S T A T E O F N E W Y O R K

11611

I N A S S E M B L Y

June 30, 2010

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Maisel) -- read once and referred to the Committee on Education

AN ACT to amend the education law, in relation to allowing the purchase of curriculum and instructional resources with money set aside for textbooks

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Subdivisions 2 and 3 of section 701 of the education law, as amended by a chapter of the laws of 2010 amending the education law relating to allowing the purchase of curriculum and instructional resources with money set aside for textbooks, as proposed in legislative bills numbers S. 6776-B and A. 7883-B, are amended to read as follows:

2. (a) A text-book, for the purposes of this section shall mean: (i) any book, or a book substitute, which shall include hard covered or paperback books, work books, or manuals and (ii) for expenses incurred after July first, nineteen hundred ninety-nine, any courseware or other content-based instructional materials in an electronic format, as such terms are defined in the regulations of the commissioner, which a pupil is required to use as a text, or a text-substitute, in a particular class or program in the school he or she legally attends.

(b) Curriculum and instructional resources for the purposes of this section, shall mean inquiry-centered curriculum and instructional materials, [supplies,] manipulatives, SCIENTIFIC OR MATHEMATICAL MODELS, or other CONCRETE MODELS OR HANDS-ON CLASSROOM TOOLS AND resources which are aligned with state standards AND CAN BE used by students [and teachers] DURING CLASSROOM LESSONS to support, REINFORCE and enhance [teaching and] learning AND UNDERSTANDING OF CONCEPTS.

(c) EXPENDITURES FOR CURRICULUM AND INSTRUCTIONAL RESOURCES, AS DEFINED IN PARAGRAPH (B) OF THIS SUBDIVISION, SHALL NOT EXCEED TEN PER CENTUM OF TOTAL EXPENDITURES AUTHORIZED PURSUANT TO THIS SECTION.

(D) Expenditures aided pursuant to this section shall not be eligible for aid pursuant to section seven hundred eleven or seven hundred fifty-one of this title. Courseware or other content-based instructional materials in an electronic format included in the definition of

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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textbook pursuant to this subdivision shall be subject to the same limitations on content as apply to books or book substitutes aided pursuant to this section.

3. In the several cities and school districts of the state, boards of education, trustees or such body or officers as perform the function of such boards shall have the power and duty to: (a) purchase and to loan upon individual request, textbooks, to all children residing in such district who are enrolled in a public school including children attending the public schools of the district for whom the district is eligible to receive reimbursement pursuant to [of] subdivision eight of section thirty-two hundred two of this chapter, provided, however, that such children shall not be counted by any other school district, and to all children residing in such district who are enrolled in a nonpublic school; and (b) purchase and to loan upon individual request, curriculum and instructional materials, to all children residing in such district who are enrolled in a public school including children attending the public schools of the district for whom the district is eligible to receive reimbursement pursuant to subdivision eight of section thirty-two hundred two of this chapter, provided, however, that such children shall not be counted by any other school district, and to all children residing in such district who are enrolled in a nonpublic school. Textbooks and curriculum and instructional resources loaned to children enrolled in said nonpublic schools shall be textbooks and curriculum and instructional resources which are designated for use in any public schools of the state or are approved by any boards of education, trustees or other school authorities. Such textbooks and curriculum and instructional resources are to be loaned free to such children subject to such rules and regulations as are or may be prescribed by the board of regents and such boards of education, trustees or other school authorities. Enrollment shall be as defined in subdivision one of section thirty-six hundred two of this chapter.

S 2. This act shall take effect on the same date and in the same manner as a chapter of the laws of 2010 amending the education law relating to allowing the purchase of curriculum and instructional resources with money set aside for textbooks, as proposed in legislative bills numbers S. 6776-B and A. 7883-B, takes effect.