STATE BOARD OF EDUCATION

PROCLAMATION 2019

QUESTIONS AND ANSWERS

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Table of Contents

Questions and Answers

General Questions

1. **Question** If we currently have a product under adoption for social studies that many districts also use as a supplement for English language arts and reading, can we submit our product with a correlation to the revised Texas Essential Knowledge and Skills (TEKS) for review as a supplemental resource?

   Answer The State Board of Education (SBOE) did not call for supplemental resources. However, if you believe your product covers at least 50% of the TEKS for one or more of the courses included in *Proclamation 2019*, you may submit it for review.

2. **Question** Are we required to submit products in both English and Spanish?

   Answer No. Publishers may choose the specific courses and parts of courses included in *Proclamation 2019* for which they wish to submit materials.

3. **Question** Will there be separate committees that review each course? For example, will there be a handwriting committee, a spelling committee, etc.?

   Answer Committees will be formed based on the number of products submitted for each course or part of each course. It is possible that a single committee could review products for various courses/parts of courses if the members of the committee are qualified to do so.

4. **Question** If a product is available electronically and in print, is there a requirement that every student have a print copy?

   Answer No. Schools must provide each student with instructional materials that cover 100% of the TEKS (Texas Administrative Code [TAC], Title 19, §66.105). Each district establishes a local policy that determines whether materials are physically issued to students and whether materials are available in print or electronically.

5. **Question** Will there be any requirements for inclusion of texts at the earliest grades?

   Answer There is no specific requirement that texts be included in product submissions. Publishers may include actual texts or references to texts as part of their submissions as they wish.

6. **Question** Will additional specificity be provided regarding the student expectations that require decoding, such as how many decodable texts a product should include or how decodable those texts must be at any given level?

   Answer No. There are not more specific requirements regarding the content beyond what is included in the actual TEKS and what the proclamation calls (coverage once in a student text narrative and once in an end-of-section review exercise, an end-of-chapter activity, or a unit test). The new TEKS include SEs that require students to develop proficiency in decoding. Materials should be developmentally appropriate and students should receive support to master simpler skills before being expected to undertake more complex skills. With respect to decodability, this means students must first learn the sound of each letter or combination of letters in phonetically regular words before being expected to decode those words.

7. **Question** *Proclamation 2019* states that publishers who submit new products must also provide new correlations to any currently adopted materials if they plan to continue selling those materials. Can we assume that currently adopted materials will continue to be available for purchase in EMAT as long as a new correlation to the revised TEKS is submitted?

   Answer Yes, if the state review panel determines that the currently adopted materials meet the eligibility requirements for adoption and the materials are re-adopted by the SBOE.

8. **Question** What is the *Report of Interoperability and Ease of Use* due on Friday, August 31, 2018?

   Answer The report gathers information from publishers regarding their program's ability to work in different operating systems. One report is required for each product submitted for consideration of adoption. The *Report of Interoperability and Ease of Use* is available on the [Publisher Portal](#). The 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) are capable of integrating 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.

Correlations and Breakouts

10. **Question** How do you expect correlation content for online 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 student expectations (SE). The correlations of online products must also be embedded in the product.

11. **Question** Does the state review panel use the publisher-supplied correlation as its primary reference for locating coverage of the TEKS, or is the publisher correlation only a secondary aid?

    Answer The state review panels use the publisher-supplied correlation as their primary reference as they review the instructional materials. The importance of carefully constructed and accurate correlations cannot be overstated.

12. **Question** If you break out an SE into 8 individual breakouts, then does that mean you must have 16 citations (2 for each breakout) for that one original SE?

    Answer Yes. SEs must be covered in their entirety two times in the material intended for student use and two times in the material intended for teacher use. However, the citations provided for the material intended for student use can be used to satisfy the requirement for the material intended for teacher use.

13. **Question**   Can the same citation be provided for more than one breakout and/or SE?

    Answer   Yes. The breakouts are created to make review of the materials easier for state review panels. They are not intended to imply that individual breakouts or even individual SEs require unique content.

14. **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.

Texas Essential Knowledge and Skills Coverage

15. **Question**   Can content in material intended for teacher use be used to meet the requirement to address the TEKS 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., blackline masters in a teacher binder), then that content may be used to meet the requirement to address the TEKS in the material intended for student use. State review panels will have the discretion to determine whether content is intended primarily for student use.

16. **Question**   Can content in the material intended for student use be used to meet the requirement to address the TEKS 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 TEKS in the teacher materials.

17. **Question**   Can you please define the term *student text narrative*?

    Answer   The *student text narrative* is the part of the instructional material that instructs the student or provides an opportunity for the student to acquire knowledge or learn a skill. Any content in the instructional material that is both 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*.

18. **Question**   Please define material intended for student use and the material intended for teacher use.

    Answer   The material intended for student use encompasses all the components of an instructional materials submission that are intended for use by the student (e.g., workbooks, reading passages, lessons). The material intended for teacher use encompasses all the components of an instructional materials submission that are intended for use by the teacher and can include material intended for use by the student.

19. **Question**   Are the terms *student text narrative*, *student version*, and *student component* synonymous?

    Answer   No. The term *student text narrative* describes the part of the instructional material

that instructs the student or provides an opportunity for the student to acquire knowledge or learn a skill. This contrasts with the part of the instructional material that checks for understanding or asks a student to demonstrate knowledge or practice a skill. The term *student version* encompasses all the components of an instructional materials submission that are intended for use by the student. Material intended for student use can be comprised of several student components. An instructional material submission that includes only a student textbook has a student version comprised of one student component. An instructional materials submission that includes a student textbook, a student workbook, and an electronic resource for the student has material intended for student use comprised of three student components. Another way to understand the three terms is as follows: student text narrative is specific content within a student component. A student component is a specific element (workbook, textbook, website, etc.) of the student version of a product.

20. **Question**   Should coverage of an SE be only in the printed content or can one be covered by accessing a companion website or other digital resource?

    Answer   TEKS 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.

21. **Question**   19 TAC §66.27(h) requires a content SE to be covered "once in either an end-of-section review exercise, an end-of-chapter activity, or a unit test or their electronic equivalents." 19 TAC §66.36(b)(1)(c) says, "TEKS standards are not considered covered if only included in side bars, captions, or questions at the end of a section or chapter." Please confirm and/or clarify: Questions at the end of a section or chapter *will* count for this second instance of coverage?

    Answer   Yes, but they cannot be the only kind of citation provided. To be considered covered, the SE must also be adequately addressed in the student text narrative.

22. **Question**   Does the requirement for "student narrative" expect that each TEKS breakout will include *teaching* within student material? What about TEKS that are oral and/or typically teacher-led, such as phonological awareness?

    Answer   Some SEs at certain grade levels are more appropriately covered in only material intended for teacher. These breakouts will be grayed out on the *Correlations to the TEKS and ELPS*.

23. **Question**   For the purposes of meeting TEKS in "an end-of-section review exercise, an end of chapter activity, or a unit test"—this type of format is more common at the upper, not lower elementary grades. Does it apply to all grades K–5? Can there be an exemption for this at K or at K–1 or at K–2? If so, would a second instance of coverage have to be delivered in the student text narrative at exempted lower grades?

    Answer   Meeting SEs in an activity is required for all grades; no exemptions are allowed except in the instances described in the answer to question 20.

24.	**Question**	Are we required to print the TEKS on any student materials or on any teacher materials?
	Answer	No. Printing the actual text of the TEKS is not required in student or teacher materials.
25.	**Question**	Regarding the nature of the content coverage in teacher and student instructional materials: Instructional materials must meet at least 50% of TEKS in the materials intended for student use and 50% of TEKS in the materials intended for teacher use; does it have to be the same 50% (i.e., coverage for some TEKS standards only appears in the materials intended for teacher use, coverage for some TEKS standards only appears in the materials intended for student use, but both student and teacher versions are covering at least 50%)?
	Answer	Yes. For the purpose of determining eligibility for adoption, only those SEs that are addressed in both the student and teacher materials can be considered.
26.	**Question**	May the correlation for the student version and the correlation for the teacher version have different TEKS percentages as long as they are both over 50% (e.g., correlation says student version meets 80%, teacher version meets 100%), or must there be coverage in both student and teacher version to meet a given TEKS standard?
	Answer	To determine eligibility for adoption, only those SEs that are addressed in both the student and teacher materials will be considered. Once a product has met the requirement of at least 50% coverage of the same SEs in both the teacher materials and the student materials, additional citations can be provided for one or the other or both sets and the final TEKS coverage for each may be different. The TEKS coverage percentage that will be published in EMAT will be the percentage of coverage in the student materials.
27.	**Question**	Is it correct that if a publisher misses one breakout of an SE that has several breakouts, the whole SE 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 SEs, not breakouts. The purpose of parsing each SE into breakouts is to ensure that each portion of an SE is addressed. Accordingly, if all the breakouts of an SE are not sufficiently covered, then the entire SE is considered not addressed and does not count toward the 50%.
28.	**Question**	Each of the TEKS is comprised of a knowledge and skills statement and SEs. Must each of the SEs in a given standard (related to the same knowledge and skills statement) be addressed in order for the other SEs within the same standard to be considered addressed?
	Answer	No. Each SE is considered addressed or not addressed individually, without respect to any other SEs. The 50% requirement refers to SEs, not knowledge and skills statements. For example, if a standard has a knowledge and skills statement and three SEs, and a product addresses all the breakouts in two of those SEs (essentially meeting only two of the three SEs), those two SEs will still count toward the 50% requirement for eligibility for adoption.
29.	**Question**	How is it determined that a submitted product is at least 50% compliant with the TEKS? Does a book need to reach 50% compliance in each strand, or can the percentages vary from strand to strand, as long as they add up to 50%?
	Answer	A product does not need to meet 50% of the SEs in each strand. A product only needs to meet 50% of all the SEs. The percentage of coverage within each strand will

not be calculated as part of this process.

30. **Question** How can products submitted for handwriting or spelling meet the requirement that materials meet at least 50% of the TEKS?

    Answer TEA will identify the TEKS within language arts and reading that are applicable to spelling and handwriting and post them to the Publisher Portal. Publishers who submit materials for spelling or handwriting will be required to meet 50% of the identified applicable TEKS.

31. **Question** Please confirm that the requirement to address TEKS in the student text narrative can be met through a variety of instructional materials that students work with, not just by reading a passage in a student textbook narrative (or e-textbook narrative), including, for example, by

    a. conducting or participating in a hands-on investigation/experiment;

    b. reading and/or completing a student copy master/worksheet;

    c. participating in a classroom discussion;

    d. completing an electronic interactive activity or simulation; or

    e. viewing and discussing a video.

    Answer Any instructional material that is both 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. Content in a student textbook, student workbook, or electronic resource for the student could be considered part of the student text narrative. Whether specific examples such as those provided in the question above will be accepted as part of the student text narrative will be determined by the state review panel.

32. **Question** If a publisher submits both online and print materials as a package, does the TEKS coverage percentage have to be identical? Will the evaluators look at each product separately? For example, if our online curriculum covers 100%, does our printed material included in the package have to cover 100%?

    Answer Online and print materials are not required to have identical TEKS coverage. If both online and print materials are submitted as a package in one bid, the TEKS coverage percentage will reflect the entire product rather than the print and online portions individually. If print and online materials are submitted separately (in separate *Complete Descriptions*), the materials can be reviewed for TEKS coverage individually if the publisher indicates that the content is different.

33. **Question** If an instructional material contains only one instance of a breakout, should that instance be recorded on the correlation form?

    Answer An SE must be met at least twice in the material intended for student use—as described in 19 TAC §66.36(b)(1)—and at least twice in the material intended for teacher use in order for that SE to count toward the 50% requirement for eligibility for adoption. If, in its correlations, a publisher lists either one or no citations of a breakout, the associated SE will not be met.

34. **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 any point the publisher deems is most instructionally appropriate.

35. **Question** Given that "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," it seems logical to assume that any material in a student text that imparts knowledge—such as introductions, essays on specific 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 specific 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, and, therefore, cannot be used to satisfy the requirements for TEKS coverage.

36. **Question** If a publisher inserts questions for the students in photo and art captions and those questions address TEKS breakouts, will those questions count toward meeting TEKS requirements?

    Answer No. A question in an art illustration or photo caption cannot count toward meeting the required coverage of the content standards.

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

    Answer No, content in a caption or sidebar cannot be used to satisfy the requirements for coverage of the content standards. Art, 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.

38. **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 . . . a specific example of content that covers one of the Texas Essential Knowledge and Skills (TEKS)." To be an example of content that covers one of the TEKS, 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.

39. **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 TEKS coverage.

40. **Question** If a publisher provides a print textbook and an eBook, as well as additional digital materials, do all TEKS and ELPS need to be met both in the print textbook and the eBook, or can some standards be met in the print materials and some in the eBook as long as they are all available to the student and cited accordingly in the correlations?

   Answer If the print textbook and eBook are both included on the *Complete Description* and the publisher cites each one accordingly in the correlations, they do not each need to meet the same TEKS and ELPS. The publisher must include both on all bids. If the publisher wishes to sell the print textbook and eBook separately, each should be submitted on a separate *Complete Description* and correlated individually.

41. **Question** Are materials submitted for Spanish Language Arts and Reading required to meet the English Language Arts and Reading standards?

   Answer No.

English Language Proficiency Standards (ELPS)

42. **Question** Recent proclamations have required materials submitted for adoption to address the ELPS. Is coverage of the ELPS required by *Proclamation 2019*?

   Answer Coverage of the ELPS is required for English Language Arts and Reading, kindergarten–grade 8; English Learners Language Arts, grades 7–8; and Personal Financial Literacy. Coverage of the ELPS is not required for Spanish Language Arts and Reading, grades K–6; spelling; or handwriting.

Bids and Pricing

43. **Question** Are teacher materials required to be included with submissions?

   Answer Material intended solely for use by teachers is not required.

44. **Question** How will a publisher be notified when a district purchases an adopted material?

   Answer How a publisher is notified when a district purchases one of its materials is directly related to how the publisher plans to process its orders. A publisher may process orders manually through the EMAT system, through a depository, or in EMAT through an Electronic Data Interchange (EDI) system. If a publisher chooses not to use a depository, it must use EMAT. Publishers are required to complete the *Order Processing Information Form* prior to submitting their *Official Bids*.

45. **Question** There is no mention of a printed teacher edition in the "Schedule of Adoption Procedures." Are publishers not required to provide teachers with printed teacher editions (in cases where printed texts exist)? If not required, may publishers provide teachers with printed teacher editions if publishers so desire?

   Answer Publishers are not required to provide a printed teacher edition for the purposes of the state review panel. However, should a braille or large-print teacher edition be required by a district, publishers must provide TEA with two printed teacher editions. Publishers may choose the specific media formats of each component.

46. **Question** Will annual renewals on online licenses be allowed, or must districts purchase the materials for the life of the adoption all at once?

   Answer Annual renewals of online licenses are allowed.

47. **Question** In previous adoptions replacement consumable materials were required to be provided for free throughout the life of the adoption. Will this be a requirement of *Proclamation 2019*?

    Answer *Proclamation 2019* did not call for consumables, but if the pricing option includes consumables, the bid price must include the price of the consumable for the term of the contract.

48. **Question** Is it permissible to bid the same program in multiple courses across the same subject area in *Proclamation 2019*?

    Answer Yes. It is permissible to submit one program in multiple subjects and/or courses. In such cases, the publisher should submit a separate *Statement of Intent to Bid*, *Complete Description*, and correlation for each course, and the product will be reviewed against each set of TEKS. The SBOE's adoption of the product in one subject or course does not guarantee adoption in any other subject or course.

49. **Question** Must each product have its own unique ISBN?

    Answer Yes. Each product and each component must have its own unique ISBN or ISSN. These numbers are used to track the products as they progress through the review and adoption process. Following the adoption, districts use these numbers to order the products in the EMAT system.

50. **Question** If a publisher submits an updated version of a bid, can it add components to those listed in the previous version of a bid?

    Answer Yes, as long as the components that were reviewed are also on the bid. If the additional component is a print student component that was not previously bid, publishers also have to submit NIMAS files. It may take longer to get new print components listed in EMAT because of the requirement to have accessible materials enter the classroom at the same time as materials intended for use by students without visual impairments.

51. **Question** *Proclamation 2019* lists Friday, September 28, 2018, as the deadline for submitting initial *Official Bids*. Can you please explain what is meant by the word *initial*? Must publishers submit bids by this deadline?

    Answer Submitting *Official Bids* by the September 28th deadline is required. Bids for adopted products that are submitted by the initial deadline of September 28th will be incorporated into contracts and put into EMAT by the time EMAT opens for the 2019–20 school year. After the September 28th deadline, a publisher is able to add additional bids, and TEA will work as quickly as internal processes allow to get the products incorporated into contracts and into EMAT, but TEA may not have those products in EMAT when EMAT opens for the 2019–20 school year. Meeting the initial bid deadline will permit TEA to begin working to produce accessible materials, develop contracts, and get products into EMAT by the time it opens for the new school year. The option to submit supplemental bids by the supplemental bid deadline of Friday, January 25, 2019, allows publishers to respond to the needs of districts. The prices listed in supplemental bids may not exceed those that were provided in the initial bids.

52.	**Question**	Can a publisher submit supplemental bids by the January 25, 2019, deadline if it did not submit *Official Bids* by the September 28, 2018, deadline?
	Answer	No.
53.	**Question**	Can you please explain the concept of "core content" as it relates to submitting a *Complete Description* for *Proclamation 2019*?
	Answer	Core content—sometimes referred to as TEKS-bearing content—refers to the components of a product that a publisher indicates will be used during the review to meet the required TEKS. A publisher may choose to provide additional components on a bid, but the component(s) used to provide required TEKS coverage must always be included.
54.	**Question**	When will publishers be required to provide information about the components that are not part of the core content?
	Answer	Publishers are required to provide information about the components that are not part of the core content when they submit *Official Bids* in September 2018. The *Official Bids* require publishers to provide information about each component the publisher intends to sell in EMAT. Publishers must submit one form for each pricing option and/or product offering, and each *Official Bid* must include the core content.
55.	**Questions**	How will bids that include an eight-year pricing option be handled if a district chooses to order the eight-year option after the first year of adoption?
	Answer	Publishers are required to include the subscription length of programs using "through school year" rather than indicating a specific number of years in the program title of bids for eight-year options. For example, an eight-year program title could be *Accounting I (Through SY 2026-27)*. Publishers are given the opportunity to lower prices after the first year of adoption.
56.	**Questions**	What is a *component requisition*?
	Answer	In accordance with 19 TAC §66.28, publishers are required to allow individual purchase of each component included in their programs. The individual components must be available for the entire contract period. Districts complete a component requisition in the EMAT system to purchase an individual item.
57.	**Question**	Using a publisher submitting a print product as the scenario, can you please describe the process of submitting these forms?
	Answer	A publisher with an adopted 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:

    i.   By Friday, December 8, 2017, the publisher submits one *Statement of Intent to Bid* that provides only general product information, such as the name of the publisher, name of the product, system requirements, media formats, and preliminary price information.

    ii.   By Friday, January 26, 2018, the publisher submits one *Complete Description* of the product that provides specific information about the student book and the teacher book (core content) only.

    iii.   By Friday, September 28, 2018, the publisher submits its *Official Bids*. The number of *Official Bids* this publisher submits depends on the number of

different ways 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 and offer the core content with certain additional components at a different price. Each of these offerings requires a separate *Official Bid*, and each *Official Bid* must include the core content.

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

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

    i.   By Friday, December 8, 2017, the publisher submits one *Statement of Intent to Bid* that provides only general product information, such as the name of the publisher, name of the product, system requirements, media formats, and preliminary price information.

    ii. By Friday, January 26, 2018, the publisher submits one *Complete Description* of the product that provides specific information about the electronic student and teacher components that comprise the core content only.

    iii. By Friday, September 28, 2018, the publisher submits its *Official Bids*. The number of *Official Bids* this publisher submits depends on the number of different ways it would like to offer or "bundle" the core content with any additional resources. 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 price. The publisher could offer even more options if it chooses to bundle the subscriptions with a tablet, laptop, or other equipment. Each of these options requires a separate *Official Bid*, and each *Official Bid* must include the core content.

Samples

59. **Question**   Are there any system requirements for the platform or media types used by publishers for electronic delivery?

    Answer   Instructional materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508, and all materials delivered online must meet minimum web-based standards, available at http://www.w3.org/TR/WCAG20. Aside from these standards, there are no specific system requirements for the platform of electronically delivered instructional materials. However, on the *Statement of Intent to Bid* and *Complete Description*, a publisher must disclose the system requirements of the product.

60. **Question**   Is it permissible to provide third-party software with an instructional materials submission?

    Answer   There is no restriction on including third party software in an instructional materials submission. However, a publisher of adopted products is required to sign a contract agreeing to make its product available for an initial eight-year contract period. In signing the contract, publishers affirm that the state's or a district's use of the product will not infringe on any third-party rights for the full eight-year period.

61. **Question**   May we submit materials that require Flash (i.e., electronic materials that are not necessarily compatible with all mobile devices)?

   Answer   Yes. A publisher may submit materials that work on only certain devices. There are no specific platform requirements at the state level. However, school districts or charter schools may have different expectations for local adoption. On the *Statement of Intent to Bid*, publishers must indicate the specific system requirements or technology needed to make full use of the program.

62. **Question**   *Proclamation 2019* includes the requirement to provide additional copies of all new content previously provided to the state review panels in response to a report of TEKS not addressed. Can you explain the purpose of this requirement?

   Answer   The purpose of this requirement is to ensure the transparency of the review and adoption process by allowing members of the public to review the changes that publishers make in response to feedback from the state review panels. In addition to the new content, the public must also have access to the original version of the pre-adoption sample. Publishers should not make content changes to their submitted pre-adoption samples. Changes in content must be provided separately.

63. **Question**   What are the requirements for the word search feature that must be included in digital samples?

   Answer   Each digital sample must be equipped with a word search feature that allows users to search for specific words, such as important terms, within the text.

64. **Question**   What is the extent to which the word search feature must function in the electronic sample? Must each component be searchable individually or must the word search span all of the products and components we have submitted in a subject area across grade levels?

   Answer   Each component must be searchable individually.

65. **Question**   Will various formats, e.g., print, software, and/or a combination of both, be permitted in *Proclamation 2019*?

   Answer   Yes. Publishers may submit print materials, electronic materials, or a combination of print and electronic materials.

66. **Question**   For adopted electronic materials, how will TEA and/or school districts assist publishers in preventing digital piracy, or unauthorized copying of proprietary materials and posting them on the Internet with open access?

   Answer   Preventing the unauthorized use of instructional materials in schools is the responsibility of each district or charter school and the publisher of the materials. TEA encourages both districts/charters and publishers to take a proactive approach in protecting their proprietary materials against piracy.

67. **Question**   When the content is identical in the electronic and print versions of the instructional materials submitted for adoption, can the layout of the content be different? For example, if a two-column format is deemed most efficient and readable for a printed text, but a one-column format is considered most effective for online reading, could a publisher provide the exact same content in different layout formats in the printed and electronic versions of the instructional material?

   Answer   Yes, a publisher may provide the exact same content in different layouts in the

printed and electronic versions. The publisher should list all available formats when submitting its *Statement of Intent to Bid*.

68. **Question** The first mention of printed student materials in the *Proclamation 2019 Schedule of Adoption Procedures* is in the deadline for Friday, January 25, 2019. Is this the first time that publishers are required to submit printed copies of their instructional materials?

    Answer Yes. These printed copies are to aid in the production of braille and large-print materials.

69. **Question** Please confirm that the publisher can select the platform/media type used for the submission of the pre-adoption electronic sample due on Friday, April 6, 2018.

    Answer Yes. The publisher can select the platform/media type used for the submission of the pre-adoption electronic samples. To meet the requirements of the adoption process, a publisher must submit electronic samples (in either an open or closed format) to TEA, each of the 20 education service centers (ESCs), and to a school district or charter school that requests a sample.

70. **Question** What information should the "complete description of all items included in a product" include?

    Answer The complete description of all items included in a product should include a comprehensive list of the components included in an instructional materials submission. It should specify for whose use each component is intended (student, teacher, or both), the media type (print, online, etc.) of each component, the system requirements for each component if different from the overall product, and whether each component is consumable.

71. **Question** What format is required for the state review panel samples?

    Answer In accordance with 19 TAC §66.28(c)(8), publishers have the option to provide print samples, electronic samples in an open or closed format, or galley proofs to the state review panels.

72. **Question** Can you please define *galley proof*?

    Answer Yes. A *galley proof* is a complete (as to content), print sample that is bound (e.g., in a 3-ring binder or as a spiral). It is representative of the final pagination, layout, and organization of the product. A galley proof shows the actual size of the product (either by the trim size of the galley pages or with crop marks), resembles an advance reading copy of the final material rather than a proofreading or copyediting copy, and provides the state review panel an accurate depiction of what the final bound or online product will look like. For example, color laser proofs of final files to be used for "A-printing" that are bound in a 3-ring binder are acceptable as galley proofs. Printed signatures (also called "folds and gathers") that are bound together in a spiral binding is another example of an acceptable galley proof. A galley proof is not simply a raw or edited manuscript. The option to provide galley proofs is specific to samples for the state review panels.

73. **Question** "Electronic instructional materials, including internet-based products, must be completely functional." Does this pertain only to digital-only materials as opposed to a website that accompanies a textbook program?

    Answer This requirement applies to all electronic instructional materials including websites.

74. **Question**   Are there any rules surrounding district sampling?

   Answer   At the request of a school district, a publisher must provide an electronic sample of instructional materials submitted for adoption. These samples must be complete as to content and functional for review purposes and may be in an open or closed format.

   Once this requirement has been met, upon request of a school district or charter school and at the publisher's discretion, a publisher may also provide print sample copies. Print samples provided to districts must be clearly labeled *Sample Copy—Not for Classroom Use*. Samples must be provided at no charge.

75. **Question**   Must district samples be provided electronically?

   Answer   Yes.

76. **Question**   Are we required to provide districts with print samples?

   Answer   No. Publishers are only required to provide districts with electronic samples but can also provide print samples at their discretion. Print samples provided to districts must be clearly labeled *Sample Copy—Not for Classroom Use*. Samples are provided and distributed at the publisher's expense.

77. **Question**   Some classroom kits include several components like game boards, card sets, and manipulatives. We do not believe any of these are necessary for evaluating the merits of the curriculum. Would it be acceptable to present photos of these materials, preferably on our website, rather than sending them to the state or ESCs?

   Answer   Participants submitting instructional materials for adoption must submit electronic samples of each product bid. The format by which the electronic samples are submitted is at the discretion of each individual publisher. You may submit photos of manipulatives or links to images, but please keep in mind that providing only an image of a manipulative may make it more difficult for the state review panel to determine TEKS coverage.

78. **Question**   Should all submissions of instructional material be in full color or black and white?

   Answer   The samples must be fully representative of the final product. A black and white sample would only be acceptable if the final product will be black and white.

79. **Question**   If *Proclamation 2019* materials are submitted in print format, is there a requirement to have an electronic version for any reason, e.g., sampling?

   Answer   Yes. Participants submitting instructional materials for adoption must submit electronic samples of each product bid. Electronic samples may be in either an open or closed format.

80. **Question**   Can you please define *open-file* and *closed-file format*?

   Answer   Open-file formats are published and free to be used by anyone. Examples of open-file formats are HTML and PDF. Closed formats require the user to download and install proprietary software. If samples are provided in a closed-file format, users must be able to download all necessary files for free.

81. **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 panels, 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 TEA or ESCs. The acceptable format of samples is dependent on the recipient of the samples. |

The table below indicates the sampling options.

	Pre-Adoption Samples	**Post-Adoption Samples**
Texas Education Agency	Electronic samples in open or closed format	Electronic samples in open or closed format
Education Service Centers	Electronic samples in open or closed format	Electronic samples in open or closed format
School Districts*	• Electronic samples in open or closed format • Print Samples*	• Electronic samples in open or closed format* • Print Samples*
State Review Panels	• Electronic samples in open or closed format • Print Samples • Galley Proofs	N/A

*Samples are provided to Texas public schools upon request; they must be electronic. If a district also requests a print sample, the publisher may choose to provide it as well.

82. **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 name, address, phone number, district or school name, and email address) 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.

Ancillaries

83. **Question** If print ancillaries are not allowed for submission, are online ancillaries acceptable?

Answer Ancillaries are defined as materials that are not included in review and are not adopted but that publishers intend to provide along with adopted products. There is no restriction on print or online ancillaries for *Proclamation 2019*.

84. **Question** Will TEA require publishers to provide any free materials with program bids (e.g., free teacher editions)?

Answer No. There are no requirements that publishers provide free materials with program bids. If free materials are included in program bids, those materials must also be available for individual purchase.

Updates to Adopted Instructional Materials

85. **Question** 19 TAC §66.29(f) states, in part, "The publisher may not add any internet links to the materials without the approval of the commissioner of education, [and] will not redirect any user accessing the web-based or online instructional materials to other internet or electronic sites that are not directly related to the content, and may not collect any information about the user or computer accessing the materials that would allow determination of personal information, including email addresses." Would a product violate this condition if it includes links from the support section of the product which direct users to outside educational resources or links for research purposes that send users to reputable .edu/.gov/.org websites that are free?

Answer No. Products submitted for adoption may have links to outside resources and redirect users to other internet or electronic sites. Once the materials are adopted, publishers may not *add* n e w internet links or redirect users without the approval of the commissioner of education. Publishers may not make any changes to content in adopted instructional materials without the prior approval of the commissioner or the SBOE.

86. **Question** One of the great advantages of digital products is the ability to update components and content over time. Once a digital product has been approved and adopted, will publishers be allowed to update functionality and interactivity over the lifetime of the contract? Will publishers be allowed to revise and update content? Will the publisher be able to add new content? If updates either to functionality or to content are allowed, will changes have to be submitted to TEA for approval before being implemented in the product?

Answer In accordance with 19 TAC §66.75, all requests for updates involving content in state-adopted instructional materials must be submitted to TEA. If the change impacts TEKS coverage, it must be approved by the SBOE prior to its introduction into state-adopted instructional materials. In accordance with 19 TAC §66.29(d), publishers must agree that their electronic, web-based, or online instructional adopted materials will not be altered in any way that removes content or that changes content without prior SBOE approval. Publishers, however, are permitted to make changes to functionality or interactivity without first seeking the approval of the commissioner or the SBOE.

87. **Question** Regarding program interactivity, is it permissible to embed blogging and synchronous communication exchange between users of the program or does the curriculum have to be static?

Answer It is permissible to embed blogging and synchronous communication exchange between users. Publishers are encouraged to pay special attention to 19 TAC §66.29 regarding the maintenance requirements for web-based materials.

88. **Question** Once a digital product has been approved and adopted, will publishers be allowed to update functionality and interactivity over the lifetime of the contract?

Answer Yes.

Accessibility Requirements and Manufacturing Standards

89. **Question** *Proclamation 2019*: "Instructional materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508." Please confirm that this does not apply to electronic pre-adoption samples of print products.

    Answer Pre-adoption electronic samples provided to TEA, ESCs, and state review panels are not required to meet Section 508 standards. Similarly, pre-adoption print samples provided to the state review panels are not required to meet the *Manufacturing Standards and Specification for Textbooks* (*MSST*). The accessibility and manufacturing standards apply to only the final products delivered to schools. However, publishers are strongly encouraged to develop their products with the required accessibility in place rather than attempting to bring a fully developed product into compliance with accessibility standards.

90. **Question** Regarding the electronic format of the instructional materials, does Texas outline a set of technical requirements that publishers are required to meet and/or do districts each have their own set of technical requirements?

    Answer The format in which the electronic instructional materials are submitted is determined by each individual publisher. However, to be eligible for state adoption, instructional materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508, and materials delivered online must conform to the Web Content Accessibility Guidelines (WCAG) 2.0, Level AA. Each district or charter school may have its own additional requirements.

91. **Question** Most curricula now have online and print components which are comprised of essentially the same content, e.g., printed teacher's guides and almost identical online versions. For the purposes of interpreting the code and regulations, do these programs need to meet both sets of requirements and expectations (print and electronic) or do they generally fall under the print category?

    Answer Printed materials intended for use by the student must comply with the standards in the latest edition of *MSST*, approved by the Advisory Commission on Textbook Specifications. Instructional materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508. Materials delivered online must also conform to the Web Content Accessibility Guidelines (WCAG) 2.0, Level AA. Including both print and online components with identical content does not exempt a publisher from these requirements.

92. **Question** Is 508 and W3C compliance required of *all* student components included on a bid, 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 included in a bid must meet *MSST*, all electronic components included in a bid must meet the 508 and W3C standards.

93. **Question** *Proclamation 2019* states that instructional materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508, and that materials delivered online must conform to the Web Content Accessibility Guidelines (WCAG) 2.0, Level AA, available at http://www.w3.org/TR/WCAG20/

The W3C standards contain 7 broad categories of standards:

a. Web Design and Applications

b. Web Architecture

c. Semantic Web

d. XML Technology

e. Web of Services

f. Web of Devices

g. Browsers and Authoring Tools

Within these broad categories, there are over 100 different technologies listed, and within the different technologies, there are even more standards. It is our understanding that TEA is looking for publishers to document conformance around the accessibility of the content within the product, not over all the different standards. In particular, there is a Web Content Accessibility Guideline in the W3C. Is this the guideline that we should be focused on?

Answer To fulfill this requirement, a publisher's product must meet the standards that are applicable to the product. If the product is electronic, it must meet the standards of the Federal Rehabilitation Act, Section 508. Online products must also meet WCAG 2.0, Level AA, standards which are found under Web Design and Applications in the accessibility section.

94. **Question** What information needs to be included in the accessibility report due on Friday, May 3, 2019?

Answer Publishers with electronic instructional materials are required to provide an accessibility report for each electronic component included in their program that verifies the components follow WCAG 2.0 AA standards and Section 508. The report must, at a minimum, include the following:

- Third-party vendor cover page that includes the publisher name, program title, program ISBN, subject area, and course/grade level of adopted material

- Third-party vendor contact information

- Date report was started and completed

- Total number of pages tested, including the home page used to enter the site, one randomly selected page with at least one table or form, one randomly selected page with at least one informative image, such as a map or graph, and at least one page from each component within the program

- List of issues identified (if any) and how publisher is working toward correcting them

- Confirmation from publisher that the third-party vendor conducted the activities outlined on page 15 of *Proclamation 2019*

95. **Question** How soon should we get started on the accessibility report due on Friday, May 3, 2019?

Answer Publishers of electronic instructional materials should build accessibility into their programs from the beginning. Third-party vendors typically take at least 3 to 4 weeks

to complete an accessibility report. Publishers are encouraged to begin searching for a third-party vendor to complete their report at least 2 to 3 months prior to the deadline. Publishers that fail to provide the accessibility report that verifies the required accessibility standards have been met by the deadline will have their products removed from the adopted list.

96. **Question** Please explain the NIMAS files requirement.

Answer NIMAS files are required for all student print components included on the *Official Bid* to facilitate the production of braille, large-print, and audio versions. NIMAS files, along with three print copies of the adopted student material must be submitted to the designated braille producer by Friday, January 25, 2019. Corrected samples and updated NIMAS files must be submitted to the braille producer by Friday, May 3, 2019. If no changes are necessary to a publisher's NIMAS files, publishers are required to notify the braille producer and TEA by the deadline.

NIMAS files must be submitted to the designated large-print and audio producers by Friday, May 3, 2019, along with corrected samples of adopted materials.

TEA will inform publishers of the specific contact information for each of the designated producers once contracts have been finalized. Failure to provide any of these deliverables will result in the product's removal from the adopted list.

Glossary of Acronyms

EDI – Electronic Data Interchange

ESC – education service center

ELPS– English Language Proficiency Standards

ISBN – International Standard Book Number

ISSN – International Standard Serial Number

MSST – Manufacturing Standards and Specifications for Textbooks

NIMAS – National Instructional Materials Accessibility Standard

SBOE – State Board of Education

TEKS – Texas Essential Knowledge and Skills

WCAG – Web Content Accessibility Guidelines

W3C – World Wide Web Consortium