

Special consideration shall be given in the evaluation report as to the suitability of the book to the grade for which it is offered, the content or subject matter, and other criteria prescribed by the Board.

All evaluation reports shall be signed by the member making the report and filed alphabetically with the Board not later than a day certain as fixed by the Board when the call for adoption is made.

*115-210. Selection of textbooks by Board.*—At the next meeting of the Board following the filing of the reports, the Textbook Commission shall meet with the Board and jointly examine the reports. The Board shall then select from the books evaluated such books which the Board believes will meet the teaching requirements of the North Carolina public schools in the grade or grades for which they are offered. The Board shall then request sealed bids from the publishers of all books so selected.

The Board shall make all needful rules and regulations with reference to asking for bids, notifying publishers as to calls for adoption, execution and delivery of contracts, requirement of performance bonds, cancellation causes, and such other material matters as may affect the validity of the contracts.

*115-211. Adoption of textbooks and contracts with publishers.*—The sealed bids of the publishers shall be opened at the next regular meeting of the Board in the presence of the Board. The Board may then adopt the books required by the course of study and enter into a contract with the publisher for such adopted books. The Board may refuse to adopt any of the books offered at the prices bid and call for new bids: Provided, that when bids are accepted by the Board and a contract entered into, the contract may require, in the discretion of the Board, that the total sales of each book in the State of North Carolina be reported annually to the Board.

*115-212. Continuance and discontinuance of contracts with publishers; procedure for change of textbooks.*—At the expiration of existing or future contracts, the Board may, upon approval of the publisher, continue the contract for any particular book or books indefinitely, that is, for a period not less than one nor more than five years. The Superintendent may at any time recommend to the Board that a given book is unsatisfactory for the schools, whereupon the Board may call for a new selection and adoption.

In the event a change of any textbook is required by vote of the Board, the publisher shall be given ninety (90) days' notice prior to the first day of May, at the expiration of which time the Board is authorized to adopt a new book or books on said subject. The publisher desiring to terminate his contract which has been extended beyond the original contract period shall give notice to the Board ninety (90) days prior to the first day of May. The Board may then proceed to a new adoption.

*115-213. Advice of Attorney General as to form and legality of contracts.*—All contracts between the Board and publishers of textbooks shall be subject to the approval of the Attorney General as to form and legality.

In the event that any publisher shall fail to keep his contract as to prices, distribution, adequate supply of books in the edition adopted, or in any other way violates the terms of his contract, the Attorney General shall bring suit against such publisher when requested by the Board for such an amount as may be sufficient to enforce the contract or to compensate the State because of the loss sustained by failure to keep said contract.

*115-214. Publishers to register all agents or employees.*—Publishers submitting books for adoption shall register in the office of the State Superintendent of Public Instruction all agents or other employees of any kind authorized to represent said company in the State and this registration list shall be open to the public for inspection.

*115-215. Sale of books at lower price elsewhere reduces price to State.*—Every contract made by the Board with the publisher of any school textbook on the adopted list in this State shall be deemed to have written therein a condition providing that in the event said publisher during the life of his contract with this State shall contract with another state, or with any county, city, town, or other municipality, or shall place said textbook on sale anywhere in the United States for a less price than that in his contract with the State of North Carolina, said publishers shall immediately furnish said textbooks to this State at a price not to exceed that for which the book is furnished, sold, or placed on sale in any other state, or in any other county, city, town, or municipality.

*115-216. Powers and duties of State Board of Education.*—The children in the public schools of the State may be provided uniformly with free basal textbooks within the appropriation of the General Assembly for that purpose, and with