

# Proclamation 2020

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Texas Education Agency

Austin, Texas

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# Introduction

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

English Language Arts and Reading, English I (One Credit)

English Language Arts and Reading, English II (One Credit)

English Language Arts and Reading, English III (One Credit)

English Language Arts and Reading, English IV (One Credit)

Spanish Language Arts and Reading, English I for Speakers of Other Languages (One Credit)

Spanish Language Arts and Reading, English II for Speakers of Other Languages (One Credit)

Spanish Language Arts and Reading, English Language Development and Acquisition (ELDA) (One Credit)

To be eligible for adoption, instructional materials submitted in response to this proclamation must cover at least 50% of the Texas Essential Knowledge and Skills (TEKS) for the subject and grade level for which the materials are intended in both the material intended for student use and the material intended for teacher use. All materials submitted must also cover 100% of the applicable English Language Proficiency Standards (ELPS), be suitable for the subject and grade level, and be reviewed by academic experts. Additionally, the materials must comply with applicable manufacturing standards and be free from factual errors at the time they are delivered to schools.

Instructional materials submitted in response to this proclamation may be

- new instructional materials developed to align to the TEKS, or
- existing instructional materials that have been aligned to the revised TEKS. \*

Publishers with materials on the current adopted list for the courses included in this proclamation may also submit supplemental materials to address the new or expanded TEKS.

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

The panels' findings serve as the basis for the commissioner of education's report to the SBOE regarding instructional material eligible for adoption. The SBOE is scheduled to take action on *Proclamation 2020* materials at its November 2019 meeting. The SBOE's determination is final.

Instructional materials adopted under this proclamation are scheduled to be implemented beginning in the 2020–21 school year. Adopted materials are eligible for purchase using technology and instructional materials allotment funds and can be ordered by Texas public schools through EMAT, the Texas

\*Publishers that submit new products must also provide new correlations to any currently adopted materials if they plan to continue selling those materials.

instructional materials ordering system. The intrastate freight costs for adopted instructional materials will be paid by the Texas Education Agency (TEA).

This proclamation contains links to the TEKS and ELPS for the courses included in the proclamation. It also contains a detailed schedule of adoption procedures, the 2016–17 enrollment (if available) for each course included in the proclamation, accessibility requirements for electronic materials, specifications for providing electronic files for the production of braille, large-print, and audio versions of adopted print materials, and a glossary of terms. Additional information and specific instructions for addressing the requirements of this proclamation will be made available on the TEA website.

In addition to this proclamation, all interested publishers and other content providers should carefully read and fully understand both the state statutes and the administrative rules that govern the review and adoption of instructional materials.

Chapter 31 of the Texas Education Code (TEC) is available at <http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.31.htm>.

Chapter 66 of the Texas Administrative Code (TAC), Title 19, is available at <http://ritter.tea.state.tx.us/rules/tac/chapter066/index.html>.

# Schedule of Adoption Procedures

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## 2018

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**January–February 2018** *Proclamation 2020* (for adoption in 2019 and implementation in the 2020–21 school year) is presented to the SBOE for discussion.

**February–March 2018** TEA conducts a meeting to discuss *Proclamation 2020* with interested parties.

**April 2018** *Proclamation 2020* is presented to the SBOE for action.

**June 2018** *Proclamation 2020 Questions and Answers* is presented to the SBOE for approval.

### August–September 2018

- TEA releases the *Proclamation 2020 Publisher Handbook*.
- TEA conducts a meeting for publishers interested in filing a *Statement of Intent to Bid*.
- TEA posts the *Nomination to State Review Panel* form to the TEA website and publicizes the opportunity to nominate panelists. (The nominations are due to TEA in February 2019.)

**\*Friday, December 7, 2018** The *Statement of Intent to Bid* and the *Company Information Form* are due from publishers to TEA. Publishers must file all documents by 5:00 p.m. CST in EMAT.

*Note: Only those who file a Statement of Intent to Bid by 5:00 p.m. CST on Friday, December 7, 2018, will be allowed to participate in the adoption process ([19 TAC §66.28\(b\)](#)).*

## 2019

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### \*Friday, January 25, 2019

- The *Complete Description* for each product is due to TEA by 5:00 p.m. CST in EMAT.
- Each regional education service center (ESC) must have designated the person who will supervise the sample instructional materials, published a schedule specifying hours and dates sample materials may be reviewed by the public, and published a news release notifying area schools about sample instructional materials, the person to be contacted regarding sample instructional materials, and the hours and dates samples will be available for review by the public.

\*All documents and forms must be submitted in a format approved by the commissioner of education.

**\*Friday, February 22, 2019**

- A preliminary *Correlations to Texas Essential Knowledge and Skills and English Language Proficiency Standards* for one course is due from publishers to TEA by 5:00 p.m. CST.
- Nominations to the state review panel are due.

**April–May 2019** TEA notifies state review panel candidates of their appointment to a review panel.

*Note: Upon initial contact by a representative of TEA, state review panel nominees begin a no-contact period in which they may have neither direct nor indirect communication regarding content of instructional materials under evaluation by the panel with any person having an interest in the adoption process.*

**\*Friday, April 5, 2019**

- One complete, electronic, pre-adoption sample copy of instructional materials including a completed *Correlations to the TEKS and the ELPS* is due from publishers to TEA by 5:00 p.m. CDT ([TAC §66.28\(c\)](#)).
- One complete, electronic, pre-adoption sample copy of instructional materials including a completed *Correlations to the TEKS and the ELPS* is due from publishers to each of the twenty ESCs by 5:00 p.m. CDT ([TAC §66.28\(c\)](#)).

*Note: Publishers of new (not currently adopted) digital/electronic programs, including online programs, are required to embed the correlations to the TEKS and the ELPS (if applicable) in the program. These correlations must link to the exact locations of the content that the publisher believes sufficiently addresses each student expectation.*

*Publishers are encouraged to add a draft watermark across samples to protect copyrighted information.*

- An electronically signed *Affidavit of Authorship or Contribution*, certifying that each individual whose name is listed as an author or contributor of content contributed to the development of the materials and providing a general description of that contribution, is due from publishers to TEA by 5:00 p.m. CDT ([TAC §66.28\(e\)\(1\)](#)).

**\*Friday, April 12, 2019** By 5:00 p.m. CDT, ESCs must have notified TEA of any irregularities in electronic samples materials ([TAC §66.39\(b\)](#)).

**May 2019** TEA provides details of upcoming state review panel meetings and instructions to publishers for delivery of materials for the state review panels.

*Note: Delivered materials must include samples that contain all content that will be in the final product. The pre-adoption samples must be functional for review purposes and include their correlations to the TEKS and ELPS (as applicable). Print version samples must include only TEKS-bearing components. Ancillary materials are not permitted at the state review panel meetings. Publishers of instructional materials that require hardware or special equipment must provide appropriate hardware or equipment for the review ([TAC §66.28\(c\)](#)).*

\*All documents and forms must be submitted in a format approved by the commissioner of education.



## June–August 2019

- TEA conducts training for the state review panels ([TAC §66.36\(a\)](#)).
- The state review panels evaluate TEKS and ELPS coverage in instructional materials submitted for consideration ([TAC §66.36\(b\)\(1\)](#)).
- TEA releases a preliminary report on instructional materials under consideration ([TAC §66.63\(a\)](#)).

**\*Friday, August 23, 2019** The *Certification of Editorial Review* is due from publishers to TEA by 5:00 p.m. CDT ([TAC §66.28 \(c\)\(11\)](#)). This form affirms that instructional materials have been edited for accuracy, content, and compliance with proclamation requirements.

### **\*Friday, August 30, 2019**

- Electronic samples of new content that was provided to and approved by the state review panels during the summer review and certification that all new content approved by the state review panel will be included in the final product are due from publishers to TEA by 5:00 p.m. CDT. TEA will post new content on the agency website.
- The *Identification of Corrections and Editorial Changes* either certifying that no corrections or edits are required or listing the corrections and editorial revisions to be made to the instructional materials is due from publishers to TEA by 5:00 p.m. CDT ([TAC §66.28\(c\)\(11\)](#)).
- The *Report on Interoperability and Ease of Use* is due from publishers to TEA by 5:00 p.m. CDT.
- The *Application for Texas Identification Number* is due from publishers to TEA by 5:00 p.m. CDT.
- Alleged factual errors in instructional materials under consideration for adoption identified by Texas residents are due to TEA by 5:00 p.m. CDT.
- Official written comments from Texas residents concerning materials under consideration for adoption are due to TEA by 5:00 p.m. CDT.

*Note: Written comments and alleged factual errors received by this deadline will be presented to the SBOE at the September meeting and posted to the TEA website. Comments received after the deadline will be forwarded to the SBOE.*

**\*Friday, September 6, 2019** Eligible publishers who elect to protest the preliminary report must file a request for a show-cause hearing with TEA by 5:00 p.m. CDT ([TAC §66.63\(d\)](#)).

## September 2019

- The SBOE will hold a public hearing on instructional materials under consideration for adoption at the regularly scheduled SBOE meeting. An archived webcast of the hearing will be available through the TEA website ([TAC §66.42\(b\)](#)).

\*All documents and forms must be submitted in a format approved by the commissioner of education.

- Prior to the public hearing, TEA will post written comments and lists of alleged factual errors to the agency website and provide details regarding the opportunity to provide public testimony at the hearing ([TAC §66.42\(a\)\(3\)](#)).
- Members of the public have the opportunity to request to present at the public hearing; priority will be given to Texas residents ([TAC §66.42\(b\)\(1\)](#)). Not more than ten working days after the close of the public hearing, publishers may file responses to official written comments and public-reported factual errors from Texas residents and to testimony presented at the hearing. Responses must be submitted by 5:00 p.m. CDT.
- Not more than five working days after receiving them, TEA will post copies of responses to written or oral testimony on the agency website ([TAC §66.42\(b\)\(4\)](#)).

**\*Friday, September 27, 2019** *Order Processing Information Form* and initial official bids must be submitted in EMAT by 5:00 p.m. CDT ([TAC §66.28\(d\)](#)).

#### October 2019

- The *Report of Required Corrections* is posted on the agency website. The report contains errors reported by publishers by the deadline provided in this proclamation and errors reported by the state review panels ([TAC §66.63\(e\)](#)).
- The *List of Instructional Materials Eligible for Adoption Under Proclamation 2020* is posted on the agency website ([TAC §66.63\(e\)](#)).

#### \*Friday, October 18, 2019

- The *Certification of Intent to Correct* is due from publishers to TEA by 5:00 p.m. CDT ([TAC §66.66\(b\)\(3\)](#)). This form affirms that the publisher agrees to make all required corrections in the *Report of Required Corrections*.
- The *Publisher's Disclosure of Campaign Contributions and Gifts*, listing any political contributions made in the preceding four years to a candidate or member of the SBOE, is due from publishers to TEA by 5:00 p.m. CDT ([SBOE Operating Rule 4.3](#)).

**\*Tuesday, November 12, 2019** Content changes in materials under consideration for adoption made in response to public comment are due by 5:00 p.m. CST ([TAC §66.43\(b\)](#)).

**Thursday, November 14, 2019** Content changes received from publishers in response to public comment is posted on the agency website ([TAC §66.43\(b\)](#)).

**\*Wednesday, November 20, 2019** Content changes made in response to public testimony provided at the November SBOE meeting are due by 5:00 p.m. CST ([TAC §66.43\(b\)](#)).

**November 2019** The SBOE takes action regarding materials submitted under *Proclamation 2020* ([TAC §66.66](#)). Publishers with materials not adopted by the SBOE are not required to fulfill remaining requirements of the proclamation.

**Monday, December 2, 2019** The *List of Instructional Materials Adopted Under Proclamation 2020* is posted on the agency website.

\*All documents and forms must be submitted in a format approved by the commissioner of education.

**\*Friday, December 13, 2019** The *Register of Contact* indicating all visits, meetings, or contact with SBOE members beginning on February 2, 2018, including the date, time, location, and purpose of the communication, is due from publishers to TEA by 5:00 p.m. CST ([TAC §66.4\(b\)](#)).

## 2020

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**Friday, January 10, 2020** TEA provides the contact information of the designated braille producers to publishers of adopted printed instructional materials.

**\*Friday, January 24, 2020**

- Three copies of adopted print student materials, one copy of National Instructional Materials Accessibility Standard (NIMAS) files, and a screen shot from the National Instructional Materials Access Center (NIMAC) Validation Wizard showing that each file has successfully passed validation with “0 errors, 0 warnings” for both the XML file and OPF file are due from publishers to the designated braille producer by 5:00 p.m. CST ([TAC §66.27\(g\)\(6\)](#)).
- Three print copies and NIMAS files of blackline masters and any other materials included in the teacher component that are intended for student use are due from publishers to the designated braille producer by 5:00 p.m. CST ([TAC §66.27\(g\)\(6\)](#)).
- Supplemental bids are due. Publishers that wish to submit supplemental bids to add to or replace initial official bid submissions must submit bids in EMAT by 5:00 p.m. CST ([TAC §66.28\(d\)\(4\)](#)).
- The *Direct Deposit Form* from publishers that wish to receive payments for orders via direct deposit is due to TEA by 5:00 p.m. CST.
- The *Form 1295 Certificate of Interested Parties* is due from publishers to TEA by 5:00 p.m. CST (Texas Government Code §2252.908).

**Friday, April 24, 2020** TEA provides the contact information of the designated large-print and audio producers to publishers of adopted printed instructional materials.

**\*Friday, May 8, 2020**

- One complete, electronic sample copy that incorporates all required corrections is due from publishers to TEA by 5:00 p.m. CDT. Corrected samples must be identical to the final product that will be sold in EMAT ([TAC §66.28\(c\)\(11\)](#)). (TEA may require additional corrected samples for use by contracted reviewers, members of the SBOE, and others.)
- Publishers providing content accessed through the internet must supply TEA with all information, including locator information and passwords, required to ensure access to their programs throughout the life of the adoption. Any products for which publishers fail to meet this requirement will be removed from EMAT.
- The signed *Publisher’s Affidavit* verifying that all required corrections have been made is due from publishers to TEA by 5:00 p.m. CDT ([TAC §66.28\(c\)\(11\)](#)).

\*All documents and forms must be submitted in a format approved by the commissioner of education.

- The *Certification of Compliance with Manufacturing Standards*, providing the physical specifications of the adopted instructional materials and certifying their adherence to prescribed manufacturing standards, is due from publishers to TEA by 5:00 p.m. CDT ([TAC §66.66\(b\)\(2\)](#)).
- A report produced by an independent third party verifying that each electronic component follows Web Content Accessibility Guidelines (WCAG) 2.0 AA standards and technical standards required by the Federal Rehabilitation Act, Section 508, is due from publishers to TEA by 5:00 p.m. CDT ([TAC §66.28\(a\)\(2\)](#)).
- Three complete copies of all adopted material intended for student use and one copy of the NIMAS files that incorporate all required corrections are due from publishers to the designated braille producer by 5:00 p.m. CDT. Corrected samples must be identical in content and format to materials that will be provided to school districts after purchase ([TAC §66.27\(g\)\(6\)](#)).
- One complete copy of all adopted material intended for student use and one copy of the NIMAS files that incorporate all required corrections are due from publishers to the designated large-print producer by 5:00 p.m. CDT. Corrected samples must be identical in content and format to materials that will be provided to school districts after purchase ([TAC §66.27\(g\)\(6\)](#)).
- One complete copy of all adopted material intended for student use and one copy of the NIMAS files that incorporate all required corrections are due from publishers to the designated audio producer by 5:00 p.m. CDT. Corrected samples must be identical in content and format to materials that will be provided to school districts after purchase ([TAC §66.27\(g\)\(6\)](#)).
- One copy of the NIMAS files that incorporates all required corrections is due from publishers to TEA by 5:00 p.m. CDT. Publishers are required to include a list of corrections made to original NIMAS file. If no corrections were made, the publisher must inform TEA. Corrected samples must be identical in content and format to materials that will be provided to school districts after purchase ([TAC §66.27\(g\)\(6\)](#)).
- One copy of corrected NIMAS files is due to the NIMAC.
- One complete, electronic copy of adopted instructional materials that incorporates all required corrections is due from publishers to each of the twenty ESCs by 5:00 p.m. CDT. Corrected samples must be identical to the final product that will be sold in EMAT ([TAC §66.39\(d\)](#)).
- Publishers providing internet-based instructional materials must supply the ESCs with all information, including locator information and passwords, required to ensure access to their programs throughout the life of the adoption.

***Note: Failure to provide any of the deliverables due on Friday, May 8, 2020, will result in the product's removal from the adopted list.***

**May 2020** Texas public schools that have funding available can begin submitting orders for new instructional materials through EMAT.

\*All documents and forms must be submitted in a format approved by the commissioner of education.

## June–August 2020

- TEA sends executed contracts to publishers with adopted materials.
- Publishers distribute adopted instructional materials to Texas public schools ([TAC §66.73](#)). Each publisher must guarantee delivery of or access to instructional materials at least ten business days before the opening day of the 2020–21 school year if the materials have been ordered by July 1, 2020.
- TEA conducts an audit of all adopted instructional materials to ensure that publishers have made all corrections on the *Report of Required Corrections*.

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\*All documents and forms must be submitted in a format approved by the commissioner of education.

# Additional Information

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- Instructional materials must cover at least 50% of the TEKS for the course in materials intended for student use and materials intended for teacher use as specified in [TAC §66.27\(h\)](#). In determining the percentage of the TEKS covered by instructional materials, each student expectation counts as an independent element of the TEKS ([TAC §66.66\(b\)\(1\)](#)).
- Instructional materials must cover 100% of the required ELPS in the materials intended for student use and the materials intended for teacher use.
- If a student expectation is subdivided into constituent parts (called *breakouts*), then each individual breakout must be sufficiently covered for the student expectation to be considered covered and counted toward the 50% minimum requirement.
- Instructional materials must be free from factual errors at the time they are delivered to schools ([TAC §66.66\(b\)\(3\)](#)).
- Printed materials intended for use by the student must comply with the standards in the latest edition of *Manufacturing Standards and Specifications for Textbooks*, approved by the Advisory Commission on Textbook Specifications ([TAC §66.66\(b\)\(2\)](#)).
- The submission of open education resource instructional materials is welcome under *Proclamation 2020* ([TAC §66.27\(g\)\(9\)](#)).
- All official samples submitted to satisfy the requirements of the proclamation must be provided electronically ([TAC §66.27\(g\)\(2\)](#)).
- Complete, electronic, pre-adoption samples must allow for multiple simultaneous users and be equipped with a word search feature ([TAC §66.27\(g\)\(3\)](#)).
- Digital products must be designed to use the machine-readable TEKS provided by TEA.
- Publishers participating in the adoption process are responsible for all expenses incurred by their participation. The state does not guarantee return of sample instructional materials ([TAC §66.28\(c\)\(12\)](#)).
- The commissioner of education may remove materials from the adopted list if a publisher fails to meet the deadlines established in the *Schedule of Adoption Procedures* (TAC §66.66(f)).
- Publishers may not submit instructional materials that have been authored or contributed to by a current employee of TEA (TAC §66.28(f)).
- Publishers or authors may not solicit input, directly or indirectly, on new or revised content from a member of the state review panel for a product the panel member reviewed while the product was under consideration, rejected, or adopted by the SBOE (TAC §66.28(h)).

\*All documents and forms must be submitted in a format approved by the commissioner of education.

# Accessibility Requirements

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## Electronic Instructional Materials

- Publishers that offer electronic instructional materials (e.g., CD-ROMs, DVDs, or web-based materials) for adoption are required to offer these materials in an accessible format in accordance with the technical standards of the Federal Rehabilitation Act, Section 508. The standards are available at <http://www.section508.gov/summary-section508-standards>.
- Web content in electronic materials adopted under *Proclamation 2020* must be created to conform to the WCAG 2.0, Level AA, available at <http://www.w3.org/TR/WCAG20/> (TAC §66.28(a)(2)).
- Electronic instructional materials that are not compliant with WCAG 2.0, Level AA, and with technical standards of the Federal Rehabilitation Act, Section 508, will be removed from EMAT (TAC §66.28(a)(2)).
- A publisher that provides access to materials to students with disabilities through an alternate format must include a link to that material on the entrance page of the main product.

**Note: Materials that are not fully accessible to students with disabilities as indicated by the independent accessibility audit report (see pages 15–16) will be removed from the adopted list.**

## Printed Instructional Materials

- Every publisher of print materials adopted under *Proclamation 2020* must provide electronic files of its adopted programs in the NIMAS format to facilitate the production of materials in specialized formats (Individuals with Disabilities Education Improvement Act of 2004, §612(a)(23)(A) and §674(e)(4)). The NIMAS *Technical Specifications v1.1* can be found at <http://aem.cast.org/creating/nimas-technical-specification-annotated.html#.WG1HgU3fOrR>. Publishers must adhere to all NIMAS guidelines that have been approved by NIMAC on or before November 30, 2018.
- Publishers must provide three print copies and NIMAS files of blackline masters or any other materials included in the teacher materials that are intended for student use. Should a braille or large-print teacher edition be required by a district, a publisher must provide the agency with two printed teacher editions.
- Publishers must provide markup for print instructional materials eligible for NIMAS submission that contain mathematical and scientific instructional content by using the latest applicable version of the MathML 3 module of the DAISY/NIMAS Structure Guidelines as posted and maintained at the DAISY Consortium website, available at <http://www.daisy.org/z3986/structure/SG-DAISY3/part2-math.html> (TAC §66.27(g)(6)).
- New publishers must email [nimac@aph.org](mailto:nimac@aph.org) to request a publisher account. The NIMAC will provide instructions to set up an account, prepare metadata correctly, and submit files. A new

publisher may be required to provide a sample NIMAS file to the NIMAC for review before it can establish an account. Specific information and resources for publishers, including a list of frequently asked questions, can be found at the NIMAC website: <http://www.nimac.us/publishers-conversion-houses/>

- Each publisher participating in *Proclamation 2020* is required to provide the name, telephone number, and email address of the individual responsible for providing the NIMAS files, normally the instructional materials production manager, in the *Company Information Form*. Communication between the Instructional Materials Division (IMD) and the publisher's representative responsible for providing the NIMAS files should begin early in the production process.

***Note: If the requirements for providing electronic files for the production of braille, large-print, and audio versions of print materials are not met for any specific product, that product will be removed from the adopted list. The product will be returned to the adopted list (and EMAT) when the publisher provides the required files.***

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# Deliverables and Other Requirements

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Below is a list of requirements that each publisher participating in the review and adoption process under *Proclamation 2020* will be expected to fulfill. The deadline for each requirement is provided in the schedule of adoption procedures, and details about each of these requirements will be posted on the TEA website as they become available. A publisher's inability to meet any of the requirements by the deadlines in this proclamation may result in that publisher's materials being removed from consideration for adoption.

**Statement of Intent to Bid** Participating publishers must file one *Statement of Intent to Bid* for each product for each course for which it is submitted. A publisher that does not submit a *Statement of Intent to Bid* by the deadline in the proclamation will not be eligible to participate in the adoption ([TAC §66.28\(b\)](#)).

**ISBN** Each product, and each component of each product, must have its own 13-digit ISBN or a unique identifying number if the product does not meet ISBN eligibility standards.

**Complete Description** Participating publishers must submit to TEA a complete description of all items that will be reviewed for TEKS content ([TAC §66.28\(c\)\(5\)](#)).

**Pre-Adoption Samples** Participating publishers must submit electronic samples of each product. Samples must be sent to TEA, each of the 20 ESCs, and any Texas public school that submits a request. Samples must be provided at no cost and must include all content intended to be in the final product, not just the content identified in the correlations. Electronic instructional materials, including internet-based products, must be complete and functional for review purposes ([TAC §66.28\(c\)](#)). To facilitate public review, the original version of the pre-adoption sample must remain available to the public throughout the entire adoption process even if updated versions also become available. Publishers are encouraged to add a draft watermark across samples to protect copyrighted information.

**Pre-Adoption Samples for State Review Panels** TEA will provide detailed instructions for submitting required samples to the state review panels. Samples must include all content that will be in the final product, not just the content identified in the correlations. Electronic instructional materials, including internet-based products, must be complete and functional for review purposes. The agency does not guarantee return of these samples ([TAC §66.28\(c\)\(7\)](#)).

**Public Access to Samples** Participating publishers must supply TEA and ESCs with all information, including locator information and passwords, required to ensure public access to their programs. The access must remain available until final samples are submitted in May 2020. This information will be posted on the TEA website along with a link to each sample ([TAC §§66.28\(c\)\(2\)](#) and [66.39\(d\)](#)). Publishers are encouraged to add a draft watermark across samples to protect copyrighted information.

**Affidavit of Authorship or Contribution** Participating publishers must certify that each individual whose name is listed as an author or contributor of instructional materials contributed to the development of the materials. Publishers must file one signed *Affidavit of Authorship or Contribution* form for each product ([TAC §66.28\(e\)\(1\)](#)).

**Correlations to the TEKS/ELPS** Participating publishers must provide correlations that indicate where in each product they believe the required TEKS and ELPS are addressed. The correlations must be submitted on the form provided by TEA. For electronic products, the correlations must also be included within the product and linked to the exact location where each student expectation is addressed. If a product is submitted for more than one course, the publisher must file one form for each ([TAC §66.28\(c\)\(8\)](#)).

**Certification of Editorial Review** Participating publishers must affirm that all instructional materials have been edited for accuracy, content, and compliance with the requirements of the proclamation. Publishers must file one *Certification of Editorial Review* form for each product ([TAC §66.28\(c\)\(11\)](#)).

**Report on Interoperability and Ease of Use** Participating publishers must provide information about their products for the SBOE and districts regarding their interoperability and ease of use. Publishers must file one *Report on Interoperability and Ease of Use* for each product submitted for consideration for adoption.

**Certification of New Content** Participating publishers must certify that final products have been updated to include all new content provided to and approved by the state review panels.

**List of Publisher Corrections** Participating publishers must provide a list of all corrections and editorial changes made to each student and teacher component since the pre-adoption samples were submitted, including errors identified by state review panels. All factual errors must be corrected before adopted materials are delivered to schools ([TAC §66.28\(c\)\(10\)](#)).

**Certification of Intent to Correct** Participating publishers must affirm that they intend to make all required corrections listed in the *Report of Required Corrections*. Publishers must file one *Certification of Intent to Correct* for each product ([TAC §66.66\(b\)\(3\)](#)).

**Electronic Files for the Production of Braille, Large-Print, and Audio Materials** Participating publishers must provide NIMAS-compliant electronic files and agree to allow TEA or its agents to reproduce adopted instructional materials in a format suitable for students and teachers with visual impairments and students with other learning disabilities ([TAC §66.27\(g\)\(6\)–\(7\)](#)).

**Order Processing Information Form** Participating publishers must provide information regarding how orders for adopted instructional materials will be processed.

**Initial Official Bid** Participating publishers must submit at least one *Official Bid* for each product for each course for which it is submitted, listing each component that will be offered and giving the official bid price of the instructional materials. Each package option must have a separate bid. Each instructional material offered as part of a bundle must also be available for purchase individually ([TAC §§66.28\(d\) and 66.28\(e\)\(2\)](#)).

**Register of Contact** Participating publishers must submit a register to TEA listing all visits, meetings, or contacts with SBOE members between February 2, 2018, and December 13, 2019, including the date, time, location, and purpose of the communication ([TAC §66.4\(b\)](#)).

**Application for Texas Identification Number** The Texas Comptroller of Public Accounts uses the Texas Identification Number (TIN) to track and process all payments made to a payee.

**Direct Deposit Form** Participating publishers who wish to receive payments from the state of Texas directly into their checking account must submit the *Direct Deposit Form*.

**Supplemental Bids** Participating publishers may submit supplemental bids to add to or replace initial bids ([TAC §66.28\(d\)\(4\)](#)).

**Form 1295 Certification of Interested Parties** [HB 1295](#) ( 84<sup>th</sup> Texas Legislature, 2015) incorporates new reporting requirements that companies must meet before conducting business with the state. TEA will provide instructions on how to meet this requirement ([Texas Government Code §2252.908](#)).

**Affidavit of Corrections** Participants that have materials adopted by the SBOE must verify that all corrections required as a condition of adoption have been made. Participants must submit one *Affidavit of Corrections* for each adopted product ([TAC §66.28\(c\)\(11\)](#)).

**Post-Adoption Samples** Participants that have materials adopted by the SBOE must submit corrected sample copies of adopted instructional materials to TEA, ESCs, the designated braille, large-print, and audio material producers, and each Texas public school that requests one ([TAC §66.28\(c\)\(11\)](#)). Samples must be provided at no cost. Samples must also be made available to an SBOE member upon that member's request (TAC §66.28(a)(7)).

**Certification of Compliance with Manufacturing Standards** Participating publishers must certify that all materials meet applicable manufacturing standards ([TAC §§66.28\(a\)](#) and [66.66\(b\)\(2\)](#)).

**Accessibility Report** Publishers that have electronic instructional materials adopted by the SBOE must contract with an independent third party to provide a report for each electronic component that verifies that the components follow WCAG 2.0 AA standards and technical standards required by the Federal Rehabilitation Act, Section 508 ([TAC §66.28\(a\)\(2\)](#)). The report must be based on an audit testing the accessibility of the materials to include, at a minimum, the following:

- The home page people use to enter the site
- One randomly selected page with at least one table or form
- One randomly selected page with at least one informative image (e.g., a diagram, map, or graph)
- At least one randomly selected page from each component of the product

The total number of pages to be included in the audit is to be determined by the publisher.

When testing the accessibility of the materials, the third-party tester must conduct the following activities:

- Use automated web-accessibility-evaluation tools to analyze the selected pages and note any problems indicated by the tools
- Manually check selected pages to determine that form labels and alternative text on images and graphs is appropriate
- Manually check selected pages with dynamic content, forms, or other applications
- Determine whether page content and controls can be accessed, operated, and reset when necessary using only a keyboard

- Examine selected pages with graphical user interface (GUI) browser (e.g., Internet Explorer, Firefox, Netscape) while listening to the page with screen-reader software
- Employ and include documentation of the experience of real users with disabilities for manual testing

**Failure to provide a report verifying that a product meets the required accessibility standards will result in that product's removal from the adopted list. The product will be returned to the adopted list (and EMAT) when the publisher provides the report verifying that the product meets the required accessibility standards.**

**Contract** Participants that have materials adopted by the SBOE must enter into a contract to provide the instructional materials to all Texas public schools that order them for an initial contract period of eight years and the possibility of one contract extension for a period of not more than four years. Participants that do not meet this requirement will be removed from the adopted list ([TAC §66.72](#)).

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# Student Enrollment

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The enrollment numbers listed below represent the reported course enrollment for the 2016–17 school year.

English Language Arts and Reading, English I	396,814
English Language Arts and Reading, English II	384,881
English Language Arts and Reading, English III	275,006
English Language Arts and Reading, English IV	242,727
Spanish Language Arts and Reading, English I for Speakers of Other Languages	13,874
Spanish Language Arts and Reading, English II for Speakers of Other Languages	7,882
Spanish Language Arts and Reading, English Language Development and Acquisition	Not Available

# Texas Essential Knowledge and Skills

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The TEKS describe what students should know and be able to do for each grade level and course in the required curriculum.

The tables that follow provide links to the TEKS for the courses included in *Proclamation 2020*.

<b>Chapter 110. Texas Essential Knowledge and Skills for English Language Arts and Reading, Subchapter C. High School</b>
<a href="#">§110.36. English Language Arts and Reading, English I (One Credit), Adopted 2017</a>
<a href="#">§110.37. English Language Arts and Reading, English II (One Credit), Adopted 2017</a>
<a href="#">§110.38. English Language Arts and Reading, English III (One Credit), Adopted 2017</a>
<a href="#">§110.39. English Language Arts and Reading, English IV (One Credit), Adopted 2017</a>
<b>Chapter 128. Texas Essential Knowledge and Skills for Spanish Language Arts and Reading, Subchapter C. High School</b>
<a href="#">§128.34. English I for Speakers of Other Languages (One Credit), Adopted 2017</a>
<a href="#">§128.35. English II for Speakers of Other Languages (One Credit), Adopted 2017</a>
<a href="#">§128.36. English Language Development and Acquisition (ELDA) (One Credit), Adopted 2017</a>

# English Language Proficiency Standards

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The ELPS outline English language proficiency level descriptors and student expectations for English language learners (ELLs). To be eligible for adoption, instructional materials must meet 100% of the identified ELPS. The table below provides a link to the ELPS.

English Language Proficiency Standards
§74.4. English Language Proficiency Standards <a href="http://ritter.tea.state.tx.us/rules/tac/chapter074/ch074a.html#74.4">http://ritter.tea.state.tx.us/rules/tac/chapter074/ch074a.html#74.4</a>

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**APPENDIX**

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# Accessibility Resources

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## Accessibility Resources for Publishers of Electronic Instructional Materials

The following resources offer essential information for publishers that are planning the development of accessible electronic instructional materials.

### General

Section 508 <http://www.section508.gov/>

Resources from the World Wide Web Consortium (W3C) Web Accessibility Initiative (WAI) <http://www.w3.org/WAI/Resources/>

Web Content Accessibility Guidelines (WCAG) Overview <http://www.w3.org/WAI/intro/wcag.php>

How to Meet WCAG 2.0 <http://www.w3.org/WAI/WCAG20/quickref/>

MathML 3 Resources <http://www.w3.org/Math/>

Accessible Digital Learning Materials-Publisher/Developer Best Practices Guidelines <http://aem.cast.org/creating/best-practices-publishers-software-developers.html#.Wak3D02QK70>

National Center on Accessible Educational Materials <http://aem.cast.org/>

Guidelines for Describing STEM Images for Use within Digital Talking Books and on Web Sites [http://ncam.wgbh.org/experience\\_learn/educational\\_media/stemdx](http://ncam.wgbh.org/experience_learn/educational_media/stemdx)

Electronic and Information Resources Accessibility Policy <https://www.comptroller.texas.gov/about/policies/accessibility.php>

### Resources for Designing Accessible Websites

Web Content Accessibility Guidelines (WCAG 2.0) —W3C <http://www.w3.org/TR/WCAG20/>

Accessible Web Authoring Resources and Education (AWARE) Center for the HTML Writers Guild <http://hwg.org/>

Evaluation, Repair, and Transformation Tools for Web Content Accessibility <http://www.w3.org/WAI/ER/tools/>

HTML Kit (editor, validator, Word 2000 cleanup) <http://www.chami.com/html-kit/>

IBM Software Accessibility Checklist for Web and Web-Based Documentation—Version 6.1 [http://www-03.ibm.com/able/guidelines/ci162/accessibility\\_checklist.html](http://www-03.ibm.com/able/guidelines/ci162/accessibility_checklist.html)

WGBH's National Center for Accessible Media <http://ncam.wgbh.org/>

Trace Research and Development Center's Unified Web Site Accessibility Guidelines  
<http://trace.umd.edu/publications/central-reference-document-version-8-unified-web-site-accessibility-guidelines>

**Resources for Closed-Captioning and Audio Description**

Media Access Group at WGBH, The Caption Center <http://www.wgbh.org/caption>

National Captioning Institute <http://www.ncicap.org>

VITAC <http://www.vitac.com>

Media Access Group at WGBH, Descriptive Video Service  
<http://main.wgbh.org/wgbh/pages/mag/services/description/>

Metropolitan Washington Ear, Inc. <http://www.washear.org>

Narrative Television Network <http://www.narrativetv.com>

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# Glossary of Proclamation Terms

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**Ancillaries** Components that are not reviewed by the state review panel and are not adopted by the SBOE

**Affidavit of Authorship or Contribution** A signed document by which a publisher certifies that each individual whose name is listed on its materials as an author or contributor of content contributed to the development of the materials

The affidavit also states in general terms the involvement of each author and/or contributor.

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

**Breakouts** The separate parts of a student expectation

The breakouts are shown on the correlations and evaluation forms.

**Certification of Compliance with Manufacturing Standards** A signed statement certifying that all printed books and electronic media submitted for adoption conform in every respect to the *Manufacturing Standards and Specifications for Textbooks (MSST)*

**Citation** The identification of one specific example of content that covers one element of the TEKS

**Consumable** Any instructional material component that is intended to be written in, depleted, or otherwise consumed during the first year of use

**Correlations Form** A document provided by TEA on which publishers indicate the locations in their materials where the required TEKS and ELPS are addressed

Publishers of electronic materials must also include electronic correlations as part of their products.

**Depository** An entity through which publishers receive and fill orders for instructional materials

Depositories must be EMAT and Electronic Data Interchange (EDI) compliant. Publishers are not required to use a depository.

**EMAT** TEA's statewide electronic instructional materials management system that processes all requisitions and payments for adopted instructional materials

Texas public schools also use EMAT to requisition adopted materials and request disbursements from their technology and instructional materials allotments.

**Education Service Centers (ESCs)** Public entities created by state statute to provide educational support programs and services to local schools and school districts

Each of the 20 ESCs serves districts in a specific geographic area.

**Enrichment Subjects** Languages other than English, health, physical education, fine arts, career and technical education, technology applications, and religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature ([TEC, §28.002\(a\)](#))

**Error Form** Please see *Identification of Corrections and Editorial Changes* form.

**Evaluation Form (State Review Panel evaluation)** A document that a state review panel completes detailing where the instructional material addresses the TEKS and the ELPS and listing any errors that are found by the panel

**Exhibit A** Please see *Official Bid*.

**Foundation Subjects** English and Spanish language arts and reading, mathematics, science, and social studies ([TEC, §28.002\(a\)](#))

**Instructional Materials** Content that conveys the essential knowledge and skills of a subject in the public school curriculum through a medium or a combination of media for conveying information to a student

The term includes books, supplementary materials, a combination of a book, workbook, and supplementary materials, computer software, magnetic media, DVD, CD-ROM, computer courseware, online services, or an electronic medium or other means of conveying information to the student or otherwise contributing to the learning process through electronic means, including open education resources ([TEC, §31.002](#)).

**Instructional Materials Division** The division of TEA that coordinates the review and adoption of instructional materials, provides accessible instructional materials for students with disabilities, manages funds, facilitates the distribution of state-approved instructional materials in various media, and provides districts with access to allotment funds for allowable expenditures

**International Standard Book Number (ISBN)** A unique number that identifies books and book-like products internationally

**Manufacturing Standards and Specifications for Textbooks (MSST)** The physical standards of quality and performance for K–12 instructional materials

These standards and specifications are developed by the State Instructional Material Review Association, in consultation with the Association of American Publishers and the Book Manufacturers' Institute.

**Markup** A sequence of characters or other symbols that are inserted at specific places in a text file to indicate how the file is produced when it is printed or displayed or to describe the document's logical structure

The markup indicators are often called *tags*.

**MathML** An XML application that describes mathematical notation and captures structure and content MathML enables mathematics to be served, received, and processed on the World Wide Web.

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

**No-Contact Period** The time during which state review panel members are not permitted to have either direct or indirect communication with any person having an interest in the adoption process regarding content of instructional materials under evaluation by the panel

The period begins when TEA initially contacts a nominee regarding his or her appointment to review instructional materials and ends after the *Preliminary Report on Instructional Materials Under Consideration for Adoption* is published.

**Nonconsumable** Any instructional material component that is intended for use during the entire period of the adoption

**Official Bid (Exhibit A)** The online form with which a publisher makes an official initial offer to provide specific instructional materials to the state of Texas at a fixed price

The form, along with any supplemental bids, becomes Exhibit A of the contract.

**Identification of Corrections and Editorial Changes Form** A document with which a publisher provides the list of all corrections necessary to each student and teacher component of an instructional materials submission

**Proclamation** The document issued by the SBOE calling for bids for instructional materials in selected subject areas and/or grade levels

The proclamation identifies the courses, grade levels, and subject areas scheduled for review and provides links to the TEKS for those courses and subjects. Proclamations are named for the year in which the materials are intended to be made available in the classroom.

**State Technology and Instructional Materials Fund** A reserve of capital comprised of an amount set aside by the SBOE from the available school fund and any amounts lawfully paid into the fund from any other source and appropriated by the Legislature

Money from the fund is used to finance the technology and instructional materials allotment.

**Questions and Answers Document** A proclamation-specific document issued by the SBOE that consists of questions presented by publishers and answers provided by TEA

**Register of Contacts Form** The signed document with which a publisher discloses all contact with members of the SBOE

The disclosure, which is required by state law, must include the time, date, location, and purpose for each communication with a member of the SBOE.

**Report of Required Corrections** A report presented to the SBOE listing all the factual errors found by the state review panels and those reported by the publishers (who are required to disclose all known factual errors) on or before the deadline established in the proclamation ([TAC §66.63\(e\)](#)).

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

Failure to meet required deadlines established in the schedule of adoption procedures may result in the removal of materials from the adopted list.

**Specialized Format Materials** Published material converted into an alternative medium, such as braille, large-print, audio, or digital text, which is exclusively for use by persons with print disabilities, as authorized by the *Vocational-Rehabilitation Act* and the *Americans with Disabilities Act*

**Statement of Intent to Bid** The online form with which a publisher indicates its intention to participate in an adoption under a specific proclamation

The form requires general information about each product to be submitted.

**State Review Panel** A group of public school teachers, university professors, parents, business and industry representatives, and other content experts that reviews instructional materials submitted for adoption to determine the extent to which the TEKS and ELPS are covered and to identify factual errors

**Student Component** Any instructional material component that is specifically intended for use by the student

Student components may include print and non-print materials such as student editions, workbooks, and online materials.

**Supplemental Bid** The online form with which a publisher adds to or replaces its initial *Official Bid*

Supplemental bids may only be submitted if a correct initial *Official Bid* was received by the deadline. This form, along with initial official bids, becomes *Exhibit A* of the contract.

**Teacher Component** Any resource that is specifically intended for use by a teacher

Teacher components may include print and non-print materials such as teacher editions, workbooks, and online materials. Teacher components may also include materials intended for use by students.

**Technology and Instructional Materials Allotment** A biennial allocation of money from the instructional materials fund to Texas public schools

The allotment is based on student enrollment and availability of funds. The per-student amount is determined biennially.

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

**Textbook** Please see *Instructional Materials*.