

STATE BOARD OF EDUCATION

Proclamation 2017

QUESTIONS AND ANSWERS

Texas Education Agency
Austin, Texas

Copyright © Notice:

The materials are copyrighted © and trademarked ™ as the property of the Texas Education Agency (TEA) and may not be reproduced without the express written permission of TEA, except under the following conditions:

1. Texas public school districts, charter schools, and Education Service Centers may reproduce and use copies of the Materials and Related Materials for the districts' and schools' educational use without obtaining permission from TEA.
2. Residents of the State of Texas may reproduce and use copies of the Materials and Related Materials for individual personal use only without obtaining written permission of TEA.
3. Any portion reproduced must be reproduced in its entirety and remain unedited, unaltered and unchanged in any way.
4. No monetary charge can be made for the reproduced materials or any document containing them; however, a reasonable charge to cover only the cost of reproduction and distribution may be charged.

Private entities or persons located in Texas that are **not** Texas public school districts, Texas Education Service Centers, or Texas charter schools or any entity, whether public or private, educational or non-educational, located **outside the State of Texas** *MUST* obtain written approval from TEA and will be required to enter into a license agreement that may involve the payment of a licensing fee or a royalty.

For information contact:

Office of Copyrights, Trademarks, License Agreements, and Royalties,

Texas Education Agency,

1701 N. Congress Ave., Austin, TX 78701-1494; phone

512-463-9270 or 512-463-9437;

Email: copyrights@tea.texas.gov

Table of Contents

Questions and Answers

General	1
Correlations and Breakouts	5
TEKS Coverage.....	6
English Language Proficiency Standards (ELPS).....	10
Bids and Pricing	10
Samples.....	15
Ancillaries.....	18
Accessibility Requirements and Manufacturing Standards	18

Glossary of Acronyms

This page has been intentionally left blank.

Questions and Answers

General

1. **Question** Is it permissible to provide 3rd 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 will be required to sign a contract agreeing to make its product available for an initial eight-year contract period and at least one four-year re-adoption period (for a total of not more than 12 years). 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.
2. **Question** Are there any system requirements for the platform or media types used by publishers for electronic delivery?

Answer There are no specific system requirements for the platform of electronically delivered instructional materials. However, on the *Statement of Intent to Bid*, a publisher must disclose the system requirements of the product. 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>.
3. **Question** When the content is exactly the same in the electronic and print versions of the instructional materials submitted for adoption, can the layout of the content be different in the two different media? 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 layout formats in the printed and electronic versions.
4. **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. This is in contrast to the part of the instructional material that checks for understanding or asks a student to demonstrate knowledge or practice a skill. Any content in 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*.

5. **Question** Please define student version and teacher version. Are the terms *student version* and *student component* synonymous? Are teacher version and teacher component synonymous?
- Answer** The term *student version* encompasses all of the components of an instructional materials submission that are intended for use by the student. *Student version* and *student component* are not necessarily synonymous, as a student version can be comprised of several student components. An instructional materials submission that includes only a student textbook would have 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 would have a student version comprised of three student components. The distinction is the same for *teacher version* and *teacher component*. The teacher version includes student components if those components are not reproduced in the teacher components.
6. **Question** Are the terms *student text narrative*, *student version*, and *student component* synonymous?
- Answer** *Student text narrative*, *student version*, and *student component* are not synonymous. 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 is in contrast to 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 of the components of an instructional materials submission that are intended for use by the student. A student version can be comprised of several student components. An instructional materials submission that includes only a student textbook would have 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 would have a student version 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.
7. **Question** Can you please explain how the requirements for student text narrative and student version should be interpreted?
- Answer** The first sentence of 19 TAC §66.36(a)(1) affirms the requirement that the TEKS are to be met in both the student version and teacher version of the instructional materials, mirroring what is found in the Texas Education Code, §31.023(a). Subsequent language in 19 TAC §66.36(a)(1) elaborates on this requirement, explaining that, in the student version of the instructional materials, the TEKS must be met at least once in the student text narrative, or its electronic equivalent, and once in either an end-of-section review exercise, an end-of-chapter activity, or a unit test, or their electronic equivalents. To be considered sufficiently addressed, a student expectation must be covered at least twice in the student version of the instructional materials—as described in 19 TAC §66.36(a)(1)—and at least twice in the teacher version of the instructional materials.

8. **Question** Can content in teacher material be used to meet the requirement to address the TEKS in the student materials?

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

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.
10. **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.
11. **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 not any 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 hardware requirements and device(s) with which their products are compatible.
12. **Question** 19 TAC §66.10(g) states, in part, “The publisher will 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.” Would a product violate this condition if it includes links from the support section of the product which direct users to outside educational resources?

Answer No. Products submitted for adoption may have links to outside resources and redirect users to other Internet or electronic sites. For adopted, TEKS-bearing components, however, publishers may not *add* Internet links or redirect users without the approval of the commissioner of education. Publishers may not make changes to TEKS coverage in adopted instructional materials without the prior approval of the SBOE.
13. **Question** Are purely online materials eligible for this adoption?

Answer Yes. Purely online materials are eligible for adoption under *Proclamation 2017*.
14. **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 found within the text.

15. **Question** 19 TAC §66.10(g) states, in part, “The publisher will 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.” If a link is for research purposes, is a publisher allowed to send users to reputable, .edu/.gov/.org websites that are free and open-source?
- Answer** Yes. Products submitted for adoption may have links to outside resources and redirect users to other Internet or electronic sites. For adopted, TEKS-bearing components, however, publishers may not *add* Internet links or redirect users without the approval of the commissioner of education. Publishers may not make changes to TEKS coverage in adopted instructional materials without the prior approval of the SBOE.
16. **Question** Will various formats, e.g., print, software, and/or a combination of both, be permitted in *Proclamation 2017*?
- Answer** Yes. Publishers and other content providers may submit print materials, electronic materials, or a combination of print and electronic materials.
17. **Question** With regard to 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 §66.10(g) regarding the maintenance requirements for web-based materials.
18. **Question** Will there be any copyright restrictions?
- Answer** No. Materials submitted for adoption are reviewed for coverage of the TEKS and to identify factual errors. The SBOE does not consider the copyright year when making its final decision regarding adoption.
19. **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 66.10(g), publishers must agree that their electronic, web-based, or online instructional adopted materials will not be altered in any way that would remove content from the curriculum or that would change content in the curriculum without prior SBOE approval. Publishers, however, are permitted to make changes to functionality or interactivity without first seeking the approval of TEA or the SBOE.

20. **Question** *Proclamation 2017* 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 increase 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.
21. **Question** Will there be any adjustments to the timeline published in the proclamation to date?
- Answer** Each proclamation includes a schedule of adoption procedures, which establishes the timeline for the proclamation, and each proclamation is expected to follow its timeline. However, occasionally, unexpected circumstances may require minor deviations from the timeline.

Correlations and Breakouts

22. **Question** How do you expect correlation content for online course submissions to be referenced on the correlation document?
- Answer** Correlations for online course submissions must link to the exact locations of the content that the publisher believes sufficiently addresses the student expectations. The correlations must also include instructions regarding where exactly on the page the content can be found (e.g., top of the page, second paragraph). The correlations of online products must also be included as part of the product.
23. **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. Each panel determines how to use the correlations to review the instructional materials most effectively, but the importance of carefully constructed and accurate correlations cannot be overstated.
24. **Question** If you break out a student expectation into 8 individual breakouts, then does that mean you have to have 16 citations (2 for each breakout) for that one original student expectation?
- Answer** Yes. Student expectations in the TEKS must be covered in their entirety two times in the teacher edition and two times in the student edition. Consequently, for a student expectation separated into 8 individual breakouts, there would have to be 16 citations in the material intended for student use and in the material intended for teacher use.
25. **Question** Can the same citation be provided for more than one breakout and/or student expectation?
- Answer** Yes. The breakouts are created to make review of the materials easier for review panels. They are not intended to imply that individual breakouts or even individual student expectations require unique content.

26. **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 teacher material and the student material can be confusing for review panelists and should be avoided.

TEKS Coverage

27. **Question** Does coverage of a student expectation have to 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.
28. **Question** Must each instructional material contain three instances of each “breakout” of each expanded student expectation?
- Answer** No. In order to be considered sufficiently addressed, a student expectation must be covered twice in the student materials—once in the student text narrative or its electronic equivalent, and once in either an end-of-section review exercise, an end-of-chapter activity, or a unit test or their electronic equivalents—and twice in the teacher materials.
29. **Question** 19 TAC §66.27(c) requires a student expectation 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.” Section 66.36(a)(1)(E) 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. A student expectation could be considered adequately addressed if included in a question at the end of a section or chapter. However, it cannot be included in *only* a question at the end of a section or chapter. In order to be considered covered, a student expectation would also have to be adequately addressed in the student text narrative or its electronic equivalent.
30. **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 student expectations in assessment form is required for all grades; no exemptions are allowed. However, the coverage can be supported in the student materials through pictures or graphics to enhance student understanding. The student material should include enough information—either in words or pictures—for an adult to understand what is being taught and assessed.

31. **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.
32. **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 student version and 50% of TEKS in the teacher version; does it have to be the same 50% (i.e., coverage for some TEKS standards only appears in the teacher version, coverage for some TEKS standards only appears in the student version, but both student and teacher versions are covering at least 50%)?
- Answer** Instructional materials that cover at least 50% of the TEKS in the student and teacher materials are eligible for adoption. For the purpose of determining eligibility for adoption, only those student expectations that are addressed in both the student and teacher materials will be considered.
33. **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** For the purpose of determining eligibility for adoption, only those student expectations 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 student expectations 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.
34. **Question** Is it correct that if a publisher misses one breakout of a student expectation that has several breakouts, the whole student expectation 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 student expectations, not breakouts. The purpose of parsing each student expectation into breakouts is to ensure that each portion of a student expectation is addressed. Accordingly, if all of the breakouts of a student expectation are not sufficiently covered, then the entire student expectation is considered not addressed and does not count toward the 50%.
35. **Question** Each of the TEKS is comprised of a knowledge and skills statement and student expectations. Must each of the student expectations in a given standard (related to the same knowledge and skills statement) be addressed in order for the other student expectations within the same standard be considered addressed?
- Answer** No. Each student expectation is considered addressed or not addressed individually, without respect to any other student expectations. The 50% requirement refers to student expectations, not knowledge and skills statements. For example, if a standard has a knowledge and skills statement and three student expectations, and a product addresses all of the breakouts in two of those student expectations (essentially meeting only two of the three student expectations), those two student expectations will still count towards the 50% requirement for eligibility for adoption.

36. **Question** How is it determined that a submitted product is at least 50% compliant with the TEKS? Does a book need to reach 50% compliancy in each strand, or can the percentages vary from strand to strand, as long as they add up to 50%?
- Answer** The 50% requirement refers to student expectations in the product as a whole, not within various strands. A product does not need to meet 50% of the student expectations in each strand. A product only needs to meet 50% of all of the student expectations. The percentage of coverage can vary from strand to strand as long as 50% of all the student expectations are addressed.
37. **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
- conducting or participating in a hands-on investigation/experiment;
 - reading and/or completing a student copy master/worksheet;
 - participating in a classroom discussion;
 - completing an electronic interactive activity or simulation; or
 - 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 or not specific examples such as those provided in the question above will be considered part of the student text narrative will be determined by the state review panel.
38. **Question** There are some apparent contradictions between *Proclamation 2017* and 19 TAC, Chapter 66. Terms used in *Proclamation 2017* are broad and comprehensive: e.g., “student version” and “teacher version,” while the language in 19 TAC, Chapter 66, is extremely narrow, e.g., “student text narrative.” Please provide some guidance on how publishers should reconcile this given the great variety of ways that TEKS content will be delivered to students, e.g., hands-on, print, and electronic instructional materials.
- Answer** *Proclamation 2017* and 19 TAC, Chapter 66, are consistent in their requirements for TEKS coverage. The first sentence of 19 TAC §66.36(a)(1), affirms the requirement that the TEKS are to be met in both the student version and teacher version of the instructional materials, mirroring what is found in TEC §31.023(a). Subsequent language in 19 TAC §66.36(a)(1) elaborates on this requirement, explaining that, in the student version of the instructional materials, the TEKS must be met at least once in the student text narrative, or its electronic equivalent, and once in either an end-of-section review exercise, an end-of-chapter activity, or a unit test, or their electronic equivalents. To be considered sufficiently addressed, a student expectation must be covered at least twice in the student version of the instructional materials—as described in 19 TAC §66.36(a)(1)—and at least twice in the teacher version of the instructional materials.

39. **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 product as a whole, rather than the print and online portions individually. If print and online materials are submitted separately (in separate bids), the materials can be reviewed for TEKS coverage individually if the publisher indicates that the content is different.
40. **Question** If an instructional material contains only one instance of a breakout, should that instance be recorded in the correlation form?
- Answer** A student expectation must be met at least twice in the student version of the instructional materials—as described in 19 TAC §66.36(a)(1)—and at least twice in the teacher version of the instructional materials in order for that student expectation to count toward the 50% requirement for eligibility for adoption. If, in its correlations, a publisher lists either one or no citations of a student expectation or breakout, the state review panel may assume that the materials do not address that specific student expectation and might not look for evidence of its coverage.
41. **Question** 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 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.
42. **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 publishers deems is most instructionally appropriate.
43. **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 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.

44. **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.
45. **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.
46. **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).” In order to be an example of content that covers one of the TEKS, the content must provide either 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 a citation.
47. **Question** Does a definition of the word in the glossary count? Does it count in the teacher’s edition?
- Answer** 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.

English Language Proficiency Standards (ELPS)

48. **Question** Recent proclamations have required materials submitted for adoption to address the English Language Proficiency Standards (ELPS). Is coverage of the ELPS required by *Proclamation 2017*?
- Answer** Coverage of the ELPS is required for some, but not all, of the courses included in *Proclamation 2017*. We will post a comprehensive list to our website following the July 2015 SBOE meeting.

Bids and Pricing

49. **Question** Are teacher materials required to be included with submissions?
- Answer** Yes. Because both state statute and administrative rule require that TEKS be addressed in the teacher materials as well as the student materials, publishers are required to provide teacher materials for the duration of the contract and at least one contract extension.

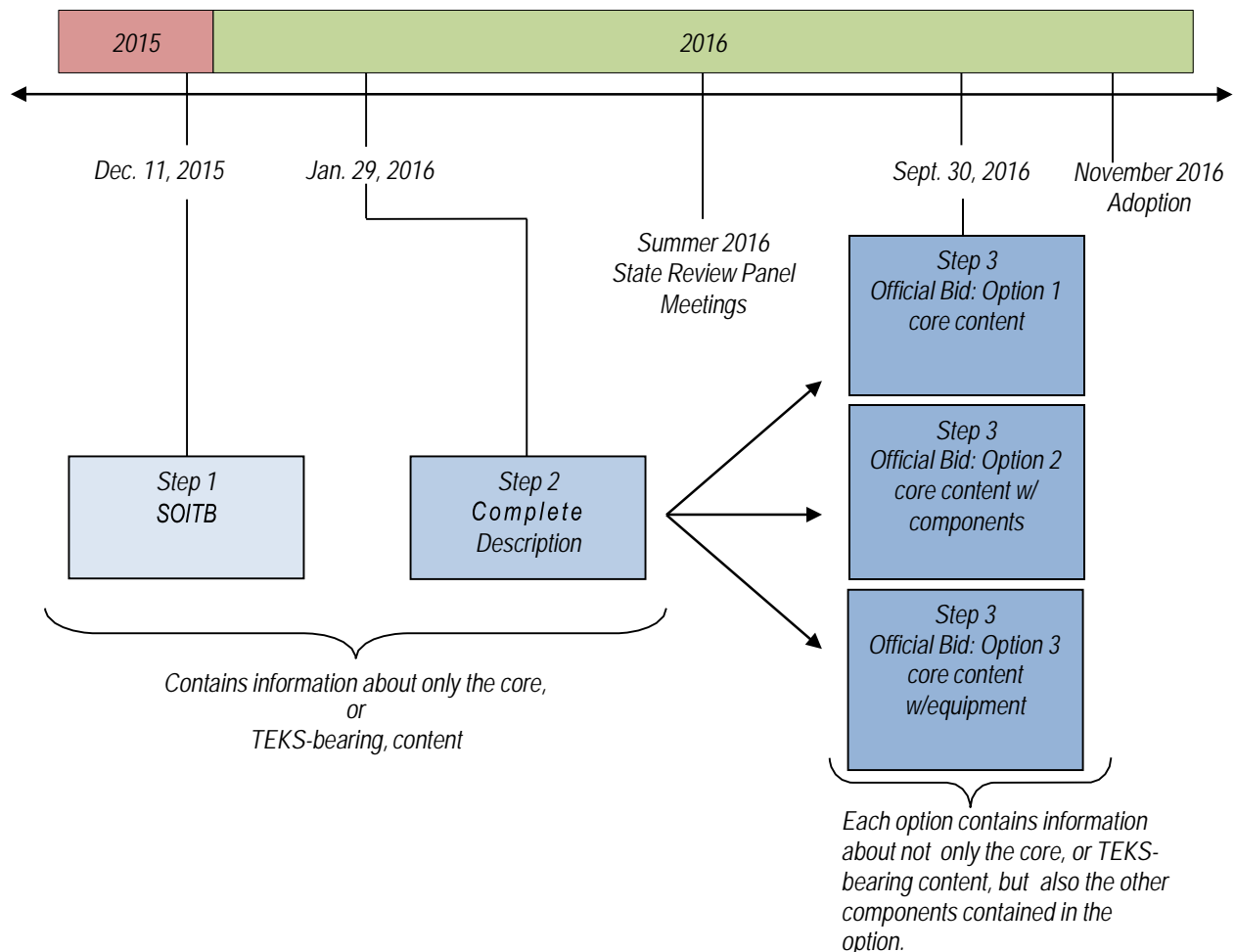
50. **Question** Publishers may submit printed teacher editions as the teacher component for a bid, correct?
- Answer** Yes. Printed teacher editions are permitted.
51. **Question** There is no mention of a printed teacher edition in the “Schedule of Adoption Procedures.” Are publishers not required 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** Teacher materials are required, but there is not a requirement that they be provided in print.
52. **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 will be allowed.
53. **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 2017*?
- Answer** *Proclamation 2017* did not call for consumables, but if the pricing option includes consumables, the bid price must include the replacement cost of the consumable for the term of the contract.
54. **Question** Is it permissible to bid the same program (one ISBN) in multiple levels across the same subject area in *Proclamation 2017*?
- Answer** Yes. It is permissible to submit one program ISBN in multiple subjects and/or levels. In such cases, the publisher should submit a separate *Statement of Intent to Bid* and *Complete Description* for each subject level, and the product will be reviewed against each subject and appropriate TEKS. The SBOE’s adoption of the product in one subject or level does not guarantee adoption in any other subject or level.
55. **Question** Must each product have its own ISBN?
- Answer** Each product must have its own 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.
56. **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** Publishers may include any additional electronic components not previously bid. For additional print components that are not previously bid, publishers will 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.

57. **Question** *Proclamation 2017* lists September 30, 2016, 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 30th deadline is required. Publishers that do not submit any bids by that deadline could, at the sole and final discretion of the commissioner, be removed from the adoption process. Bids for adopted products that are submitted by the initial deadline of September 30th will be incorporated into contracts and put into EMAT by the time EMAT opens for the 2017–2018 school year. Past the September 30th deadline, a publisher will be 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 2017–2018 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 27, 2017, will allow publishers to respond to the needs of districts.
58. **Question** Can a publisher submit supplemental bids by the January 27th deadline if it did not submit *Official Bids* by the September 30th deadline?
- Answer** No. Only those publishers who submitted initial bids may submit supplemental bids.
58. **Question** Can you please explain the concept of “core content” as it relates to submitting a *Complete Description* for *Proclamation 2017*?
- Answer** Core content—sometimes referred to as TEKS-bearing content—refers to the component(s) of a product that a publisher indicates is (are) used to meet the required TEKS. 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.
59. **Question** When are publishers required to provide specific information about the components that comprise the core content?
- Answer** January 29, 2016, is the deadline for publishers to provide complete descriptions of each product they are submitting for adoption. The forms require specific information about the core content of each product, but do not ask for information about the components of the product that are not specifically for TEKS coverage.
60. **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 *Official Bids* in September 2016. The *Official Bids* require publishers to provide all information about each product. Publishers must submit one form for each pricing option and/or product offering, and each *Official Bid* must include the core content.
61. **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 encouraged to consider districts’ needs when submitting *Official Bids*. It is possible that a district may select a product during any year of the adoption. If a district orders an eight-year option, the publisher is obligated to provide the product for a full eight years, even if that extends beyond the initial eight-year contract period.

62. **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:

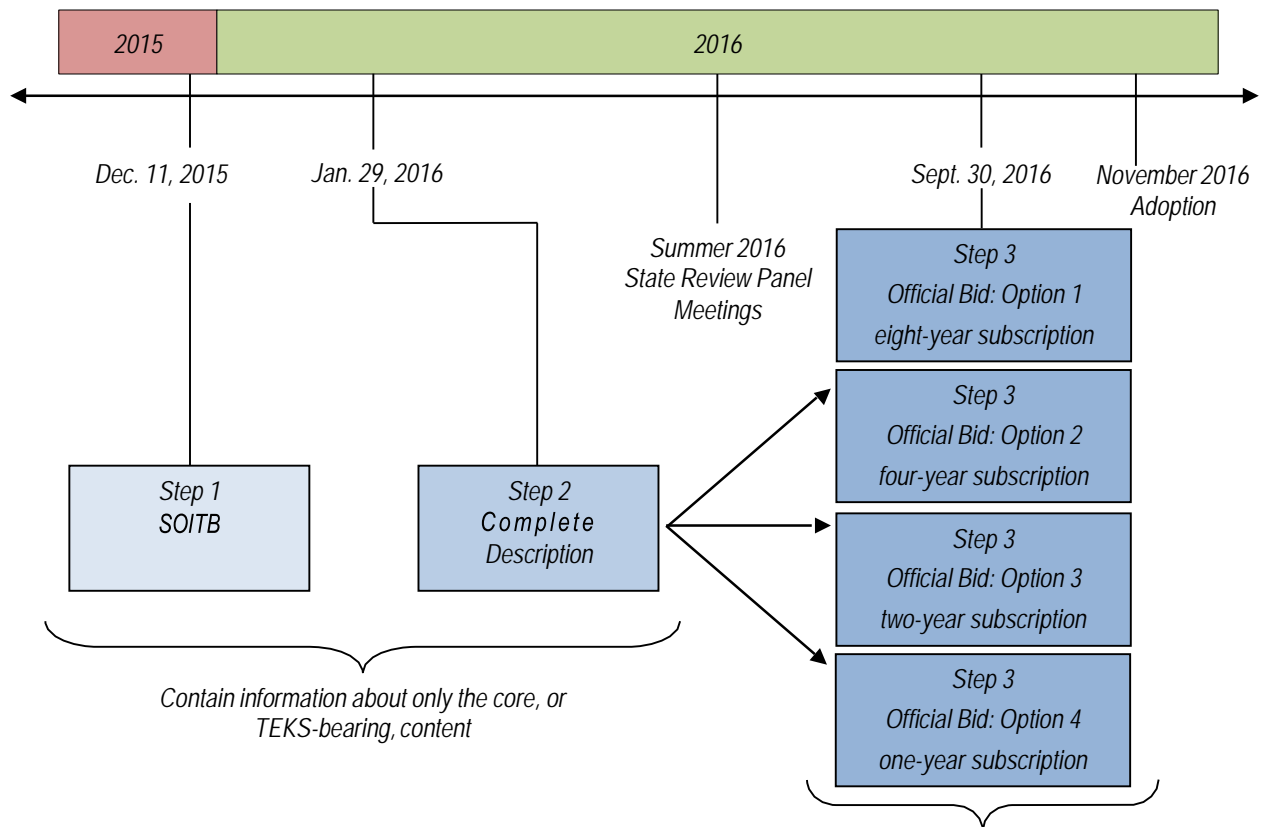
- Step 1) By December 11, 2015, the publisher would submit one *Statement of Intent to Bid (SOITB)* that would provide only general product information, such as the name of the publisher, name of the product, ISBN, and preliminary price information.
- Step 2) By January 29, 2016, the publisher would 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 30, 2016, the publisher would submit its *Official Bids*. The number of *Official Bids* 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*, and each *Official Bid* must include the core content.



63. **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 11, 2015, 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, name of the product, ISBN, and preliminary price information.
- Step 2) By January 29, 2016, 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 30, 2016, the publisher would submit its *Official Bids*. The number of *Official Bids* 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 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 would require a separate *Official Bid*, and each *Official Bid* must include the core content.



Samples

64. **Question** The first mention of printed student materials in the *Proclamation 2017* “Schedule of Adoption Procedures” is in the deadline for January 27, 2017. 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 type materials.
65. **Question** At present, the proclamation requires all samples to be submitted in a digital format, but allows districts to request printed samples. Is this expected to change?
- Answer** No. We do not expect the sampling requirements for *Proclamation 2017* to change.
66. **Question** Please confirm that the publisher can select the platform/media type used for the submission of the pre-adoption electronic sample on April 15, 2016.
- 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-file 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.
67. **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. TEA will provide the *Complete Description* form to publishers.
68. **Question** What format is required for the state review panel samples?
- Answer** In accordance with 19 TAC §66.54(g), publishers have the option to file print samples, electronic samples in an open file format or closed format, or galley proofs with the state review panels.
69. **Question** Can you please define *galley proof*?
- Answer** A *galley proof* is a complete (as to content), print sample that is bound (e.g., in a 3-ring binder, as a spiral, or in a similar manner). 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 would be 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 raw or edited manuscript. The option to provide galley proofs is specific to samples for the state review panels.

70. **Question** “Electronic instructional materials, including internet-based products, must be completely functional.” Does this pertain only to digital-only materials such as those from the supplemental science call as opposed to a website that accompanies a textbook program?
- Answer** This requirement applies to all electronic instructional materials including digital-only materials as well as materials that accompany a textbook program.
71. **Question** Are there any rules surrounding district sampling?
- Answer** At the state level, the requirements for providing samples to districts are as follows: on request of a school district, a publisher shall 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-file or closed format. Additionally, 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. Each district and charter school may have its own additional rules regarding sampling.
72. **Question** Must district sampling also be provided electronically?
- Answer** In order to meet the statutory requirements of the adoption process, a publisher must submit an electronic sample of instructional materials to each district that requests a sample.
73. **Question** Which format(s) will be acceptable for electronic submission?
- Answer** Electronic samples may be in an open-file or closed format.
74. **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. It is permissible to present photos of these manipulatives rather than sending them to TEA, ESCs, or state review panels. 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.
75. **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 presented in black and white.
76. **Question** If *Proclamation 2017* 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-file or closed format.

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

Answer Open-file formats are accessible by anyone through either open-source or free technologies or software. Examples of open-file format are HTML and PDF. Closed formats require the user to download and install proprietary software. A closed format sample might be used for a software product that has been submitted for adoption.

78. **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-file or closed format	▪ Electronic samples in open-file or closed format
Education Service Centers	▪ Electronic samples in open-file or closed format	▪ Electronic samples in open-file or closed format
School Districts*	▪ Electronic samples in open-file or closed format ▪ Print Samples*	▪ Electronic samples in open-file or closed format* ▪ Print Samples*
State Review Panels	▪ Electronic samples in open-file or closed format ▪ Print Samples ▪ Galley Proofs	▪ N/A

*All samples to school districts are sent upon request. To meet the requirements of *Proclamation 2017*, samples provided to school districts and charter schools must be electronic. After electronic samples have been provided, upon request and at the publisher's discretion, publishers may provide print samples to school districts and charter schools. The provision of print samples is an arrangement between the district and publisher and is separate and distinct from the review and adoption process.

79. **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 address) 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.

Ancillaries

80. **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 2017*.
81. **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/ancillary materials with program bids. Ancillary materials are not reviewed by panel members at the state level and are not adopted nor sanctioned by the SBOE. There is, however, an implicit requirement to include teacher material in each submission.

Accessibility Requirements and Manufacturing Standards

82. **Question** *Proclamation 2017*, page 9, bullet 5: “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.
83. **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 by which the electronic instructional materials are submitted is at the discretion of 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 meet minimum web-based standards. Each district or charter school may have its own additional requirements.
84. **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 meet minimum web-based standards. Including both print and online components with identical content does not exempt a publisher from these requirements.

85. **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.

86. **Question** *Proclamation 2017* states that instructional materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508, and that materials delivered online must meet minimum web-based standards, available at <http://www.w3.org/standards>.

The W3C standards contain 7 broad categories of standards:

Web Design and Applications

Web Architecture

Semantic Web

XML Technology

Web of Services

Web of Devices

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.

Glossary of Acronyms

ESC – education service center

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

W3C – World Wide Web Consortium