

STATE BOARD OF EDUCATION



# **PROCLAMATION 2014**

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## **Question and Answer Document**

Texas Education Agency  
Austin, Texas

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# Questions and Answers

The requirements discussed in this Question and Answer Document pertain to evaluation procedures and curriculum requirements at the state level. These procedures and requirements do not preclude school districts and charter schools from using additional criteria for their selection of state-adopted instructional materials.

## General

- Question** Is it permissible to provide a 3<sup>rd</sup> party software with an instructional material submission?

**Answer** There is no restriction on including 3<sup>rd</sup> party software in an instructional materials submission. However, a publisher of adopted products will be required to sign a contract agreeing to make its product available for an initial eight-year contract period and at least one four-year re-adoption period (for a total of not more than 12 years). In signing the contract, publishers affirm that the state's or a district's use of the product will not infringe on any 3<sup>rd</sup> party rights.
- Question** Are there any system requirements for the platform or media types used by publishers for electronic delivery? If so, please provide.

**Answer** There are no specific system requirements for the platform of electronically delivered instructional materials. However, on the Statement of Intent to Bid, a publisher must disclose the system requirements of the product. Instructional materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508, and all materials delivered online must meet minimum web-based standards, available at <http://www.w3.org/standards>.
- Question** When will enrollments be made available for the Technology Applications courses that currently don't have enrollments in the Proclamation?

**Answer** Because those are new courses beginning with the 2012-2013 school year, enrollment data for those courses will not be available until the spring of 2013.
- Question** When the content is exactly the same in the electronic and print versions of the instructional materials submitted for adoption, can the layout of the content be different in the two different media? For example, if a two-column format is deemed most efficient and readable for a printed text, but a one-column format is considered most effective for online reading, could a publisher provide the exact same content in different layout formats in the printed and electronic versions of the instructional material?

**Answer** Yes, a publisher may provide the exact same content in different layout formats in the printed and electronic versions. There is no requirement that electronic versions of products match the print versions. Each product bid is reviewed individually to determine TEKS coverage.

5. **Question** In previous Proclamations, the contract term has been for six years. On page 12 under the "Requirements for Participating Content Providers" section, there is a mention of an initial contract of eight years. Can this be confirmed, and will it be the standard term for future Proclamations?
- Answer** Texas Education Code §31.026(b) mandates that the term of the instructional materials contract coincide with the State Board of Education's adoption cycle. Senate Bill 6, passed by the 82<sup>nd</sup> Texas Legislature, extended the adoption cycle from six years to eight years. Beginning with Proclamation 2014, and unless or until the length of the adoption cycle is revised, all initial instructional materials contracts will be for a term of eight years.
6. **Question** Is the initial contract for Proclamation 2014 materials for 6 years or 8 years?
- Answer** The term of the contract for Proclamation 2014 is 8 years. Texas Education Code §31.026(b) mandates that the term of the instructional materials contract coincide with the State Board of Education's adoption cycle. Senate Bill 6, passed by the 82<sup>nd</sup> Texas Legislature, extended the adoption cycle from six years to eight years. Beginning with Proclamation 2014, and unless or until the length of the adoption cycle is revised, all initial instructional materials contracts will be for a term of eight years.
7. **Question** It appears that some of the Health Science courses (A & P, Medical Microbiology for example) have been included in Proclamation 2014, but others (Principles of Health Science, Medical Terminology for example) have not.
- Answer** Only those CTE courses for which students receive science credit are included in Proclamation 2014. Only those CTE courses for which students receive mathematics credit are scheduled to be included in Proclamation 2015.
8. **Question** If 19 TAC §66.51 (a)(7) will be deleted, does that mean that the requirements therein go away, or are they stipulated elsewhere? [§66.51(a)(7) "Instructional materials submitted for adoption shall be self-sufficient for the period of adoption. Nonconsumable components shall be replaced by the publisher during the warranty period. Consumable materials included in a student or teacher component of a submission shall be clearly marked as consumable. An item not marked as "consumable" is deemed to be "nonconsumable."]
- Answer** Publishers are no longer required to mark consumables as such. However, publishers are still required to indicate whether components are consumable on their bid documents.
9. **Question** Recent amendments to 19 TAC Chapter 66 introduced the phrase *student text narrative* into SBOE rule. Can you please define *student text narrative*?
- Answer** The term *student text narrative* denotes the portion of the material that instructs the student or provides an opportunity for the student to acquire knowledge or learn a skill. This is in contrast to the portion of the materials that checks for understanding or asks a student to demonstrate knowledge or practice a skill. Any instructional material that is intended for use by the student and provides an opportunity for the student to acquire knowledge or learn a skill could be considered *student text narrative*.

10. **Question** Please define *student version* and *teacher version*. These terms are not in the Glossary. Are *student version* (Proc. 2014, page 1) and *student component* (Proclamation 2014, page A-6) synonymous? Are *teacher version* and *teacher component* synonymous? If they are not synonymous, please define/clarify/tell the difference.
- Answer** The term *student version* encompasses all of the components of an instructional materials submission that are intended specifically for use by the student. Student version and student component are not necessarily synonymous, as a student version can be comprised of several student components. An instructional materials submission that includes only a student textbook, would have a student version comprised of one student component. An instructional materials submission that includes a student textbook, a student workbook, and an electronic resource for the student would have a student version comprised of three student components. This distinction is the same for teacher version and teacher component.
11. **Question** Are the terms *student text narrative* (from Chapter 66), *student version*, and *student component* (from Proclamation 2014) synonymous? If they are not synonymous, please define/clarify/tell the difference.
- Answer** *Student text narrative*, *student version*, and *student component* are not synonymous. The term *student text narrative* denotes the portion of the material that instructs the student or provides an opportunity for the student to acquire knowledge or learn a skill. This is in contrast to the portion of the materials that checks for understanding or asks a student to demonstrate knowledge or practice a skill. The term *student version* encompasses all of the components of an instructional materials submission that are intended specifically for use by the student. A *student version* can be comprised of several *student components*. An instructional materials submission that includes only a student textbook, would have a student version comprised of one student component. An instructional materials submission that includes a student textbook, a student workbook, and an electronic resource for the student would have a student version comprised of three student components. Another way to understand the three terms is as follows: *student text narrative* is a description of specific content within a *student component*. A *student component* is a specific element (workbook, textbook, website, etc.) of the *student version* of a product. The *student version* of a product must have at least one *student component*, but often has several. Please see the answers to questions 67, 68, and 69 for information regarding TEKS coverage in student material.
12. **Question** Can you please explain how the requirements for student text narrative and student version should be interpreted?
- Answer** The first sentence of 19 TAC §66.36 (a)(1) asserts the requirement that the TEKS are to be met in both the student version and teacher version of the instructional materials, mirroring what is found in Texas Education Code §31.023(a). Subsequent language in 19 TAC §66.36 (a)(1) elaborates on this requirement, explaining that, in the student version of the instructional materials, the TEKS must be met at least once in the student text narrative, or its electronic equivalent, and once in either an end-of-section review exercise, an end-of-chapter activity, or a unit test, or their electronic equivalents. To be considered sufficiently addressed, a student expectation must be covered at least twice in the student version of the instructional materials—as described in 19 TAC §66.36 (a)(1)—and at least twice in the teacher version of the instructional materials.

13. **Question** For Science (Spanish), grades K-5, what items or components (with respect to Science [English], Grades K-8) must be submitted? What are at the option of the publisher?
- Answer** For state adoption, there is no requirement that Spanish materials have similar components to English materials, though school districts or charter schools may have different expectations. Each submission is reviewed independently to determine TEKS coverage. Adoption by the State Board of Education of one version of a submission does not necessarily guarantee the adoption of related versions.
14. **Question** Is it correct that Senate Bill 6 changed the term *textbook* to instructional material?
- Answer** Yes, Senate Bill 6, passed by the 82<sup>nd</sup> Texas Legislature, changed the term *textbook* to *instructional materials* in the Texas Education Code.
15. **Question** For adopted electronic materials, how will TEA and/or school districts assist publishers in preventing digital piracy, unauthorized copying of proprietary materials and posting them on the Internet in open access?
- Answer** Preventing the unauthorized use of instructional materials used in schools is the responsibility of each district or charter school and the publisher of the materials it uses. The TEA encourages both districts/charter and publishers to take a proactive approach in protecting their proprietary materials against piracy.
16. **Question** If a publisher of adopted electronic instructional materials does not use a depository, will EMAT orders come directly to the publisher? If so, in what form?
- Answer** Orders will come to publishers in EDI (Electronic Data Interchange) form within the EMAT system. Please see the answers to questions 17 and 18 for related information.
17. **Question** Since a state textbook depository is no longer a requirement of the adoption, may publishers ship directly to districts from a location outside of Texas?
- Answer** Yes, publishers may ship instructional materials to school districts from a location outside of Texas. However, in accordance with statute, the TEA will pay only intrastate freight for adopted instructional materials.
18. **Question** Senate Bill 6 removed the requirement to utilize a textbook depository; however, Chapter 66 says that publishers must ship without charge if they are not utilizing a depository. Is this still the case?
- Answer** For adopted instructional materials that are shipped from a depository within the state, the intrastate freight, shipping, and expenses associated with delivering the materials from the depositories to the districts and charter schools will be paid by the state, subject to the requirements of the instructional materials contract. For products shipped to districts and charter schools from outside the state, publishers must deliver the materials directly to districts and charter schools.
19. **Question** Will teacher materials be required to be sold in electronic form?
- Answer** Only for technology applications products, which must be entirely electronically delivered. For all other courses, there is no specified format for the teacher materials.

20. **Question** Will student materials be required to be sold in electronic form?  
**Answer** Only for technology applications products, which must be entirely electronically delivered. For all other courses, there is no specified format for the student materials.
21. **Question** Will implementation training be required with adopted programs?  
**Answer** Though providing implementation training is encouraged, it is not required.
22. **Question** Will ongoing support of professional development be required with adopted programs?  
**Answer** Though ongoing support of professional development is strongly encouraged, it is not required.
23. **Question** Is TEA accepting 100% online programs for full course credit in math and science categories (i.e., courses that are taught by district personnel but conducted entirely online either for full credit or credit recovery)?  
**Answer** The review of materials submitted in response to the proclamation is related to TEKS coverage. An online program would be reviewed to determine the extent to which it covers the TEKS for the subject and grade level for which it is intended. The awarding of course credit is the prerogative of the local districts and charter schools and is not a consideration during the review of materials.
24. **Question** May we submit materials that require Flash to be utilized (i.e., electronic materials that are not necessarily compatible with all mobile devices)?  
**Answer** Yes. A publisher may submit materials that work on only certain devices. There are not any specific platform requirements at the state level. However, school districts or charter schools may have different expectations for local adoption. On the Statement of Intent to Bid, publishers must indicate the device(s) with which their products are compatible.
25. **Question** Will the state be evaluating intervention programs?  
**Answer** The review of materials submitted in response to the proclamation is related to TEKS coverage. An intervention program would be reviewed to determine the extent to which it covers the TEKS for the subject and grade level for which it is intended.

26. **Question** Will TEA accept materials that are skill-based rather than grade-based (i.e., in 100% alignment with the TEKS but not aligned specifically by sequential grade level)? For example, a program aligns to 100% of the grade 5 TEKS, but not all in grade 5 – TEKS are 100% covered, but over a grade span of grades 5-10.
- Answer** Yes. Bids for materials that are skill-based rather than grade-based will be accepted. Materials submitted for multiple grade levels will be reviewed for TEKS coverage at each individual grade level. To be eligible for adoption at each grade level, instructional materials must meet at least 50% of the elements of the Texas Essential Knowledge and Skills (TEKS) for each subject and grade level for which the materials are intended in both the student version and the teacher version of the instructional materials. If TEKS for one grade are addressed in content intended for other grades, then the students in the one grade must have access to the content for the other grades in order for those TEKS to be counted toward eligibility for adoption. As an example, a skill-based product intended for grades 5-8 that meets 40% of the grade 5 TEKS in the grade 5 portion of the product and the remaining 60% of the grade 5 TEKS in portions of the product intended for grades 6-8, to which a 5<sup>th</sup> grade student and teacher do **not** have access, would not be eligible for adoption at 5<sup>th</sup> grade, because only 40% of the grade 5 TEKS would be met in the portion of the product accessible to grade 5 users. Continuing the example, if this same skill-based product gave access to all content to the grade 5 users, then it would be eligible for adoption at 5<sup>th</sup> grade.
27. **Question** Our understanding is that the SBOE no longer has a “conforming” and “non-conforming” list, but that the SBOE determines the percentage of alignment that programs are to the TEKS. Will that percentage be published publicly anywhere?
- Answer** Yes. The percentage of TEKS coverage will be included on the commissioner of education’s recommendations for adoption, which is posted to the TEA website. The percentage of TEKS coverage will also be included in EMAT, the online system that districts and charter schools use to order adopted instructional materials, and it may be included in other reports or web postings as needed. Additionally, for each product that addresses less than 100% of the TEKS, the TEA will post to its website a list of those student expectations that the product does not meet.
28. **Question** Districts are required to certify that they have programs that meet 100% of the TEKS before they can spend their funding on other materials. What district process will be sufficient for certifying 100% TEKS coverage? When is the earliest date that these district processes will occur?
- Answer** As a condition of receiving its instructional materials allotment, each district or charter school’s superintendent, along with the local board of trustees must certify that the district has instructional materials that cover all elements of the essential knowledge and skills of the required curriculum, other than physical education, for each grade level. These certifications occur annually and must be ratified in public, noticed meetings. Upon request of the commissioner of education, this certification must include supporting documentation describing the instructional materials on which the certification is based.
29. **Question** Is the use of open source documents allowed as long as credit is given for the source? For example, citing an open-source scientific paper as background information for a teacher component or a student research assignment?
- Answer** Referencing open-source resources is permissible. The requirements for the appropriate citation for open-source resources is between the publisher of the instructional materials submitted for adoption and the provider/author of the open-source content.

30. **Question** TAC, Chapter 66, §66.10(i) states, "...The publisher will not add any Internet links to the materials without the approval of the commissioner of education, will not redirect any user accessing the web-based or online instructional materials to other Internet or electronic sites...". Would a product violate this condition if it includes links from the support section of the product which direct users to outside educational resources?
- Answer** Products submitted for adoption may have links to outside resources and redirect users to other internet or electronic sites. For adopted, TEKS-bearing components, however, publishers may not **add** internet links or redirect users without the approval of the commissioner of education. In accordance with §66.75(f), publishers of print materials and publishers of electronic materials may make changes that do not affect TEKS coverage. Publishers may not make changes to TEKS coverage in adopted instructional materials without the approval of the State Board of Education.
31. **Question** TAC, Chapter 66, §66.10(i) states, "...The publisher will not add any Internet links to the materials without the approval of the commissioner of education, will not redirect any user accessing the web-based or online instructional materials to other Internet or electronic sites...". If a link is for research purposes, is a publisher allowed to send users to reputable, .edu/.gov/org websites that are free and open-source?
- Answer** Products submitted for adoption may have links to outside resources and redirect users to other internet or electronic sites. For adopted, TEKS-bearing components, however, publishers may not **add** internet links or redirect users without the approval of the commissioner of education. In accordance with §66.75(f), publishers of print materials and publishers of electronic materials may make changes that do not affect TEKS coverage. Publishers may not make changes to TEKS coverage in adopted instructional materials without the approval of the State Board of Education.
32. **Question** Are purely online materials eligible for this adoption?
- Answer** Yes. Purely online materials are eligible for adoption under Proclamation 2014.
33. **Question** With regards to program interactivity, is it permissible to embed blogging and synchronous communication exchange between users of the program or does the curriculum have to be static?
- Answer** It is permissible to embed blogging and synchronous communication exchange between users. Publishers are encouraged to pay special attention to State Board of Education (SBOE) rule 19 TAC §66.10(g) regarding the maintenance requirements for web-based materials.

## Bids and Pricing

34. **Question** On the submission date of April 19, 2013, must the publisher designate whether or not the publisher intends to make a particular submission print or electronic, or might the publisher wait until a later date to decide whether or not it will provide a print version of that product as well as an electronic version?
- Answer** The primary media format of a submission must be indicated on the Statement of Intent to Bid, due on December 7, 2012. On this form, publishers must indicate whether a product is primarily print or online, etc. Publishers are required to disclose the format of the **individual components** of a submission on April 19, 2013.
35. **Question** Publishers may submit printed teacher editions as the teacher component for a bid, correct?
- Answer** Yes. Printed teacher editions are acceptable for any subject other than technology applications. Please see the answer to question 38 for related information.
36. **Question** If a publisher decides to submit a printed student product, must the publisher provide an accompanying teacher product, or might the publisher decide to submit an electronic teacher component only with its printed student component?
- Answer** A publisher may submit electronic teacher material to accompany printed student material.
37. **Question** Could a publisher submit an electronic only teacher component as part of its bid, but choose to print that product for sampling purposes only?
- Answer** No. To meet the requirements of the adoption process, samples must be provided electronically.
38. **Question** Does the Teacher Edition for Technology Applications and Science need to be in print format?
- Answer** All technology applications products submitted for adoption must be electronically delivered. Print materials (for either the student or teacher) will not be considered for adoption. Instructional materials for science may be in either print or electronic format.
39. **Question** There is no mention of a printed Teacher Edition in the "Schedule of Adoption Procedures." Are publishers not required to provide teachers with printed teacher editions (in cases where printed texts exist)? If not required, may publishers provide teachers with printed teacher editions if publishers so desire?
- Answer** Teacher materials are required, but there is not a requirement that they be provided in print. Please see the answer to question 40 for related information.
40. **Question** If 19 TAC §66.51(a)(3) will be deleted, does that mean that the requirements therein go away, or are they stipulated elsewhere? [§66.51(a)(3) "A teacher's component submitted to accompany student instructional materials under consideration for adoption shall be part of the publisher's official bid and shall be provided for the duration of the original contract and any contract extensions at no cost to the school district or charter school as specified in the publisher's bid."]
- Answer** Because both state statute and administrative rule require that TEKS be addressed in the teacher materials as well as the student materials, publishers are still required to provide teacher materials for the duration of the contract and at least one contract extension. However, with the change to the language of 19 TAC §66.51(a)(3), publishers are no longer required to provide a teacher edition at no cost to a school district or charter school.

41. **Question** Do the rules allow for “bundling” of products? That is, can a publisher offer an instructional material bundled with an electronic device, program, or component at a higher price and offer the instructional material alone at a lower price? Would the two bids need to be separate bids, or would the instructional material component be purchasable alone in EMAT at the lower, component-list price?
- Answer** Publishers are welcome to package and offer instructional materials in various bundles. Each package/bundle will need to be a separate bid. In the example given in this question, if the instructional materials are adopted, both options would be in EMAT, and a district or charter school could choose which one better meets its needs.
42. **Question** If a print student edition and teacher edition are the instructional materials covering the TEKS, they would be submitted for review by the panel. If there is an accompanying electronic version (e-book version) that contains identical content as the print, does it need to be submitted for panel review if it is to be included as a component of the program? What if the e-book version is going to be an ancillary provided free with the program?
- Answer** If a publisher would like to have the e-book version considered as part of the adopted product and included in EMAT for districts to order, then the e-book version should be submitted to the state review panel for review. If a publisher would like to offer the e-book version as an ancillary, then it should not be submitted to the state review panel for review.
43. **Question** For Technology Applications materials paid for by annual subscription, will a school district be allowed to switch to a program from a different publisher during the contract period?
- Answer** Yes. In accordance with TEC §31.101(e), districts and charter schools may cancel a subscription and subscribe to different instructional materials. Technology applications is not the only subject for which subscription pricing is allowable. Subscription pricing is allowable for any product, regardless of subject, or whether delivered electronically or in print. While a publisher that bids subscriptions must include an annual subscription price, the publisher is also free to offer subscription pricing based on a longer term (e.g., pricing for a two-year or three-year subscription, etc.).
44. **Question** For Technology Applications materials paid for by annual subscription, will TEA have a mechanism in place to make sure that school districts renew annual licenses in a timely and accurate manner for the number of enrolled students?
- Answer** Districts and charter schools are not required to renew annual licenses or subscriptions. As a condition of receiving its instructional materials allotment, each district or charter school must certify that it has instructional materials that cover all elements of the essential knowledge and skills of the required curriculum, other than physical education, for each grade level. This is the mechanism that is in place to ensure that students are offered instructional materials that address the required curriculum. Please see the answers to questions 28 and 43 for related information.
45. **Question** May we charge a price for replacement teacher editions?
- Answer** Yes. Publishers may charge for replacement of any component of an adopted product.

46. **Question** Does the price of the consumable materials at the per student price on the bid have to be for the full 8 years? In other words, please confirm that TEA wants all consumable materials per student to be purchased for 8 years up front.
- Answer** Because the SBOE did not call for any consumables in Proclamation 2014, any bid that includes consumables must include the cost of 12 years of replacement copies in its bid price. According to State Board of Education (SBOE) rule 19 TAC §66.51(a)(6), a publisher that includes consumables in a bid for a course for which the SBOE did not specifically call for consumables must include the costs for replacement copies of the consumable in its bid price. The per-student price must be for the full term of the initial contract including any extensions of the contract terms, but for not more than 12 years. Publishers may offer different pricing options to accomplish this goal.
47. **Question** Will annual renewals on online licenses be allowed, or must districts purchase the materials for the life of the adoption all at once?
- Answer** Annual renewals of online licenses will be allowed. Please see the answers to questions 43 and 44 for related information.
48. **Question** In previous adoptions it was required for replacement consumable materials to be provided for free throughout the life of the adoption. Will this be a requirement of Proclamation 2014?
- Answer** Proclamation 2014 did not call for consumables, therefore the bid price must include the replacement cost of the consumable for the term of the contract. Please see the answer to question 46 for related information.
49. **Question** In the Supplemental Science review, it was possible to list one program ISBN in multiple categories/grade levels (e.g., Integrated Physics and Chemistry, Physics, Grade 5 Science). Is it permissible to bid this same program (one ISBN) in multiple science categories for Proclamation 2014? Additionally, this program is also a resource for math. May we bid this same program (one ISBN) in multiple math and science categories for Proclamation 2014?
- Answer** Yes. It is permissible to submit one program ISBN in multiple categories/grade levels. In such cases the product is reviewed against each courses/grade level's TEKS and adoption in one course or grade level does not necessarily guarantee adoption in any other course or grade level.
50. **Question** Is TEA accepting math programs that have partial grade spans (e.g., 2-8, 1-3)?
- Answer** Yes. Publishers are welcome to offer products for any course or combination of courses. In order to be eligible for adoption for any given subject and grade level, the product must address at least 50% of the TEKS for that subject and grade level in both the student and teacher version. Please see the answer to question 49 for related information.

## Correlations and Breakouts

51. **Question** How do you expect correlation content for online course submissions referenced on the correlation document?
- Answer** The correlations of online products—to both the TEKS and the ELPS—must be included as part of the product. These correlations must link to the exact locations of the content that the publisher understands sufficiently addresses the student expectations. Publishers of electronic materials are not required to also submit separate completed correlation documents.
52. **Question** Does the state review panel use the publisher-supplied correlation as its primary reference for locating coverage of the TEKS, or is the publisher correlation only a secondary aid?
- Answer** The state review panels use the publisher-supplied correlation as a guide as they review the instructional materials. Within broad guidelines, each panel determines how to use the correlations to review the instructional materials most effectively.
53. **Question** With respect to parsing the TEKS into breakouts, is the expectation that every possible combination of a multipart student expectation will appear as a breakout? For example, for “collect, record, and analyze information using tools, including calculators, microscopes, cameras, computers, hand lenses, ...” is it correct that the breakouts would be as follows?
- a. Collect information using calculators
  - b. Record information using calculators
  - c. Analyze information using calculators
  - d. Collect information using microscopes
  - e. Record information using microscopes
  - f. Analyze information using microscopes
- Answer** Every possible combination of a multipart student expectation *that makes scientific sense* will appear as a breakout. For example, a breakout such as “record information using microscopes” will not appear. TEA staff anticipates releasing the breakouts for Proclamation 2014 in late summer. These breakouts will show exactly how the student expectations will be evaluated.
54. **Question** If you breakout the TEKS into 8 individual breakouts, then does that mean you have to have 16 citations (2 for each breakout) for that one original TEKS?
- Answer** TEKS must be addressed two times in **both** the teacher and student edition. Consequently, for a student expectation separated into 8 individual breakouts, there would have to be 16 citations in the student material and 16 in the teacher material. Please see the answers to questions 57 and 58 for related information.

## TEKS Coverage

55. **Question** Does coverage of a TEK have to only be in the printed content or can it be covered by accessing a companion website or other digital resource?
- Answer** TEKS coverage may occur in any component of a submission, whether in print or online. Only those components submitted for adoption will be reviewed for TEKS coverage and used to determine eligibility for adoption. Products submitted for adoption may have links to outside resources and redirect users to other internet or electronic sites. Once products are adopted, and for only those websites that are a component used to address Texas Essential Knowledge and Skills, publishers may not add internet links or redirect users without the approval of the commissioner of education.
56. **Question** Does each Scientific Investigation and Reasoning TEKS need to be included in the assessment in order to have 100% coverage? (Ch. 66 indicates the “essential knowledge and skills for the subject area and grade level” be in the student text narrative AND an end-of-section review exercise, an end-of-chapter activity, or a unit test.)
- Answer** Yes. In order to be considered addressed, a student expectation must be covered once in the student text narrative or its electronic equivalent, and once in either an end-of-section review exercise, an end-of-chapter activity, or a unit test or their electronic equivalents.
57. **Question** Must each instructional material contain three instances of each “breakout” of each expanded TEKS?
- Answer** No. In order to be considered sufficiently addressed, a student expectation must be covered twice in the student materials—once in the student text narrative or its electronic equivalent, and once in either an end-of-section review exercise, an end-of-chapter activity, or a unit test or their electronic equivalents—and twice in the teacher materials.
58. **Question** If the TE includes the exact pages of the pupil edition, do the instances in the pupil edition in which the expanded TEKS are met count toward the TE being aligned to the TEKS?
- Answer** Yes. Historically with teacher wraps, facsimiles of the student pages, as long as they are usable by the teacher (both large enough and clear enough for the teacher to read) can be used to determine TEKS coverage in the teacher materials.
59. **Question** 19TAC §66.27.c says, “...and once in either an end-of-section review exercise, an end-of-chapter activity, or a unit test or their electronic equivalents.” while §66.36.A.1.F says “TEKS standards are not considered covered if only included in side bars, captions, or questions at the end of a section or chapter.” Please confirm and/or clarify: Questions at the end of a section or chapter *will* count for this second instance of coverage?
- Answer** §66.27(c) (and similar language in other areas of 19 TAC §66) expands on the requirement in §66.36 (A)(1)(f). A student expectation could be considered adequately addressed if included in a question at the end of a section or chapter. However, it cannot be included in **only** a question at the end of a section or chapter. In order to be considered covered, a student expectation would also have to be adequately addressed in the student text narrative or its electronic equivalent.

60. **Question** For the purposes of meeting TEKS in an “an end-of-section review exercise, and end of chapter activity, or a unit test” – this type of format is more common at the upper, not lower elementary grades. Does it apply to all grades K-5? Can there be an exemption for this at K or at K-1 or at K-2? If so, would a second instance of coverage have to be delivered in the student text narrative at exempted lower grades?
- Answer** An exemption from the requirement for covering student expectations in assessment form cannot be made. Meeting student expectations in assessment form is still required for the lower grades, however, it can be supported in the student materials through pictures or graphics to enhance student understanding. The student material should include enough information - either in words or pictures – for an adult to understand what is being taught and assessed.
61. **Question** Are we required to print the TEKS on any student materials or on any teacher materials? If yes, please direct us to details.
- Answer** No. Printing the actual text of the TEKS is not required in student or teacher materials.
62. **Question** 19TAC §66.27.c (“...and once in either an end-of-section review exercise, an end-of-chapter activity, or a unit test or their electronic equivalents.”) Regarding this assessment requirement and the breakouts: Is it the expectation that in the end-of-section review exercise, end-of-chapter activity, or unit test (or their electronic equivalents), every process skill be addressed with its respective breakout? For example, if a breakout for 3.5.A is “measure physical properties of matter including temperature.” Measuring temperature must happen both in the lesson and in the assessment?
- Answer** Yes. Each student expectation (and by extension, each breakout) must be clearly evident in both lesson form and assessment form. For example, measuring temperature must happen both in the student text narrative and in the end-of-section review exercise, end-of-chapter activity, or unit test.
63. **Question** Regarding the nature of the content coverage in teacher and student instructional materials: Instructional materials must meet at least 50% of TEKS in the student version and 50% of TEKS in the teacher version; does it have to be the same 50%? (i.e., coverage for some TEKS standards only appears in the teacher version, coverage for some TEKS standards only appears in the student version, but both student and teacher versions are covering at least 50%)
- Answer** For the purpose of determining eligibility for adoption, only those student expectations that are addressed in both the student and teacher materials will be considered.
64. **Question** May the correlation for the student version and the correlation for the teacher version have different TEKS percentages as long as they are both over 50%? (e.g., correlation says student version meets 100%, teacher version meets 80%) or must there be coverage in both student and teacher version to meet a given TEKS standard?
- Answer** For the purpose of determining eligibility for adoption, only those student expectations that are addressed in both the student and teacher materials will be considered.

65. **Question** p. 9, Additional Information, second bullet: Please confirm or explain: If a publisher misses one breakout, the whole TEKS standard is considered "not met," and even the breakouts that *were* met are discounted and do not count toward the 50%?
- Answer** That is correct. The 50% requirement refers to student expectations, not breakouts. The purpose of parsing each student expectation into breakouts is to ensure that each portion of a student expectation is addressed. Accordingly, if all of the breakouts of a student expectation are not sufficiently covered, then the entire student expectation is considered not addressed and does not count toward the 50%.
66. **Question** Each of the TEKS is comprised of a knowledge and skill statement and student expectations. Must each of the student expectations in a given TEKS (related to the same knowledge and skill statement) be addressed in order for the other student expectations within the same TEKS be considered addressed?
- Answer** No. Each of the student expectations is considered addressed or not addressed individually, not with respect to any other student expectations. The 50% requirement refers to student expectations, not knowledge and skill statements. For example, if a TEKS has a knowledge and skill statement and three student expectations, and a product addresses all of the breakouts in two of those student expectations (essentially meeting only two of the three student expectations), those student expectations would still count towards the 50% requirement for eligibility for adoption.
67. **Question** Chapter 66.27 specifies 50% TEKS coverage in the student text narrative or its electronic equivalent. Does this term mean only a student *textbook* narrative (or its electronic equivalent)? Or can it mean text in a student copymaster (or its electronic equivalent)? Can it mean text in a student workbook (or its electronic equivalent)? Please elaborate on any other meanings for the term "student text narrative."
- Answer** The term *student text narrative* denotes the portion of the material that instructs the student or provides an opportunity for the student to acquire knowledge or learn a skill. This is in contrast to the portion of the materials that checks for understanding or asks a student to demonstrate knowledge or practice a skill. Any instructional material that is intended for use by the student and provides an opportunity for the student to acquire knowledge or learn a skill could be considered *student text narrative*.

68. **Question** Please confirm that the requirement to address TEKS in the “student text narrative” can be met through a variety of instructional materials that students work with, not just by reading a passage in a student textbook narrative (or e-textbook narrative), including, for example, by
- conducting or participating in a hands-on investigation/experiment
  - reading and/or completing a student copymaster/worksheet
  - participating in a classroom discussion
  - completing an electronic interactive activity or simulation
  - viewing and discussing a video.
- Answer** Any instructional material that is intended for use by the student and provides an opportunity for the student to acquire knowledge or learn a skill could be considered student text narrative. Content in a student textbook, student workbook, or electronic resource for the student could be examples of student text narrative. Please see the answers to questions 67 and 69 for related information.
69. **Question** Suppose a publisher has a hands-on science kit program and does not have a traditional student textbook. TEKS are met primarily in hands-on activities, which seems acceptable per Proclamation 2014. However, how can the publisher comply with and/or negotiate Chapter 66 wording that requires 50% TEKS coverage in the student text narrative?
- Answer** Any instructional material that is intended for use by the student and provides an opportunity for the student to acquire knowledge or learn a skill could be considered student text narrative. Subject to the conclusions of the state review panel, hands-on science kits could be used to satisfy the student-text-narrative requirement. Please see the answers to questions 12 and 68 for related information.
70. **Question** There are some apparent contradictions between Proclamation 2014 and 19 TAC Chapter 66. Terms used in the Proclamation 2014 are broad and comprehensive: e.g., “student version” and “teacher version,” while the language in 19 TAC Chapter 66 is extremely narrow, e.g., “student text narrative.” Please provide some guidance on how publishers should reconcile this given the great variety of ways that TEKS content will be delivered to students, e.g., hands-on, print, and electronic instructional materials.
- Answer** Proclamation 2014 and 19 TAC, Chapter 66 are consistent in their requirements for TEKS coverage. The first sentence of 19 TAC §66.36 (a)(1) asserts the requirement that the TEKS are to be met in both the student version and teacher version of the instructional materials, mirroring what is found in Texas Education Code §31.023(a). Subsequent language in 19 TAC §66.36 (a)(1) elaborates on this requirement, explaining that, in the student version of the instructional materials, the TEKS must be met at least once in the student text narrative, or its electronic equivalent, and once in either an end-of-section review exercise, an end-of-chapter activity, or a unit test, or their electronic equivalents. To be considered sufficiently addressed, a student expectation must be covered at least twice in the student version of the instructional materials—as described in 19 TAC §66.36 (a)(1)—and at least twice in the teacher version of the instructional materials.
71. **Question** If multiple submissions of the same item are submitted, will they be evaluated by the review panel once or independently in each submission?
- Answer** Each product submitted will be reviewed independently according to the TEKS for the intended subject and grade level.

72. **Question** Regarding the following: "Materials must meet at least 50% of the elements of the TEKS in both the student version and the teacher version." Does this mean that (at least) 50% of the elements of the TEKS must be covered in the TE apart from coverage in the SE?
- Answer** Materials must meet at least 50% of the TEKS in the teacher version of the instructional materials and at least 50% of the TEKS in the student version. For the purpose of determining eligibility for adoption, only those student expectations that are addressed in both the student and teacher materials will be considered. Please see the answers to questions 58 and 63 for related information.
73. **Question** Proclamation 2014 indicates that 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. However, Chapter 66 does not address this requirement as it pertains to the teacher version of the instructional materials.
- Answer** The first sentence of 19 TAC §66.36 (a)(1) asserts the requirement that the TEKS are to be met in both the student version and teacher version of the instructional materials, mirroring what is found in Texas Education Code §31.023(a). Please see the answers to questions 58 and 63 for related information.
74. **Question** If a publisher submits both online and print materials as a package in the adoption does the TEKS coverage percentage have to be identical? Will the evaluators look at each product separately? Example if our online curriculum covers 100% does our printed material included in the package have to cover the same 100%.
- Answer** Online and print materials are not required to have identical TEKS coverage. If both online and print materials are submitted as a package in one bid, the TEKS coverage percentage will reflect the product as a whole, rather than the print and online portions individually. If print and online materials are submitted separately (in separate bids), the materials will be reviewed for TEKS coverage individually.
75. **Question** If an instructional material contains only one or two instances of a breakout of the expanded TEKS, should those instances be recorded in the correlation form?
- Answer** A student expectation must be met at least twice in the student version of the instructional materials—as described in 19 TAC §66.36 (a)(1)—and at least twice in the teacher version of the instructional materials in order for that student expectation to count toward the 50% requirement for eligibility for adoption. If, in its correlations, a publisher lists either one or no citations of a student expectation or breakout, the state review panel may assume that the materials do not address that specific student expectation and may not look for evidence of its coverage.

## TEKS Interpretation

76. **Question** Regarding TEKS 2.5C “Demonstrate that things can be done to materials to change...” please clarify the meaning of “Demonstrate” – does this mean physically demonstrate via hands-on? Or can it be done through student discussion, writing, or some other means?

**Answer** The demonstration can take a variety of forms. Publishers should remember, however, that the grade 2 science TEKS introduction states the following: “Districts are encouraged to facilitate classroom and outdoor investigations for at least 60% of instructional time.”

77. **Question** The TEKS state for middle school that 40% of the time should be spent in lab. Are there firm rules on what constitutes a lab?

**Answer** Yes, those rules are found in the “Scientific investigation and reasoning” strand of the TEKS for each grade level.

78. **Question** Is copper chloride an acceptable chemical for science labs in middle schools in Texas?

**Answer** TEA does not specify allowable chemicals. The Texas Education Agency Texas Safety Standards located at <http://www.tea.state.tx.us/index2.aspx?id=5483> under the “Documents” heading may be used as a resource with regard to safety issues.

79. **Question** A product developed for High School Technology Applications covers all TEKS for Computer Science I & II, but does not specifically state the four strands of technology applications curriculum: foundations, information acquisition, work in solving problems, and communication. Is this a requirement?

**Answer** Instructional materials for technology applications are not required to explicitly list the strands.

Clarification: The TEKS for technology applications have been revised and no longer include the four strands of technology applications curriculum: foundations, information acquisition, work in solving problems, and communication. The six new strands for technology applications are creativity and innovation; communication and collaboration; research and information fluency; critical thinking, problem solving, and decision making; digital citizenship; and technology operations and concepts. Instructional materials will be reviewed for coverage of the revised technology applications TEKS.

80. **Question** Concerning rule 66.27(c) The proclamation shall require instructional materials to cover specific essential knowledge and skills a certain number of times in the student text narrative in addition to end-of-section review exercises, end-of-chapter activities, or unit tests:

Student textbooks and their electronic equivalents for primary grade students, particularly kindergarten, typically do not have lengthy narrative text. Young learners who are developing emerging reading skills may receive most of their instructional information verbally from the teacher or through other cues such as visuals and hands-on activities. Thus, to an Instructional Materials Adoption committee reviewer looking at a kindergarten or first grade student edition in isolation, the student text narrative may not appear to thoroughly address a TEKS breakout. But when accompanied by prompts and activities in the teacher materials, complete coverage is assured. Can student-directed text in a teacher edition—such as prompts, guiding questions, activities, and read-aloud passages—count toward a “student narrative” or “review exercise” correlation?

Example:

Grade K, TEKS 2(D) The student is expected to record and organize data and observations using pictures, numbers, and words

Breakouts--

Record data and observations using pictures

Organize data and observations using pictures

Record data and observations using numbers

Organize data and observations using numbers

Record data and observations using words

Organize data and observations using words

Suppose a Grade K student text narrative provides an activity where children gather data, such as counting the number of paper clips a magnet can attract. Because of readability concerns, the term “organize” doesn’t appear in the child’s narrative. The process of organizing data is also difficult to describe in a narrative appropriate for kindergarten level. But the teacher edition that accompanies the student text narrative directs teachers to lead children through an exercise where they organize the data in a chart. The teacher is given specific prompts and questions to direct to children. The teacher edition also provides questions at the end of the lesson the teacher can ask children to ensure they know how to organize data and observations.

Can this text in the teacher edition be cited as support for ensuring the TEKS breakout is addressed?

**Answer** It should be supported in the student materials through pictures or graphics to enhance student understanding. The student material should include enough information - either in words or pictures - for an adult to understand what is being taught.

## English Language Proficiency Standards (ELPS)

81. **Question** Why must the ELPS be addressed in the instructional materials?  
**Answer** The federal government requires that the state address the ELPS in kindergarten through grade 12 in every subject. Texas has chosen to implement this requirement through the instructional materials adoption process.
82. **Question** There is no mention in the April 19, deadline of a correlation to the ELPS. Is this not required as part of the bid process?  
**Answer** Publishers are required to submit correlations to the English Language Proficiency Standards for each product bid. Templates for the correlations will be provided by TEA staff. The deadline for submitting the correlation to the ELPS is the same as the deadline for submitting correlations to the TEKS.
83. **Question** Is there one set of ELPS to which all submitted materials must align; or, will TEA create separate ELPS requirements for each course as appropriate? Will that be the case for all courses?  
**Answer** There is one set of ELPS to which all submitted materials must align. The TEA will provide separate ELPS correlation templates for math, science, and technology applications that indicate which ELPS are more appropriate for the teacher version and not required in the student version.
84. **Question** Must ELPS address the four levels of student performance, similar to what was done for the Language Arts adoption?  
**Answer** Yes. The ELPS must address beginning, intermediate, advanced, and advanced high stages of English language acquisition.
85. **Question** Is it necessary for the instructional materials to contain three instances of each ELPS?  
**Answer** No, it is not necessary for the instructional materials to contain three instances of each ELPS. There is one set of ELPS to which all submitted materials must align. The TEA will provide separate ELPS correlation templates for math, science, and technology applications that indicate which ELPS are more appropriate for the teacher version and not required in the student version.
86. **Question** p. 9, Additional Information, 7th bullet, "All materials submitted for adoption in response to Proclamation 2014 must align with the English Language Proficiency Standards." Please define "align."  
**Answer** State review panels will review the instructional materials submitted for adoption for coverage of the English Language Proficiency Standards in the same manner as they review for TEKS coverage.
87. **Question** To what extent or percentage do products need to be aligned to the English Language Proficiency Standards?  
**Answer** There is one set of ELPS to which all submitted materials must align. The TEA will provide separate ELPS correlation templates for math, science, and technology applications that indicate which ELPS are more appropriate for the teacher version and not required in the student version.

88. **Question** Do the English Language Proficiency Standards and College and Career Readiness Standards apply to elementary math?
- Answer** There is one set of ELPS to which all submitted materials must align. The TEA will provide separate ELPS correlation templates for math, science, and technology applications that indicate which ELPS are more appropriate for the teacher version and not required in the student version. The College and Career Readiness Standards (CCRS) are already embedded in the TEKS so a separate correlation to the CCRS is not required.
89. **Question** Must all English Language Proficiency Standards be met in products being submitted for adoption?
- Answer** There is one set of ELPS to which all submitted materials must align. The TEA will provide separate ELPS correlation templates for math, science, and technology applications that indicate which ELPS are more appropriate for the teacher version and not required in the student version.
90. **Question** Must ELPS annotations appear on the pages?
- Answer** Specifically citing the ELPS by name and /or number in the teacher or student material is not required.
91. **Question** How many “hits” must each ELPS have? (If the TEKS requirement has been changed to two hit per standard, is that also true of the ELPS?)
- Answer** It is not necessary for instructional materials to have two “hits” of each ELPS. There is one set of ELPS to which all submitted materials must align. The TEA will provide separate ELPS correlation templates for math, science, and technology applications that indicate which ELPS are more appropriate for the teacher version and not required in the student version.
92. **Question** Where do the ELPS have to be addressed? Is it acceptable to meet all ELPS in the Teacher’s Edition only, rather than in the Student Edition? If so, we will assume it is acceptable to show ELPS annotations only on TE pages. Is that correct?
- Answer** There is one set of ELPS to which all submitted materials must align. The TEA will provide separate ELPS correlation templates for math, science, and technology applications that indicate which ELPS are more appropriate for the teacher version and not required in the student version.
93. **Question** Must ELPS be met in print only, or can they be met in online materials to which students and teachers have access?
- Answer** The proclamation does not specify where the ELPS are to be addressed. A publisher may meet the ELPS in online materials. Please keep in mind, however, that only materials included on a bid will be used to determine TEKS and ELPS coverage.
94. **Question** What percentage of the ELPS must be met? (If texts now must meet only 50 percent of the TEKS, is that also true for the ELPS?)
- Answer** There is one set of ELPS to which all submitted materials must align. The TEA will provide separate ELPS correlation templates for math, science, and technology applications that indicate which ELPS are more appropriate for the teacher version and not required in the student version.

## Samples

95. **Question** The first mention of printed student materials in the Proclamation 2014 "Schedule of Adoption Procedures" is in the deadline for December 6, 2013. Is this the first time that publishers are required to submit printed copies of their instructional materials?
- Answer** Yes. These printed copies are to aid in the production of Braille and large-type materials.
96. **Question** Regarding the May 10, 2013 date in the schedule, what is the anticipated deadline for publishers to send review materials to the review panel members? Will the review panel members be using the same electronic, pre-adoption materials that were sent to the TEA on April 19, 2013 to do their review, or will publishers be required to send the panel members printed texts (in cases where printed texts exist)?
- Answer** The deadline for sending materials for the state review panel meetings has not yet been set. The date will be based on the dates of the actual review, which will not be determined until the spring of 2013. Publishers are not required to send the same electronic, pre-adoption materials to the review panels as they sent to the TEA and ESCs. Publishers have the option of sending galley proofs to the state review panels.
97. **Question** Please confirm that the publisher can select the platform/media type used for the submission of the April 19, 2013 electronic sample.
- Answer** To meet the requirements of the adoption process, a publisher must submit electronic samples (in either an open-file or closed format) to the TEA, each of the 20 ESCs and to a school district or charter school that requests a sample. Once this requirement has been met, and upon request of a school district or charter school and at the publisher's discretion, a publisher may also provide print sample copies.
98. **Question** Regarding 19 TAC §66.51(a)(7): In another adoption, the Q&A said, "The SBOE recommends that each consumable be clearly marked on the lower right corner of the front cover." Is this still the case?
- Answer** No. The language in 19 TAC, Chapter 66 that required labeling consumables has been repealed.
99. **Question** p.4, Schedule, third bullet under Friday, April 19, 2013 What information should the "complete description of all items included in a student and teacher component" include?
- Answer** The complete description of all items included in a student and teacher component should include a comprehensive list of the components included in an instructional materials submission. It should specify for whose use each component is primarily intended (student or teacher), the media type (print, online, etc.) of each component, the system requirements for each component if different from overall product, and whether each component is consumable.
100. **Question** The schedule for Spanish *mathematics* materials differs from the English schedule. Spanish math samples are due about one month after English math samples. Is the same true for Spanish *science* samples? What are the Science (Spanish), grades K-5 dates?
- Answer** The deadlines for submission for science (Spanish) materials and paperwork are the same as for the English science samples. The difference in deadline for English and Spanish materials is for mathematics materials only. A separate deadline for Spanish mathematics materials was established because the TEKS for mathematics were adopted only recently (April 2012).

101. **Question** Will the contemplated delay for samples for the Spanish math call also apply to science?
- Answer** No. Spanish samples for science are due the same time as the English instructional materials. A separate deadline for Spanish **mathematics** materials was established because the TEKS for mathematics were adopted only recently (April 2012).
102. **Question** What format is required for the May 10, 2013, state review panel samples? This is not explicitly stated on page 5 where the May 10, 2013, deadline appears or on page 11, bullet 5, Pre-Adoption Samples for State Review Panels. If printed samples are required for print products, must they be final format? If not, please list what formats are acceptable. Galley proofs?
- Answer** 19 TAC, §66.54(g) explains that publishers have the option to file print samples, electronic samples in an open file format or closed format, or galley proofs with the state review panels.
103. **Question** Can you please define galley proof.
- Answer** A galley proof is a complete (as to content), print sample that is bound (e.g. 3-ring, spiral, or similar). It is representative of the final pagination, layout, and organization of the product. A galley proof shows the actual size of the product (either by the trim size of the galley pages or with crop marks), resembles an advance reading copy of the final material rather than a proofreading or copyediting copy, and provides the state review panel an accurate depiction of what the final bound or online product will look like. For example, color laser proofs of final files to be used for "A" printing that are bound in a 3-ring binder would be acceptable as galley proofs. Printed signatures (also called "folds and gathers") that are bound together in a spiral binding is another example of acceptable galley proofs. A galley proof is not simply raw or edited manuscript. The option to provide galley proofs is specific to samples sent to the state review panels.
104. **Question** Regarding the following: "Electronic instructional materials, including internet-based products, must be completely functional." Does this pertain only to digital-only materials such as those from the supplemental science call, as opposed to a website that accompanies a textbook program?
- Answer** This requirement applies to all electronic instructional materials including digital-only materials as well as one that accompanies a textbook program.
105. **Question** Are there any rules surrounding district sampling?
- Answer** At the state level, the requirements for sampling to districts are as follows: on request of a school district, a publisher shall provide an electronic sample of instructional materials submitted for adoption. These samples must be complete as to content and functional for review purposes and may be in an open-file or closed format. Additionally, once this requirement has been met, and upon request of a school district or charter school and at the publisher's discretion, a publisher may **also** provide print sample copies. Each district and charter school may have its own additional rules regarding sampling.
106. **Question** Must district sampling also be provided electronically?
- Answer** In order to meet the statutory requirements of the adoption process, a publisher must submit an electronic sample of instructional materials to each district that requests a sample. Please see the answer to question 105 for related information.

107. **Question** Which format(s) will be acceptable for electronic submission?  
**Answer** Electronic samples may be in an open-file or closed format. Please see the answer to question 114 for related information.
108. **Question** Some classroom kits include several components like game boards, card sets, and manipulatives. We do not believe any of these are necessary for evaluating the merits of the curriculum. Would it be acceptable to present photos of these materials, preferably on our website, rather than sending them to the state or ESC?  
**Answer** Participants submitting instructional materials for adoption must submit electronic samples of each product bid. The format by which the electronic samples are submitted is at the discretion of each individual publisher. It is permissible to present photos of these manipulatives rather than sending them to the TEA, ESC, or state review panel. Please keep in mind that providing only an image of a manipulative may make it more difficult for the state review panel to determine TEKS coverage.
109. **Question** Should all submissions of instructional material be in full color or black and white?  
**Answer** The format by which instructional materials are presented is at the discretion of each individual publisher. Though providing color samples is strongly encouraged, black and white samples are permissible. Please keep in mind that providing only black and white materials may, in certain instances, make it more difficult for the state review panel to determine TEKS coverage.
110. **Question** Since the state's review process is now completed using only electronic files; will publishers have the option of applying the same approach to districts, i.e., virtual preview only?  
**Answer** The state's review process is not necessarily completed using only electronic files. Publishers have the option of sending galley proofs to the state review panel. Please see the answers to questions 103 and 105 for related information.
111. **Question** For electronic sampling, are publishers required to sample the full program, including Answer keys, on a public site (i.e., accessible to anyone)?  
**Answer** Participants submitting instructional materials for adoption must submit electronic samples of each product bid to the TEA, each of the 20 education service centers, and any school district or charter school that submits a request. There are no plans to post samples to a public site.
112. **Question** Regarding the following: "Publishers must supply a description of all items included in a student and teacher component." What does this mean? Is it a breakdown of SE and TE features/elements? Or is it a listing of all components that are intended for students and components that are intended for teachers?  
**Answer** The complete description of all items included in a student and teacher component should include a comprehensive list of the components included in an instructional materials submission. It should specify for whose use each component is primarily intended (student or teacher), the media type (print, online, etc.) of each component, the system (hardware and software) requirements for each component if different from overall product, and whether each component is consumable. A form will be provided and posted on the TEA website.

113. **Question** If Proclamation 2014 materials are submitted in print format, is there a requirement to have an electronic version for any reason, i.e., sampling?

**Answer** Yes. Participants submitting instructional materials for adoption must submit electronic samples of each product bid. Electronic samples may be in either an open-file or closed format. Please see the answers to questions 105 and 114 for related information.

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

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

## Accessibility Requirements and Manufacturing Standards

115. **Question** Page 9, bullet 5: "Instructional Materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508." Please confirm that this does not apply to electronic pre-adoption samples of print products.
- Answer** Pre-adoption electronic samples provided to the TEA, ESCs, and state review panels are not required to meet Section 508 standards. Similarly, pre-adoption print samples provided to the state review panels are not required to meet MSST standards. The accessibility and manufacturing standards apply to only the final products delivered to schools.
116. **Question** Regarding the electronic format of the instructional materials, does Texas outline a set of technical requirements that publishers are required to meet and/or do districts each have their own set of technical requirements?
- Answer** The format by which the electronic instructional materials are submitted is at the discretion of each individual publisher. However, to be eligible for state adoption, instructional materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508 and materials delivered online must meet minimum web-based standards. Each district or charter school may have its own additional requirements.
117. **Question** Most curricula now have online and print components which are comprised of essentially the same content, i.e., printed teacher's guides and almost identical online versions. For the purposes of interpreting the code and regulations, do these programs need to meet both sets of requirements and expectations (print and electronic) or do they generally fall under the print category?
- Answer** Printed materials intended for use by the student must comply with the standards in the latest edition of Manufacturing Standards and Specification for Textbooks, approved by the Advisory Commission on Textbook Specifications. Instructional materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508. Materials delivered online must also meet minimum web-based standards. Including both print and online components with identical content does not exempt a publisher from these requirements.

## Ancillaries

118. **Question** If print ancillaries are not allowed for submission, are online ancillaries acceptable?
- Answer** Ancillaries are defined as materials that are not included in the submission, but that publishers intend to provide along with adopted products. There is no restriction on print ancillaries for Proclamation 2014.
119. **Question** Will TEA require publishers to provide any free materials with programs bid (e.g., free Teacher Edition)?
- Answer** No. There are no requirements that publishers provide free/ancillary materials with program bids. Ancillary materials are not reviewed by panel members at the state level and are not adopted nor sanctioned by the State Board of Education (SBOE). Please see the answers to questions 40 and 120 for related information.
120. **Question** Proclamation 2014 does not specify a date by which a list of ancillary components must be filed. Are there requirements for specifying ancillary components that may be included with the purchase of a program—such as manipulatives, instructional cards, big books, or other components that are not core but instead supplement instruction? What if any requirements are there for review of ancillary components?
- Answer** The language in 19 TAC, Chapter 66 regarding ancillaries has been repealed. There is no longer a requirement to submit a list of ancillary components to the TEA. Ancillaries are not included on a bid, not reviewed by the state review panel, and not adopted by the SBOE.