

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 38.**  
**EDUCATIONAL INSTITUTIONS.**

**CHAPTER 7.**  
**FREE TEXTBOOKS.**

**2001 Edition**

# DISTRICT OF COLUMBIA OFFICIAL CODE

## CHAPTER 7. FREE TEXTBOOKS.

---

### TABLE OF CONTENTS

---

§ 38-701. Textbooks and supplies furnished without charge. ....

§ 38-702. Books remain District property. ....

§ 38-703. Liability for damaged books. ....

§ 38-704. Limitation on purchases. ....

§ 38-705. Sale or exchange authorized. ....

§ 38-706. Expense of textbooks and supplies. ....

# CHAPTER 7. FREE TEXTBOOKS.

## § 38-701. TEXTBOOKS AND SUPPLIES FURNISHED WITHOUT CHARGE.

(a) The Board of Education shall issue to each student of the public elementary schools, public junior high schools, and public senior high schools textbooks, workbooks, and adequate instructional materials for each core curriculum subject, free of charge, by the second week of each new semester. The Superintendent shall certify to the Board of Education, within 30 days of each new semester, that each student has been issued textbooks, workbooks, and adequate instructional materials for each core curriculum subject, free of charge.

(b) The Board of Education shall evaluate and certify every 5 years that all textbooks used in the public school system meet the Board of Education's goals and objectives and the curriculum framework established for District of Columbia public schools.

(c) The Board of Education may require a refundable deposit for textbooks issued to students in grades 7 through 12, to offset costs associated with lost or damaged textbooks. If the Board of Education requires a textbook deposit pursuant to this subsection, the Board of Education shall provide for a refund of the deposit at the conclusion of the relevant semester or school year for which the textbook was issued.

(d) The Board of Education shall adopt regulations to implement the provisions of this section.

(Jan. 31, 1930, 46 Stat. 62, ch. 32, § 1; June 28, 2002, D.C. Law 14-170, § 2, 49 DCR 4726.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 31-701.

1973 Ed., § 31-401.

#### *Effect of Amendments*

D.C. Law 14-170 rewrote the section which had read:

"The Board of Education of the District of Columbia shall provide pupils of the public elementary schools, public junior high schools, and public senior high schools of the District of Columbia free of charge with the use of all textbooks and other necessary educational books and supplies."

#### *Temporary Amendments of Section*

Section 2 of D.C. Laws 13-167 rewrote the section to provide:

"(a) The Board of Education of the District of Columbia shall issue each student of the public elementary schools, public junior high schools, and public senior high schools of the District of Columbia textbooks, workbooks, and adequate instructional materials for each core curriculum subject, free of charge, by the second week of each new semester. The Superintendent shall certify to the Council, within 30 days of each new semester, that each student has been issued textbooks, workbooks, and adequate instructional materials for each core curriculum subject, free of charge.

"(b) The Board of Education shall evaluate and certify every 5 years to the Council that all textbooks used in the public school system meet the Board of Education's goals and objectives and the curriculum framework established for the District of Columbia's public schools.

"(c) The Board of Education may require a refundable textbook deposit in grades 7 through 12 to offset costs associated with lost or damaged textbooks. The Board of Education shall provide for refund of any textbook deposit authorized pursuant to this subsection, at the conclusion of the relevant semester or school year for which the textbook was issued. The Board of Education shall adopt regulations to implement the provisions of this section.

"(d) The Public Schools Free Textbook Temporary Amendment Act of 2000 is subject to the availability of appropriated funds, or the Council's prescription requiring the Superintendent to comply with the law by making funds available within its FY 2001 budget."

Section 2 of D.C. Laws 13-167 provides that the act shall expire after 225 days of its having taken effect.

*Emergency Act Amendments*

For temporary (90-day) amendment of section, see § 2 of the Public Schools Free Textbook Emergency Amendment Act of 2000 (D.C. Act 13-347, June 5, 2000, 47 DCR 5006).

For temporary (90-day) amendment of section, see § 2 of the Public Schools Free Textbook Legislative Review Emergency Amendment Act of 2000 (D.C. Act 13-429, August 14, 2000, 47 DCR 7456).

For temporary (90-day) amendment of section, see § 2 of the Public Schools Free Textbook Congressional Review Emergency Amendment Act of 2000 (D.C. Act 13-458, November 7, 2000, 47 DCR 9432).

For temporary (90 day) amendment of section, see § 2 of Public Schools Free Textbook Emergency Amendment Act of 2001 (D.C. Act 14-58, June 6, 2001, 48 DCR 5695).

*Legislative History of Laws*

Law 14-170, the "District of Columbia Public Schools Free Textbook Amendment Act of 2002", was introduced in Council and assigned Bill No. 14-36, which was referred to the Committee on Education, Libraries and Recreation. The Bill was adopted on first and second readings on June 26, 2001, and April 9, 2002, respectively. Signed by the Mayor on May 3, 2002, it was assigned Act No. 14-361 and transmitted to both Houses of Congress for its review. D.C. Law 14-170 became effective on June 28, 2002.

### **§ 38-702. BOOKS REMAIN DISTRICT PROPERTY.**

All books purchased by the Board of Education shall be held as property of the District of Columbia and shall be loaned to pupils under such conditions as the Board of Education may prescribe.

(Jan. 31, 1930, 46 Stat. 62, ch. 32, § 2.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 31-702.

1973 Ed., § 31-402.

### **§ 38-703. LIABILITY FOR DAMAGED BOOKS.**

Parents and guardians of pupils shall be responsible for all books loaned to the children in their charge and shall be held liable for the full price of every such book destroyed, lost, or so damaged as to be made unfit for use by other pupils.

(Jan. 31, 1930, 46 Stat. 62, ch. 32, § 3.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 31-703.

1973 Ed., § 31-403.

### **§ 38-704. LIMITATION ON PURCHASES.**

The Board of Education shall purchase for use in the public schools only such books and supplies as shall have been duly recommended by the Superintendent of Schools and formally approved by the Board of Education.

(Jan. 31, 1930, 46 Stat. 62, ch. 32, § 4; Apr. 12, 1997, D.C. Law 11-259, § 312, 44 DCR 1423; Oct. 19, 2000, D.C. Law 13-172, § 704, 47 DCR 6308.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 31-704.

1973 Ed., § 31-404.

*Effect of Amendments*

D.C. Law 13-172 deleted " , through the Office of Contracting and Procurement" preceding "purchase for use".

*Emergency Act Amendments*

For temporary (90-day) amendment of section, see § 704 of the Fiscal Year 2001 Budget Support Emergency Act of 2000 (D.C. Act 13-376, July 24, 2000, 47 DCR 6574).

For temporary (90-day) amendment of section, see § 704 of the Fiscal Year 2001 Budget Support Congressional Review Emergency Act of 2000 (D.C. Act 13-438, October 20, 2000, 47 DCR 8740).

*Legislative History of Laws*

Law 11-259, the "Procurement Reform Amendment Act of 1996," was introduced in Council and assigned Bill No. 11-705, which was referred to the Committee on Government Operations. The Bill was adopted on first and second readings on November 7, 1996, and December 3, 1996, respectively. Signed by the Mayor on January 3, 1997, it was assigned Act No. 11-526 and transmitted to both Houses of Congress for its review. D.C. Law 11-259 became effective on April 12, 1997.

Law 13-172, the "Fiscal Year 2001 Budget Support Act of 2000," was introduced in Council and assigned Bill No. 13-679, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on May 15, 2000, and June 6, 2000, respectively. Signed by the Mayor on June 26, 2000, it was assigned Act No. 13-175 and transmitted to both Houses of Congress for its review. D.C. Law 13-172 became effective on October 19, 2000.

### **§ 38-705. SALE OR EXCHANGE AUTHORIZED.**

The Board of Education, in its discretion, is authorized to make exchange or to sell books or other educational supplies which are no longer desired for school use.

(Jan. 31, 1930, 46 Stat. 62, ch. 32, § 5.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 31-705.

1973 Ed., § 31-405.

### **§ 38-706. EXPENSE OF TEXTBOOKS AND SUPPLIES.**

The Board of Education is authorized to provide for the necessary expenses of purchase, distribution, care, and preservation of said textbooks and educational supplies out of money appropriated under authority of this chapter.

(Jan. 31, 1930, 46 Stat. 62, ch. 32, § 6.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 31-706.

1973 Ed., § 31-406.