

ATTACHMENT

STATE BOARD OF EDUCATION



PROCLAMATION 2016

April 2014

Texas Education Agency
Austin, Texas

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Introduction

This proclamation serves as notice to both publishers and the public that the State Board of Education (SBOE) is inviting bids to furnish new instructional materials for the following courses.

Languages Other Than English

- Languages Other Than English, Elementary
- Languages Other Than English, Middle School
- Discovering Languages and Cultures
- American Sign Language, Level I
- American Sign Language, Level II
- American Sign Language, Level III
- American Sign Language, Level IV
- Level I, Novice Mid to Novice High Proficiency
- Level II, Novice High to Intermediate Low Proficiency
- Level III, Intermediate Low to Intermediate Mid Proficiency
- Level IV, Intermediate Mid to Intermediate High Proficiency
- Level V, Intermediate High to Advanced Mid Proficiency
- Level VI, Advanced Mid to Advanced High Proficiency
- Level VII, Advanced High to Superior Proficiency

Social Studies

- Special Topics in Social Studies: to include, but not be limited to, Mexican-American Studies, African-American Studies, Native-American Studies, and Asian-American Studies

To be eligible for adoption, instructional materials submitted in response to this proclamation must meet at least 50% of the elements of the Texas Essential Knowledge and Skills (TEKS)—for the subject and grade level for which the materials are intended—in both the student version and the teacher version of the instructional materials. The materials must also comply with applicable manufacturing standards and be free from factual errors at the time of implementation in schools.

Instructional materials submitted in response to this proclamation will undergo a full and complete investigation by a state review panel to identify the extent to which the materials meet the required TEKS and to identify factual errors. At the completion of the review, the state review panels will report their findings to the commissioner of education.

The panels' findings serve as the basis for the reports provided to the SBOE regarding the adoption of materials. The SBOE is scheduled to make its determination regarding the adoption of materials submitted in response to this proclamation in November of 2015. The SBOE's determination is final.

Instructional materials adopted under this proclamation are scheduled to be implemented beginning in the 2016–2017 school year. Adopted materials are eligible for purchase with funds from the Instructional Materials Allotment, and will be ordered by school districts and open-enrollment charter schools through the Texas Education Agency's (TEA) Educational Materials (EMAT) system. The intrastate freight costs for adopted instructional materials will be paid by the TEA.

This proclamation contains the TEKS for the subjects and grade levels for which bids are being invited and describes the requirements for participating in the adoption. It also contains a schedule of adoption procedures, accessibility information to facilitate the production of Braille, large-type, and audio versions of adopted instructional materials, the 2012–2013 enrollment for each course included in the proclamation, and a glossary of terms. Additional information and specific instructions for addressing the requirements of this proclamation will be released on the TEA website.

All publishers and other content providers interested in participating in the adoption under this proclamation should carefully read and fully understand both the state statutes and the administrative rules that govern the review and adoption of instructional materials. The language of [Chapter 31 of the Texas Education Code \(TEC\)](#) is available on the Texas Legislature's website. The language of [Subchapters A through C of Title 19, Chapter 66 of the Texas Administrative Code](#) is available on the Texas Secretary of State's website. It is imperative for each participant in the adoption to carefully read and fully understand all of this information.

Schedule of Adoption Procedures

2014

January 2014: *SBOE Meeting*

- *Proclamation 2016* (for adoption in 2015 and implementation in the 2016–2017 school year) presented to the State Board of Education (SBOE) for discussion.

February/March 2014

- Texas Education Agency (TEA) conducts meeting to discuss *Proclamation 2016* with interested publishers.

April 2014: *SBOE Meeting*

- *Proclamation 2016* presented to the SBOE for action.
- SBOE issues *Proclamation 2016*.

July 2014: *SBOE Meeting*

- SBOE approves the *Proclamation 2016 Questions and Answers* document.

August 2014

- TEA releases *Proclamation 2016 Publisher Handbook*.
- TEA conducts publisher orientation meeting for parties interested in filing *Statements of Intent to Bid*.

September 2014

- TEA posts *Nomination to State Review Panel* form to TEA website and distributes to the SBOE, Texas state officials, school districts and open-enrollment charter schools, universities, and regional Education Service Centers (ESCs). Those submitting nominations shall file completed forms by January 16, 2015.

September 2014: *SBOE Meeting*

- The SBOE may set the Permanent School Fund (PSF) payout rate for the 2016–2017 biennium.

November 2014: *SBOE Meeting*

- The SBOE may set the PSF payout rate for the 2016–2017 biennium.

Friday, December 5, 2014

- **Deadline** for publishers to file *Statements of Intent to Bid*. Publishers shall provide detailed specifications regarding price, hardware, software, and/or special equipment needed to review any item included in an instructional materials submission. Publishers shall file all documents by 5:00 P.M. CST.

Note: Only those who file a Statement of Intent to Bid by 5:00 P.M. CST on December 5, 2014 will be allowed to participate in the adoption process. Please see SBOE rules [19 TAC §66.48 \(a–d\)](#) for additional information.

2015

Friday, January 16, 2015

- **Deadline** to file *Nomination to State Review Panel* forms. Those submitting nominations shall file all documents by 5:00 P.M. CST.

Friday, January 30, 2015

- **Deadline** for publishers to provide a complete description of all items included in a student and teacher component. Publishers shall file all documents by 5:00 P.M. CST.

January–February 2015

- TEA reviews state review panel nominations.

Friday, February 6, 2015

- Each ESC designates the person who will supervise the sample instructional materials and publishes a schedule specifying hours and dates sample materials may be reviewed by the public.
- Each ESC publishes a news release and notifies area schools concerning sample instructional materials. In the notice, the ESC shall include the person to be contacted regarding sample instructional materials and the hours and dates samples will be available for review by the public.

March 2015

- TEA notifies state review panel candidates of appointment.
Upon notification of appointment, state review panel nominees begin a “no-contact” period in which they may not have either direct or indirect contact with any person having an interest in the content of instructional materials under evaluation by the panel.

Friday, April 17, 2015

- **Deadline** for publishers to submit one (1) complete, electronic, pre-adoption sample copy of instructional materials along with one (1) completed *Correlation to the Texas Essential Knowledge and Skills* (TEKS) form to the **TEA**. Publishers shall file all materials by 5:00 P.M. CDT.
- **Deadline** for publishers to submit one (1) complete, electronic, pre-adoption sample copy of instructional materials along with one (1) completed *Correlation to the Texas Essential Knowledge and Skills* (TEKS) form to **each of the twenty ESCs**. Publishers shall file all materials by 5:00 P.M. CDT.

Publishers providing Internet-based instructional materials shall supply the TEA and ESCs with appropriate information, such as locator information and passwords, required to ensure public access to their programs until final samples are submitted in April 2016. Access to electronic samples should be available for multiple simultaneous users.

Publishers shall ensure that all samples are complete as to content. Electronic instructional materials, including Internet-based products, must be functional for review purposes.

The TEA, ESCs, and affected publishing companies shall work together to ensure that hardware or special equipment necessary for review of any item included in a student and/or teacher component of an instructional materials submission is available in each ESC.

Note: The TEA may require additional samples for use by contracted reviewers, members of the SBOE, and others.

- **Deadline** for publishers to file a signed *Affidavit of Authorship* certifying that each individual whose name is listed as an author or contributor of content was engaged in the development of the materials. In the affidavit, the publisher shall also state in general terms each author’s involvement in the development. Publishers shall file all documents by 5:00 P.M. CDT.
- **Deadline** for publishers to provide each school district and open-enrollment charter school with information that fully describes instructional materials submitted under *Proclamation 2016*. Publishers shall file all documents by 5:00 P.M. CDT.

Friday, April 24, 2015

- **Deadline** for ESCs to notify the TEA of any irregularities in sample shipments of all materials. ESCs shall file notification on forms provided by the TEA by 5:00 P.M. CDT.
TEA will notify the appropriate publisher of any irregularities in the sample shipments.

April–May 2015

- TEA provides instructions to publishers for delivery of materials for the state review panels. Shipments shall include all samples, which must be complete as to content and functional for review purposes, and their correlations to the TEKS. Shipments shall include only TEKS-bearing components. Ancillary materials are not permitted at the state review panel meetings. Publishers of instructional materials that require hardware or special equipment shall provide appropriate hardware or equipment for the review.

Spring–Summer 2015

- TEA conducts orientation and training sessions for state review panels.
- The state review panels evaluate instructional materials submitted for adoption.
- TEA releases information regarding the instructional materials to be placed on the adopted list or rejected.

July 2015: *SBOE Meeting*

- SBOE may hold public hearing on instructional materials submitted for adoption.

Friday, August 7, 2015

- **Deadline** for publishers to file *Publisher's Certification of Editorial Review* affirming that instructional materials have been edited for accuracy, content, and compliance with requirements of the proclamation. Publishers shall file all documents by 5:00 P.M. CDT.
- **Deadline** for publishers to file *Publisher's Identification of Factual Errors*, listing the corrections to be made to the instructional materials submitted for adoption. Publishers shall file all documents by 5:00 P.M. CDT.

Friday, August 28, 2015

- **Deadline** for publishers to provide additional copies of all new content previously provided to the state review panels in response to a report of TEKS not addressed. Submissions must be in a format approved by the commissioner of education. Publishers shall file all documents by 5:00 P.M. CDT.

Friday, September 4, 2015

- **Deadline** for Texas residents to file lists of alleged factual errors in instructional materials under consideration for adoption. Residents shall file all documents by 5:00 P.M. CDT.
- **Deadline** for Texas residents to file official written comments concerning instructional materials submitted for adoption. Residents shall file all documents by 5:00 P.M. CDT.
Prior to the September hearing, the TEA will provide written comments and lists of alleged factual errors to the SBOE, participating publishers, ESCs, and those who have filed written requests.
- **Deadline** for publishers who elect to protest the preliminary recommendation to file request for show-cause hearings. Publishers shall file all documents by 5:00 P.M. CDT.

September 2015

- Prior to the SBOE meeting, TEA publishes the schedule and procedures for the public hearing to be held by the SBOE.
- Members of the general public request to appear at the public hearing before the SBOE; priority will be given to Texas residents. All documents, which must identify subjects, titles, and publishers of instructional materials to be addressed, should be filed with the TEA's division of Instructional Materials and Educational Technology.

Friday, September 11, 2015

- **Deadline** for publishers to provide the name, address, and telephone number of the production manager of each printed instructional material being prepared for submission. This information is required to facilitate the production of Braille, large-type, and audio versions of adopted instructional materials. Publishers shall file all documents by 5:00 P.M. CDT.

September 2015: *SBOE Meeting*

- SBOE holds public hearing on instructional materials submitted for adoption. An archived webcast of the hearing will be available via the TEA website.

10 working days after the close of the public hearing

- **Deadline** for publishers and any others who participated in the public hearing before the SBOE to file responses to official written comments from Texas residents and to testimony presented at the public hearing. Respondents shall file all documents by 5:00 P.M. CDT.

10 working days after receiving official written comments

- The TEA releases copies of responses to written and/or oral testimony to members of the SBOE, ESCs, participating publishers, and those who have filed written requests.

Friday, September 25, 2015

- **Deadline** for publishers to file initial *Official Bid Form*. Publishers shall file all documents by 5:00 P.M. CDT.

Friday, October 2, 2015

- **Deadline** to file complaints alleging violations of statutes, rules, or procedural irregularities. Documents shall be filed by 5:00 P.M. CDT.
Formal or informal hearings may be heard in the case of an apparent violation of statute. Upon determining that a violation has occurred, the findings shall be reported to the SBOE.
- The *Report of Required Corrections of Factual Errors* is released, listing all corrections of factual errors required in the instructional materials under consideration for adoption. The reports will be released to the SBOE, affected publishers, ESCs, and others, such as Braillelists, needing immediate access to the information.
- The *Reports of Instructional Materials to be Considered for Adoption and Rejection* are released.

Friday, October 16, 2015

- **Deadline** for publishers to file written confirmation of their intent to make all corrections identified in the *Report of Required Corrections of Factual Errors*. Publishers shall file all documents by 5:00 P.M. CDT.

November 2015: *SBOE Meeting*

- SBOE considers instructional materials submitted under *Proclamation 2016* for adoption.

Friday, December 4, 2015

- **Deadline** for publishers of adopted instructional materials to provide three print copies of the adopted student materials, one copy of NIMAS files, and a screen-shot from the publisher's copy of the NIMAS Validation Wizard showing that the file has successfully passed validation with "0 errors, 0 warnings" for both the XML file and OPF file. Publishers shall submit all materials to the designated Braille producer by 5:00 P.M. CST.

Publishers are not required to provide printed copies or NIMAS files of materials that are designed for use solely by teachers. If a visually-impaired teacher requests a Braille version during the adoption period, the TEA will contact the publisher and instruct them where to ship two printed teacher editions. **Publishers must provide two print copies and NIMAS files of blackline masters or any other materials included in the teacher component that are intended for student use.**

Instructional Materials delivered electronically must conform to Web Content Accessibility Guidelines (WCAG) 2.0, Level AA, available at <http://www.w3.org/TR/WCAG20/> and must meet the technical standards of the Federal Rehabilitation Act, Section 508, available at <http://www.Section508.gov>.

Friday, December 18, 2015

- **Deadline** for publishers to file the *Register of Contact* form indicating all visits, meetings, or contact with SBOE members, including the date, time, location, and purpose of the communication. Publishers shall file all documents by 5:00 P.M. CST.

2016

Friday, February 12, 2016

- **Deadline** for publishers to file *Publisher's Identification of Editorial Changes*, listing the editorial corrections made to the instructional materials submitted for adoption. Publishers shall file all documents by 5:00 P.M. CST.

Friday, March 11, 2016

- TEA provides the contact information of the designated large print and audio producers to publishers of adopted printed instructional materials.

Friday, March 25, 2016

- **Deadline** for publishers to provide one (1) copy of the NIMAS files that incorporate all required corrections to the **Braille producer** designated by the TEA. Publishers shall submit all materials by 5:00 P.M. CDT.
- **Deadline** for publishers to provide one (1) copy of the NIMAS files that incorporates all required corrections to the designated **Large-print producer**. Publishers shall submit all materials by 5:00 P.M. CDT.
- **Deadline** for publishers to provide one (1) copy of the NIMAS files that incorporates all required corrections to the designated **audio producer**. Publishers shall submit all materials by 5:00 P.M. CDT.
- **Deadline** for publishers to provide one (1) copy of the NIMAS files that incorporates all required corrections to the **TEA**. Publishers shall submit all materials by 5:00 P.M. CDT.

April 2016

- School districts and open-enrollment charter schools scheduled to begin submitting orders for new instructional materials through EMAT.

Friday, April 29, 2016

- **Deadline** for publishers to file signed *Publisher's Affidavit of Corrections* verifying that all required corrections have been made. Publishers shall file all documents by 5:00 P.M. CDT.
- **Deadline** for publishers to provide one (1) complete copy of adopted instructional materials that incorporates all required corrections to the **TEA**. Corrected samples must be representative of the final program. Publishers shall submit all materials by 5:00 P.M. CDT.

Publishers providing Internet-based instructional materials shall supply the TEA with appropriate information, such as locator information and passwords, required to ensure access to their programs throughout the life of the adoption.

- **Deadline** for publishers to provide one (1) complete copy of adopted instructional materials that incorporates all required corrections to **each of the twenty ESCs**. Corrected samples must be representative of the final program. Publishers shall submit all materials by 5:00 P.M. CDT.

Publishers providing Internet-based instructional materials shall supply the ESCs with appropriate information, such as locator information and passwords, required to ensure access to their programs throughout the life of the adoption.

Note: The TEA may require additional corrected samples for use by contracted reviewers, members of the SBOE, and others.

- **Deadline** for publishers to file *Forms B, M, and Warranty*, providing the physical specifications of the instructional materials and certifying their adherence to prescribed manufacturing standards. Publishers shall file all documents by 5:00 P.M. CDT.
- **Deadline** for publishers to provide three (3) complete copies of all student materials included on the *Official Bid Form(s)* to the **Braille producer** designated by the TEA. Corrected samples shall be identical in content and format to materials that will be provided to school districts after purchase. Publishers shall submit all materials by 5:00 P.M. CDT.
- **Deadline** for publishers to provide one (1) complete copy of all student materials included on the *Official Bid Form(s)* to the designated **Large-print producer**. Corrected samples shall be identical in content and format to materials that will be provided to school districts after purchase. Publishers shall submit all materials by 5:00 P.M. CDT.
- **Deadline** for publishers to provide one (1) complete copy all student materials included on the *Official Bid Form(s)* to the designated **audio producer**. Corrected samples shall be identical in content and format to materials that will be provided to school districts after purchase. Publishers shall submit all materials by 5:00 P.M. CDT.

June–August 2016

- Publishers fulfill orders, distributing adopted instructional materials to school districts and open-enrollment charter schools.

Each publisher shall guarantee delivery of or access to instructional materials at least ten business days before the opening day of school of the year for which the materials are ordered if the materials have been ordered by a date specified in the sales contract.

Additional Information

- Instructional materials must meet at least 50% of the elements (student expectations) of the Texas Essential Knowledge and Skills (TEKS)—for the subject and grade level for which the materials are intended—in both the student version and the teacher version of the instructional materials.
- If a student expectation is subdivided into constituent parts or “breakouts,” then each individual breakout must be sufficiently covered in order for the student expectation to be considered addressed and counted toward the 50% minimum requirement.
- Instructional materials must be free from factual errors at the time of implementation in schools.
- Printed materials intended for use by the student must comply with the standards in the latest edition of *Manufacturing Standards and Specifications for Textbooks*, approved by the Advisory Commission on Textbook Specifications.
- Instructional Materials delivered electronically must conform to Web Content Accessibility Guidelines (WCAG) 2.0, Level AA, available at <http://www.w3.org/TR/WCAG20/> and must meet the technical standards of the Federal Rehabilitation Act, Section 508, available at <http://www.Section508.gov>.
- Electronic instructional materials that are not compliant with technical standards of the Federal Rehabilitation Act, Section 508 and/or do not conform to the Web Content Accessibility Guidelines 2.0 Level AA, will be removed from the EMAT system and will not be available to districts through the TEA.
- Publishers must mark-up print instructional materials eligible for NIMAS submission that contain mathematical and scientific instructional content by using the Math ML3 (refer to latest applicable version) module of the DAISY/NIMAS Structure Guidelines as posted and maintained at the DAISY Consortium website, available at <http://www.daisy.org/z3986/structure/SG-DAISY3/index.html>.
- The submission of open-source materials is welcome under *Proclamation 2016*.
- All official samples submitted to satisfy the requirements of the proclamation must be provided electronically.
- Electronic samples must allow for multiple simultaneous users.

Requirements for a Search Feature and General Public Access

Search feature:

All electronic samples provided to the state review panels must include a search feature that allows reviewers to locate key words in the content. The word-search feature would enable anyone to see a listing of all the pages or locations in the entire volume or section where each key word is identified. This feature will save reviewer time during the state review process, resulting in greater effectiveness and efficiency.

General Public Access:

All web-based samples of student instructional materials submitted for adoption must be made available to the public online. These samples may require the use of a login and password and may also require a user to affirmatively consent to an End User License Agreement (EULA). At a minimum, each user must be granted access for 30 consecutive days. For each user, access granted beyond the required 30 days is at the discretion of the publisher. Each publishers will be responsible for monitoring its own content and/or assessing penalties related to violations of the EULA agreement or copyright law.

While the method used to provide public access to student instructional materials may vary widely, the only required feature is “read only” access. A publisher, at its own discretion, may include interactivity in its samples.

Requirements of Participating Content Providers

Below is a list of requirements that each organization participating in this adoption will be expected to fulfill. Detailed information about each of these requirements and the forms necessary to fulfill them will be posted on the TEA website as soon as they are available. An organization's inability to meet any of the requirements by the deadlines given in this proclamation may, at the discretion of the commissioner of education, result in that organization's materials being removed from consideration for adoption.

- **Statement of Intent to Bid** Participants must file one *Statement of Intent to Bid* for each product and course bid. A publisher that does not submit a *Statement of Intent to Bid* by the deadline will not be eligible to participate in the adoption. The deadline for submitting *Statements of Intent to Bid* is **Friday, December 5, 2014**.
- **Complete Program Description** Participants must submit to the TEA a complete description of all items included in a bid. The deadline for submitting *Complete Program Description* is **Friday, January 30, 2015**.
- **Description of Submitted Materials** Participants must provide each school district and open-enrollment charter school with information that fully describes the instructional materials submitted for adoption. The deadline for sending descriptions of submitted products to districts and charter schools is **Friday, April 17, 2015**.
- **Pre-Adoption Samples** Participants must submit electronic samples of each product submitted for adoption. Samples must be sent to the TEA, each of the 20 education service centers (ESCs), and any district or charter school that submits a request. The deadline for submitting the pre-adoption samples to the TEA and ESCs is **Friday, April 17, 2015**.
- **Pre-Adoption Samples for State Review Panels** Participants must submit samples of each product submitted for adoption to the state review panels. The TEA will provide detailed instructions and deadlines for submitting samples to the state review panels.
- **Affidavit of Authorship or Contribution** Participants must describe the contributions of each individual whose name is listed as an author of, or contributor to, the instructional materials submitted for adoption. The deadline for submitting *Affidavits of Authorship or Contribution* is **Friday, April 17, 2015**.
- **Correlation to the TEKS** Participants must indicate where in the product(s) they believe that the required TEKS are addressed. A publisher offering electronic materials must also embed a correlation feature in its electronic materials. The deadline for submitting TEKS correlations is **Friday, April 17, 2015**.
- **Certification of Editorial Review** Participants submitting instructional materials for adoption must affirm that all instructional materials have been edited for accuracy, content, and compliance with the requirements of the proclamation. The deadline for submitting *Certifications of Editorial Review* is **Friday, August 7, 2015**.

- **List of Publisher Corrections** Participants must provide a list of all corrections and editorial changes necessary to each student and teacher component of an instructional material submission. All factual errors must be corrected before adopted materials are implemented in schools. The deadline for submitting *Publisher's Identification of Factual Errors* is **Friday, August 7, 2015**. The deadline for submitting *Publisher's Identification of Editorial Changes* is **Friday, February 12, 2016**.
- **Electronic Files for the Production of Braille, Large-Type, and Audio Materials** Participants submitting *print* instructional materials for adoption must provide NIMAS-compliant electronic files, and agree to allow the TEA or its agents to reproduce adopted instructional materials in a format suitable for students and teachers with visual impairments. Additionally, participants must provide the TEA with contact information for each production manager of instructional material. The deadlines for all of the requirements related to the production of Braille, large-type, and audio materials are provided in the accessibility section of this proclamation.
- **Official Bid Form** Participants must submit an *Official Bid Form* for each product and course bid. The deadline for submitting initial *Official Bid Forms* is **Friday, September 25, 2015**.
- **Publisher's Intent to Correct** Participants must confirm their willingness to correct all known factual errors as required by the SBOE. The deadline for submitting the *Publisher's Intent to Correct* is **Friday, October 16, 2015**.
- **Register of Contact** Participants submitting instructional materials for adoption must submit a register indicating all visits, meetings, or contact with SBOE members, including the date, time, location, and purpose of the communication. The deadline for submitting *Registers of Contact* is **Friday, December 18, 2015**.
- **Affidavit of Corrections** Participants that have materials adopted by the SBOE must verify that all corrections required as a condition of adoption have been made. The deadline for submitting *Affidavits of Corrections* is **Friday, April 29, 2016**.
- **Post-Adoption Samples** Participants that have materials adopted by the SBOE must submit corrected sample copies of adopted instructional materials to the TEA, ESCs, the designated Braille producer, the designated large-print producer, the designated producer of audio materials, and to each school district and open-enrollment charter school that requests samples. The deadline for submitting the post-adoption samples to the TEA and ESCs, as well as to the Braille, large-print and audio producers is **Friday, April 29, 2016**.
- **Forms B, M and Warranty** Participants that have materials adopted by the SBOE must certify that all materials meet applicable manufacturing standards. For print products, participants must submit a *Form B & Warranty* for each student component in a program. For electronic products, participants must submit a *Form M & Warranty* for each component of electronic media. The deadline for submitting *Forms B, M, & Warranty* is **Friday, April 29, 2016**.
- **Contract** Participants that have materials adopted by the SBOE will be asked to enter into a contract to provide the instructional materials to all districts and charter schools that order them. The initial contract period is eight years, and it may include one contract extension for a period of not more than four years.

Texas Essential Knowledge and Skills

The Texas Essential Knowledge and Skills (TEKS) describe what students should know and be able to do for each course in the required curriculum.

The tables below provide links to the TEKS for each of the courses included in *Proclamation 2016*.

Chapter 114. Languages Other Than English
§114.4. Languages Other Than English, Elementary, Adopted 2014. Links to the TEKS will be included once the TEKS are available on TEA website.
§114.14. Languages Other Than English, Middle School, Adopted 2014. Links to the TEKS will be included once the TEKS are available on TEA website.
§114.32. Discovering Languages and Cultures (One-Half to One Credit), Adopted 2014. Links to the TEKS will be included once the TEKS are available on TEA website.
§114.34. American Sign Language, Level I (One Credit), Adopted 2014. Links to the TEKS will be included once the TEKS are available on TEA website.
§114.35. American Sign Language, Level II (One Credit), Adopted 2014. Links to the TEKS will be included once the TEKS are available on TEA website.
§114.36. American Sign Language, Level III (One Credit), Adopted 2014. Links to the TEKS will be included once the TEKS are available on TEA website.
§114.37. American Sign Language, Level IV (One Credit), Adopted 2014. Links to the TEKS will be included once the TEKS are available on TEA website.
§114.39. Level I, Novice Mid to Novice High Proficiency (One Credit), Adopted 2014. Links to the TEKS will be included once the TEKS are available on TEA website.
§114.40. Level II, Novice High to Intermediate Low Proficiency (One Credit), Adopted 2014. Links to TEKS will be included once TEKS are online
§114.41. Level III, Intermediate Low to Intermediate Mid Proficiency (One Credit), Adopted 2014. Links to the TEKS will be included once the TEKS are available on TEA website.
§114.42. Level IV, Intermediate Mid to Intermediate High Proficiency (One Credit), Adopted 2014 Links to the TEKS will be included once the TEKS are available on TEA website.

Chapter 114. Languages Other Than English

§114.43. Level V, Intermediate High to Advanced Mid Proficiency (One Credit), Adopted 2014.

[Links to the TEKS will be included once the TEKS are available on TEA website.](#)

§114.44. Level VI, Advanced Mid to Advanced High Proficiency (One Credit), Adopted 2014.

[Links to the TEKS will be included once the TEKS are available on TEA website.](#)

§114.45. Level VII, Advanced High to Superior Proficiency (One Credit), Adopted 2014.

[Links to the TEKS will be included once the TEKS are available on TEA website.](#)

Chapter 113. Social Studies

**§113.47. Special Topics in Social Studies (One-Half Credit),
Beginning with School Year 2011-2012.**

<http://ritter.tea.state.tx.us/rules/tac/chapter113/ch113c.html#113.47>

Accessibility Information

I. Electronic Instructional Materials

Publishing companies that offer electronic instructional materials (e.g., CD-ROMs, DVDs or Web-based instructional materials) for adoption are required to offer these materials in an accessible format in accordance with the technical standards of the Federal Rehabilitation Act, Section 508. The standards are available at <http://www.section508.gov/index.cfm?fuseAction=stdsdoc>.

Additionally, electronic materials adopted under *Proclamation 2016* must be created to conform to the Web Content Accessibility Guidelines (WCAG) 2.0, Level AA, available at <http://www.w3.org/TR/WCAG20/>.

Publishers must mark-up print instructional materials eligible for NIMAS submission that contain mathematical and scientific instructional content by using the Math ML3 (refer to latest applicable version) module of the DAISY/NIMAS Structure Guidelines as posted and maintained at the DAISY Consortium website, available at <http://www.daisy.org/z3986/structure/SG-DAISY3/index.html>.

Accessibility Information Resources for Publishers of Electronic Instructional Materials

The following web links, publications and conferences offer essential information for publishers that are planning the development of accessible electronic instructional materials.

General

1. Section 508: <http://www.section508.gov/>
2. Resources from the World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI): <http://www.w3.org/WAI/Resources/>
3. Web Content Accessibility Guidelines (WCAG) Overview: <http://www.w3.org/WAI/intro/wcag.php>
4. How to Meet WCAG 2.0: <http://www.w3.org/WAI/WCAG20/quickref/>
5. Accessible Digital Learning Materials-Publisher/Developer Best Practices Guidelines: http://aim.cast.org/learn/practice/palm/best_practices
6. Guidelines for Describing STEM Images for Use within Digital Talking Books and on Web Sites: <http://ncam.wgbh.org/about/news/ncam-publishes-guidelines-for->
7. Conference Proceedings, Annual Conference on “Technology and Persons with Disabilities,” California State University, Northridge (CSUN): <http://www.csun.edu/cod/conference/index.php>
8. Texas Administrative Code, Chapter 206, Subchapter B, Section 206.50, Accessibility and Usability of State Web Sites: [http://info.sos.state.tx.us/pls/pub/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tl oc=&p_ploc=&pg=1&p_tac=&ti=1&pt=10&ch=206&rl=50](http://info.sos.state.tx.us/pls/pub/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tl oc=&p_ploc=&pg=1&p_tac=&ti=1&pt=10&ch=206&rl=50)

Resources for Designing Accessible Web Sites

1. Web Content Accessibility Guidelines (WCAG 2.0) – W3C:
<http://www.w3.org/TR/WCAG20/>
2. Accessible Web Authoring Resources and Education (AWARE) Center for the HTML Writers Guild: <http://aware.hwg.org/>
3. Evaluation, Repair, and Transformation Tools for Web Content Accessibility:
<http://www.w3.org/WAI/ER/tools/>
4. HTML Kit (editor, validator, Word 2000 cleanup): <http://www.chami.com/html-kit/>
5. IBM Software Accessibility Checklist Checkpoint 2.1:
<http://www-03.ibm.com/able/guidelines/web/accessweb.html>
6. WGBH's National Center for Accessible Media: <http://ncam.wgbh.org/>
7. Trace Research and Development Center's Developing More Usable Web Sites:
<http://www.trace.wisc.edu/world/web/>

Resources for Closed Captioning and Audio Description

1. Media Access Group at WGBH, The Caption Center: <http://www.wgbh.org/caption>
2. National Captioning Institute: <http://www.ncicap.org>
3. VITAC: <http://www.vitac.com>
4. Media Access Group at WGBH, Descriptive Video Service:
<http://main.wgbh.org/wgbh/pages/mag/services/description/>
5. Metropolitan Washington Ear, Inc.: <http://www.washear.org>
6. Narrative Television Network: <http://www.narrativetv.com>

II. Printed Instructional Materials

Instructional Materials and NIMAS Files Required For Automated Production of Specialized Formats (Braille, Large Type & Audio)

Under sections 612(a)(23)(A) and 674(e)(4) of the Individuals with Disabilities Education Act, as amended by the Individuals with Disabilities Improvement Act of 2004, the Secretary of Education establishes the National Instructional Materials Access Center (NIMAC) and the National Instructional Materials Accessibility Standard (NIMAS). Under Section 612(a)(23)(A) of the Act, NIMAS files of printed instructional materials are required to ensure the availability, timely production, and delivery of print instructional materials in specialized formats to blind or other persons with print disabilities in elementary and secondary schools.

Every publisher of print materials adopted under *Proclamation 2016* must provide NIMAS files of their adopted programs to facilitate the production of specialized formats. The NIMAS *Technical Specification, v1.1* can be found at http://aim.cast.org/experience/technologies/spec-v1_1. Publishers must adhere to all NIMAS guidelines including any new guidelines that are approved by NIMAC on or before November 22, 2014.

New publishers should email nimac@aph.org to request a publisher account. The NIMAC will provide instructions regarding how to set up an account, as well as complete documentation regarding submission procedures and how to prepare metadata correctly. A new publisher may be required to provide a sample NIMAS file to the NIMAC for review before they establish an account for the publisher. Specific information and resources for publishers, including a list of frequently asked questions (FAQ), can be found at the NIMAC web site: <http://www.nimac.us/publishers.html>.

NIMAS files and printed instructional materials are required for all subjects in *Proclamation 2016* for the automated production of specialized formats. However, NIMAS files are not required for Kindergarten instructional materials as the content is too pictorial for producing in a specialized format.

Each publisher participating in *Proclamation 2016* is required to provide the name, address, telephone number, fax number and e-mail address of the individual responsible for providing the NIMAS files, normally the instructional materials production manager, by September 11, 2015. Communication between TEA's Division of Instructional Materials and Educational Technology and the publisher's representative responsible for providing the NIMAS files should begin early in the file production process. Also, publishers will be requested to submit five copies of the designated print student materials and four sets of NIMAS files to be used for the production of specialized formats. Publishers should provide files of blackline masters or other materials clearly intended for student use even though they are included in the teacher component.

Publishers are required to submit five print copies and four sets of NIMAS files of student components adopted in *Proclamation 2016* that incorporate all required corrections. Corrected student components and NIMAS files must be received no later than April 29, 2016.

Procedures for Providing Electronic Files and Printed Materials to TEA and Braille, Large-Type, and Audio Producers

- (1) **Friday, September 11, 2015:** Publishers provide to the Instructional Materials and Educational Technology Division the name, address, and telephone number of the production manager of each printed textbook or instructional material being prepared for submission. This information should be sent to Ms. Kelly Griffin, at e-mail address: kelly.griffin@tea.state.tx.us, fax number (512) 463-8278, or regular address: 1701 North Congress Avenue, Room 3-110, Austin, Texas 78701.
- (2) **Week Following November SBOE Meeting:** Publishers of adopted printed instructional materials are informed of the designated Braille producers by the Instructional Materials and Educational Technology Division.

(3) **Friday, December 4, 2015:**

- (a) Publishers must provide three print copies of the adopted student materials, one copy of the NIMAS files and a screen shot from the publisher's copy of the NIMAC Validation Wizard showing that the file has successfully passed validation with "0 errors, 0 warnings" for both the XML file and OPF file to the designated Braille producer.

Publishers are not required to provide printed copies or NIMAS files of materials that are designed for use by teachers. If a teacher who is visually impaired requires a Braille version during the adoption period, a publisher will be requested to provide the agency with two printed teacher editions, if applicable. **Publishers should provide two print copies and NIMAS files of blackline masters or other materials clearly intended for student use even though they are included in the teacher component.**

(4) **Friday, March 11, 2016:**

- (a) Publishers of adopted printed instructional materials are informed of the designated large print and audio producers by TEA's Division of Instructional Materials and Educational Technology.

(5) **Friday, March 25, 2016:**

- (a) Publishers must submit one copy of the corrected NIMAS files to the designated Braille producer.
- (b) Publishers must submit one copy of the corrected NIMAS files to the designated large-print producer.
- (c) Publishers must submit one copy of the corrected NIMAS files to the designated audio producer.
- (d) Publishers must submit one copy of the NIMAS files that incorporates all required corrections to the TEA.
- (e) Publishers must submit one copy of corrected NIMAS files to the NIMAC and a screen shot from the publisher's copy of the NIMAC Validation Wizard showing that the corrected file has successfully passed validation with "0 errors, 0 warnings" for both the XML file and OPF file.

(6) **Friday, April 29, 2016:**

- (a) Publishers must submit three print copies of the corrected student components to the designated Braille producer.
- (b) Publishers must submit one print copy of the corrected student components to the designated large print producer.
- (c) Publishers must submit one print copy of the corrected student components to the designated audio producer.

APPENDIX

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Enrollment by Grade Level/Course

The enrollment information comes from the reported enrollment for each of the following courses for the 2012–2013 school year.

Course	2012–2013 Enrollment
Elementary Grades	
American Sign Language	280
Chinese	1,246
French	1,493
German	249
Japanese	21
Latin	238
Russian	304
Spanish	35,789
Turkish	44
Other Foreign Languages	1,107
Discovering Languages and Cultures	1,600
Middle School	
American Sign Language - Level I	52
Discovering Languages and Cultures	8,239
Arabic - Level I	90
Arabic - Level II	23
Arabic - Level III	17
Chinese - Level I	680
Chinese - Level II	45
Chinese - Level III	16
Chinese - Level IV	27
French - Level I	2,142
French - Level II	141

Middle School *(continued)*

French - Level III	107
German - Level I	251
German - Level II	33
Italian - Level I	25
Japanese - Level I	50
Japanese - Level II	48
Japanese - Level III	9
Latin - Level I	731
Latin - Level III	933
Turkish - Level I	1,119
Turkish - Level II	790
Turkish - Level III	825
Turkish - Level IV	15
Russian - Level I	118
Russian - Level II	34
Russian - Level III	19
Spanish - Level I	36,784
Spanish - Level II	7,605
Spanish - Level III	3,030
Spanish - Level IV	353
Other Foreign Languages - Level I	561

High School

Discovering Languages and Cultures	835
American Sign Language, Level I	14,256
American Sign Language, Level II	9,017
American Sign Language, Level III	2,166
American Sign Language, Level IV	121

High School (continued)

Arabic, Level I	63
Chinese, Level I	2,839
French, Level I	38,508
German, Level I	8,959
Hebrew, Level I	24
Hindi, Level I	32
Italian, Level I	233
Japanese, Level I	1,269
Latin, Level I	6,431
Turkish, Level I	607
Russian, Level I	206
Spanish, Level I	294,063
Spanish for Spanish Speakers, Level I	17,867
Arabic, Level II	11
Chinese, Level II	1,811
French, Level II	26,492
German, Level II	6,646
Hebrew, Level II	20
Hindi, Level II	32
Italian, Level II	162
Japanese, Level II	750
Latin, Level II	2,248
Turkish, Level II	345
Russian, Level II	162
Spanish, Level II	236,040
Spanish for Spanish Speakers, Level II	13,846
Arabic, Level III	7
Chinese, Level III	932

High School (continued)

French, Level III	8,870
German, Level III	2,400
Hebrew, Level III	10
Hindi, Level III	32
Italian, Level III	75
Japanese, Level III	341
Latin, Level III	2,248
Turkish, Level III	340
Russian, Level III	75
Spanish, Level III	85,710
Spanish for Spanish Speakers, Level III	4,178
Chinese, Level IV	73
French, Level IV	357
German, Level IV	119
Hindi, Level IV	12
Italian, Level IV	28
Japanese, Level IV	31
Latin, Level IV	90
Turkish, Level IV	32
Russian, Level IV	18
Spanish, Level IV	4,763
Spanish for Spanish Speakers, Level IV	118
Chinese, Level V	12
French, Level V	117
German, Level V	26
Japanese, Level V	11
Latin, Level V	56
Spanish, Level V	1,555

High School *(continued)*

Spanish for Spanish Speakers, Level V	95
French, Level VI	7
German, Level VI	8
Japanese, Level VI	7
Russian, Level VI	8
Spanish, Level VI	229
Spanish, Level VII	43
Spanish for Spanish Speakers, Level VII	103

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Glossary of Terms

For the purpose of *Proclamation 2016*, the following words and terms will have the following meanings:

Ancillaries Those materials not listed on the publisher's *Official Bid Form*, but that the publisher plans to provide to districts and open-enrollment charter schools free with each order. Ancillaries are not reviewed by panel members at the state level and are not adopted nor sanctioned by the SBOE.

Affidavit of Authorship or Contribution A signed and notarized document by which a publisher certifies that each individual whose name is listed on its materials as an author or contributor of content was engaged in the development of the materials. The affidavit also states in general terms the involvement of each author and/or contributor.

Affidavit of Corrections A signed and notarized document by which a publisher certifies that all required corrections of factual errors have been made.

Breakouts The result of parsing the TEKS and ELPS into constituent parts. The breakouts are shown on the correlation template and the evaluation instrument.

Citation The identification of one occurrence of a factual error, editorial change, or a specific example of content that covers one of the TEKS or ELPS.

Consumable Instructional material that is intended to be written in, depleted, or otherwise consumed during the first year of use.

Correlation Template A document, provided by the TEA, on which publishers indicate the locations in their materials where the required TEKS and ELPS are addressed. A publisher of electronic materials must include correlations as part of its products.

Depository An entity through which publishers receive and fill orders for instructional materials. Depositories must be EMAT and Electronic Data Interchange (EDI) compliant. Publishers are not required to use a depository, though it is permitted.

Educational Materials System (EMAT) The TEA's statewide electronic instructional materials management system that processes all requisitions for, payments for, and deliveries of, adopted instructional materials. School districts and open-enrollment charter schools also use EMAT to request disbursements from their Instructional Materials Allotments.

Education Service Centers (ESCs) Public entities created by state statute to provide educational support programs and services to local schools and school districts. Each of the 20 ESCs serves districts in a specific geographic area.

ELPS Please see *English Language Proficiency Standards*.

English Language Proficiency Standards (ELPS) Outline English language proficiency-level descriptors and student expectations for English language learners.

Enrichment Subjects Those subjects, other than the foundation subjects, that public schools in Texas must offer to their students. The subjects are languages other than English, health, physical education, fine arts, career and technical education, technology applications, and religious literature.

Error Form Please see *Publisher's Identification of Factual Errors*.

Evaluation Instrument (State Review Panel evaluation) A document that the state review panels use to indicate where the instructional material addresses the TEKS and ELPS and to identify factual errors.

Exhibit A Please see *Official Bid Form*.

Form B and Warranty of Publisher A signed statement certifying that the printed books submitted for adoption conform in every respect to the *Manufacturing Standards and Specifications for Textbooks (MSST)*.

Form M and Warranty of Publisher A signed statement certifying that the electronic media submitted for adoption conform in every respect to the *Manufacturing Standards and Specifications for Textbooks (MSST)*.

Foundation Subjects Those subjects other than the enrichment subjects that public schools in Texas must offer to their students. The subjects are English language arts, mathematics, science, and social studies.

Instructional Materials Allotment (IMA) An annual allocation from the Instructional Materials Fund to each school district and open-enrollment charter school. The allotment is based on student enrollment, and the per-student amount is determined annually.

Instructional Materials Fund A reserve comprised of an amount set aside by the SBOE from the available school fund and any amounts lawfully paid into the fund from any other source. Money from the instructional materials fund is used to finance the instructional materials allotment.

Instructional Materials Content that conveys the essential knowledge and skills of a subject in the public school curriculum through a medium or a combination of media for conveying information to a student. The term includes a book, supplementary materials, a combination of a book, workbook, and supplementary materials, computer software, magnetic media, DVD, CD-ROM, computer courseware, online services, or an electronic medium or other means of conveying information to the student or otherwise contributing to the learning process through electronic means, including open-source instructional materials.

Instructional Materials and Educational Technology (IMET) The division of the TEA that coordinates the acquisition of state-approved instructional materials in various media and implements and supports educational technology to prepare Texas public school students and educators for success in the 21st century.

International Standard Book Number (ISBN) A unique, 13-digit number that identifies books and book-like products internationally.

International Standard Serial Number (ISSN) A unique, eight-digit number that identifies print and electronic publications.

Manufacturing Standards and Specifications for Textbooks (MSST) The physical standards of quality and performance for K-12 instructional materials. The MSST is published by the State Instructional Materials Review Association (SIMRA).

Markup A sequence of characters or other symbols that are inserted at specific places in a text or word processing file to indicate how the file is produced when it is printed or displayed or to describe the document's logical structure. The markup indicators are often called "tags".

MathML Mathematical Markup Language (MathML) is an XML application that describes mathematical notation and capturing structure and content. MathML enables mathematics to be served, received, and processed on the World Wide Web.

National Instructional Materials Accessibility Standard (NIMAS) A technical standard used to produce (XML)-based source files, from which accessible, student-ready alternate-format versions of textbooks and core materials (e.g., Braille, e-text, Digital Talking Book, large print, etc.) can be created and distributed to students with print disabilities.

No-Contact Period The time during which appointed state review panel members are not permitted to have either direct or indirect contact regarding content of instructional materials under evaluation by the panel with any person having an interest in the adoption process. The period begins when the TEA initially contacts a nominee regarding his or her appointment to review instructional materials and ends after the SBOE adopts the instructional materials.

Nonconsumable Components that are considered self-sufficient for the entire period of the adoption.

Official Bid (Exhibit A) The document with which a publisher makes an official offer to provide specific instructional materials to the state of Texas at a fixed price. The form is based on the *Statement of Intent to Bid*, and becomes Exhibit A of the contract.

Proclamation The document issued by the SBOE calling for bids for instructional materials in selected subject areas and/or grade levels. The proclamation identifies the subject areas scheduled for review and contains the content requirements (TEKS and ELPS). Proclamations are named for the year in which the materials are intended to be available in the classroom.

Publisher's Identification of Factual Errors A document with which a publisher reports all factual errors it discovers in each student and teacher component of an instructional materials submission.

Publisher’s Identification of Editorial Changes A document with which a publisher reports all editorial changes it plans to make to each student and teacher component of an instructional materials submission.

Questions and Answers Document (Q&A) A proclamation-specific document approved by the SBOE that provides answers to questions related to the review and adoption process.

Register of Contacts Form The document with which a publisher discloses all contact with members of the SBOE. The disclosure, which is required by state law, must include the time, date, location and purpose for each communication with a member of the SBOE.

Report of Required Corrections of Factual Errors A report presented to the SBOE listing all factual errors discovered in instructional materials being considered for adoption. This report is a compilation of the errors found by the state review panels, those reported by the publishers (who are required to disclose all known factual errors), and any reported to the TEA by the general public or third-party organizations.

Schedule of Adoption Procedures The section in the proclamation that lists the specific activities and deadlines related to the review and adoption of instructional materials.

Specialized Formats A form of published material converted into an alternative medium, such as Braille, audio, digital text, which is exclusively for use by blind or other persons with disabilities, as authorized by the *Vocational-Rehabilitation Act* and the *Americans with Disabilities Act*.

Statement of Intent to Bid The document with which a publisher indicates its intention to participate in an adoption under a specific proclamation. The form requires detailed information about each instructional product to be submitted.

State Review Panel An assembly of university professors, public school teachers, parents, business and industry representatives, and other subject matter experts that conducts a full and complete investigation of the instructional materials submitted for adoption to identify the TEKS and ELPS covered and identify factual errors.

Student Component Any instructional materials that are specifically intended for use by the student. The student components may include print and non-print materials such as student editions, workbooks, and online materials.

Teacher Component Any resources that are specifically intended for use by a teacher. The teacher components may include print and non-print materials such as teacher editions, workbooks, and online materials.

TEKS Please see *Texas Essential Knowledge and Skills*.

Texas Essential Knowledge and Skills (TEKS) The state standards for the foundation and enrichment curriculum, adopted by the SBOE, that identify what students should know and be able to do at the end of each grade level or course.

Textbook Please see *Instructional Materials*.