used in every free public school of this State receiving any State aid for any purpose whatsoever. No school failing or refusing to use such uniform series of textbooks, unless expressly permitted by law so to do, shall receive any State school aid for any purpose whatsoever. But the provisions of this section shall not apply to any school district that provides free schoolbooks to the value of twenty thousand dollars or more to the school children of such district. The State Board of Education is hereby charged with the enforcement of this section.</p> <p>HISTORY: 1962 Code Section 21-456; 1952 Code Section 21-456; 1942 Code Section 5284; 1932 Code Section 5290; 1925 (34) 89.</p>
Free of errors: (No longer ITV)	<p><b>SECTION 59-31-40.</b> Adoption of new books; books to be error free.</p> <p>The meetings of the State Board of Education in any year at which an adoption is made must be public. New textbooks adopted by the State Board of Education in any year must not be used in the free public schools of this State until the next school session begins. Each contract between the State Board of Education and a publisher of textbooks and instructional materials or vendor of instructional technology must require that all textbooks or other instructional material rented or purchased by the State be free of any clear, substantive, factual, or grammatical error. The contract also must allow the State Board of Education to require reasonable remedies if an error is found.</p> <p>HISTORY: 1962 Code Section 21-457; 1952 Code Section 21-457; 1947 (45) 55; 1997 Act No. 140, Section 2.</p>
Allows materials that have been reviewed but not adopted to be added to the state list with no indication of how the materials were added to the list.	<p><b>SECTION 59-31-45.</b> Selection of textbooks; requests; procedures.</p> <p>(A) In addition to any other method of textbook selection, the State Board of Education shall add to the approved list of textbooks for use in the public schools of this State any textbooks or series of textbooks which have been reviewed and not adopted by the state board if the textbooks or series is requested in writing by the boards of trustees of five or more school districts or by the boards of trustees of two or more school districts with a combined population of twenty-five thousand or more students. Local school districts shall establish procedures under which principals and teachers of the district may transmit textbooks requests as permitted by this section.</p> <p>(B) The number of requests required to be received above shall be as received during any three hundred sixty-five day period. A textbook so required to be added to the approved list shall be added within thirty days following the receipt by the state board of the requisite</p>

Status	ARTICLE 1 - General Provisions
	<p>number of requests, provided that the publishers whose textbooks are to be added to the approved list as provided in this</p> <p>section comply with the same provisions regarding textbooks as other publishers including, but not limited to, price, durability, availability. No designation shall be included upon the approved list which indicates the manner in which any textbooks was added to the list.</p> <p>HISTORY: 1997 Act No. 140, Section 1.</p>
<p>Obsolete – N/A</p>	<p><b>SECTION 59-31-50.</b> Use of disapproved books unlawful.</p> <p>In all schools and colleges within this State which are supported in whole or in part from the free school funds it shall be unlawful to use any textbook which has been condemned or disapproved by the State Board of Education.</p> <p>HISTORY: 1962 Code Section 21-458; 1952 Code Section 21-458; 1942 Code Section 5298; 1932 Code Section 5425; Civ. C. '22 Section 2690; Civ. C. '12 Section 1804; Civ. C. '02 Section 1240; 1898 (22) 763.</p>
<p>Obsolete - Rental</p>	<p><b>SECTION 59-31-60.</b> Issuing notes for books or borrowing to pay for same.</p> <p>The State Board of Education may issue its negotiable notes with interest not exceeding three and one-half per cent per annum and may pledge all books purchased and all rentals collected under Article 3 of this chapter, after the payment of all administrative expenses, for the discharge of rental or purchase contracts. The full faith, credit and taxing power of the State are pledged for the payment of such notes. The State Board of Education, in its discretion, may borrow upon the same terms as above authorized, from any available source, the money with which to purchase such schoolbooks, at a rate of interest not to exceed three and one-half per cent per annum. But no notes shall be issued hereunder without the written approval of the State Budget and Control Board. For the purpose of carrying out the provisions of Articles 1 to 5 of this chapter and enabling the State to avail itself to the fullest extent of Federal aid, in the form of grants or otherwise, that is available for use in the State for this and other purposes, the Governor shall procure from all sources available such amounts of funds as may be needed to carry out the terms and purposes of said articles.</p> <p>HISTORY: 1962 Code Section 21-459; 1952 Code Section 21-459; 1942 Code Section 5292; 1936 (39) 1549.</p>
<p>Obsolete. Since 1997, instructional materials include instructional technology and similar materials (digital, software, web based programs, etc.) No longer ITV</p>	<p><b>SECTION 59-31-65.</b> Acquisition of instructional technology.</p> <p>State funds for the acquisition of textbooks in the public schools of this State may also be used to acquire instructional technology and other similar materials which have been approved by the State Board of Education. The procedures applicable to the use of these funds to acquire textbooks are also applicable to the acquisition of instructional technology and other similar materials. The State Board of Education shall promulgate those regulations necessary to implement the provisions of this section.</p> <p>HISTORY: 1992 Act No. 320, Section 1.</p>
<p>Reimburse schools for purchasing unfunded materials</p>	<p><b>SECTION 59-31-70.</b> Purchase of textbooks; reimbursement from state school textbook funds.</p> <p>A school district may purchase school textbook approved by the Board of Education for instructional use directly from a publisher under contract with the state board when needed for instruction by the school district if the textbooks are not available from the State Department of Education. In this event, the district shall be reimbursed from state school textbook funds of the Department of Education when these textbook funds become available, in accordance with any agreement between the school district and the department.</p> <p>HISTORY: 1997 Act No. 140, Section 3.</p>
<p>Obsolete – Not applicable. Depends on funding</p>	<p><b>SECTION 59-31-75.</b> Textbooks required for course to begin.</p> <p>A public school may not begin a course if state-approved textbooks or other course material is not available on the first day of class or if the delivery date is after the first two weeks of classes unless the board of trustees determines that the class should be offered.</p> <p>HISTORY: 1997 Act No. 140, Section 4.</p>

Status and Notes	ARTICLE 3 - State Rental System
<b>Obsolete - Rental</b>	<p><b>SECTION 59-31-210.</b> Board required to provide textbooks on rental basis.</p> <p>The State Board of Education shall provide all the textbooks for use in the public schools of the State on a rental system whereby the pupils in the public schools will pay an annual rental in an amount to be fixed by the State Board of Education, in its discretion, graduated as to grades, sufficient to pay all the costs of the administration of this article and the purchase of any books necessary to be acquired by the State Board of Education. But the Board shall not be required to furnish materials which shall be consumed or rendered worthless in any one year, such as pencils, tablets, workbooks, drawing materials and other similar articles.</p> <p>HISTORY: 1962 Code Section 21-471; 1952 Code Section 21-471; 1942 Code Section 5286; 1936 (39) 1549; 1937 (40) 206; 1939 (41) 1; 1945 (44) 266.</p>
<b>Library – not instructional materials</b>	<p><b>SECTION 59-31-220.</b> Furnishing library books.</p> <p>The State Board of Education shall furnish library books, from an approved list, to the public school districts or counties of this State upon the same terms and conditions that textbooks are now furnished under the terms of this article. But when any school district or county shall pay the State Board of Education the purchase price, plus interest, for such library books, such books shall become the property of such school district or county.</p> <p>HISTORY: 1962 Code Section 21-472; 1952 Code Section 21-472; 1942 Code Section 5286; 1936 (39) 1549; 1937 (40) 206; 1939 (41) 1; 1945 (44) 266.</p>
<b>Library – not instructional materials</b>	<p><b>SECTION 59-31-230.</b> Furnishing audio-visual equipment.</p> <p>The State Department of Education shall provide audio-visual equipment, including films and motion-picture projectors, for the use in the free public schools of the State on either the State rental plan or the library purchase plan.</p> <p>HISTORY: 1962 Code Section 21-473.1; 1965 (54) 232.</p>
<b>Obsolete - Rental</b>	<p><b>SECTION 59-31-240.</b> Pupils’ option to purchase or rent books.</p> <p>No pupil in the public schools of the State shall be required to pay any larger amount for the use of the books than authorized by Section 59-31-210 nor to buy outright or otherwise acquire any textbook. But any pupil may purchase, if he so desires, the books to be used by him, in which event no rental fee will be charged to such pupil. The State Board of Education shall make proper arrangements for the sale of textbooks to those pupils who desire to purchase them, and such textbooks shall be sold at cost plus actual expenses.</p> <p>HISTORY: 1962 Code Section 21-474; 1952 Code Section 21-474; 1942 Code Sections 5286, 5289; 1936 (39) 1549; 1937 (40) 206; 1939 (41) 1; 1945 (44) 266.</p>
<b>Obsolete - Higher Education not K-12</b>	<p><b>SECTION 59-31-250.</b> State institutions of higher learning authorized to establish textbook rental systems.</p> <p>Any State institution of higher learning may, in the discretion of its board of trustees or other governing body, set up a textbook rental system in the same manner as is provided in Section 59-31-210 for school districts and may choose or purchase its own textbooks. All funds received by such institutions from rental of books belonging to such institutions shall be retained by them respectively.</p> <p>HISTORY: 1962 Code Section 21-475; 1952 Code Section 21-475; 1942 Code Section 5286; 1936 (39) 1549; 1937 (40) 206; 1939 (41) 1; 1945 (44) 266.</p>
<b>Obsolete – dates back to county depositories</b>	<p><b>SECTION 59-31-260.</b> School districts and counties authorized to establish rental or free textbook systems.</p> <p>Nothing contained in this article shall abrogate the power to set up rental or free textbook systems of any school district or county that may have such right, and all rentals received by any such district or county from rental of books belonging to such district or county shall be retained by such district or county. And school districts enrolling five thousand or more school pupils shall have the right to set up rental or free textbook systems and choose and purchase their own textbooks. All rentals received by such districts from rental of books belonging to such districts shall be retained by such districts. But any such county or school district having its own rental or free textbook system shall be entitled to receive all benefits under the rental library provisions of this article.</p> <p>HISTORY: 1962 Code Section 21-476; 1952 Code Section 21-476; 1942 Code Section 5286; 1936</p>

Status and Notes	ARTICLE 3 - State Rental System
	(39) 1549; 1937 (40) 206; 1939 (41) 1; 1945 (44) 266.
<b>Obsolete – dates back to county depositories</b>	<p><b>SECTION 59-31-270.</b> Abandonment of county or district rental or free textbook system.</p> <p>Upon the resolution of the county legislative delegation any county or school district may abandon its rental or free system of textbooks and accept the provisions of this article. Upon any such county or school district abandoning its rental or free system and accepting the provisions of this article, the State Board of Education shall make, or cause to be made, an investigation and shall determine the value to the State of any textbooks belonging to such county or district which can reasonably be of use to the State under this article, and the Board shall purchase such useful books from such county or district, paying therefor either in cash or in such installments as may be agreed upon between the State Board of Education on the one hand and the county board of education, or trustees, as the case may be, on the other hand. In the event it be agreed to pay therefor in installments, the State Board of Education shall enter into reimbursement agreements with such officials to pay such installments in the future.</p> <p>HISTORY: 1962 Code Section 21-477; 1952 Code Section 21-477; 1942 Code Section 5286; 1936 (39) 1549; 1937 (40) 206; 1939 (41) 1; 1945 (44) 266.</p>
<b>Obsolete – dates back to county depositories</b>	<p><b>SECTION 59-31-280.</b> Subsequent election to come under system.</p> <p>Notwithstanding that any school district or county may have exercised the privilege accorded under Section 59-31-410 not to come under the provisions of this article, any such school district or county may retract any such election by filing with the State Board of Education a written statement, which for any school district shall be signed by the board of trustees of such district and approved by the Senator and at least one half of the representatives from such county and for any county shall be signed by the county board of education and approved by the Senator and at least one half of the representatives of such county, in either case to the effect that the district or the county, as the case may be, desires to retract any such election theretofore made by it and to come under the provisions of this article. Upon any such statement being filed, any such school district or county, as the case may be, shall thereupon come under the provisions of this article.</p> <p>HISTORY: 1962 Code Section 21-478; 1952 Code Section 21-478; 1942 Code Section 5286; 1936 (39) 1549; 1937 (40) 206; 1939 (41) 1; 1945 (44) 266.</p>
<b>Obsolete – dates back to county depositories and rental</b>	<p><b>SECTION 59-31-290.</b> Rules and regulations as to depositories, distribution and damage to books.</p> <p>The State Board of Education shall adopt, establish and promulgate such rules and regulations as may be necessary to carry out the purposes of this article, which, when not in conflict with the terms and purposes of this article, shall have full legal force and effect. Such rules and regulations shall provide a system of depositories for the books in the various counties of the State, which depositories may be designated as the State Board of Education may deem best, and shall establish a method of distributing the books to the pupils and provide for the reasonable use, care and safety of the books, with reasonable penalties for the abuse or destruction of any books, to fall upon those using the books or those in charge of their distribution and use. Such rules and regulations shall provide for payment by the pupils, their parents or legal guardians for the loss of or damage, if any, to any books, ordinary wear and tear excepted.</p> <p>HISTORY: 1962 Code Section 21-479; 1952 Code Section 21-479; 1942 Code Section 5289; 1936 (39) 1549.</p>
<b>Obsolete – dates back to county depositories</b>	<p><b>SECTION 59-31-300.</b> Retention of books within districts.</p> <p>As far as may be practicable the State Board of Education shall provide for the retention of all necessary schoolbooks for use by the school districts within such districts.</p> <p>HISTORY: 1962 Code Section 21-480; 1952 Code Section 21-480; 1942 Code Section 5295; 1936 (39) 1549.</p>
<b>Obsolete – dates back to county depositories</b>	<p><b>SECTION 59-31-310.</b> Counties required to provide depositories for books.</p> <p>The various counties, through their properly constituted authorities, shall furnish a sufficient and proper place for depositing or storing books used in such counties.</p> <p>HISTORY: 1962 Code Section 21-481; 1952 Code Section 21-481; 1942 Code Section 5289; 1936 (39) 1549.</p>

<b>Status and Notes</b>	<b>ARTICLE 3 - State Rental System</b>
<b>Central Depository</b>	<p><b>SECTION 59-31-320.</b> Contracts with publishers for general depositories</p> <p>The State Board of Education may require all publishers of textbooks with whom textbook contracts have been made to maintain a joint agency or depository, in some city in the State to be located at some suitable and convenient distributing point, at which general depository each textbook publisher shall keep on hand a sufficient stock of books to supply the requirements of the State and through which central depository all textbooks shall be distributed. Any person or school not controlled by the State may order books from the general depository, and the books so ordered shall be furnished for cash at cost plus actual expenses.</p> <p>HISTORY: 1962 Code Section 21-482; 1952 Code Section 21-482; 1942 Code Section 5289; 1936 (39) 1549.</p>
<b>Refer to Legal (Contamination ex.: Ebola)</b>	<p><b>SECTION 59-31-330.</b> Fumigation or disinfection of books.</p> <p>The State Board of Education, in conjunction with the Department of Health and Environmental Control, shall adopt rules and regulations governing the fumigation or disposal of textbooks from quarantined homes and for the regular disinfection of all textbooks used in the public schools of the State.</p> <p>HISTORY: 1962 Code Section 21-483; 1952 Code Section 21-483; 1942 Code Section 5295; 1936 (39) 1549.</p>
<b>School Inventory and lost books</b>	<p><b>SECTION 59-31-340.</b> School districts responsible for proper protection, use and care of books.</p> <p>The director State Department of Education's designee shall hold each school district in the State responsible for the proper protection, use and care of all schoolbooks allotted to each such district under the terms of this article. Each school district shall make reports to the director designee when required by the director designee as to the books on hand and their condition and shall, within thirty days after the end of each school term, return all schoolbooks allocated to such district to the place or places required by the director designee. The director designee shall, as soon as practicable after the close of each school term, determine the loss and damage, if any, ordinary wear and tear excepted, sustained by such books in any school district or other educational unit and shall make demand for the payment for such damage upon the various districts and units against which loss and damage shall have been assessed. Any such district or unit feeling itself aggrieved by any such determination may appeal to the State Board of Education. Unless such appeal be taken and sustained, any such district or unit shall forthwith pay for such loss and damage.</p> <p>HISTORY: 1962 Code Section 21-484; 1952 Code Section 21-484; 1942 Code Section 5293; 1936 (39) 1549.</p>
<b>Obsolete - Rental</b>	<p><b>SECTION 59-31-350.</b> Rentals payable annually in advance.</p> <p>The rentals shall be paid by or for each pupil annually in advance upon the opening of school, before any pupil is allowed the use of the books.</p> <p>HISTORY: 1962 Code Section 21-485; 1952 Code Section 21-485; 1942 Code Section 5286; 1936 (39) 1549; 1937 (40) 206; 1939 (41) 1; 1945 (44) 266.</p>
<b>Free Materials K-12</b>	<p><b>SECTION 59-31-360.</b> Waiver of textbook rental charges; use of school districts' books. Use of free basal by public schools</p> <p>The State Board of Education shall waive textbook rental charges for grades kindergarten through twelve of the public schools, to the end that basal textbooks adopted and approved by the board for use in the public schools in the public schools must be supplied to the school children of the State without charge. Title to books so provided shall remain in the State Board of Education. Each school district shall fully utilize all books owned by it to effect the purposes of this section.</p> <p>HISTORY: 1962 Code Section 21-486; 1952 Code Section 21-486; 1942 Code Section 5296; 1936 (39) 1549; 1966 (54) 2623; 1977 Act No. 219 Pt II Section 13; 1978 Act No. 644 Part II, Section 16; 2000 Act No. 387, Part II, Section 27.</p>
<b>Obsolete - Rental</b>	<p><b>SECTION 59-31-370.</b> Collection and payment of rentals.</p> <p>The rentals provided hereunder shall be collected by the various school districts in the State, and each school district shall pay the amount thereof due for the use of books by the pupils in such district within thirty days from the date of the opening of the schools or the admission of new pupils to the schools. No schoolbooks shall be delivered to any school child on a rental plan until the rentals have been fully paid.</p>

Status and Notes	ARTICLE 3 - State Rental System
	<p>HISTORY: 1962 Code Section 21-487; 1952 Code Section 21-487; 1942 Code Section 5290; 1936 (39) 1549.</p>
<b>Obsolete – Rental</b>	<p><b>SECTION 59-31-380.</b> Tax levy for payment of losses, damages or unpaid rentals.</p> <p>Upon proper certification by the State Board of Education and county superintendent of education, the county auditors and county treasurers of the respective counties in which such school districts or units are located shall levy sufficient millage in or upon any such school district or other educational unit sufficient to pay any amount due the State Board of Education for any loss, damage or rentals due by such district or other educational unit under the terms of this article. But in the event there are sufficient funds on deposit to the credit of the school district or other educational unit, the trustees of the school district or the county board of education are directed to draw a warrant against such funds to cover the amount of such loss or shortage in rental funds accruing under the terms of this article, in which case no levy shall be made.</p> <p>HISTORY: 1962 Code Section 21-488; 1952 Code Section 21-488; 1942 Code Section 5293; 1936 (39) 1549.</p>
<b>Obsolete - Rental</b>	<p><b>SECTION 59-31-390.</b> Administrative expenses shall be paid out of rentals.</p> <p>All necessary expenses incurred in administering the terms of this article shall be paid from the rentals collected hereunder.</p> <p>HISTORY: 1962 Code Section 21-489; 1952 Code Section 21-489; 1942 Code Section 5289; 1936 (39) 1549.</p>
???	<p><b>SECTION 59-31-400.</b> School authorities shall cooperate in administration of system.</p> <p>The county superintendents and boards of education in the various counties of the State shall cooperate with the State Board of Education in the administration of the terms of this article and the rules and regulations established by the State Board of Education in such manner as may be requested or required by the State Board of Education. All superintendents, principals and teachers in the schools of this State shall cooperate fully with the State Board of Education and county boards of education in the proper and orderly administration of the terms of this article, and the State Board of Education may promulgate rules to provide cooperation by the superintendents, principals and teachers and to establish penalties for failure to cooperate.</p> <p>HISTORY: 1962 Code Section 21-490; 1952 Code Section 21-490; 1942 Code Section 5291; 1936 (39) 1549.</p>
<b>Obsolete - Rental</b>	<p><b>SECTION 59-31-410.</b> Situations in which article not applicable.</p> <p>The provisions of this article shall not apply (a) to any school district the board of trustees of which filed before August 1, 1936 with the former State Schoolbook Commission a written statement, approved by the Senator and at least one half of the representatives from such county, to the effect that it did not elect to come under the provisions of this article nor (b) to any county the county board of education of which filed before August 1, 1936 with the former State Schoolbook Commission a written statement, approved by the Senator and at least one half of the representatives from such county, to the effect that it did not elect to come under the provisions of this article.</p> <p>HISTORY: 1962 Code Section 21-491; 1952 Code Section 21-491; 1942 Code Section 5286; 1936 (39) 1549; 1937 (40) 206; 1939 (41) 1; 1945 (44) 266.</p>

<b>Status and Changes</b>	<b>ARTICLE 5 - State Contracts for Textbooks</b>
A mix of rental and contracts	<p><b>SECTION 59-31-510.</b> Contracts with publishers for rental or purchase of books.</p> <p>The State Board of Education may negotiate and execute contracts with the publishers of textbooks and vendors of instructional technology that allow the State to rent from the publishers or buy outright the books to be used in the public schools, with discretion in the State Board of Education to make rental contracts or purchase contracts as may be to the best advantage of the State. A contract made with a publisher of textbooks may be made so as to divide the payment to the publisher for rental or purchase over a period of three years, but it must not be construed to prevent the State Board of Education from purchasing or renting additional books as necessary. If the State Board of Education decides to purchase outright the books to be used in the schools of this State, they must be purchased at the lowest possible prices and, so far as existing contracts for state-adopted books shall permit, pursuant to competitive bidding.</p> <p>HISTORY: 1962 Code Section 21-501; 1952 Code Section 21-501; 1942 Code Section 5292; 1936 (39) 1549; 1997 Act No. 140, Section 5.</p>
<b>Contract Extensions</b>	<p><b>SECTION 59-31-520.</b> Continuance of contracts with publishers.</p> <p>At the expiration of any contract between the State and the publisher of any textbook, the State Board of Education, upon satisfactory agreement being had with such publisher, may continue the contract for any such textbook, or the latest editions thereof, for an indefinite period which may be terminated either by the State Board of Education or the publisher upon ninety days' notice. The Board may extend contracts at different prices from those of the original contracts.</p> <p>HISTORY: 1962 Code Section 21-502; 1952 Code Section 21-502; 1942 Code Section 5282; 1932 Code Section 5289; Civ. C. '22 Section 2549; Civ. C. '12 Section 1708; Civ. C. '02 Section 1184; 1896 (22) 150; 1914 (28) 450; 1915 (29) 188; 1923 (33) 147; 1927 (35) 354; 1928 (35) 1215; 1931 (37) 391; 1940 (41) 1763, 1886; 1947 (45) 55.</p>
<b>Length of Contract</b>	<p><b>SECTION 59-31-530.</b> Duration of original contracts.</p> <p>Original contracts made with publishers of all textbooks and providers of shall run for not less than one year nor more than six years.</p> <p>HISTORY: 1962 Code Section 21-503; 1952 Code Section 21-503; 1942 Code Section 5282; 1932 Code Section 5289; Civ. C. '22 Section 2549; Civ. C. '12 Section 1708; Civ. C. '02 Section 1184; 1896 (22) 150; 1914 (28) 450; 1915 (29) 188; 1923 (33) 147; 1927 (35) 354; 1928 (35) 1215; 1931 (37) 391; 1940 (41) 1763, 1886; 1947 (45) 55; 1993 Act No. 164, Part II, Section 43A.</p>
<b>Most Favored Nation</b>	<p><b>SECTION 59-31-540.</b> Most favored purchaser clause in contract.</p> <p>All contracts shall provide that if any person who furnishes adopted textbooks to the State shall sell the same textbooks or cause them to be sold to any other person, state or state board for a price less than that which this State has contracted to pay for such textbooks, then such lower price shall automatically become the contract price for such textbooks in this State and the contents of the textbooks shall be considered and not the title in investigating such prices. The State Board of Education shall make the necessary investigations as to the prices of such textbooks so sold to other persons, states or state boards.</p> <p>HISTORY: 1962 Code Section 21-504; 1952 Code Section 21-504; 1942 Code Section 5282; 1932 Code Section 5289; Civ. C. '22 Section 2549; Civ. C. '12 Section 1708; Civ. C. '02 Section 1184; 1896 (22) 150; 1914 (28) 450; 1915 (29) 188; 1923 (33) 147; 1927 (35) 354; 1928 (35) 1215; 1931 (37) 391; 1940 (41) 1763, 1886; 1947 (45) 55.</p>
<b>Bond for Contracts</b>	<p><b>SECTION 59-31-550.</b> Bids; details as to contracts.</p> <p>The State Board of Education shall make all necessary rules and regulations pertaining to:</p> <ol style="list-style-type: none"> <li>(1) The advertisement of bids;</li> <li>(2) The submission of prices;</li> <li>(3) The sampling of, and hearings on, textbooks-offered for adoption;</li> <li>(4) The nature and type of contract to be entered into between the State and the publisher;</li> <li>(5) The nature and type of bond to be entered into between the State and the publisher, the penal amount of such bond, conditioned upon the faithful performance by the publisher, of any contract awarded to it, to be-not more than-five thousand dollars;</li> <li>(6) The distribution of textbooks through central or local depositories, subject to the provisions</li> </ol>

<b>Status and Changes</b>	<b>ARTICLE 5 - State Contracts for Textbooks</b>
	<p>of Article 3 of this chapter providing for a rental system of textbooks for the free public schools; and</p> <p>(7) All other needful rules and regulations not otherwise herein specified.</p> <p>HISTORY: 1962 Code Section 21-505; 1952 Code Section 21-505; 1942 Code Section 5282; 1932 Code Section 5289; Civ. C. '22 Section 2549; Civ. C. '12 Section 1708; Civ. C. '02 Section 1184; 1896 (22) 150; 1914 (28) 450; 1915 (29) 188; 1923 (33) 147; 1927 (35) 354; 1928 (35) 1215; 1931 (37) 391; 1940 (41) 1763, 1886; 1947 (45) 55.</p>
<b>Attorney General approves contracts and bonds</b>	<p><b>SECTION 59-31-560.</b> Approval of contracts and publishers' bonds by Attorney General.</p> <p>The Attorney General of the State shall approve all contracts to be entered into between the State and publishers and shall approve the bond to be filed by each contract publisher. Such bond shall be placed in the custody of the State Treasurer.</p> <p>HISTORY: 1962 Code Section 21-506; 1952 Code Section 21-506; 1942 Code Section 5282; 1932 Code Section 5289; Civ. C. '22 Section 2549; Civ. C. '12 Section 1708; Civ. C. '02 Section 1184; 1896 (22) 150; 1914 (28) 450; 1915 (29) 188; 1923 (33) 147; 1927 (35) 354; 1928 (35) 1215; 1931 (37) 391; 1940 (41) 1763, 1886; 1947 (45) 55.</p>
<b>SBE may alter contracts</b>	<p><b>SECTION 59-31-570.</b> Change in terms of contracts.</p> <p>The State Board of Education may, in its discretion, postpone, alter, amend or modify the terms of State adoption of textbook contracts.</p> <p>HISTORY: 1962 Code Section 21-507; 1952 Code Section 21-507; 1942 Code Section 5287; 1936 (39) 1549.</p>
<b>Attorney General</b>	<p><b>SECTION 59-31-580.</b> Attorney General shall enforce article.</p> <p>The Attorney General shall institute and prosecute suits against all violators of the provisions of this article and all contracts entered into in violation of the terms of this article shall be null and void.</p> <p>HISTORY: 1962 Code Section 21-508; 1952 Code Section 21-508; 1942 Code Section 5282; 1932 Code Section 5289; Civ. C. '22 Section 2549; Civ. C. '12 Section 1708; Civ. C. '02 Section 1184; 1896 (22) 150; 1914 (28) 450; 1915 (29) 188; 1923 (33) 147; 1927 (35) 354; 1928 (35) 1215; 1931 (37) 391; 1940 (41) 1763, 1886; 1947 (45) 55.</p>
<b>Agents for publishers</b>	<p><b>SECTION 59-31-590.</b> School personnel not permitted to act as agents for publishers.</p> <p>It shall be unlawful for any teacher of a school supported in whole or in part from the public school funds of this State or any trustee of any such school or any other school officer to become an active or silent agent of any schoolbook publisher or be in anywise pecuniarily interested in the introduction of any schoolbook into any school in this State. Any person violating any of the provisions hereof shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine of not less than one hundred dollars or imprisonment in the county jail for a period of not less than thirty days, or both, at the discretion of the circuit judge.</p> <p>HISTORY: 1962 Code Section 21-509; 1952 Code Section 21-509; 1942 Code Section 5297; 1932 Code Section 1556; Cr. C. '22 Section 504; Cr. C. '12 Section 576; Cr. C. '02 Section 419; 1896 (22) 170.</p>
<b>Evaluating and Rating Committees (Review Panels).</b>	<p><b>SECTION 59-31-600.</b> Standards for textbook adoptions.</p> <p>When the State Board of Education determines that a textbook or instructional material adoption is needed in a specific field, the board shall direct evaluating and rating committees to assess the textbook or instructional material for the development of higher-order thinking skills and problem solving. Each evaluating and rating committees may have up to twenty-five percent lay membership. A majority of those appointed to the committee must be full-time classroom teachers. In addition to monitoring the accuracy of facts and grammar, the committee shall include in its rating and evaluating criteria, where applicable, satisfaction of state mandates for graduation criteria and support for the benefits of the American economic and political system. The results of each evaluating and rating committee's assessment must be included in its written report to the State Board of Education. Where otherwise satisfactory, the evaluating and rating committee shall recommend and the State Board of Education shall adopt textbooks and other which develop higher-order thinking skills.</p> <p>HISTORY: 1989 Act No. 194, Section 11; 1997 Act No. 140, Section 6.</p>

<b>Status and Changes</b>	<b>ARTICLE 5 - State Contracts for Textbooks</b>
<b>Public Review</b>	<p><b>SECTION 59-31-610.</b> Public review and hearings.</p> <p>The State Superintendent of Education shall make arrangements for a thirty-day public review of materials recommended by the instructional materials review panels prior to taking those recommendations to the State Board of Education. The public review sites must be geographically distributed around the State at as many state-supported colleges and universities or, if necessary, other designated sites as may agree to host the reviews. Public review sites shall be advertised in each congressional district in the newspaper with the largest circulation figures for that district.</p> <p>The state board shall hold a public hearing before adopting any textbook or for use in the schools of this State.</p> <p>HISTORY: 1997 Act No. 140, Section 7.</p>