

**Subchapter E. Disposition of Instructional Materials****§66.131. Out-of-Adoption Instructional Materials.**

- (a) School districts or open-enrollment charter schools may retain out-of-adoption instructional materials.
- (b) Each school district or open-enrollment charter school shall make out-of-adoption instructional materials (other than electronic instructional materials) available to libraries maintained by city and county jails, institutions within the Texas Department of Criminal Justice, and other state agency institutions.
- (c) School officials may donate out-of-adoption instructional materials (other than electronic instructional materials) to students, adult education programs, and nonprofit organizations. Individuals and officials making requests for out-of-adoption instructional materials shall be responsible for transporting the materials.
- (d) After all efforts to donate out-of-adoption instructional materials (other than electronic instructional materials) to organizations listed under subsection (c) of this section have been exhausted, a school district or open-enrollment charter school may donate these materials for recycling locally. Recycling is defined as removing the bindings and shredding the textbooks for the purpose of producing new products from the processed materials.
- (e) Under no circumstances shall out-of-adoption instructional materials be sold by a school district or open-enrollment charter school.

*Source: The provisions of this §66.131 adopted to be effective September 1, 1996, 21 TexReg 7236; amended to be effective September 1, 1997, 22 TexReg 3779; amended to be effective March 4, 2001, 26 TexReg 1706.*