



Welcome!

# HB 1605 Webinar Series

HB 1605 Overview for LEAs

Tuesday, 09/26/2023

# Meet your Facilitator:



**Colin Dempsey**

Division Director  
District Operations, Technology, and Sustainability Supports

Office of School Programs

## HB 1605 Webinar Series



*Additional Webinar  
Details to be  
Communicated this Fall*



Learn More:  
Visit the [HB 1605  
website](#)

or

Contact Us:

[instructional.materials@tea.texas.gov](mailto:instructional.materials@tea.texas.gov)

<https://tea.texas.gov/academics/instructional-materials/house-bill-1605>

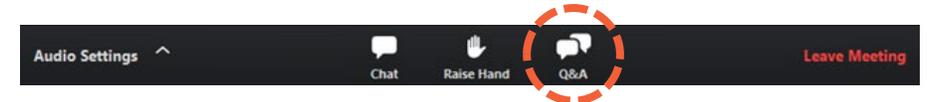
## Agenda

1. Welcome
2. Background on Instructional Materials in Texas
3. HB 1605 Timeline and Implications for Local Education Agencies
4. Q&A

## FYIs



Please ask questions by submitting them via the **Q&A** function

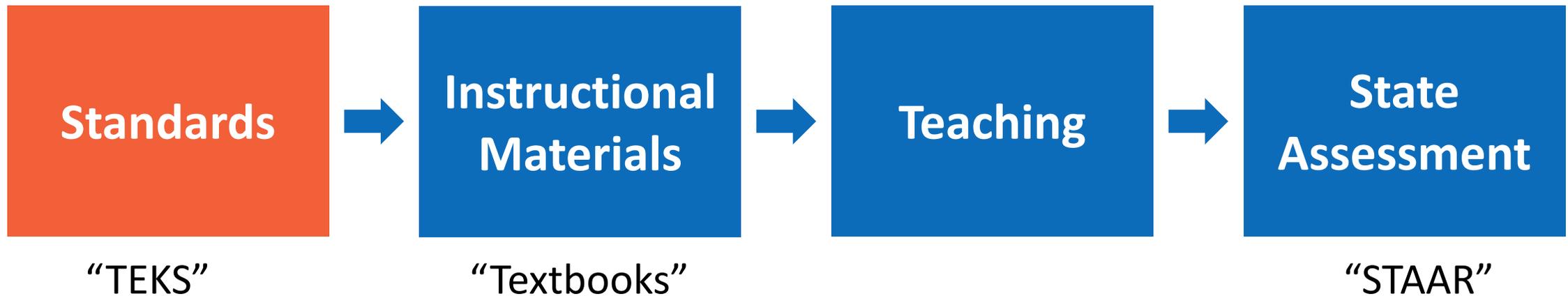


This recording and these slides will be **posted to the TEA website** after this webinar concludes

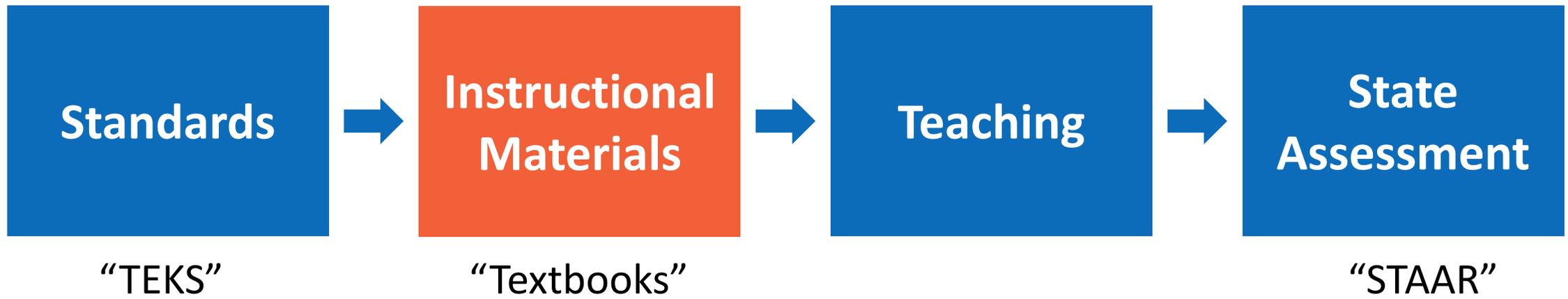


Reach out to **[instructional.materials@tea.texas.gov](mailto:instructional.materials@tea.texas.gov)** with additional questions

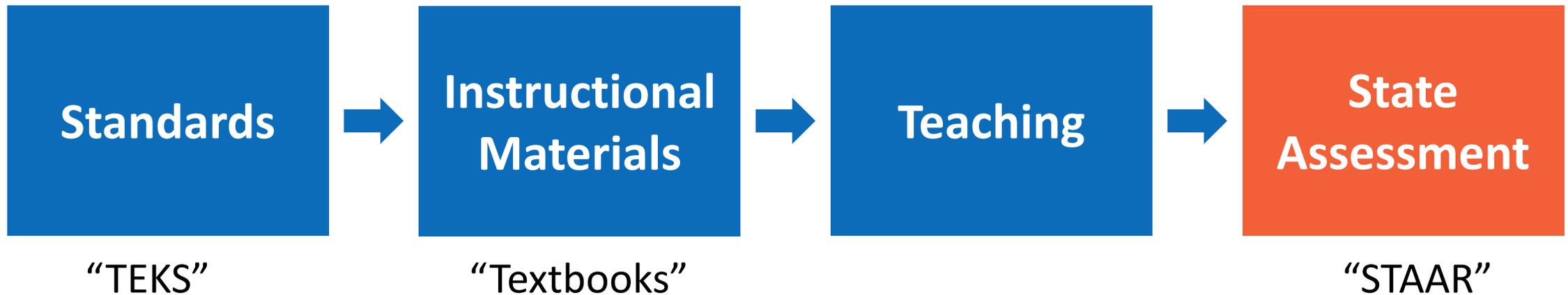
**How is public education structured to ensure students receive a general diffusion of knowledge?**



**The TEKS are the foundation of all content found in Texas public schools.**

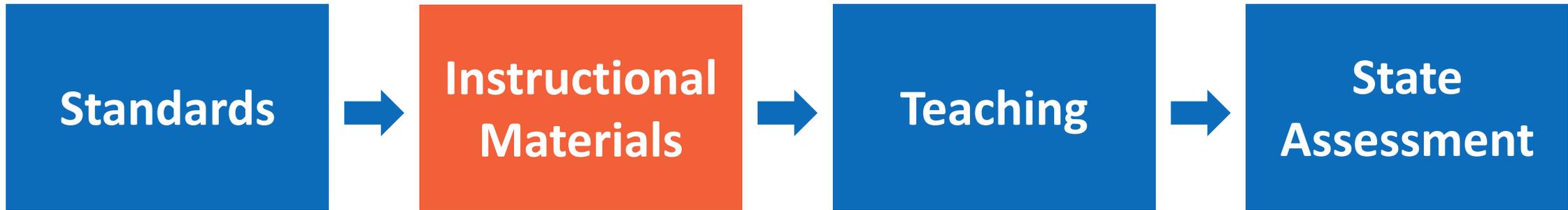


**While the TEKS describe what students should know, instructional materials are the content students actually see.**



**State summative assessments are designed to tell us whether students have learned the TEKS.**

# What are instructional materials?



## Scope & Sequence

An ordered list of the standards that are covered in a school year, including pacing guides or curriculum maps



## Unit Plans & Assessments

Topical layout of a section (e.g., 4 weeks) of a scope & sequence, and how students should demonstrate mastery when done



## Lessons Plans & Assessments

Specific description of all actions done by the teacher and students during the delivery of a single component of a unit plan, along with how students should demonstrate mastery when done



## Content Resources

Texts, novels, manipulatives, videos, prompts, etc., that are used throughout the lesson by the students and/or the teacher

# SBOE oversight of Instructional Materials massively changed in 2011 with Senate Bill 6 (82-1)

Before 2011:

- Funding was appropriated to TEA for the purchase of SBOE-adopted textbooks.
- The SBOE approved a list of textbooks that were conforming (100% TEKS coverage) & non-conforming (<100% coverage).
- School districts ordered a quantity of textbooks based on enrollment and the state paid the costs of the textbook (pro-rated for non-conforming percentages). School districts could purchase textbooks not on either list as well, but in foundation subjects would have to pay the full cost out of other local funds (i.e., a 0% reimbursement) and in enrichment subjects were provided a 70% reimbursement.

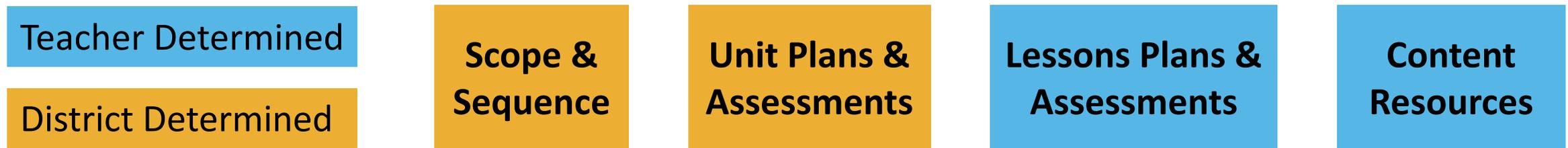
In 2011, the Texas legislature passed SB 6 to create the instructional materials allotment to replace the state's direct purchase of instructional materials for LEAs. SB 6 also:

- retained the SBOE Review and Approval Process, but eliminated the concept of a non-conforming list and maximum cost, and set minimum approval threshold at 50% coverage of the TEKS;
- created an instructional materials allotment, which allocated funding directly to school districts to purchase instructional materials on a per-student basis;
- broadened purchase eligibility from textbooks to instructional materials, including technology, and gave school systems flexibility to purchase any materials desired with their instructional materials allotment; and
- required districts to certify IMA funds are only used for eligible expenses and 100% of the TEKS have been covered by ordered materials.

**SB 6 changed law so that school districts could now get full state textbook funding even if they never purchased an SBOE-approved textbook, and textbook funding could now be used for other kinds of instructional materials that weren't textbooks.**

# Since SB 6, school system management of instructional materials has shifted away from textbooks

School systems take a spectrum of approaches in terms of how they provide instructional materials to their teachers.



The most popular approach involves districts setting common pacing expectations, giving teachers access to content resources, and asking teacher teams on each campus to craft lesson specifics. In this approach:

- It is far less common to visit a classroom where a teacher is following a specific product throughout the year (i.e., **no textbooks**).
- Teachers must be given **extensive planning time** to engage in lesson design, in addition to time teaching students. This does not occur consistently.

# Since the SB 6 shift away from textbooks, teachers have not been given enough time to build rigorous instructional materials

Teachers reported spending **7 hours per week** or **250 hours per year** developing or selecting instructional materials.

What percent of materials did teachers say they typically create or find on their own?

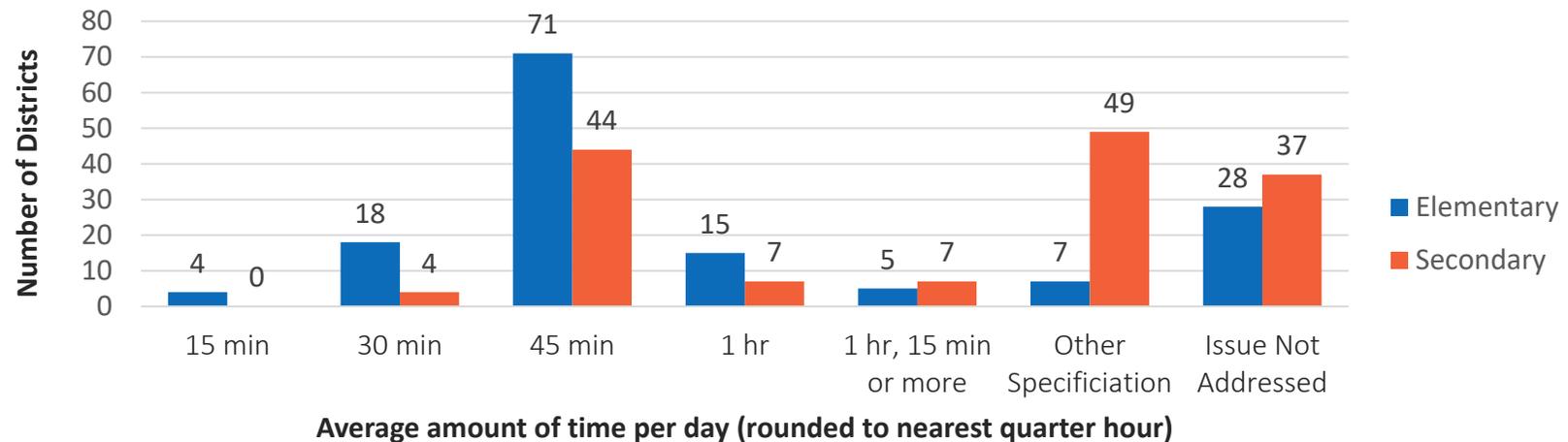


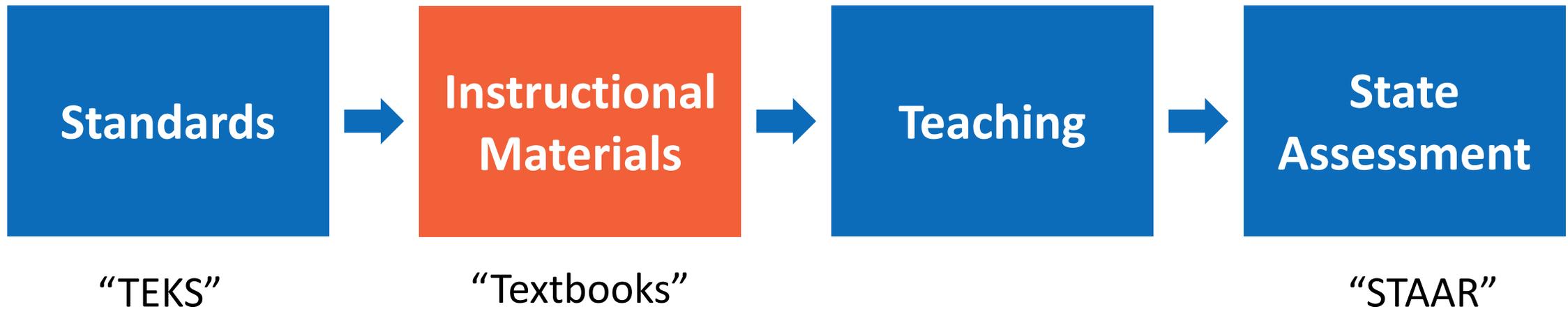
What percent of assignments collected did teachers actually create or select?



Teachers reported being given only **3 hours 45 mins per week** on average for all planning activities.

How much planning time do teachers receive?



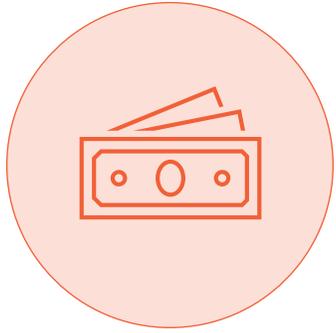


**HB 1605 returns control over instructional materials to the SBOE**  
to support a shift back to providing textbooks as a resource for teachers



# HB 1605

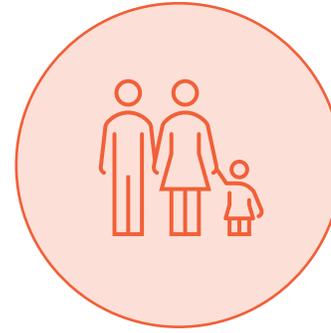
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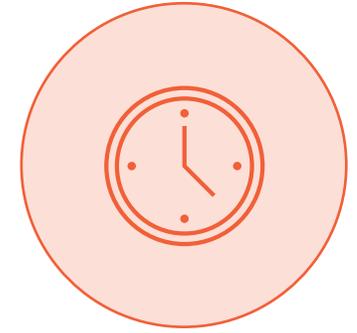
Additional Funding for Instructional Materials



New List of Approved Instructional Materials



Parent Access to Instructional Materials



Teacher Time Protections



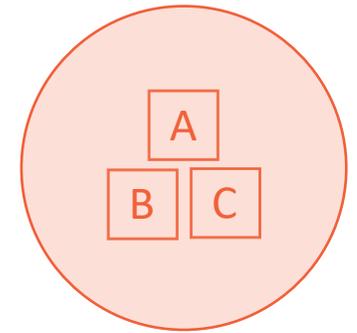
Updated Reporting Requirements



Open Education Resource Instructional Materials



Exception for Proclamation 2024



Prohibition of Three-Cueing

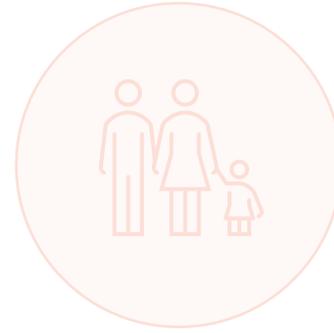
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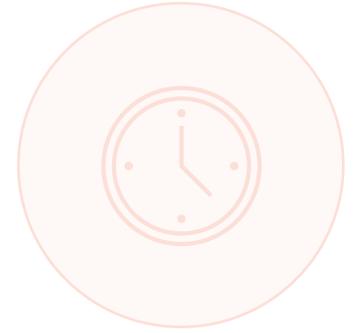
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Teacher Time  
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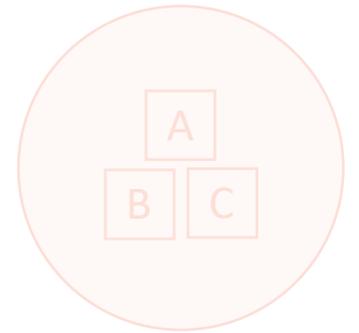
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# Instructional Materials and Technology Allotment



The Instructional Materials & Technology Allotment was restored in HB 1 to traditional levels (roughly \$1B per biennium). HB 1605 establishes two new Foundation School Program (FSP) entitlements for SBOE-approved instructional materials, in addition to the Allotment. These new FSP funds will be managed in each district's Instructional Materials and Technology Account.

## Instructional Materials and Technology Allotment

## SBOE-Approved Instructional Materials

## SBOE-Approved OER Instructional Materials

<b>2022 &amp; 2023 Biennium</b>	\$ 61.72 per student + \$ 11.32 per EB student	n/a	n/a
<b>2024 &amp; 2025 Biennium</b>	\$ 171.82 per student + \$ 15.58 per EB student	\$40 per student each school year	\$20 per student each school year
<b>Timing</b>	Biennially	+	Annually
<b>Carryover of Funding</b>	Yes, unexpended balances carryover	+	Yes, unexpended balances carryover
<b>Allowable Use of Funds</b>	Any instructional materials and technology needed to implement those instructional materials	+	Only SBOE-approved instructional materials from the new process established in HB 1605
			No, unexpended balances do not carryover
			Only costs associated with printing SBOE-approved open education resource (i.e. state-owned) instructional materials

Total allotment for the 2024 & 2025 biennium including new state aid is \$1.562 Billion or \$275.41 per-student



# HB 1605 Implications for LEAs



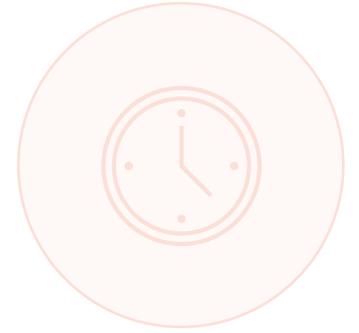
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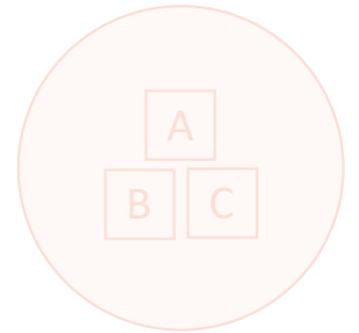
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# New Authority for the State Board of Education

HB 1605 repeals the traditional instructional materials proclamation cycle in which the State Board of Education (SBOE) issued a proclamation to call for new instructional materials based on an adoption cycle for foundation and enrichment subjects.

## Prior Law

- Every 8 years the SBOE was required to issue an instructional materials proclamation in foundation curriculum subjects to sign new contracts with publishers.
- This often resulted in the SBOE revising TEKS on timelines to align with the 8-year cycle for adoption of instructional materials in the foundation curriculum subjects.

## New Law

- Under HB 1605, the SBOE can review new instructional materials for a subject each year, even if TEKS aren't changed.
- The 8-year cycle has been repealed.
- Under HB 1605, when TEKS are changed, the SBOE must issue a proclamation for instructional materials and adopt materials by December 1st of the year before the TEKS take effect.

# Instructional Materials Review and Approval (IMRA) Criteria



HB 1605 also creates a new process and criteria for the State Board of Education to review and approve instructional materials. Instructional Materials will now be assessed against these main criteria:

Standards Alignment Percentage	Quality Review		Suitable & Appropriate*	Factual Errors	Physical and Electronic Specifications	Parent Portal
	Standards Proficiency	Instructional Design*				
Materials cover a minimum % of standards as determined by SBOE	Material quality supports student's ability to demonstrate proficiency in the standards	Materials designed in alignment with cognitive research on how students learn and with appropriate supports for the teacher  *Also ensures compliance with three-cuing ban	Content in materials meet suitability requirements defined by SBOE and other provisions of TEC (e.g., §28.002(h))  * Also ensures no obscene or harmful content under CIPA, TEC §28.0022, Penal Code §43.22	Materials do not contain factual errors	Material components meet physical and digital requirements	Materials included on parent portal that meet transparency requirements





# IMRA Timeline – September 2023



2023												2024												2025											
6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12					
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## September 2023

SBOE discussed the overall Instructional Materials Review and Approval (IMRA) process and approach to the quality rubric design.

[View the recording of the SBOE discussion item.](#)



# In September, the SBOE Advised the Agency to Draft IMRA Rubrics for Use in the First IMRA Review to Begin in 2024

Content Area	Grade Band	Scope	Proposed Aligned Rubric*
English Reading Language Arts	K–5	Full-Subject Tier One	K–3 RLA, 4–8 RLA
English Phonics	K–3	Partial-Subject Tier One	K–3 Partial English
Spanish Reading Language Arts	K–5	Full-Subject Tier One	K–3 SLAR, 4–6 SLAR
Spanish Phonics	K–3	Partial-Subject Tier One	K–3 Partial Spanish
Mathematics	K–12	Full-Subject Tier One	K–5 Math, 6–12 Math

Science materials adopted by the SBOE in the Proclamation 2024 process (which will likely occur in November 2023) will be the only science materials adopted by the state in the near term – no subsequent approval under the new 1605 IMRA process is planned for the near future.

[Details on the 2024 Proclamation were shared in a TAA published on 9/21/23](#)

# Tentative IMRA Timeline – November 2023



2023						2024												2025													
6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	
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## November 2023

SBOE will begin discussion on the following IMRA criteria, process and related rules.

### IMRA Criteria decisions:

- Set minimum TEKS percentage
- Quality rubrics
- Suitability rubric
- Factual error definition

### IMRA Process decisions:

- Material selection rules
- Instructional materials review procedure rules
- Public instructional materials review requirements

### Other HB 1605 decisions:

- Physical & digital materials specifications requirements
- Parent portal requirements
- Instructional materials contracts standard terms & conditions

# Tentative IMRA Timeline – December 2023



2023							2024												2025											
6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
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## December 2023

SBOE will continue discussion on the IMRA criteria, process and related rules.

# Tentative IMRA Timeline – January 2024



2023							2024												2025											
6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
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## January 2024

SBOE will continue discuss and approve some of the on the IMRA criteria, process and related rules.

# Tentative IMRA Timeline – April 2024



2023						2024												2025												
6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
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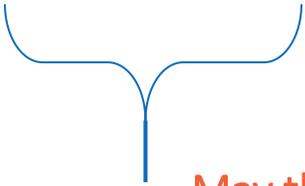
April 2024

SBOE will finalize review criteria and process.

# Tentative IMRA Timeline – May through August 2024



2023						2024												2025												
6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
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## May through August 2024

Agency will conduct the review of first batch of instructional materials in the IMRA process.

# Tentative IMRA Timeline – September 2024



2023						2024												2025												
6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
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## September 2024

SBOE will review the reports and recommendations from the Agency.

Public testimony is taken on any of the materials under consideration.

# Tentative IMRA Timeline – November 2024



2023						2024												2025												
6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12
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November 2024

SBOE will decide to place instructional materials on the approved list, take no action, or place materials in the rejected list.

Once approved, funding for the approved materials list becomes available for districts to use in EMAT.

# Tentative IMRA Timeline – December 2024



2023						2024												2025													
6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	
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## December 2024

New resources and an updated EMAT site available for districts to compare and requisition approved and reviewed instructional materials.

# What to Expect in December 2024



## A new website to assist school districts in locating and selecting instructional materials including:

- List of instructional materials reviewed as part of the IMRA process
- IMRA results and agency recommendations
- SBOE determination on reviewed materials
- Technology required to use the materials
- Pricing for these materials
- Other relevant information to assist in materials selection



## An updated EMAT for instructional materials procurement, reporting and LEA account management

- Improved user experience design
- New reporting features to manage LEA instructional materials and technology accounts and reporting requirements
- The applicable \$40- and \$20-per-student allotments for SBOE-Approved instructional materials will be visible in EMAT with requisition functionality for the approved materials in early Spring of 2025

# Possible Instructional Materials Timeline for SBOE



	2023	2024	2025	2026	2027	2028	2029	
<b>Instructional Materials Review &amp; Approval</b>	Discuss new SBOE IMRA Process and Criteria for first content areas	<ul style="list-style-type: none"> <li>Adopt new SBOE IMRA Process and Criteria for first content areas</li> <li>Conduct first IMRA Process and adopt first set of materials</li> </ul>	<ul style="list-style-type: none"> <li>Adopt SBOE IMRA Criteria for additional content areas and conduct the IMRA Process in these content areas</li> <li>Continue to conduct IMRA Process for content areas with Criteria previously approved</li> </ul>			<ul style="list-style-type: none"> <li>Continue to conduct IMRA Process for content areas with Criteria previously approved</li> <li>Conduct IMRA Process and adopt materials in ELAR due to the updated ELAR TEKS Addendum</li> </ul>	Continue to conduct IMRA Process for all content areas on an ongoing basis, and in any content area when TEKS are changed	Continue to conduct IMRA Process for all content areas on an ongoing basis, and in any content area when TEKS are changed

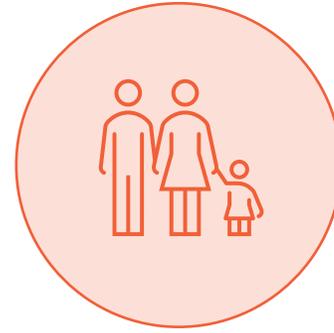
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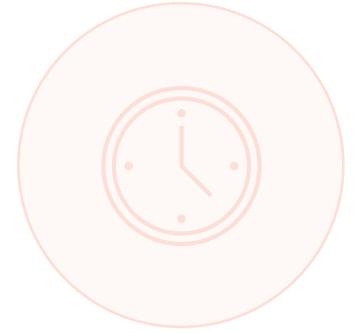
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New List of Approved Instructional Materials



Parent Access to Instructional Materials



Teacher Time Protections



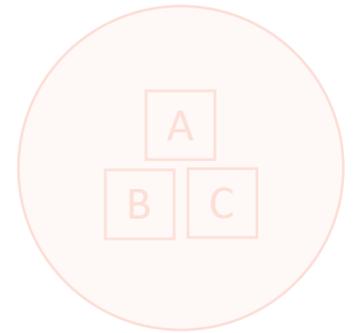
Updated Reporting Requirements



Open Education Resource Instructional Materials



Exception for Proclamation 2024



Prohibition of Three-Cueing



# Parent Transparency

## Parent Portals for Instructional Materials

Publishers with instructional materials placed on the approved list by the SBOE in the new IMRA process will be required to make those materials available online for parents to access via a parent portal.

Requirements for districts to allow in-person access to instructional materials apply to all instructional materials regardless of their approval by the SBOE.



# Parent Transparency

## Parent Requests for Local Review of Classroom Materials

Parents may request a review of instructional materials used by a classroom teacher in a foundation curriculum course to determine the degree to which the material corresponds with the materials adopted by the district and the degree to which the materials meet the level of rigor of the TEKS for the grade level in which they are being used.

Grant funding will be available to assist LEAs in conducting these reviews.

# HB 1605 Implications for LEAs



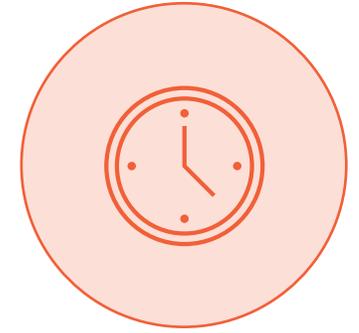
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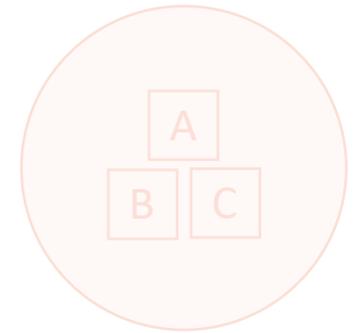
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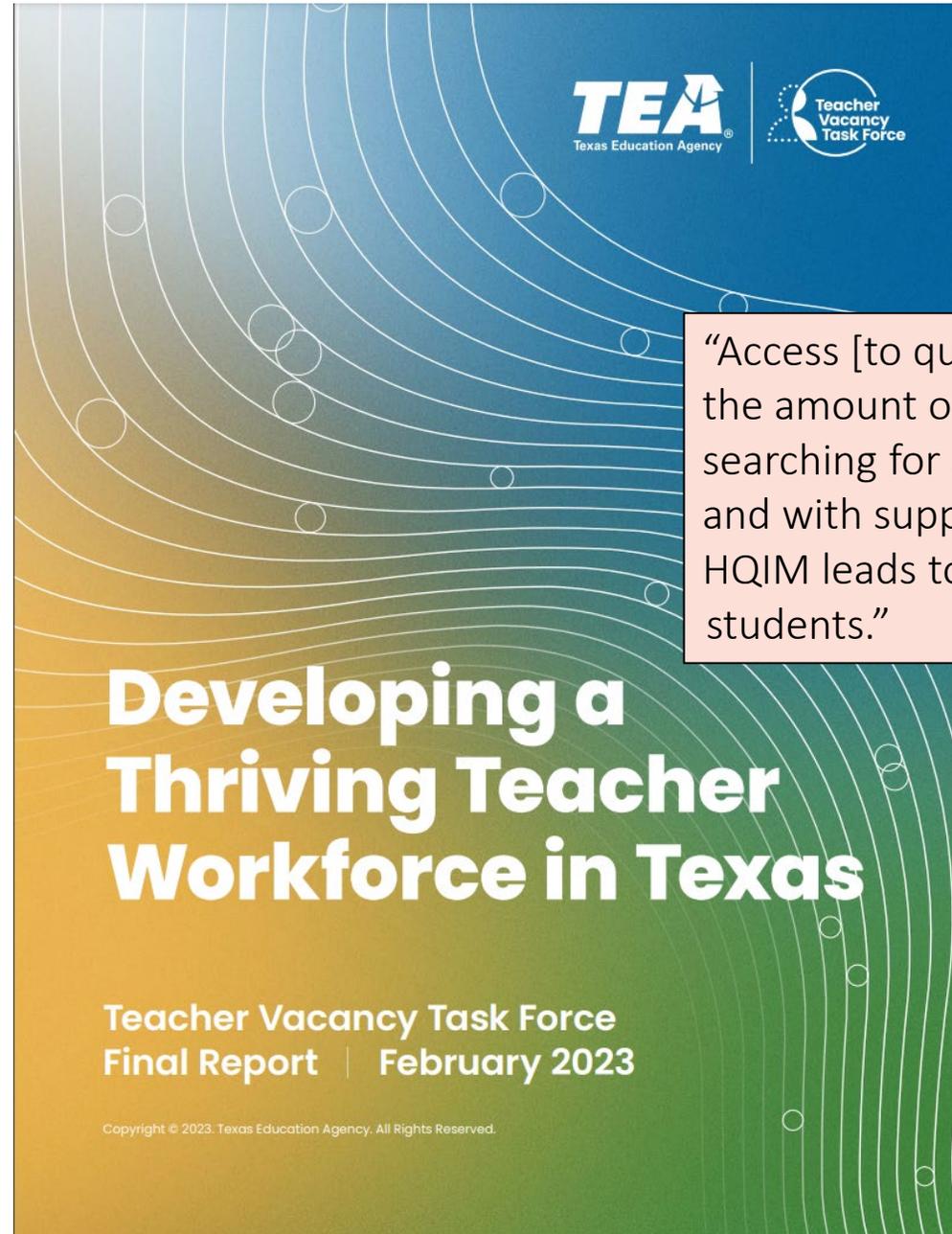


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# What Teachers Tell Us They Need



“Access [to quality materials] reduces the amount of time teachers spend searching for and curating materials, and with support for implementation, HQIM leads to improved outcomes for students.”



# Teacher Time Protections

A unit or weekly lesson plan that is included in instructional material, as defined by Section 31.002, and adopted by the board of trustees of the school district at which a teacher is employed is sufficient to satisfy a requirement to prepare written information. TEC §11.164



# Teacher Time Protections

Teachers cannot be required to use their bi-weekly planning time to create initial instructional materials unless there is a supplemental duty agreement with the teacher. TEC § 21.4045

# HB 1605 Implications for LEAs



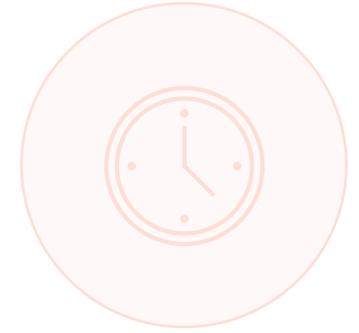
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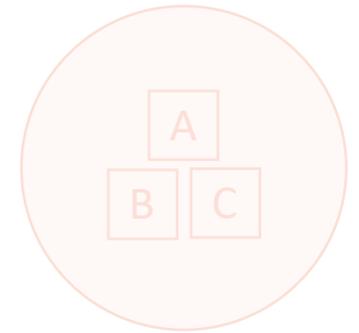
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## Report to Agency

A new reporting requirement was established by HB 1605.

Each school district annually will report to the agency information regarding the instructional materials used by the district during the previous school year including the cost of each of these materials to assist the agency in ensuring compliance of publishers with fair pricing of their instructional materials.

# Certification of Provision of Instructional Materials



HB 1605 updates the requirements of the annual TEKS Certification Process.

Local education agencies must certify that in the provision of instructional materials they protect students from obscene or harmful content as necessary for compliance with

- the Children's Internet Protection Act;
- TEC section 28.0022;
- TEC section 43.22, Penal Code; and
- any other law or regulation that protects students from obscene and harmful content

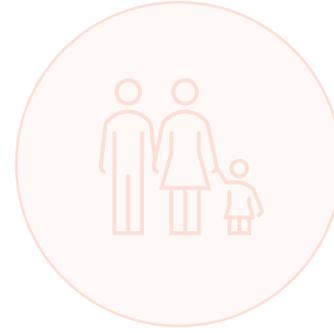
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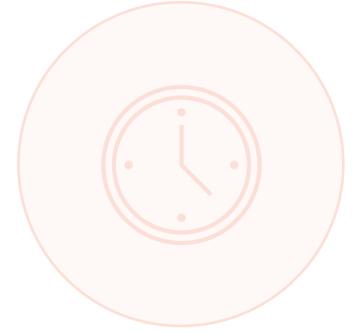
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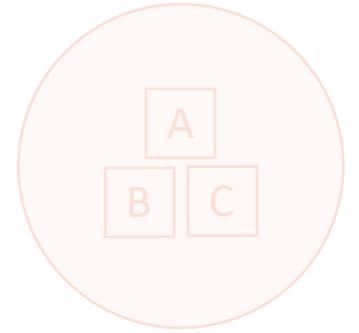
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# Open Education Resource (OER) Instructional Materials



- TEA has been authorized to acquire open education resource instructional materials under law since 2009.
- OER instructional materials are materials where the underlying intellectual property of the resource is owned by the state or is otherwise free-in-perpetuity to Texans and can be edited over time based on feedback. OER owned by the state can be downloaded in PDF format and used by anyone for free or can be printed.
- HB 1605 now requires TEA to purchase and/or develop OER full-subject tier one instructional materials for English language arts and reading (ELAR) and math, in grades prekindergarten through 8.
- TEC, §31.071, also requires TEA to purchase and/or develop OER versions of full-subject tier one instructional materials in grades K–5 that can be used by teachers to cover core subjects (English, math, science, and social studies) in an integrated manner in 240 minutes per day of instruction.

# High-Quality Instructional Materials (HQIM) in Texas will now be defined by the SBOE through the IMRA Process



As part of HB 1605, OER instructional materials must be reviewed and approved before being made available to LEAs.



Once approved, these materials will be eligible for the additional \$20 per student allotment outlined in the bill.

# OER Selection by A School District

A local education agency may adopt open education resource instructional material at any time.

A school district may not be charged for costs associated with the selection of an OER instructional material except for the cost of printing.

**The agency cannot require a school district to adopt or use OER materials.**

# OER Repository

HB 1605 requires the commissioner to develop a website to house the agency open education resource instructional materials, or OER Repository.

The repository must allow a person to provide feedback on the OER materials to assist the agency in improving and updating the instructional materials.

The repository must also be capable of allowing a person to order a printed copy of the OER materials for their own use.

# HB 1605 Implications for LEAs



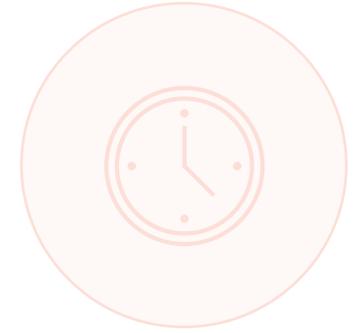
Additional Funding for Instructional Materials



New List of Approved Instructional Materials



Parent Access to Instructional Materials



Teacher Time Protections



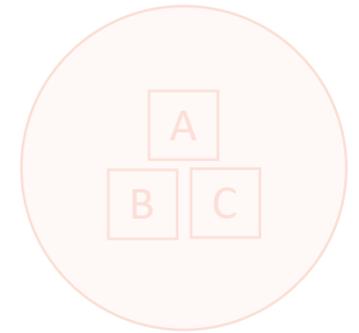
Updated Reporting Requirements



Open Education Resource Instructional Materials



Exception for Proclamation 2024



Prohibition of Three-Cueing

# Proclamation 2024 Exception



- The State Board of Education (SBOE) issued *Proclamation 2024* at its April 2022 meeting to call for science, grades K–12; technology applications, grades K–8; personal financial literacy and economics; and several CTE courses.
- The SBOE is scheduled to adopt materials for *Proclamation 2024* in November 2023. The adopted materials will go into classrooms in the 2024–25 school year.
- This Proclamation was preserved by HB 1605 and the materials adopted by the SBOE will be available in EMAT for requisition by June of 2024.
- Science materials adopted by the SBOE in the Proclamation 2024 process will be the only science materials adopted by the state in the near term – no subsequent approval under the new 1605 IMRA process is planned for the near future.



# HB 1605 Implications for LEAs



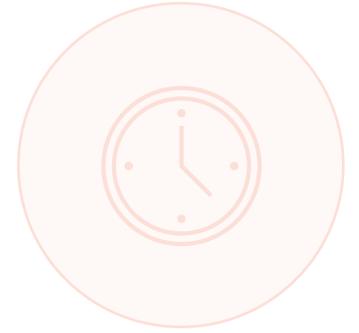
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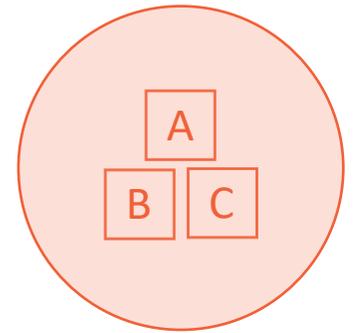
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Open Education Resource Instructional Materials



Exception for Proclamation 2024



Prohibition of Three-Cueing

# Prohibition of Three-Cueing

HB 3 (2019) required the use of a phonics curriculum, pending TEA rulemaking. TEA rules took effect April 2022, and a compliant & non-compliant phonics textbook list was published by TEA in spring 2023.

HB 1605 defines three-cueing and prohibits local education agencies from incorporating the practice in any of their instruction for the phonics curriculum.

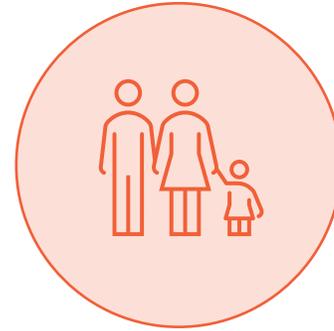
# HB 1605 Implications for LEAs



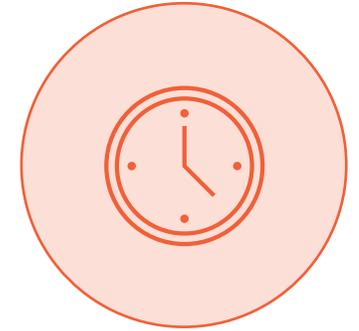
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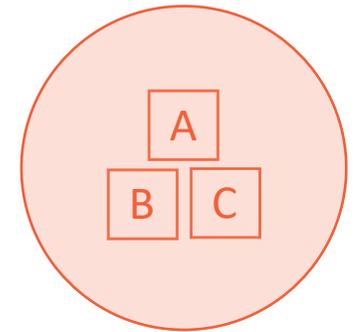
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# Q&A

# Question and Answer



Please ask questions by submitting them via the **Q&A** function.

You will see replies in the Q&A window. The host can also answer your question live (out loud). You will see a notification in the Q&A window if the host plans to do this.

# Exit Ticket

**Please take a moment to complete our exit ticket:**

<https://tinyurl.com/HB1605Webinar>



**Thank You!**