

STATE BOARD OF EDUCATION

PROCLAMATION 2021

QUESTIONS AND ANSWERS

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Questions and Answers

General Questions

- Question** How is “electronic product” defined? Does that refer to digital files of our print content, our digital-only content, or both?

Answer An electronic product is anything delivered through an electronic, digital, or online medium. Digital files of print content and digital-only content are both considered electronic products.
- Question** What options do publishers have to protect copyrighted material during the review?

Answer Publishers are encouraged to add a draft watermark across pre-adoption samples to protect copyrighted materials.
- Question** How are publishers expected to incorporate machine-readable Texas Prekindergarten Guidelines (TPG)?

Answer The machine-readable TPG must be used in all electronic instructional materials. They are available at <https://teks.texasgateway.org/>. The website also contains several guidance documents related to the integration of the machine-readable Texas Essential Knowledge and Skills, which are the K–12 equivalent of the TPG. It is highly recommended that, at a minimum, the content used in a publisher’s correlations is tagged using the machine-readable TPG.
- Question** Can publishers use the STAAR® logo in adopted materials?

Answer Under certain circumstances, yes. The STAAR logo and artwork belong to the TEA. Publishers may not use STAAR® as part of their company or product name nor can they use it to describe a product.

Publishers may refer to STAAR® if they

 - use the registered trademark symbol ® next to it (i.e., STAAR®);
 - indicate that STAAR® is a federally registered mark owned by TEA; and
 - state that their product is not sponsored by, endorsed by, or affiliated with TEA (e.g., *Company X is not sponsored by, endorsed by, or affiliated with the Texas Education Agency*).

Publishers may also use phrases like “similar to the Texas assessment program” or “based on Texas state assessments” to describe their products and may refer to Texas state assessments in generic terms in their products.

Deliverables and Requirements

- Question** Our digital curriculum is continually updated with new content. What does this mean for the “evergreen” requirement of what is approved at the beginning of the adoption? More specifically, if our digital curriculum contains all content that was originally included, can we continue to add in new/additional content?

Answer Yes. After submitting the pre-adoption sample and prior to adoption by the State Board of Education, you are required to list all content changes, editorial changes, and corrections to errors on the *List of Corrections and Editorial Changes*. After adoption,

you must get approval from TEA or the State Board of Education (SBOE) ([19 TAC §66.75](#)) to add new content. Publishers with adopted materials must follow the [substitutions and content updates](#) procedure to make changes to adopted material.

6. **Question** May content be updated after the materials are adopted?
- Answer** Yes. Publishers that wish to update content in adopted materials must file a request with TEA and be granted permission prior to making any content updates. Updates include adding, removing, or changing any content. Changes to content used to demonstrate TPG coverage must be approved by the SBOE prior to being made in the materials provided to districts.
7. **Question** What are the language requirements for *Proclamation 2021*? Must materials be submitted in English, Spanish, or both?
- Answer** Publishers may submit materials in English, Spanish, or both. Correlation documents will be provided in English and Spanish.
8. **Question** What is the *Report of Interoperability and Ease of Use* due on Monday, April 6, 2020?
- Answer** The report gathers information from publishers regarding their program's ability to work in different operating systems. The *Report of Interoperability and Ease of Use* is available on the [Publisher Portal](#). This information will be provided to the SBOE and districts.
9. **Question** Regarding the *Report on Interoperability and Ease of Use*, which standards of interoperability does this requirement refer to? Or, are we simply required to document whether our product(s) can integrate with other software?
- Answer** There are currently no specific interoperability standards with which products must comply. Publishers are simply being asked to provide information related to interoperability.

Samples

10. **Question** Are samples due in April 2020 print samples, or can we submit digital samples (PDFs) of the printed product?
- Answer** Sample materials of pre-kindergarten materials must be submitted in the same format as that which will be offered to school districts.
11. **Question** May content be updated after the pre-adoption sample is submitted?
- Answer** Yes. Publishers may update content in materials under consideration for adoption. Once pre-adoption samples are submitted, each change must be documented on the *List of Corrections and Editorial Changes*.
12. **Question** Third party materials such as trade books and leveled readers are copyrighted. How should samples of these materials be submitted? Instead of submitting the entire books, would a cover and title page for each be sufficient?
- Answer** Samples submitted for review must be complete versions of the final product and must include all content intended to be in the final product, not just the content identified in the correlations. If the final product will include the trade books and leveled readers, the sample must include them as well.

Bids and Pricing

13. **Question** How does a recurring subscription model for curriculum purchase fit in this adoption?
- Answer** Publishers can submit official bids for adopted materials that include different subscription lengths ranging from one to eight years.
14. **Question** Should shipping costs be included in bid pricing?
- Answer** Publishers may not include shipping costs explicitly on official bids, but publishers may consider the cost of shipping when determining package and component pricing. Alternatively, publishers may invoice TEA separately for shipping costs if they use a TEA-contracted vendor.

Accessible Materials

15. **Question** Do pre-adoption samples need to be accessible?
- Answer** It depends. If the final format that will be offered to schools is a PDF, the PDF must be made accessible prior to submission. Although not required, it is highly recommended that all other digital components be designed to comply with the technical standards of the Federal Rehabilitation Act, Section 508, and that web content be designed to conform to the WCAG 2.0, Level AA. Products that are designed to conform to these standards in the early stages of development are much more likely to successfully pass the required accessibility audit.
16. **Question** According to the schedule, TEA will provide contact information of designated braille producers to convert files on Monday, January 11, 2021, and by Monday, January 25, 2021, the publisher will be required to submit to the “designated braille producer” the following: “Three preliminary copies of adopted print student materials, one high-quality PDF, one copy of NIMAS files, and a screenshot from the NIMAC Validation Wizard showing that each file has passed validation due to designated braille producer” (draft, page 10). To be clear, is the publisher allowed to work with any vendor to produce the NIMAS files and begin doing so prior to the announcement of the designated braille producer on Monday, January 11, 2021, in order to have necessary samples available to delivery to any of the designated braille producers by Monday, January 25, 2021?
- Answer** Yes. Publishers can work with any vendor to produce NIMAS files and should begin that work prior to the announcement of the producers.
17. **Question** Are the accessibility rules for teacher-directed materials or student materials?
- Answer** All materials, regardless of the intended audience, are required to be accessible.

Correlations and Breakouts

18. **Question** Should publishers correlate to the “By around 48 months of Age” skill level or to the “End of Prekindergarten Year Outcomes?”
- Answer** Publishers must correlate to the end-of-year outcomes.

19. **Question** How do you expect correlated content for digital course submissions to be referenced on the correlation document?
- Answer** Publishers must provide the component ISBN, page number, and a hyperlink that directs users to the exact locations of the content that the publisher believes sufficiently addresses the breakouts of the end-of-year outcomes. The correlations of online products must also be embedded in the product.
20. **Question** When you say that publishers must embed correlations, do you mean that the correlations must be on our native site, that we must put a direct link on the correlation document, or both?
- Answer** Both. Links are required on the correlation document, but providing them does not meet the embedding requirement unless the document is integrated into the digital program. Publishers can choose how they embed the correlations.
21. **Question** Does the state review panel use the publisher-supplied correlation document as its primary reference for locating coverage of the TPG, or is the publisher correlation only a secondary aid?
- Answer** The state review panels use the publisher-supplied correlation document as their primary reference as they review the instructional materials. The importance of carefully constructed and accurate correlations cannot be overstated.
22. **Question** Can the same citation be provided for more than one breakout and/or end-of-year outcome?
- Answer** Yes. The breakouts are created to make the review of materials easier for state review panels. They are not intended to imply that individual breakouts or even individual end-of-year outcomes require unique content.
23. **Question** Can the same citation be provided for both the teacher materials and the student materials?
- Answer** Yes. The best, most closely aligned content should be provided in both sets of correlations for each breakout. Providing different citations for the material intended for teacher use and the material intended for student use can be confusing for review panelists and should be avoided.
24. **Question** Is there a requirement to submit student-facing materials?
- Answer** Yes. In order to be eligible for adoption, instructional materials must meet at least 50% of the TPG in the materials designed for student use and materials designed for teacher use.
25. **Question** Can content in material intended for teacher use be used to meet the requirement to address the TPG in the material intended for student use?
- Answer** Yes, in certain circumstances. If there is content that is intended for use primarily by the student, and the publisher chooses to offer that content in the material intended for teacher use (e.g., digital teacher product with pages intended to be shared with students), then that content may be used to meet the requirement to address the TPG in the material intended for student use. State review panels have the discretion to determine whether content is intended primarily for student use.

26. **Question** Can content in the material intended for student use be used to meet the requirement to address the TPG in the material intended for teacher use?
- Answer** Yes. The teacher has access to content that is intended for teacher use, content that is intended for student use, and content that is intended for both. Therefore, citations for content in materials intended for student use may meet the requirement to address the TPG in the teacher materials.
27. **Question** Will the state review panels accept products that are not assembled in a specific scope or sequence?
- Answer** There is no scope and sequence requirement in the SBOE adoption process.
28. **Question** Should coverage of an end-of-year outcome be only in the printed content or can one be covered by accessing a companion website or other digital resource?
- Answer** TPG coverage may occur in any component of a submission, including a companion website or other digital resource. Links to outside resources should be direct, and the content should be easy for users to access.
- Before including links to outside web resources, publishers should remember that, if the product is adopted, they will be required to sign a contract that requires the content to be available for at least eight years. They should also be aware of other website restrictions found in 19 TAC §[66.29](#).
29. **Question** Are we required to print the TPG on any student materials or on any teacher materials?
- Answer** No. Printing the actual text of the TPG is not required in student or teacher materials.
30. **Question** Does the requirement for 50% coverage of the TPG in both the teacher and the student materials require 50% coverage in each domain or an overall 50% coverage?
- Answer** In order to be eligible for adoption, materials must meet at least 50% of the TPG in each domain in the materials designed for student use and the materials designed for teacher use.
31. **Question** Is it correct that if a publisher misses one breakout of an end-of-year outcome that has several breakouts, the whole outcome is considered “not met,” and even the breakouts that *were* met are discounted and do not count toward the 50%?
- Answer** That is correct. The 50% requirement refers to end-of-year outcomes, not breakouts. The purpose of parsing each outcome into breakouts is to ensure that each portion of an outcome is addressed. Accordingly, if all the breakouts of an outcome are not sufficiently covered, then the entire outcome is considered not addressed and does not count toward the 50%.
32. **Question** What constitutes a citation? The mention of the word on a page? What about a definition followed by two examples? Can that count as three citations even though it is all on one page?
- Answer** The proclamation defines citation as “The identification of one specific example of content that covers one element of the TPG.” To be an example of content that covers one of the TPG, the content must provide 1) an opportunity for the teacher to teach the knowledge or skill, 2) an opportunity for the student to learn the

knowledge or skill, or 3) an opportunity for the student to demonstrate the knowledge or practice the skill. It is permissible to have more than one citation on a page or screen. The mention of a word on a page does not constitute coverage.

33. **Question** Does a definition of the word in the glossary count in either the student or teacher edition?

Answer No. Content in the table of contents, appendices, including glossaries, or other front- or end-matter is not considered part of the student text narrative, an end-of-section review exercise, an end-of-chapter activity, or a unit test and, therefore, cannot be used to satisfy the requirements for TPG coverage.

English Language Proficiency Standards (ELPS)

34. **Question** Recent proclamations have required materials submitted for adoption to address the ELPS. Is coverage of the ELPS required by *Proclamation 2021*?

Answer No. Coverage of the ELPS is not required for prekindergarten systems.

Glossary of Acronyms

ELPS – English Language Proficiency Standards

ISBN – International Standard Book Number

NIMAS – National Instructional Materials Accessibility Standard

SBOE – State Board of Education

TEA – Texas Education Agency

TPG – Texas Prekindergarten Guidelines