

Chapter 67. State Review and Approval of Instructional Materials

Subchapter C. Local Operations

§67.61. Sample Copies of Instructional Materials for School Districts.

- (a) Upon request by the instructional materials coordinator of a school district or an open-enrollment charter school, a publisher shall provide one complete electronic sample in an open file format or closed format of approved instructional materials. Samples of learning systems and electronic, visual, or auditory media may be provided in demonstration or representative format. Samples of instructional materials provided to school districts shall be labeled "Sample Copy - Not for Classroom Use."
- (b) Samples supplied to school districts shall be provided and distributed at the expense of the publisher. No state or local funds shall be expended to purchase, distribute, or ship sample materials. Publishers may make arrangements with school districts or open-enrollment charter schools to retrieve samples after local selections are completed, but the state does not guarantee return of sample instructional materials.

Statutory Authority: The provisions of this §67.61 issued under Texas Education Code, §31.003(a); and §31.022 and §31.023, as amended by House Bill 1605, 88th Texas Legislature, Regular Session, 2023.

Source: The provisions of this §67.61 adopted to be effective March 30, 2025, 50 TexReg 2072.

§67.63. Selection and Local Adoption of Instructional Materials by School Districts.

- (a) Each local board of trustees of a school district or governing body of an open-enrollment charter school shall select instructional materials in an open meeting as required by Texas Government Code, Chapter 551, including public notice.
- (b) A school district or an open-enrollment charter school may requisition instructional materials on the list approved under the Texas Education Code, §31.023, for grades above the grade level in which the student is enrolled.
- (c) Locally adopted instructional materials shall be supplied to a student in special education classes as appropriate to the level of the student's ability and without regard to the grade for which the instructional material is adopted or the grade in which the student is enrolled.
- (d) School districts or open-enrollment charter schools shall not be reimbursed from state funds for expenses incurred in local handling of instructional materials.

Statutory Authority: The provisions of this §67.63 issued under Texas Education Code, §31.003(a); and §31.022 and §31.023, as amended by House Bill 1605, 88th Texas Legislature, Regular Session, 2023.

Source: The provisions of this §67.63 adopted to be effective March 30, 2025, 50 TexReg 2072.

§67.69. Local Review of Classroom Instructional Materials.

- (a) School districts and open-enrollment charter schools must establish a process by which a parent of a student may request an instructional material review under Texas Education Code, §31.0252, for a subject area in the grade level in which the student is enrolled. This process shall:
 - (1) establish minimum requirements for a parent's petition to the school district board of trustees for a local review of classroom instructional materials, including submission guidelines and timelines for the petition. The process must align to the statewide submission window of September 1 through the last instructional day for students. The process must require that the board consider such petitions at the regular board meeting that allows proper posting immediately following submission of the petition provided that it is submitted by the prescribed submission deadline;
 - (2) require parent petitions to include the student assignment, grade level, content area, campus name, and teacher name to complete the local review process; and

- (3) establish an appeal process for parents if a petition for a local review is denied by the school district board of trustees, detailing steps for submitting an appeal, the criteria for reviewing the appeal, and the timelines for a final decision.
- (b) A school district or open-enrollment charter school is requested to notify the State Board of Education member(s) representing the district or charter school, at the member's state email address as listed on the SBOE.Texas.gov website, within one week of a decision to approve a parent request for local classroom review and one week after receiving the final report.

Statutory Authority: The provisions of this §67.69 issued under Texas Education Code, §26.0061, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023; §31.003(a); and §31.0252, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023.

Source: The provisions of this §67.69 adopted to be effective May 25, 2025, 50 TexReg 2966.