March 26, 2004

MEMORANDUM

TO: City and County Superintendents of Education  
   City and County Textbook Supervisors

FROM: Joseph B. Morton  
   Interim State Superintendent of Education

RE: Proper and Improper Use of Textbooks in the Classroom

Questions have arisen and clarification has been requested concerning the use of textbooks by students in the classroom that have been obtained through various methods. In addition to the usual method of purchasing textbooks with public funds (state, federal, and local), these methods include textbooks provided free by publishers for piloting purposes, free samples given directly to teachers from publishers, etc.

The Alabama Administrative Code, Rule Number 290-2-3-.01(3), defines a textbook as "systematically organized materials, such as hardbound books, softcover books, or technology-based programs, comprehensive enough to cover the primary objectives outlined in the standard course of study for a grade or course." This definition does not include library books, newspapers, or other resources that the teacher may use to teach the class.

The Code of Alabama, 1975, §16-36-62(d), provides that "no textbook shall be used in any public school of this state unless recommended by a local textbook committee and, upon the recommendation of the local superintendent, adopted by the local board of education." The law is very clear that textbooks must be approved by the local board before being used by students. Also, a Report of Local Adoption of Textbooks must be on file in the State Textbook Office.

Please be sure that all principals and teachers are aware of this requirement of the State Textbook Law in order to ensure that the improper use of textbooks does not occur. It is also suggested that you add to your local board policies a statement that representatives of publishing companies must have permission from the local board of education before visiting individual schools or teachers.

We hope this information will be helpful. If you have any questions, please contact Dr. Anita Buckley Commander, Director, Classroom Improvement/State Textbook Program, at telephone number 334-242-9718.

JBM:ABC:KLB
cc: Textbook Publishers and Representatives
FY04-2170