

**Virginia Administrative Code**  
***Regulations Governing Local School Boards and School Divisions (8 VAC 20-720-170)***  
**Proposed Revisions Approved by the Virginia Board of Education on February 28, 2013**

**8VAC20-720-170. Textbooks.**

A. Textbook approval.

1. The Board of Education shall have the authority to approve textbooks for use in the public schools of Virginia.
2. In approving basal textbooks for reading in kindergarten and first grade, the Board of Education board shall report to local school boards those textbooks with a minimum decodability standard based on words that students can correctly read by properly attaching speech sounds to each letter to formulate the word at 70% or above for such textbooks in accordance with § 22.1-239 of the Code of Virginia.
3. Any local school board may use textbooks not approved by the Board of Education board provided the local school board selects such books in accordance with this chapter.
4. Contracts and purchase orders with publishers of textbooks approved by the Board of Education board for use in grades 6-12 shall allow for the purchase of printed textbooks, printed textbooks with electronic files, or electronic textbooks separate and apart from printed versions of the same textbook. Each local school board shall have the authority to purchase an assortment of textbooks in any of the three forms listed in this subdivision.

B. Procedures for Sselection of textbooks by local school boards. Local school boards shall adopt procedures for the selection of textbooks. These procedures shall include, at a minimum, the following:

1. Appointment of evaluation committees by the local school board to review and evaluate textbooks in each of the subject areas.
2. Notice to parents that textbooks under consideration for approval will be listed on the school division's website and made available at designated locations for review by any interested citizens.
3. Opportunities for those reviewing such textbooks to present their comments and observations, if any, to the local school board through locally approved procedures.
4. Procedures to ensure appropriate consideration of citizen comments and observations.
5. Selection criteria.

C. Local school board selection of textbooks other than those approved by the Board of Education.

1. The selection process for non-Board of Education approved textbooks is subject to the procedures outlined in Section B.

2. The selection process for such textbooks pertaining to Virginia Standards of Learning subjects shall include at the local level a correlation of the content to the Virginia Standards of Learning in the content area and an analysis of strengths and weaknesses of the textbook in terms of instructional planning and support.

3. The publisher of such textbooks shall:

a. provide to the local school board a certification that the content of the textbook is accurate; and

b. sign an agreement with the local school board to correct all factual and editing errors found in a textbook, at its own expense.

D. Purchasing Board of Education approved textbooks.

1. Local school divisions shall purchase textbooks approved by the Board of Education directly from the publishers of the textbooks by either entering into written term contracts or issuing purchase orders on an as-needed basis in accordance with § 22.1-241 of the Code of Virginia.

2. Such written comments or purchase orders shall be exempt from the Virginia Public Procurement Act (§ 2.2-4300 et seq. of the Code of Virginia).

~~E.D.~~ Purchasing non-Board of Education approved textbooks. The purchase of textbooks other than those approved by the Board of Education ~~board~~ is not exempt from the Virginia Public Procurement Act.

~~F.E.~~ Distribution of textbooks. Each local school board shall provide, free of charge, such textbooks required for courses of instruction for each child attending public schools.

~~G.F.~~ Certifications.

1. The division superintendent and chairperson of the local school board shall annually certify to the Virginia Department of Education that:

a. All textbooks were selected and purchased in accordance with this chapter; and

b. The price paid for each textbook in accordance with § 22.1-241 of the Code of Virginia.

2. The certification shall include a list of all textbooks adopted by the local school board.