

REFERENCE TITLE: textbooks; adverse representation; prohibition

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

## **HB 2189**

Introduced by  
Representatives Longdon: Pawlik, Schwiebert, Stahl Hamilton, Travers,  
Senator Alston

AN ACT

AMENDING SECTIONS 15-721 AND 15-722, ARIZONA REVISED STATUTES; RELATING TO  
SCHOOL COURSES OF STUDY AND TEXTBOOKS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-721, Arizona Revised Statutes, is amended to  
3 read:

4 15-721. Common schools; course of study; textbooks; approval;  
5 selection; library books and materials; definition

6 A. The governing board shall approve for common schools the course  
7 of study, the basic textbook for each course and all units recommended for  
8 credit under each general subject title before implementing the course.

9 B. If any course does not include a basic textbook, the governing  
10 board shall approve all supplemental books used in the course before  
11 approving the course.

12 C. If any course includes a basic textbook and uses supplemental  
13 books, the governing board may approve all supplemental books and teaching  
14 aids, including instructional computer software, that are used in the  
15 course before approving the course.

16 D. If the course includes a basic textbook and uses supplemental  
17 books that have not been approved by the governing board at the time of  
18 approval of the course, a teacher may use the supplemental books at any  
19 time during the school year. Use of the supplemental books shall be  
20 brought to the attention of the governing board during the school year in  
21 which they are added for ratification.

22 E. Notwithstanding any other law, subsections B and C of this  
23 section do not apply to supplemental books used in courses or programs  
24 instituted pursuant to article 4 of this chapter.

25 F. The governing board shall:

26 1. Enforce the course of study and select all textbooks used in the  
27 common schools and purchase the textbooks from the publishers. The  
28 governing board may budget and spend district school monies for teaching  
29 aids, including instructional computer software. For courses that do not  
30 require that each student have a textbook other than for classroom  
31 instruction, the school district need only purchase one textbook for each  
32 student in the largest group that would be receiving classroom instruction  
33 at any one time.

34 2. Require that all meetings of committees authorized for the  
35 purposes of textbook review and selection be open to the public as  
36 prescribed in title 38, chapter 3, article 3.1.

37 3. Make available at the school district office for review by the  
38 public, for a period of sixty days prior to formal selection of textbooks,  
39 a copy of each textbook that is being considered for selection.

40 4. Make available on the school district's website for review by  
41 the public a list of all books and materials purchased after January 1,  
42 2023 for any of the district's school libraries for a period of at least  
43 sixty days after the purchase. Each school operated by the school  
44 district shall make available on the school's website for review by the  
45 public a list of all books and materials purchased after January 1, 2023

1 for the school library for a period of at least sixty days after the  
2 purchase. This paragraph does not apply to the purchase of a book or  
3 material that is intended to replace a lost or damaged book or material.

4 5. Ensure that each common school that is operated by the school  
5 district notifies the parents of each pupil enrolled in the school of the  
6 opening and closing dates of the public review required under paragraph 4  
7 of this subsection within seven school days before the opening date.

8 G. The following are exempt from the requirements of subsection F,  
9 paragraphs 4 and 5 of this section:

10 1. Schools without a full-time library media specialist or an  
11 equivalent position.

12 2. School district libraries that have agreements with county free  
13 library districts, municipal libraries or other entities pursuant to  
14 section 15-362, subsection D.

15 H. THE GOVERNING BOARD MAY NOT APPROVE OR SELECT ANY TEXTBOOK OR  
16 OTHER INSTRUCTIONAL MATERIAL PURSUANT TO THIS SECTION THAT CONTAINS ANY  
17 MATTER REFLECTING ADVERSELY ON PERSONS ON THE BASIS OF RACE, ETHNICITY,  
18 SEX, RELIGION, DISABILITY, NATIONALITY, SEXUAL ORIENTATION OR GENDER  
19 IDENTITY.

20 ~~H.~~ I. For the purposes of this section, "textbook" means printed  
21 instructional materials or digital content, or both, and related printed  
22 or nonprinted instructional materials, that are written and published  
23 primarily for use in school instruction and that are required by a state  
24 educational agency or a local education agency for use by pupils in the  
25 classroom, including materials that require the availability of electronic  
26 equipment in order to be used as a learning resource.

27 Sec. 2. Section 15-722, Arizona Revised Statutes, is amended to  
28 read:

29 15-722. High schools; course of study; textbooks; approval;  
30 library books and materials; definition

31 A. The governing board shall approve for high schools the course of  
32 study and all units that are recommended for credit under each general  
33 subject title before implementing the course.

34 B. The governing board shall approve for high schools the basic  
35 textbook for each course and may purchase the textbooks from the  
36 publishers if approved by the governing board. Before approving any basic  
37 textbook for high schools, the governing board shall do all of the  
38 following:

39 1. Provide information on the school district's website, if the  
40 school district maintains a website, on the basic textbooks that are  
41 proposed for approval.

42 2. Require that all meetings of committees authorized for the  
43 purposes of textbook review and selection be open to the public pursuant  
44 to title 38, chapter 3, article 3.1.

1           3. Provide an opportunity for public comment for at least sixty  
2 days. Public comment may include written comments, oral comments and  
3 comments submitted through email.

4           4. Make available at the school district office for review by the  
5 public, for a period of at least sixty days before approving the  
6 textbooks, a copy of each textbook that is being considered for approval.

7           5. Make available on the school district's website for review by  
8 the public a list of all books and materials purchased after January 1,  
9 2023 for any of the district's school libraries for a period of at least  
10 sixty days after the purchase. Each school operated by the school  
11 district shall make available on the school's website for review by the  
12 public a list of all books and materials purchased after January 1, 2023  
13 for the school library for a period of at least sixty days after the  
14 purchase. This paragraph does not apply to the purchase of a book or  
15 material that is intended to replace a lost or damaged book or material.

16           6. Ensure that each high school that is operated by the school  
17 district notifies the parents of each pupil enrolled in the school of the  
18 opening and closing dates of the public review required under paragraph 5  
19 of this subsection within seven school days before the opening date.

20           C. The following are exempt from the requirements of subsection B,  
21 paragraphs 5 and 6 of this section:

22           1. Schools without a full-time library media specialist or an  
23 equivalent position.

24           2. School district libraries that have agreements with county free  
25 library districts, municipal libraries or other entities pursuant to  
26 section 15-362, subsection D.

27           D. If any course does not include a basic textbook, the governing  
28 board shall approve all supplemental books that are used in the course  
29 before usage.

30           E. If any course includes a basic textbook and uses supplemental  
31 books or instructional computer software, the governing board may approve  
32 all supplemental books and instructional computer software that are used  
33 in the course before usage.

34           F. If the course includes a basic textbook and uses supplemental  
35 books that have not been approved by the governing board at the time of  
36 approval of the course, a teacher may use the supplemental books at any  
37 time during the school year. Use of the supplemental books shall be  
38 brought to the attention of the governing board during the school year in  
39 which they are added for ratification.

40           G. The governing board shall prescribe up to five textbooks for  
41 each course, and the teacher, with the consent of the governing board, may  
42 use any one of the prescribed textbooks for the purposes of the teacher's  
43 course.

1           H. THE GOVERNING BOARD MAY NOT APPROVE OR PRESCRIBE ANY TEXTBOOK OR  
2 OTHER INSTRUCTIONAL MATERIAL PURSUANT TO THIS SECTION THAT CONTAINS ANY  
3 MATTER REFLECTING ADVERSELY ON PERSONS ON THE BASIS OF RACE, ETHNICITY,  
4 SEX, RELIGION, DISABILITY, NATIONALITY, SEXUAL ORIENTATION OR GENDER  
5 IDENTITY.

6           ~~H.~~ I. For the purposes of this section, "textbook" means printed  
7 instructional materials or digital content, or both, and related printed  
8 or nonprinted instructional materials, that are written and published  
9 primarily for use in school instruction and that are required by a state  
10 educational agency or a local education agency for use by pupils in the  
11 classroom, including materials that require the availability of electronic  
12 equipment in order to be used as a learning resource.