

Senate Bill 89

By: Senators Albers of the 56th, Beach of the 21st, Hufstetler of the 52nd, Black of the 8th, Williams of the 19th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 19 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to textbooks for elementary and secondary education, so as to require instructional
3 materials and content to be in digital or electronic format after a certain date; to require local
4 boards of education to provide wireless electronic devices for students to access instructional
5 materials and content; to revise provisions for purposes of conformity; to provide for a short
6 title; to provide for an effective date; to provide for related matters; to repeal conflicting
7 laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 This Act shall be known and may be cited as the "Digital Classroom Act."

11 **SECTION 2.**

12 Article 19 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
13 textbooks for elementary and secondary education, is amended as follows:

14 "ARTICLE 19

15 20-2-1010.

16 (a) The State Board of Education is authorized to prescribe, by regulation, the definition
17 of the term '~~textbook~~' 'digital instructional materials and content' to include but not be
18 limited to ~~systematically designed material in any medium, whether print, nonprint, or~~
19 ~~digital including~~ any digital instructional materials and content and any computer
20 hardware, software, and technical equipment necessary to support such ~~material~~ digital
21 materials and content, that constitutes the principal source of study for a state funded
22 course ~~and to prescribe the textbooks~~ to be used in the various grades in the public schools
23 of this state, including the elementary grades and high school grades. The state board may
24 provide, by regulation, for multiple listings of ~~textbooks~~ digital instructional materials and

25 content for use in the various grades and may, in its discretion, authorize the local school
 26 superintendents to exercise a choice as between ~~textbooks~~ digital instructional materials
 27 and content so listed or adopted for any particular grade.

28 (b) Nothing in this Code section shall be construed to exempt computer hardware or
 29 related equipment acquired by the state from competitive bidding.

30 20-2-1011.

31 The State Board of Education may provide for the selection and purchase of free ~~textbooks~~
 32 digital instructional materials and content either by multiple listings or uniform adoption
 33 or by any other method that will enable the acquiring of acceptable ~~books~~ digital
 34 instructional materials and content at the lowest possible costs, provided such adoption or
 35 multiple listings shall in no event constitute a binding contract until ratified in writing by
 36 the state board. None of the ~~books~~ digital instructional materials and content so purchased
 37 shall contain anything of a partisan or sectarian nature.

38 20-2-1012.

39 (a) The State Board of Education shall select a committee or committees of educators
 40 actually engaged in public school work in this state to examine ~~textbooks~~ digital
 41 instructional materials and content and make recommendations thereon to the state board.
 42 Such committee or committees shall consist of such number of educators as the state board
 43 may deem advisable, not exceeding five in each instance. They shall serve for such time
 44 and for such duties as the state board may prescribe and shall receive such compensation
 45 as may be fixed by the state board.

46 (b) In addition to any other method of ~~textbook~~ digital instructional materials and content
 47 selection, the State Board of Education shall add to the approved list of ~~textbooks~~ digital
 48 instructional materials and content for use in the public schools of this state any ~~textbook~~
 49 ~~or series of textbooks~~ digital instructional materials and content requested in writing by:

- 50 (1) The superintendents of five or more different school systems; or
- 51 (2) Twenty or more teachers from at least 20 different school systems who teach and are
 52 certified to teach the courses encompassed by the ~~textbook~~ digital instructional materials
 53 and content requested,

54 if the requisite number of requests for the specified ~~textbook~~ digital instructional materials
 55 and content are received within any 365 day period. ~~A textbook~~ Digital instructional
 56 materials and content so required to be added to the approved list shall be added within 30
 57 days following the receipt by the state board of the requisite number of requests. No
 58 designation shall be included upon the approved list which indicates the manner in which
 59 any ~~textbook was~~ digital instructional materials and content were added to the list. Other

60 than the selection method, publishers whose ~~textbooks~~ digital instructional materials and
 61 content are added to the approved list as provided in this subsection shall be required to
 62 comply with the same rules regarding ~~textbooks~~ digital instructional materials and content
 63 as other publishers, including but not limited to price, ~~durability~~, accessibility, and
 64 availability.

65 20-2-1013.

66 (a) The State Board of Education is authorized and directed to inaugurate and administer
 67 a system of free ~~textbooks~~ digital instructional materials and content for the public schools
 68 of this state. The state board shall have authority to promulgate and enforce such rules and
 69 regulations as may be necessary for that purpose.

70 (b) All ~~hardbound or softbound textbooks, library books, and media materials~~ digital
 71 instructional materials and content and any computer hardware, software, and technical
 72 equipment necessary to support such digital materials and content purchased by local units
 73 of administration with state Quality Basic Education Program funds or any other means of
 74 acquisition ~~shall~~ may remain the property of the local unit purchasing or acquiring them.
 75 Assistive technology devices ~~and digital versions of textbooks~~ that are acquired may
 76 remain the property of the student; provided, however, that this shall not be construed to
 77 violate any contracts or copyright laws. Each local unit of administration shall establish
 78 such policies as it deems necessary for the care and protection of its ~~textbooks~~ digital
 79 instructional materials and content; computer hardware, software, and technical equipment
 80 necessary to support such digital materials and content;; library books;; and media
 81 materials as a condition to receiving all or part of the state contributed Quality Basic
 82 Education Program funds allotted to the local unit. Such policies may include any of the
 83 following sanctions against a pupil who fails or refuses to pay for a any lost or damaged
 84 ~~textbook~~, digital instructional materials and content; computer hardware, software, and
 85 technical equipment necessary to support such digital materials and content; library book;;
 86 or media material at the replacement cost:

87 (1) Refusal to issue or make available any additional ~~textbooks~~, digital instructional
 88 materials and content, any computer hardware, software, and technical equipment
 89 necessary to support such digital materials and content, any library books, or any media
 90 materials until restitution is made; or

91 (2) Withholding of all grade cards, diplomas, or certificates of progress until restitution
 92 is made.

93 No local unit of administration shall require any pupil or parent to purchase any ~~textbook~~,
 94 digital instructional materials and content; computer hardware, software, and technical
 95 equipment necessary to support such digital materials and content; library book;; or media

96 material except in cases where the pupil damages, loses, or defaces such item either
97 through willful intent or neglect.

98 20-2-1014.

99 All purchases or contracts for purchases shall be made subject to the condition that the
100 price paid by the state shall not exceed the price which may be offered by the publisher to
101 any other school or school authority for substantially the same ~~book~~ digital instructional
102 materials and content.

103 20-2-1015.

104 ~~The publisher of a textbook recommended by the State Board of Education shall provide~~
105 ~~an electronic format version of such textbook, which may include a digital version.~~

106 (a) On and after July 1, 2020, all instructional materials and content purchased by a local
107 board of education pursuant to this article shall be in digital or electronic format.

108 (b) On and after July 1, 2020, each local board of education shall provide a laptop, tablet,
109 or other wireless electronic device to each of its students for use as the principal source of
110 reading or accessing instructional materials and content."

111 **SECTION 3.**

112 This Act shall become effective on July 1, 2020.

113 **SECTION 4.**

114 All laws and parts of laws in conflict with this Act are repealed.