

Repealed

7/14/93

**TITLE 126
LEGISLATIVE RULE
BOARD OF EDUCATION**

**SERIES 41
TEXTBOOK UTILIZATION REPORT (2445.51)**

§126-41-1. General.

1.1. Scope. -- This legislative rule states when county boards of education should file textbook utilization reports and specifies what should be included in the report.

1.2. Authority. -- W.Va. Code §18-2A-8

1.3. Filing Date. -- December 27, 1982

1.4. Effective Date. -- December 27, 1982

Beginning with the school year 1981-82, county boards of education shall file with the State Department of Education a list of the textbooks presently being used in each school of the county. The listing shall: a) Be by grade, subject, publisher and copyright date; b) indicate the number of students taking for student use; c) indicate the number of books provided for student use; and d) be certified by the president of the county board of education and attested by the secretary of the board. Filing shall be no later than May 15, 1982, and the report shall be filed each school year subsequent to 1981-82.

§126-41-2. Filing of Textbooks.

EXECUTIVE SUMMARY
July 1993

Proposed Repeal of Policy 2445.51 - Textbook Utilization Report

Background:

The Recht Decision (Pauley v. Kelly, 1979 and Pauley v. Bailey, 1982) revealed that schools were using textbooks other than those adopted for use by the county boards of education. This caused members of the West Virginia Legislature to consider an amendment to Code 18-2A-5 that would have required the purchase of textbooks within two years of adoption by the county, which would have created additional pressure on their budgets.

The Chairman of the House Education Committee asked the West Virginia Board of Education to promulgate a regulation to enforce the utilization provision contained in Code 18-2A-5 and 8. The regulation would give some additional assurances that textbooks on the state multiple list and adopted by county boards of education were being used in schools. Thus, the policy contained in the attachment was approved.

County accreditation standard 2.1.21 provides that sufficient numbers of approved up-to-date textbooks, program materials and other resources are available to deliver curricular content. The main data collection instrument used for determining this standard has been the county adoption report, not the school utilization report.

Purpose:

To propose the repeal of the West Virginia Board of Education Policy 2445.51 - Textbook Utilization Report.

Content:

The content of this proposed repeal of Policy 2551.51 is a copy of the current policy which, by virtue of the county accreditation review process, is no longer necessary.

Impact:

Each school in West Virginia will no longer be required to verify via the utilization report to the West Virginia Department of Education that instructional materials are those on the approved list. Rather, the county accreditation teams will use the county adoption report to resolve any inquiry by an on-site team member.

Proposed Repeal of Policy 2445.51

TITLE 126
LEGISLATIVE RULE
WEST VIRGINIA BOARD OF EDUCATION
CHAPTER 18-2A-8
SERIES 41

(Policy 2445.51)

TITLE: Textbook Utilization Report

Section 1 General

1.1 Scope - This legislative rule states when county boards of education should file textbook utilization reports and specifies what should be included in the report.

1.2 Authority - West Virginia Code 18-2A-8

1.3 Filing Date - December 27, 1982

1.4 Effective Date - December 27, 1982

1.5 Repeal of Former Rule -

Section 2. Filing of Textbooks

Beginning with the school year 1981-82, county boards of education shall file with the State Department of Education a list of the textbooks presently being used in each school of the county. The listing shall: a) be by grade, subject, publisher and copyright date; b) indicate the number of students taking the course; c) indicate the number of books provided for student use; and d) be certified by the president of the county board of education and attested by the secretary of the board. Filing shall be no later than May 15, 1982, and the report shall be filed each school year subsequent to 1981-82.

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WEST VIRGINIA BOARD OF EDUCATION
CHAPTER 18-2A
SERIES 2445.51

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