

Proclamation 2014

Frequently Asked Questions

Funding/Instructional Materials Allotment

1. **Question** Is it true that in the 2011–2012 school year districts received 70% of the instructional materials allotment and in 2012–2013 school year they received 30%?

Answer Yes. Districts were given 70% of their allotment the first year of the biennium because new materials adopted under Proclamation 2011 and the Request for Supplemental Science Materials were available for purchase. The remaining 30% was reserved for the second year.

2. **Question** Can districts carry over their IMA funds from one school year to the next?

Answer Yes. Districts can carry over IMA funds from one year to the next and from one biennium to the next.

3. **Question** Under Proclamation 2014, publishers are to distribute adopted instructional materials to districts in June-August 2014. How will publishers be paid for Proclamation 2014, and when?

Answer Publishers will be paid as districts use their IMAs and place orders for adopted instructional materials. Historically, publishers have been paid out of funds appropriated by the legislature and receive payment 30 days after a valid invoice is received.

4. **Question** Is the funding of Proclamation 2014 materials subject to the legislative appropriation? Might we find ourselves going through the adoption process and then learning that the legislature does not have the necessary funding to pay for Proclamation 2014?

Answer All of the money the agency has to use is by appropriation. But one of the changes in Senate Bill 6 bases the amount for instructional materials on how much the state board determines that the Permanent School Fund will pay out. Statute says that 50% of that payout goes into the Instructional Materials Fund. However, the legislature still has to appropriate the money.

Samples

5. **Question** Is it Prekindergarten, Kindergarten, or both that must be presented in final format rather than electronic only for samples?

Answer Only Prekindergarten samples need to be presented in their final format. However, Prekindergarten materials are not included in Proclamation 2014.

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6. **Question** Are galley proofs accepted in addition to electronic, or instead of electronic submissions?
- Answer** The option to provide galley proofs is specific to the samples sent to the state review panels and would be in lieu of providing electronic samples of print materials.
7. **Question** Can a publisher provide galley proofs of electronic materials much like screen shots?
- Answer** No, the option to provide galley proofs is specific to print materials.
8. **Question** With regard to the option to provide galley proofs to the state review panel, is this option available for the initial 5/17/13 sample submission to TEA and the 20 ESCs?
- Answer** No, the option to provide galley proofs is specific to samples sent to the state review panels. The deadline to submit samples is April 19, 2013. The May 17, 2013 date is for samples of Spanish math instructional materials only.
9. **Question** Must the 5/17/13 sample submission to TEA and the 20 ESCs be in electronic form only?
- Answer** Yes, publishers must submit one complete, electronic, pre-adoption sample of all instructional materials to the TEA and each ESCs. The deadline to submit samples is April 19, 2013. The May 17, 2013 date is for samples of Spanish math instructional materials only. These samples are also in electronic form.
10. **Question** Is it accurate that the May 17th date is for samples of Spanish math materials and not Spanish science materials?
- Answer** Yes. The extended deadline for submitting samples is for Spanish math materials only.
11. **Question** Is there a deadline by when we must provide the state review panel members with final format samples?
- Answer** The deadlines for providing samples to the state review panels is not yet known, because they are based on the dates for the review, which have not yet been set. The TEA will provide complete instructions for delivery of materials for the state review panels in May 2013. Final format samples are not required for the state review panels.

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12. Question Are galley proofs the only option with respect to print samples (i.e., please confirm that we cannot provide final format print samples to the state, review panel, and 20 ESCs, only galley proofs)?

Answer Publishers may provide final-format, print samples to the state review panels. Publishers may not provide final-format, print samples to the TEA or ESCs. The acceptable format of samples is dependent on the entity to which the samples are sent. The table below indicates the sampling options for each entity.

	Pre-Adoption Samples	Post-Adoption Samples
Texas Education Agency	<ul style="list-style-type: none">▪ Electronic samples in open-file or closed format	<ul style="list-style-type: none">▪ Electronic samples in open-file or closed format
Education Service Centers	<ul style="list-style-type: none">▪ Electronic samples in open-file or closed format	<ul style="list-style-type: none">▪ Electronic samples in open-file or closed format
School Districts*	<ul style="list-style-type: none">▪ Electronic samples in open-file or closed format▪ Print Samples*	<ul style="list-style-type: none">▪ Electronic samples in open-file or closed format▪ Print Samples*
State Review Panels	<ul style="list-style-type: none">▪ Electronic samples in open-file or closed format▪ Print Samples▪ Galley Proofs	<ul style="list-style-type: none">▪ N/A
State Board of Education	<ul style="list-style-type: none">▪ Electronic samples in open-file or closed format	<ul style="list-style-type: none">▪ Electronic samples in open-file or closed format

*All samples to school districts are sent upon request. To meet the requirements of Proclamation 2014, samples provided to school districts and charter schools must be electronic. After electronic samples have been provided, and upon request and at the publisher's discretion, publishers may provide print samples to school districts and charter schools. Providing print samples is an arrangement between the district and publisher and is separate and distinct from the review and adoption process.

13. Question Must a publisher provide electronic samples to a district or charter school? Can a publisher, upon a district's request provide just a print sample?

Answer To meet the requirements of Proclamation 2014, official samples provided to school districts and charter schools must be electronic. After electronic samples have been provided, and upon request and at the publisher's discretion, publishers may provide print samples to school districts and charter schools. Providing print samples is an arrangement between the district and publisher and is separate and distinct from the review and adoption process.

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14. Question Can a publisher, as a matter of practice, send unsolicited electronic samples to every district in the state?

Answer While chapter 31 of the Texas Education Code requires publishers to send electronic samples to districts upon request, there is no restriction at the state level on sending unsolicited electronic samples to districts. However, publishers should bear in mind that each district has its own policies regarding samples of instructional materials, and sending unsolicited samples might violate some districts' local policies and disqualify the publisher from those districts' selection processes.

15. Question Can electronic samples require a user name and password?

Answer Yes.

16. Question Are we allowed to require reviewers (including state review panel members, districts, general public, etc) to register in order to view our online samples?

Answer Yes. However, it is not permissible for publishers to require users to provide personal information (including but not limited to, name, address, phone number, district or school name, and email addresses) in order to view online samples, and publishers must not gather personal information from those viewing the samples. A publisher may require a user to choose a username and password to register, but the publisher cannot require that the username be an email address.

17. Question Will publishers be required to sample all of the supplemental resources?

Answer The state review panels are going to review only the components of each product that are used for TEKS coverage, what is referred to as the core, TEKS-bearing content. The official samples must contain all TEKS-bearing components.

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TEKS Coverage / State Review Panel

18. Question The Q&A Document says each student expectation must be covered twice in the student materials, once in the student narrative, and once in either an end-of-section review exercise, an end-of-chapter activity, or a unit test, and twice in teacher materials. If we cover the standard in the student narrative and in an “end-of-lesson” lesson exercise, is that sufficient?

Answer If the state review panel identifies that a breakout is covered at least once in lesson form (it provides the student an opportunity to acquire knowledge or learn a skill) and at least once in assessment form (it checks for understanding or provides the student an opportunity to demonstrate knowledge or practice a skill), then that breakout will be considered addressed in the student material. However, in order for the breakout to be considered sufficiently covered, it must also be addressed twice in the teacher material.

19. Question If there is an activity, must it come at the end of the chapter, or can it be included at the point where the material is covered?

Answer Activities can be included at the point where the material is covered.

20. Question Your response to question #9 in the Q&A document says that “the student text narrative denotes the portion of the material that instructs the student or provides an opportunity for the student to acquire knowledge or learn a skill... Any instructional material that is intended for use by the student and provides an opportunity for the student to acquire knowledge or learn a skill could be considered student text narrative.” Given this description of the student text narrative, it seems logical to assume that any material in a student text that imparts knowledge— such as Introductions, essays on special topics, appendices that provide information — are considered student text narrative. Is that correct?

Answer Subject to the findings of the state review panels, content in introductions and essays on special topics could be used to satisfy the requirement for TEKS coverage in the student text narrative. However, content in the table of contents, appendices, 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 TEKS coverage.

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21. Question In the “Frequently Asked Questions” document, one question asked if an activity can appear “at the point where the material is covered,” as opposed to at the end of the lesson or end of the chapter. The response said that “Activities can be included at the point where the material is covered. Therefore, if a publisher inserts questions for the students in photo and art captions and those questions address ELPS or TEKS breakouts, those questions will count toward meeting ELPS and TEKS requirements, correct?”

Answer An activity included at the point where the material is covered would be considered an end-of-section review exercise. However, a question in an art illustration or photo caption cannot count toward meeting the required coverage of the content standards.

22. Question Can content in a photo/art caption or a sidebar be used to address the TEKS or ELPS?

Answer No, content in a caption or sidebar cannot be used to satisfy the requirements for coverage of the content standards. Art and photo captions and sidebars are not considered student text narrative, nor are they considered end-of-section review exercises, end-of-chapter activities, or unit tests.

23. Question During the review/evaluation period, will publishers have the option as they did in the past to make editorial changes if the review panel does not find 100% alignment?

Answer Yes, during the state review panel meetings, and within time constraints, publishers will have the option to make editorial and content changes during the review/evaluation period. These changes are limited to those TEKS originally designated as covered by the publisher.

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24. Question The 2014 TEKS include references to the use of “concrete objects”. It seems that any technology-based program would be excluded from meeting this objective, unless an allowance is made for the use of virtual objects/manipulatives. How will the reviewers treat this situation if the instructional objective is accomplished through the use of instructional technology? In general, we are looking for guidance concerning the evaluation of instructional technology submissions when SEs seem to disallow the option of using technology to meet the instructional requirement.

Answer In order to align to a student expectation that includes a tool, strategy, representation, etc., a product must include an opportunity to use the tools, strategies, representations, etc. in the standard. In the case of concrete objects, virtual objects that can be manipulated by a student for the outlined content purposes provide a comparable and allowable alternative. When a standard includes the phrase “including,” the tools, strategies, representations, etc. that follow must be addressed by the product.

25. Question If we submit an update to an adopted product, is there an opportunity to increase the SBOE-determined percentage of TEKS coverage?

Answer No. The purpose of the review of materials submitted as updated versions of adopted products is to ensure that the updated products cover the same TEKS as the adopted products. Reviewing a product to determine the percentage of TEKS coverage occurs only during the state review panel meetings, which is prior to the adoption.

26. Question May a publisher submit one component that includes both teacher material and student material to show TEKS coverage for both the teacher and the student? For example, can a component that has reproducible pages for the student count as both a teacher version and a student version?

Answer Yes, pages in a teacher component that are intended to be reproduced for the student can be used to identify TEKS coverage in both the teacher version and the student version.

27. Question If the student edition is a subset of the teacher edition, and the student edition meets a specific standard, will the teacher edition automatically meet the same standard?

Answer Yes.

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28. Question If a product covers 50% of the TEKS and is adopted, can a district use that product to certify coverage, or would it have to certify 100% percent of coverage?

Answer Each district has to certify 100% coverage of the TEKS. If a district orders or purchases a product—adopted or non-adopted—that covers only 50% of the TEKS, it would be required to certify that it has other products to cover the remaining 50%.

29. Question Is it correct that one assurance that school districts have when choosing an adopted product is that the state review panel has vetted the materials and the percentage of TEKS coverage has been checked and is confirmed?

Answer Yes, that is correct.

30. Question Can a district combine non-adopted products from different publishers to make 100%?

Answer Yes. Districts can combine adopted and/or non-adopted materials to achieve 100% coverage of the TEKS.

31. Question Can a district use materials that it has developed itself to certify coverage of some or all of the TEKS?

Answer Yes. For certification, a district can count all the instructional materials that it has on hand, whether acquired through a vendor or developed at the local level. Regardless of the combination of materials, the district must certify 100% coverage of the TEKS.

32. Question If a product that meets less than 100% of the TEKS is adopted, does the TEA indicate which TEKS are addressed and which are not?

Answer Yes. That information will be posted on the TEA website.

33. Question If a publisher indicates in its correlation document that a product covers 90% of the TEKS but the review panel determines that the product covers only 70%, will the commissioner's recommendation to the State Board of Education be based on the percentage indicated in the correlation document, or the percentage determined by the state review panel?

Answer The commissioner's recommendation is based primarily on the findings of the state review panel.

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- 34. Question** Does the districts' responsibility to certify 100% coverage of the TEKS include CTE and ESL courses?
- Answer** Yes. It includes all required curriculum except for Physical Education.
- 35. Question** What is your definition of required curriculum?
- Answer** Under state law, the required curriculum is everything that districts are required to teach. The required curriculum is composed of 2 strands: Foundation Curriculum which includes Math, Science, Social Studies, and English Language Arts; and Enrichment Curriculum, including Fine Arts, Career and Technical Education, Technology Applications, Health, Physical Education, and Languages Other than English.
- 36. Question** For K-2, and 3-5, where the TEKS for Technology Applications are in grade bands, do publishers have to have a separate book for each grade level?
- Answer** Because the TEKS are in grade bands K-2 and 3-5, it is possible that the TEKS for an entire grade band might be addressed in one set of materials. However, there would need to be some differentiation in depth and complexity for the different grade levels.
- 37. Question** In terms of addressing the ELPS in the four different levels, can you elaborate a little more on how that might be done?
- Answer** As an example: A key piece in these particular subject areas—math, science, and Technology Applications—might be vocabulary development. There should be information to help a teacher who is working with students who are at the very beginning stage of vocabulary development, as well as for those with more advanced vocabulary. For a student at the very beginning stage of vocabulary development, expectations would be more basic than for a student who has developed some English language and may be closer to proficiency. The point to consider is: what would a student being able to use scientific terms look like if the student has almost no English proficiency, versus a student who does have a pretty strong grasp of the English language?
- 38. Question** We understand that 100% of the ELPS must be addressed and that there are 4 levels of student performance. Does this translate into 4 separate examples of alignment for each ELPS, i.e., one example that addresses advanced high for the particular standard statement, one that addresses advanced, one example that addresses intermediate, and one that addresses beginning?
- Answer** No. There does not need to be 4 separate examples (one for each proficiency level) for each breakout.

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39. Question If a publisher does not need to have four separate “hits,” then for which proficiency level should publishers include content to address the ELPS? If, in order to address an ELPS, a publisher provides content that is appropriate for only an intermediate-level student, can that be sufficient?

Answer Each breakout should address at least one of the four proficiency levels such that throughout the product there is equal representation of examples for each of the four proficiency levels. If, for a given breakout, the publisher includes content that addresses the intermediate level, the content would be sufficient for that specific breakout.

40. Question The Proclamation 2014 Q&A Document indicates that the ELPS need to be addressed only once. Are the requirements for TEKS coverage found in 19 TAC §66.36 (a)(1)(D)–(G) also going to be used to determine ELPS coverage in the same way that they are used to determine TEKS coverage, or can an ELPS citation be anywhere and in any manner that the publisher believes is appropriate?

Answer Sections (D), (E), and (G) would be applicable to the ELPS and will be used to determine ELPS coverage. The only section that would not apply is (F). An ELPS might be considered covered if only included in side bars, captions, or questions at the end of a section or chapter, but the citation would have to be considered sufficiently covered as defined in (D) and (G).

41. Question Our understanding is that each ELPS breakout must be included once in either the student text narrative or the assessment material (end-of-chapter exercises, end-of-lesson activities, etc.). Is this correct?

Answer Subject to the conclusions of the state review panel, content could be used to address the ELPS if it provides one of the following:

- (i) an opportunity for the teacher to teach the knowledge or skill,
- (ii) an opportunity for the student to learn the knowledge or skill, or
- (iii) an opportunity for the student to demonstrate the knowledge or practice the skill.

42. Question Will there be any types of handbooks available that interpret these new Math standards, particularly in getting help in the interpretation of the new Financial Literacy standards?

Answer Historically, we have not had any handbook or formal document that interprets the standards. It might be helpful if you go to the Math TEKS webpage and look at the earlier versions of the math TEKS document. Part of what you will see are explanations of why certain student expectations were added, changed, or moved. There may be insight into what the committees were thinking when they made those recommendations.

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43. **Question** If, after submitting our initial samples, we add content that will increase our coverage of TEKS, is there any way to get that reflected in the adopted list or reapply or resubmit?
- Answer** No, there is not. If a publisher submits a product that it says covers 60% of the TEKS, the product will be reviewed against the 60% of the TEKS that the publisher indicates is covered. The product is adopted based on the percentage of TEKS it covers at that time. If the publisher adds any additional content to increase the percentage of TEKS covered to above 60%, the product will still be listed as covering the same percentage of TEKS at which it was adopted. Prior to the adoption, during the review process, if the state review panel determines that a publisher does not cover the TEKS indicated by its correlation, the publisher will, at that time, have an opportunity to provide new content to address only those TEKS that it originally indicated it covers.
44. **Question** If a publisher submits identical print and online products, is it still one review?
- Answer** This is two reviews. The state review panel would review the print and electronic products separately.
45. **Question** Can there be discrepancies in the percentages the panels decided?
- Answer** The products are not necessarily reviewed by two different panels. In most cases, when possible, they are reviewed by the same panel.
46. **Question** Traditionally, how many are on a committee per grade level that will be deciding whether these standards are met or not?
- Answer** Three to five, depending on the volume of products to be reviewed.
47. **Question** Do you expect the setting and the format of the state review to be as it has in the past where we come to Austin?
- Answer** Yes. We know it's going to be next summer. Depending on how many products we have and which content areas, we will have many weeks of review, but we don't know how many, or in what configuration. We will begin to have an understanding of that when the Statements of Intent to Bid come in.

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48. Question How can publishers be immediately informed of who is on the state review panel so there is no “accidental” contact?

Answer Because the final roster of participating state review panel members is typically not available until the state review panel meetings begin, publishers are provided a list of state review panel members following the close of each meeting. Prior to the state review panel meetings, the responsibility for observing the no-contact period lies primarily with the state review panel members themselves. It is their responsibility to inform publishers that they will be participating in the state review panel meetings and are not to have contact with anyone having an interest in the adoption process regarding the content of the materials to be reviewed.

49. Question Is there a process by which a publisher that disagrees with the percentage of TEKS coverage identified by the state review panel can dispute the findings in a hearing?

Answer Yes. The TEA conducts show-cause hearings as needed to allow publishers to dispute the findings of the state review panel.

50. Question What is the make-up of the show cause hearing?

Answer The make-up of each show-cause hearing is determined by the specific needs of the hearing. Previous hearings have included the publisher and TEA staff from the Division of Instructional Materials and Educational Technology, the Curriculum Division, and Legal Division, as well as a representative from the Commissioner’s office.

Bids and Pricing

51. Question Can you please explain the concept of “core content” as it relates to submitting a Statement of Intent to Bid for Proclamation 2014?

Answer *Core content*—sometimes referred to as *TEKS-bearing content*—refers to the component(s) of a product that the publisher indicates is (are) used to meet the required Texas Essential Knowledge and Skills. The core content is in contrast to the component(s) that is (are) included for purposes other than to address the TEKS. The state review panels will review only the core content to identify TEKS coverage. The Statement of Intent to Bid requires publishers to provide only program-level information about the product. The SOITB does not require publishers to provide information about the specific components of a product, portions of the product that are not used to address the content standards, or the different product and pricing options.

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52. Question When are publishers required to provide specific information about the components that comprise the core content?

Answer April 19, 2013 is the deadline for each publisher to provide a complete description of each product that it is submitting for adoption. The forms will require specific information about the core content of each product. The form will not ask for information about the components of the product that are not used to identify TEKS.

53. Question When will publishers be required to provide information about the components that are not part of the core content?

Answer Publishers will be required to provide information about the components that are not part of the core content when they submit the official bid form in September 2013. The official bid forms will require publishers to provide all information about each product. Publishers must submit one official bid form for each pricing option and/or product offering, and each official bid form must include the core content.

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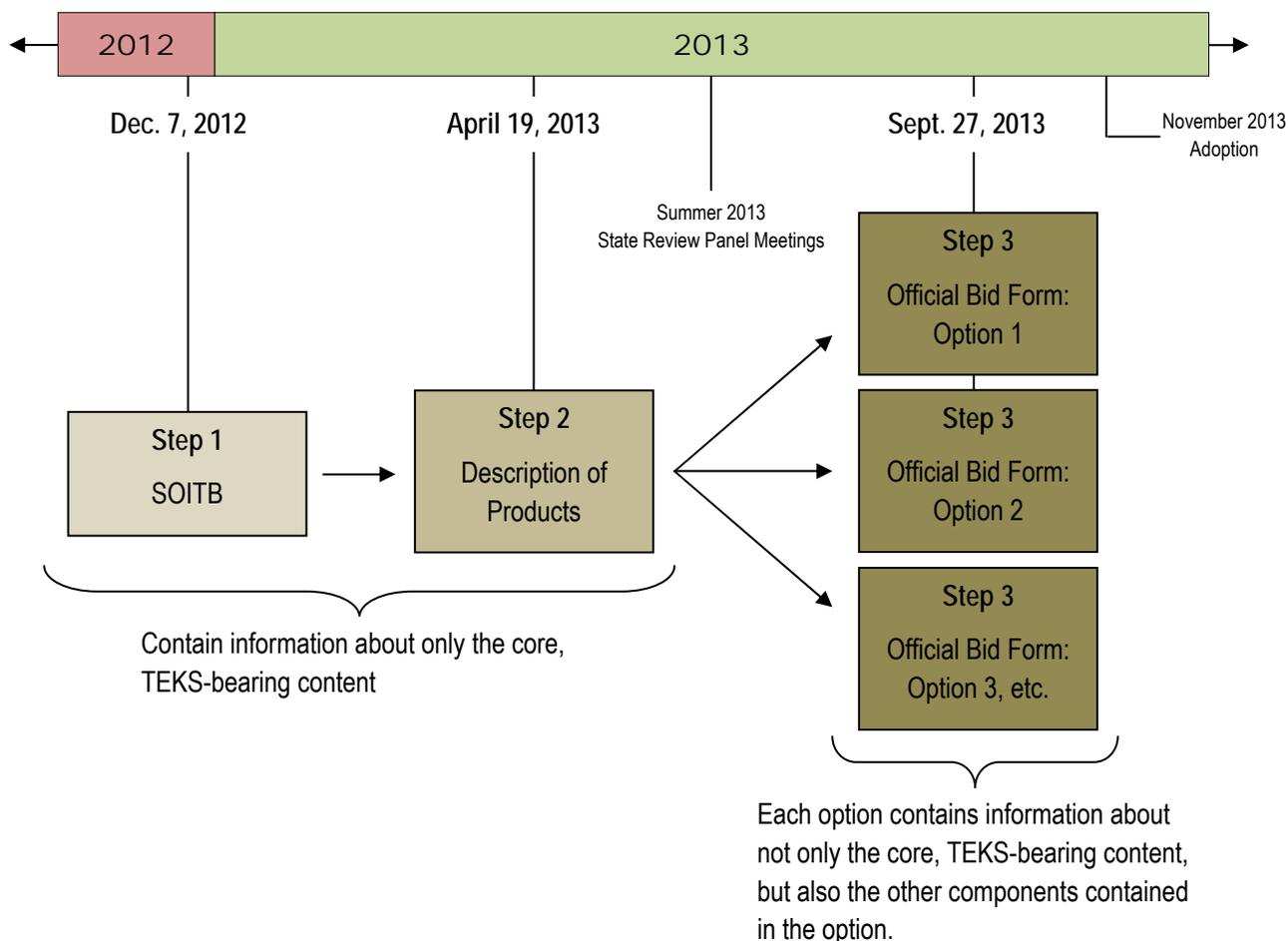
54. Question Using a publisher submitting a print product as the scenario, can you please describe the process of submitting all of these forms?

Answer A publisher that would like to submit a product that contains a student book and a teacher book that comprise the core content, along with several additional resources and other options, could submit the information as follows:

Step 1) By December 7, 2012, the publisher would submit one Statement of Intent to Bid (SOITB) that would provide only general product information, such as the name of the publisher, product, ISBN, and preliminary price information.

Step 2) By April 19, 2013, the publisher would submit one complete description of the product that would provide specific information about the student book and the teacher book (core content) only.

Step 3) By September 27, 2013, the publisher would submit its official bid forms. The number of official bid forms that this publisher submits would depend on the number of different ways that it would like to offer or “bundle” the core content with any additional resources. For instance, the publisher could offer simply the core content at one price, offer the core content with certain components at a different price, and offer the core content along with a tablet, laptop, or some other equipment at a third price. Each of these offerings would require a separate official bid form, and each official bid form must include the core content.



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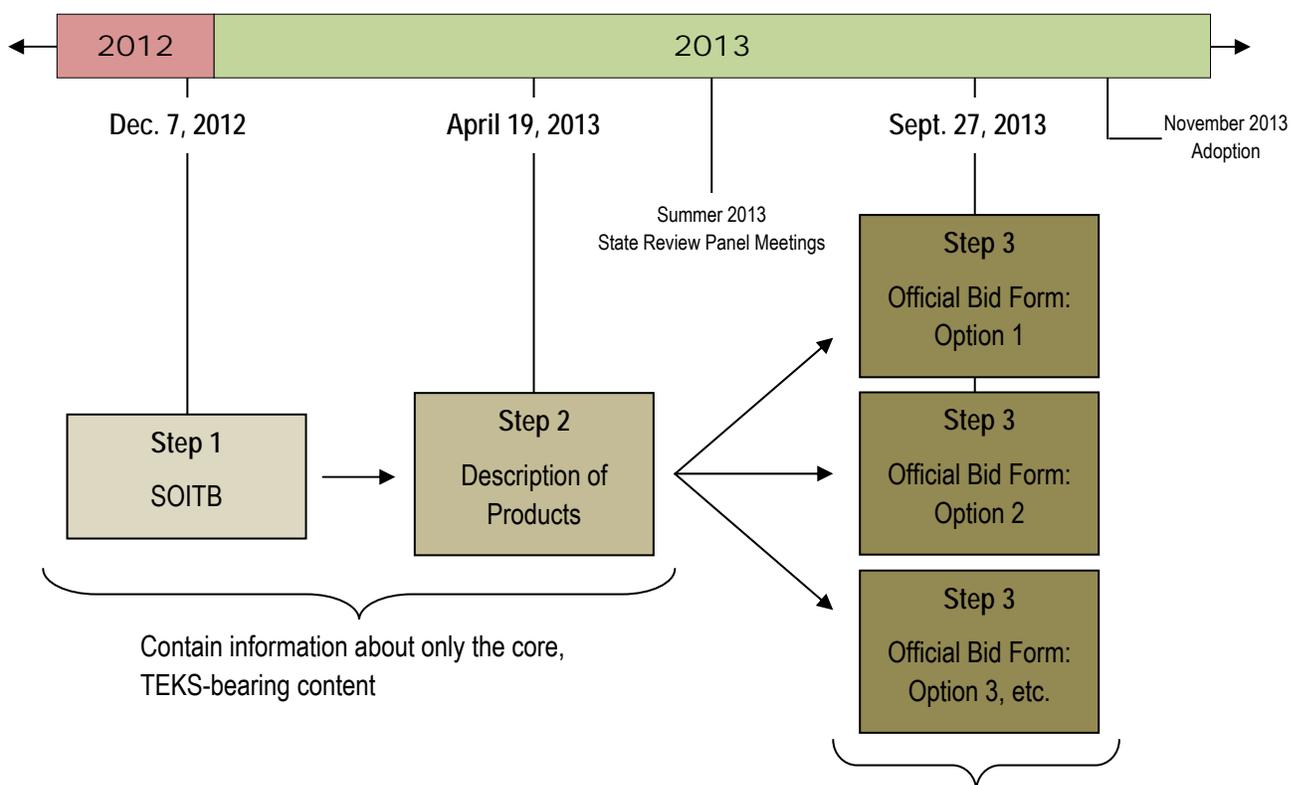
55. Question Using a publisher submitting a subscription-based online product as the scenario, can you please describe the process for submitting all of these forms?

Answer A publisher that would like to submit an online product with different options for subscriptions could submit the information as follows:

Step 1) By December 7, 2012, the publisher would submit one Statement of Intent to Bid that would provide only general product information, such as the name of the publisher, product, ISBN, and preliminary price information.

Step 2) By April 19, 2013, the publisher would submit one complete description of the product that would provide specific information about the electronic components that comprise the core content only.

Step 3) By September 27, 2013, the number of official bid forms that this publisher submits would depend on the number of subscription options that the publisher would like to offer. For instance, the publisher could offer an eight-year subscription, a four-year subscription, a two-year subscription, and a one-year subscription; each with its own annual price. The publisher could offer even more options if it chooses to bundle the subscriptions with a tablet, laptop, or other equipment. The annual price does not have to remain constant throughout all years of the subscription. A publisher could offer a multi-year subscription option in which the annual price increases (or decreases) each year of the subscription. Each of these options would require a separate official bid form, and each official bid form must include the core content.



Each option contains information about not only the core, TEKS-bearing content, but also the other components contained in the option.

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56. Question Are we to understand that each Statement of Intent to Bid has one corresponding description of the product, but could have several corresponding official bid forms?

Answer Yes, that is correct.

57. Question Why has this changed from previous years in which the TEA required specific information earlier in the process, and each Statement of Intent to Bid could have only one corresponding official bid form?

Answer The changes were introduced to both allow flexibility in product offerings (to help publishers meet the diverse needs of school districts) and ensure that districts ordering adopted products can have confidence that these products meet the TEKS.

58. Question In reference to the earlier question about the subscription options, I thought the contract offered to publishers of adopted materials has a term of eight years. How does a publisher offering a two- or four-year subscription satisfy an eight-year contract?

Answer The instructional materials contract is for eight years, and regardless of the pricing options, the publisher must make the product available for the entire eight-year term of the contract. The contract requires publishers to provide adopted instructional materials to any district that submits an order. A publisher offering a two-year subscription would satisfy the contract by providing a two-year license to any district that orders one. The district may order a two-year subscription the first year of the adoption or later in the adoption period. The publisher in this example must provide a two-year subscription to any district that orders one within the eight-year term of the contract and must make the product available for the entire eight years.

59. Question Will each of the options presented in an official bid form become its own contract?

Answer No. Each publisher of adopted materials will be offered one contract that governs all of its materials adopted under Proclamation 2014. A publisher with only one product adopted for only one course will receive one contract for its adopted product. A publisher with two adopted products in each course within science, mathematics, and Technology Applications would also receive one contract for its adopted products.

60. Question If there is core content in print, and components A, B, and C are free with order at one price, and the same print core content and component A (but not B and C) at a different price, must there be 2 SOITBs?

Answer No, only one SOITB is required. The other price option will need to be disclosed on the official bid form, due in September of 2013. All components that are used by the state review panel to identify coverage of the TEKS must be included in any pricing options.

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61. Question Can we bundle hardware or professional development with the instructional materials and list bundled and separate options on the bid?

Answer Publishers may bundle hardware with the instructional materials as separate options on the official bid form. However, services, such as professional development, cannot be included as part of the bid. All services are arranged between the district/charter school and the service provider.

62. Question May we bid materials according to volume of purchase?

Answer Yes, volume purchase pricing options can be included in the final bid forms.

63. Question Many online license prices are based upon a set range of purchases. May we bid our program according to those ranges?

For example:

1. *Program X* per-student license price if 1-20 student licenses are purchased = \$20
2. *Program X* per-student license price if 21-40 student licenses are purchased = \$15

Answer Yes

64. Question If we provide materials for free in other states at specific rates (e.g., free Teacher Edition for every 20 Student Edition purchases), does the state adoption contract or state policy have any provision for the rate at which we must provide free materials? In other words, if we provide free materials at a set ratio to a different state outside of Texas, does your state policy or state adoption contract indicate that we must provide free materials at the same ratio?

Answer Yes, according to the Texas Education Code §31.151(a) a publisher of materials adopted in Texas that offers the same products to other states, must offer the materials in Texas at a price that does not exceed the lowest price offered to any other state. The publisher is also required to provide ancillary items free of charge to the same extent that it provides the ancillary items free of charge to any other state.

65. Question May we bundle our program with software that does not assist in aligning to the TEKS but helps students with cognitive disabilities to access the materials (e.g., assistive technologies that read text aloud to students)?

Answer Yes, a publisher may bundle its core, TEKS-bearing content with software that does not assist in aligning to the TEKS.

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- 66. Question** May we add a standard 10% charge to the bid price of an item if we are shipping from a location outside of Texas?
- Answer** Publishers may price their products at an amount that they believe is most appropriate. For adopted instructional materials that are shipped from a depository within the state, the intrastate freight, shipping, and expenses associated with delivering the material from the depositories to districts and charter schools will be paid by the state. In these cases, the state contracts directly with the shipping companies. For products shipped to districts and charter schools from outside the state, publishers must deliver the materials directly to districts and charter schools.
- 67. Question** In previous years, publishers were required to list a replacement price for each individual component. Is this required of bid items this year as well?
- Answer** Yes. However, in previous years, the replacement prices were part of the Statement of Intent to Bid (due in December). For Proclamation 2014, publishers are not asked to provide replacement prices until submitting the complete description of their products in April 2013 and the official bid forms in September 2013. This provides more time for publishers to design their products to meet the needs of Texas schools.
- 68. Question** We know that we must offer consumable materials at a 12-year price for upfront purchase. May we also provide an annual renewal price so that educators can purchase annually if they wish?
- Answer** Yes, a publisher may provide an annual renewal price as well as pricing options that are based on a longer term.
- 69. Question** Will the Statements of Intent to Bid be submitted electronically or manually?
- Answer** Publishers are required to submit both an electronic copy and a print copy.
- 70. Question** If a publisher submits products for several different courses, and each course has a different percentage of coverage, would that publisher submit a different form for each course, or one form for all?
- Answer** Yes, that publisher should submit one Statement of Intent to Bid for each product.
- 71. Question** If a publisher submits both electronic and print versions for the same course, should that publisher submit two Statements of Intent to Bid?
- Answer** Yes.

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Frequently Asked Questions

72. Question If we do not submit the Statement of Intent to Bid (SOITB) by December 7th, we would not be allowed to participate, but if we did want to re-submit to get a higher percentage when would we submit?

Answer A publisher must submit a SOITB by December 7th in order to participate in the Proclamation 2014 adoption. On the SOITB, the publisher is to indicate the percentage of TEKS that it believes is covered in the materials. As part of the process, publishers are also required to submit a complete description of the products submitted for adoption. The form for this is due in April 2013. On the complete description form, each publisher will again indicate the percentage of TEKS that it believes the product covers. The percentage on this form may differ from the percentage indicated on the SOITB, and it is the percent of coverage indicated on the complete description form for which the state review panels will evaluate the materials.

73. Question Are the materials that will be adopted paid for at one time, or will partial payments be made annually?

Answer The contracts for adopted materials will be for eight years. How a publisher chooses to price its product, and when it receives payment for that product, whether it's all up front or over a particular time period, is up to the publisher. Publishers have many pricing options, but the duration of the contract will be for eight years.

74. Question In some cases, the option might not be a per-student basis. For example, if it's a laboratory kit, a district might buy six per classroom or one per five students. In that case, how would you recommend you do that if you want to be able to use EMAT funds to purchase these laboratory kits? It wouldn't be part of the submission.

Answer The districts have the option to purchase that type of equipment through a disbursement. They would submit a request that would provide the TEA with specific information about the equipment; the agency would then send the funds to the district. That delivery of the product is between the vendor and the district.

75. Question Do all of these options have to be completed on the intent or can you add some options in September?

Answer Anything that is content-oriented and used to cover the TEKS has to be on the intent. Any option to add something that does not include content can come later when official bid forms are submitted.

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Frequently Asked Questions

76. Question On the Statement of Intent, it indicates a preliminary price. Can that price be adjusted before the final bid?

Answer Yes.

77. Question On all of these examples all the options have materials. What if a publisher wants to provide a service?

Answer Services cannot be included as part of the bid. All services are arranged between the district/charter school and the service provider. Some services are allowable IMA expenditures. To purchase services with its IMA, a district would request a disbursement, and then work directly with the vendor to receive the service. Districts can contact the TEA directly to learn which services can be purchased with IMA funds.

78. Question On the one year and the multi-year pricing option: on the intent to bid we want to offer a one-year price, but the district wants it for five years. Do we have to offer the same price each year, or can we offer a multi-year discount price, and would that be a separate bid, or will we have options to put that on the intent to bid?

Answer We are developing the SOITB to give you the flexibility to put in there what we need, and most of those boxes will expand or there will be a drop down menu. Our intent is to provide the flexibility in pricing options necessary for the publishers to respond effectively to the needs of districts. This will be a learning process. The intent to bid is the first time a publisher provides price information; publishers have an opportunity to adjust the pricing when submitting the final bid.

79. Question You talked about the options in pricing and the subscription pricing for Technology Applications. Is that also applicable to math?

Answer Yes, publishers can price their math products the same way.

80. Question In regards to the Technology Applications annual subscription price, can we assume that each year the district will pay the annual subscription price over the life of the contract?

Answer No. Because the cost is coming out of a district's allotment, the district may make a decision to buy a product the first year of the adoption, and then choose not to buy it in subsequent years. That is each district's prerogative.

81. Question What happens if a district does not renew its subscription?

Answer It would have to certify that it has instructional materials from some other source that meet all of the required Technology Applications TEKS.

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Frequently Asked Questions

82. Question Can a district renew a subscription each year and pay for it annually?

Answer Yes, for products bid as annual subscriptions. EMAT is set up for districts to go in and renew their subscriptions each year.

Correlations and Breakouts

83. Question For correlations embedded in electronic programs, what is the acceptable way of linking? Our program does not act like a web page, so a click-link-function will not work in our program. However, we can easily supply a list of screen IDs that can be copy-pasted into a search box. This is a direct link, but it's just not the same as click-link-go. Will the list be acceptable, as long as we provide clear instructions on how to use the search box?

Answer The preferred method is to have a correlation function that links directly to the exact place in the materials where the publisher believes that the standard is sufficiently addressed. However, given the design of certain products, this may not always be possible. In cases where a direct link is not feasible, the publisher should endeavor to make the correlation function as intuitive as possible and include detailed instructions, bearing in mind that as the complexity of the function increases, difficulty finding the appropriate content and the time necessary to review the material may also increase.

84. Question Is there a specific, required format for those embedded correlation features in electronic products?

Answer No, there is not a specific, required format. However, the correlation should provide a link to the exact place in the content where the publisher believes each specific standard is covered. This could be accomplished with a hyperlink, a keyword search feature in which the user could search by TEKS number or text of the TEKS, or some other method. However, publishers should bear in mind that a less intuitive feature might make it more difficult for the state review panel to find coverage of the TEKS.

85. Question Do the breakouts/correlations in online products need to be visible to the user or just the reviewers?

Answer The breakouts/correlations in online products need to be visible to all users.

86. Question Do those correlations need to be both in the student and teacher versions?

Answer Yes.

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Frequently Asked Questions

87. Question Is it intended that students will be able to access the breakout correlations, which will also give them access to all assessments and answer keys? Or is it permissible to allow only teachers to access the breakout correlations that link to assessments and answer keys? All users, including students, will still be able to see correlations to Student Expectations.

Answer Yes, it is permissible to allow only teachers to access the correlations that link to assessments and answer keys. However, correlations need to be visible to all users.

88. Question For the correlations for the electronic products, should the correlations be embedded in the student material, the teacher material, or both?

Answer Both.

89. Question For the Supplemental Science adoption, publishers were given a correlation template to use for online products. Will publishers be given a similar type of template for the online correlations for this proclamation?

Answer For online products, publishers are not required to submit the correlation template, but rather, they are required to have a correlation feature embedded in the product. This correlation feature must link *each breakout* to the content that covers it, just as the correlation template requires of print products.

90. Question Is there a similar requirement in the ELPS to have an embedded correlation in the student material and the teacher material?

Answer Yes.

91. Question The correlation that we submit or that is embedded within the website, does that have to be correlated to the breakout?

Answer Yes.

92. Question Would TEA be willing to share the correlation templates with districts as some sort of guidelines for when districts are checking in the material?

Answer The correlation documents that are provided to publishers will also be available to districts. A school district can take that same correlation document that we used to review the submitted materials and review the materials at the local level, if it chooses to.

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Frequently Asked Questions

93. Question For a non-adopted product, can a publisher offer a completed correlation document to the school district if they want to do some work with the district?

Answer A publisher can provide any tool to the local school districts. When a publisher is working with a local school district, it is between the district and that entity, just like when you buy from any other vendor.

General

94. Question Does Texas maintain a virtual school program wherein they evaluate online courses for full credit and credit recovery?

Answer Yes, for more information on the Texas Virtual School Network, please visit <http://www.txvsn.org/>

95. Question If we are listed as an approved provider through the virtual school program, are we required to participate in the state adoption as well, or are we automatically state-approved across the board?

Answer The process for approving providers for the Texas Virtual School Network (TXVSN) is separate and distinct from the process by which the State Board of Education (SBOE) adopts instructional materials. A provider approved for the TXVSN would not need to have its materials adopted by the SBOE in order to use them in a virtual school. However, being an approved provider for the TXVSN does not mean that the provider's instructional materials are automatically considered adopted by the SBOE.

96. Question If our online courses are adopted by the state through the adoption process, are we still required to submit to the virtual school program in order to be approved for use in the virtual school?

Answer Yes. An organization that has its materials adopted by the SBOE would need to seek approval to be provider for the TXVSN. The process for approving providers for the Texas Virtual School Network is separate and distinct from the process by which the SBOE adopts instructional materials.

97. Question Is 508 and W3C compliance required of *all* student *components* used in a program, even if the component is provided simply for extra practice (i.e., not the primary mode of instruction)?

Answer Yes. Just as all print student components of must meet MSST standards, all electronic components must meet the 508 and W3C standards.

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Frequently Asked Questions

98. Question If a publisher updates its online material to change the pedagogy slightly or correct an error that doesn't affect the coverage of TEKS standards, does that publisher need to request permission to update its product?

Answer If it merely changes format or pedagogy, and changes no content with respect to either TEKS coverage or other subject matter, a publisher would not have to submit an update request.

99. Question Can a publisher sell directly to a district?

Answer Yes. If a district wants to use their Instructional Materials Allotment to buy materials directly from a publisher, they would ask for a disbursement.

100. Question If a district buys directly from a publisher, then it's up to the district to prove that they offer content that covers 100% of the TEKS?

Answer That is correct. Each district must annually certify it has materials to cover 100% of the TEKS. When districts purchase materials directly from a publisher, those materials do not come through the State Board's process, they are not reviewed, and they are not on the State Board's adopted list.

101. Question Can a publisher both participate in the adoption process and sell directly to districts?

Answer Yes.