

Proclamation 2021

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Table of Contents

Table of Contents.....	3
Introduction.....	4
Adoption Timeline	6
Deliverables and Requirements for Publishers	14
Deliverables and Requirements for Education Service Centers	25
Student Enrollment.....	26
Texas Prekindergarten Guidelines	26
Ethical Standards	27
Glossary of Proclamation Terms	28

Introduction

This proclamation serves as a notice to publishers, the public, and education service centers (ESCs) that the State Board of Education (SBOE) is inviting bids to furnish instructional materials for English and Spanish [prekindergarten systems](#).

In this proclamation you will find an [adoption timeline](#), [list of deliverables and requirements](#), [enrollment information](#), a [link to the Texas Prekindergarten Guidelines](#) (TPG), and a [glossary of terms](#). Additional information and specific instructions for publishers can be found in the *Publisher Handbook* on the [Texas Education Agency \(TEA\) website](#).

The TPG are organized into ten domains: social and emotional development, language and communication, emergent literacy reading, emergent literacy writing, mathematics, science, social studies, fine arts, physical development, and technology. To be eligible for adoption, prekindergarten systems must cover at least 50% of the end-of-year outcomes in each domain of the TPG. All materials submitted must also 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 TPG, or
- existing instructional materials that have been aligned to the revised TPG.

Publishers with materials on the current adopted list for prekindergarten systems can also submit supplemental materials to address the new or expanded TPG. Publishers that submit new products must also provide new correlations to any currently adopted materials if they plan to continue selling those materials.

The submission of open-~~education-~~~~educational~~ resource materials is welcome under this proclamation (TAC §[66.27\(g\)\(9\)](#)).

Instructional materials submitted in response to this proclamation will be reviewed by the state review panel to determine the extent to which the materials meet the required TPG 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 materials eligible for adoption. The SBOE is scheduled to vote on *Proclamation 2021* materials at its November 2020 meeting. The SBOE's determination is final.

Instructional materials adopted under this proclamation are scheduled to be implemented beginning in the 2021–22 school year. Adopted materials can be purchased using technology and instructional

materials allotment funds and can be ordered by Texas public schools through EMAT, the Texas instructional materials ordering system. The ~~intrastate~~ freight costs for adopted instructional materials will be paid by ~~the~~ TEA.

Publishers are responsible for all expenses incurred by their participation in this proclamation.

If adopted materials are found to not comply with accessibility requirements during the contract period, the instructional materials contract may be presented to the SBOE for termination.

All publishers should carefully read and fully understand the requirements listed in this proclamation as well as both the state statutes and the administrative rules that govern the review and adoption of instructional materials process.

Chapter 31 of the Texas Education Code (TEC) is available at <https://statutes.capitol.texas.gov/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>.

Adoption Timeline

This adoption timeline includes deadlines and information that is applicable to publishers, the public, education service centers, districts and charter schools, the SBOE, and the agency. Please use the icons in the legend to identify the responsible parties for each applicable deliverable.





























Legend						
Responsible Party:	Publishers	Public	ESCs	TEA	Districts and Charter Schools	SBOE
Icon:						

Please see the *Deliverables and Requirements* sections in this proclamation for further details on specific deliverables and requirements for publishers and ESCs.

2019			
Date	Activity or Deliverable	Responsible Party	Recipient and/or Audience
May	TEA conducts a webinar to introduce <i>Proclamation 2021</i> and solicit feedback		
June	Nominations to the state review panel accepted via the Education Committee Application	 	
June 11–14	<i>Proclamation 2021</i> is presented to the SBOE for action		
August–September	TEA releases the <i>Proclamation 2021 Publisher Handbook</i>		
	TEA conducts a webinar for publishers interested in filing a Statement of Intent to Bid		
September 10–13	<i>Proclamation 2021 Questions and Answers</i> is presented to the SBOE for approval		
























2020			
Date	Activity or Deliverable	Responsible Party	Recipient and/or Audience
Monday, January 6	Company Information Form and Statement of Intent to Bid due to TEA		
Monday, February 3	Complete Description due to TEA		
	Each ESC must designate the person who will supervise the sample materials and publish a news release notifying area districts about the availability of materials		
Monday, February 24	Preliminary Correlation to the TPG document for one course due to TEA		
March	TEA notifies education committee candidates of their appointment to the state review panel		
Monday, April 6	Pre-adoption sample(s) due to TEA		
	Pre-adoption sample(s) due to each of the twenty ESCs		
	Final Correlation to the TPG document(s) due to TEA		
	Final Correlation to the TPG document(s) due to each of the twenty ESCs		
	Certification of Editorial Review due to TEA		
	Affidavit of Authorship or Contribution due to TEA		
	Report on Interoperability and Ease of Use due to TEA		

2020 (continued)			
Date	Activity or Deliverable	Responsible Party	Recipient and/or Audience
Monday, April 13	ESCs must notify TEA of any irregularities in sample materials submitted by publishers		 
May	TEA provides details (dates/location) of upcoming state review panel meetings to publishers		
June–July	TEA hosts state review panel meetings		 
August	TEA releases the preliminary report on instructional materials under consideration		   
Monday, August 17	Electronic samples of new content provided to and approved by the state review panels due to TEA		
	List of Corrections and Editorial Changes due to TEA		
	Application for Texas Identification Number due to TEA from publishers without EMAT username and password		
	Official written comments and alleged factual errors from Texas residents concerning materials under consideration due to TEA		
	Request for show-cause hearing due to TEA from eligible publishers that elect to protest the preliminary report		
September	TEA posts public and state review panel written comments and lists of alleged errors, editorial changes, and new content to the agency website		   



	SBOE holds a public hearing on instructional materials under consideration for adoption		
2020 (continued)			
Date	Activity or Deliverable	Responsible Party	Recipient and/or Audience
Monday, September 14 (13)	Order Processing Information Form and initial official bids due to TEA		
October	TEA posts the <i>Report of Required Corrections and Approved New Content</i> to the agency website		
	TEA posts the <i>List of Instructional Materials Eligible for Adoption</i> to the agency website		
Monday, October 19	Certification of Intent to Correct due to TEA		
	Disclosure of Campaign Contributions and Gifts due to TEA		
Friday, November 6	Official written comments and alleged factual errors from Texas residents concerning materials under consideration due to TEA		
Tuesday, November 10 [seven business days prior to the vote by SBOE at November meeting; actual date TBD]	Content changes made in materials under consideration in response to public comment due to TEA		
	Updated List of Corrections and Editorial Changes due to TEA		
Thursday, November 12 [five	TEA posts content changes to materials made by publishers in response to public comment to the agency website		



<p><u>business days prior to the vote by SBOE at November meeting; actual date TBD]</u></p>			
<p>2020 (continued)</p>			
<p>Date</p>	<p>Activity or Deliverable</p>	<p>Responsible Party</p>	<p>Recipient and/or Audience</p>
<p>Wednesday, <u>November 18</u> [<u>prior to the vote by SBOE at November meeting; actual date TBD]</u></p>	<p><u>Content changes</u> made to materials under consideration in response to public testimony due to TEA</p>		  
<p><u>Friday, November 20</u></p>	<p>SBOE takes a vote regarding materials under consideration</p>		   
<p>Tuesday, December 1</p>	<p>TEA posts <i>List of Instructional Materials Adopted</i> on the agency website</p>		   
<p>Monday, December 14</p>	<p><u>Register of Contact</u> due to TEA</p>		
	<p><u>Additional official bids</u> due to TEA</p>		 
	<p><u>Direct Deposit Form</u> due to TEA from those who don't have direct deposit established (optional)</p>		



2021












Monday, January 25 [11]	TEA provides the contact information of the designated braille producers to publishers of adopted print instructional materials		
Monday, February 8 [January 25]	Three preliminary copies of adopted print student materials , one high-quality PDF , one copy of NIMAS files , and a screenshot from the NIMAC Validation Wizard showing that each file has passed validation due to designated braille producer		

2021 (continued)

Date	Activity or Deliverable	Responsible Party	Recipient and/or Audience
Monday, February 8 [January 25] (continued)	Three preliminary print copies , one high-quality PDF , and NIMAS files of blackline masters and any other materials included in the teacher component that are intended for student use due to designated braille producer		
	Form 1295 Certificate of Interested Parties due to TEA		
Monday, April 12	TEA provides the contact information of the designated large-print and audio producers to publishers of adopted print instructional materials		
Monday, April 26	One complete, post-adoption sample that incorporates all required corrections and approved new content due to TEA		
	One complete, post-adoption sample that incorporates all required corrections and approved new content due to each of the twenty ESCs		
	Affidavit of Corrections and New Content due to TEA		



	Certification of Compliance with Manufacturing Standards due to TEA		
	Accessibility Compliance Report , along with coversheet due to TEA		
2021 (continued)			
Date	Activity or Deliverable	Responsible Party	Recipient and/or Audience
Monday, April 26 (continued)	If changes were made to instructional materials between Monday, January 25 and Monday, April 26, three final complete copies of adopted print student materials, one high-quality PDF, one copy of NIMAS files , a screenshot from the NIMAC Validation Wizard showing that each file has passed validation due to designated braille producer, and a side-by-side list of changes . If no changes were made, notice must be provided to the designated braille producer.		
	One copy of adopted print student materials , blackline masters, and any other materials included in the teacher component(s) that are intended for student use; one high-quality PDF ; one copy of NIMAS files ; and a screenshot from NIMAC Validation Wizard showing that the file passed validation due to designated audio producer		
	One copy of adopted print student materials , blackline masters, and any other materials included in the teacher component(s) that are intended for student use; one high-quality PDF ; one copy of NIMAS files ; and a screenshot from NIMAC Validation Wizard showing that the file passed validation due to designated large-print producer		
	Final NIMAS files and side-by-side list of changes made between Monday, January 25		

	and Monday, April 26 or notice that no changes were made due to TEA		
	Final NIMAS files due to NIMAC		
2021 (continued)			
Date	Activity or Deliverable	Responsible Party	Recipient and/or Audience
May	TEA sends executed contracts to publishers		
	Texas public schools that have funding available can begin submitting orders for new materials through EMAT.		 
June–August	Publishers distribute adopted materials to Texas public schools		
	TEA conducts a confirmation of adopted materials to ensure publishers have made all corrections on the <i>Report of Required Corrections and Approved New Content</i> .		 

All deliverables due to TEA are due by 5:00 p.m. Central Time. Failure to provide any of the deliverables will result in the product’s removal from consideration.

Deliverables and Requirements for Publishers

Below is a list of deliverables and requirements that each publisher participating in this proclamation will be expected to fulfill. The deadline for each deliverable is provided in the *Adoption Timeline* and further details can be found in the *Publisher Handbook*.

A publisher's inability to meet any of the requirements by the deadline in this proclamation can result in that publisher's materials being removed from consideration for adoption.

Accessibility Compliance Report

Publishers that have adopted electronic instructional materials are required to contract with an independent third party to review each electronic student and teacher component included on official bids for compliance with WCAG 2.0 AA standards and technical standards required by the Federal Rehabilitation Action, Section 508 (TAC §[66.28\(a\)\(2\)](#)). The selected vendor must provide a compliance report that includes the *Accessibility Compliance Report Cover Sheet*.

When testing the accessibility of the materials, the auditor must take the following steps:

- Use automated web-accessibility-evaluation tools to analyze the selected pages and note any problems indicated by the tools
- Manually check pages to determine that form labels and alternative text on images and graphs is appropriate
- Manually check 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 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

The final report provided to TEA must include, at a minimum, the following:

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

Accessibility Compliance Report (continued)

Publishers can determine the total number of pages included in the testing. Failure to provide a report and/or material that is found to not meet the required accessibility standards during the contract period may ~~will~~ result in that product's removal from the adopted list (TAC §66.28(a)(6)). 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.

Accessibility Requirements for Electronic Materials

Publishers that offer electronic materials (e.g., CD-ROMs, DVDs, or web-based materials) are required to offer these materials in an accessible format in accordance with the technical standards of the Federal Rehabilitation Act, Section 508 (TAC §66.28(a)(2)). The standards are available at <http://www.section508.gov/summary-section508-standards>.

Web content in materials adopted under this proclamation must be created to conform to the WCAG 2.0, Level AA, available at <https://www.w3.org/TR/WCAG20/>. Electronic 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 the adopted list and the EMAT system (TAC §66.28(a)(6) ~~[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.

Accessibility Requirements for Print Materials

Publishers that don't have an existing account with NIMAC must email nimac@aph.org to request a publisher account. The NIMAS 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 establishing an account.

Specific information and resources, including a list of frequently asked questions, can be found at the NIMAC website, <http://www.nimac.us/publishers-conversion-houses/>.

Affidavit of Authorship or Contribution

Publishers must list everyone whose name is listed as an author or contributor and include in general terms the involvement of each author or contributor to the development of the material.

Publishers cannot submit instructional materials that have been authored or contributed to by a current employee of TEA (TAC §66.28(i) ~~[66.28(f)]~~).

Publishers must submit one signed affidavit for each product (TAC §66.28(h) ~~[66.28(e)(8)]~~).

Affidavit of Corrections and New Content

Publishers must verify that all corrections of factual errors have been made and confirm that all approved new content has been added to the final material. This is required as a condition of adoption by the SBOE.

Publishers must submit one signed affidavit for each adopted product (TAC §[66.28\(h\)\(1\)\(c\)](#) [~~66.28(c)(11)~~]).

Application for Texas Identification Number

The Texas Comptroller of Public Accounts uses the Texas Identification Number (TIN) to track and process all payments made a payee. Each publisher with adopted materials is required to have a TIN.

This TIN is also required when a publisher applies for access to the EMAT system. If a publisher already has EMAT access and there are no changes, a new application is not required.

Certification of Compliance with Manufacturing Standards

Publishers must certify that all materials meet applicable manufacturing standards in the latest edition of *Manufacturing Standards and Specifications for Textbooks*, approved by the Advisory Commission on Textbook Specifications.

The form is required for all print student materials used to demonstrate TPG coverage and all electronic components submitted for adoption. Publishers must submit one signed form for each adopted product and component (TAC §§[66.28\(a\)](#) and [66.66\(b\)\(2\)](#)).

Certification of Editorial Review

Publishers must affirm that all instructional materials have been edited for accuracy, content, and compliance with the requirements of the proclamation.

Publishers must submit one signed form for each product (TAC §[66.28\(m\)](#) [~~66.28(c)(11)~~]).

Certification of Intent to Correct

Publishers must affirm that they intend to make all required corrections of factual errors and add approved new content in the final adopted material.

Publishers must submit one signed form for each product (TAC §[66.66\(b\)\(4\)](#) [~~66.66(b)(3)~~]).

Company Information Form

Publishers must provide the contact information for individuals who will be managing their participation in this proclamation and for phone calls or emails related to deliverables, bids and contracts, accessible materials, customer service, and new sales.

Only those publishers that submit a completed form by the deadline will be allowed to participate in this proclamation (TAC [§66.28\(b\)](#)).

Complete Description

Publishers must submit information regarding each component that will be used to demonstrate standards alignment. The description information will be used by TEA staff to plan for the state review meetings.

Publishers must submit one *Complete Description* for each product and each media format (TAC [§66.28\(d\)\(6\)](#) ~~[§66.28\(c\)\(4\)](#)~~).

Content Changes in Response to Public Comment and/or Testimony

Publishers that wish to make content changes based on public comment and/or public testimony provided at the SBOE hearings are required to submit changes to TEA (TAC [§66.43](#)). TEA posts all changes to the agency website.

Correlation Document (Preliminary and Final)

Publishers must provide correlations that indicate where in each product they believe the required standards are addressed. The correlation must be submitted on a form provided by TEA (TAC [§66.28\(k\)](#) ~~[§66.28\(c\)\(8\)](#)~~).

Correlation documents for electronic products must also include a link to the exact location where each expectation or outcome is addressed.

Publishers with electronic programs (not currently adopted) are required to embed the *Correlations to the TPG* in the pre-adoption sample program.

Instructional materials must cover at least 50% of the end-of-year outcomes in each domain of the TPG for the course in materials intended for student use and materials intended for teacher use as specified in TAC [§66.27\(i\)](#) ~~[§66.27\(h\)](#)~~. In determining the percentage of the TPG covered by the material, each student expectation or outcome counts as an independent element of the standards (TAC [§66.66\(b\)\(1\)](#)).

When an end-of-year outcome is subdivided into constituent parts (called *breakouts*), then each individual breakout must be sufficiently covered for the end-of-year outcome to be considered covered and counted toward the 50% minimum requirement.

Correlation Document (Preliminary and Final) (continued)

A publisher can solicit feedback from TEA regarding the completion of their correlations by submitting preliminary correlations. This is strongly recommended but not required. Preliminary correlations should include at least two completed pages.

Direct Deposit Form

Publishers that wish to receive payments from the state of Texas directly into their checking accounts must submit the *Direct Deposit Form*. If a publisher declines this option, payments will be made by a warrant (state check) sent via the U.S. Postal Service.

Direct deposit is strongly recommended but not required. Publishers that already have direct deposit established do not have to submit a form unless payee information has changed.

Disclosure of Campaign Contributions and Gifts

Publishers must list any political contributions made by any individual or entity in the preceding four years to a candidate or member of the SBOE.

One form is required from each publisher ([SBOE Operating Rule 4.3](#)).

Electronic Copies of New Content Reviewed and Approved by the State Review Panel

Publishers must provide electronic copies of all new content reviewed and approved by the state review panel (TAC §[66.41\(f\)](#)) and confirm that final products will be updated to include all approved new content. If provided in a PDF format, copies must be fully accessible. TEA posts new content on the agency website.

Please see [Samples](#) for additional information.

Form 1295 Certification of Interested Parties

Publishers must meet reporting requirements with the Texas Ethics Commission before entering into contract and conducting business with the state of Texas.

One form is required from each publisher each time the publisher enters into contract with the agency (HB 1295, 84th Texas Legislature, 2015). An additional form may be required by each district a publisher does business with.

High-Quality PDF

Publishers must provide a high-quality PDF (a.k.a., high-resolution PDF) of their print student materials along with their print sample copies and NIMAS files to each of the designated producer(s). High-quality PDFs can be created through Adobe Acrobat DC.

Instructional Materials Contract

Publishers with materials adopted by the SBOE enter into a contract to provide the materials to all Texas public schools that order them for an initial contract period of eight years with the possibility of one contract extension for a period of no more than four years (TAC §66.72). Publishers that do not return signed contracts to TEA will have materials removed from the adopted list and the EMAT system.

List of Corrections and Editorial Changes

Publishers must provide a list of all corrections, editorial changes, and approved new content made to each component since pre-adoption samples were submitted. Publishers should include responses to errors identified by the state review panel and the public and editorial changes made in response to comments from the state review panel and the public.

If no changes or corrections are required, the publisher must notify TEA (TAC §66.28(l) ~~[66.28(c)(10)]~~). All errors must be corrected before adopted materials are delivered to schools (TAC §66.66(b)(4) ~~[66.66(b)(3)]~~).

Publishers must submit one document for each product.

NIMAS Files for the Production of Braille, Large-Print, and Audio Materials

Publishers must submit electronic NIMAS files and agree to allow TEA or its agents to reproduce adopted materials in a format suitable for students and teachers with visual impairments and students with other learning disabilities (TAC §66.27(g)(6)–(7)). 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, 2020.

If the requirements for NIMAS files are not met for any specific product, that product will be removed from the adopted list and the EMAT system.

Please see [Samples](#) for additional information.

Official Bids

Publishers must submit at least one bid for each product for each course eligible for adoption, listing each component that will be offered along with the price of the material by the initial deadline. A separate bid is required for each package option a publisher wishes to include in EMAT. Each component or subcomponent offered as part of the bundle must also be available for purchase individually (TAC §[66.28\(f\)](#) ~~66.28(d)~~).

Publishers can add to or replace initial bids after the initial deadline; however, additional bids may not be submitted for prices higher than were provided in the initial bids. Additional bids can only be submitted if a correct initial bid was received by the deadline.

Bids of adopted materials become *Exhibit A* of the instructional materials contract.

Order Processing Information Form

Publishers must provide information regarding how orders for adopted materials will be processed.

Register of Contact

Publishers must submit a register listing all visits, meetings, or contacts of any employee for any reason with SBOE members between April 5, 2019, and December 14, 2020, including the date, time, location, and purpose of the communication (TAC §[66.4\(b\)](#)).

Publishers must submit at least one signed form per registrant.

Report on Interoperability and Ease of Use

Publishers must provide information regarding their products' interoperability and ease of use for review by the SBOE and districts.

Publishers must submit one signed form for each product.

Request for Show-Cause Hearing

Publishers that are eligible for a show-cause hearing will be notified by TEA.

Eligible publishers that elect to protest the preliminary findings of the state review panel must file a request for a show-cause hearing with TEA (TAC §[66.63\(d\)](#)).

Samples

~~[All sample materials provided for prekindergarten systems must match the format of the products to be provided to schools upon ordering.]~~

All sample materials must be provided at no cost to TEA, each of the twenty ESCs, SBOE members, and districts, if requested. The agency does not guarantee return of samples.

Please review the specific features required for each sample below.

Feature	Sample Type
Accessible to individuals with disabilities	Pre- and post-adoption
Complete and fully functional	Pre- and post-adoption
Draft watermark (suggested)	Pre-adoption
Electronic versions	Not required
Embedded <i>Correlations to the TPG</i>	Pre-adoption (electronic products only) Post-adoption (suggested for electronic products)
Format of final product	Pre- and post-adoption (for TEA and ESCs only)
Machine-readable TPG	Post-adoption
Multiple simultaneous users	Pre-adoption (electronic products only)
Static (Unchanged) Version	Pre-adoption
Word Search	Pre-adoption (electronic products only) Post-adoption (suggested for electronic products)

Please review the additional details regarding the specific types of samples on the following page.

Samples (continued)

ESC Samples (Pre- and Post-Adoption)

Publishers must supply each of the twenty ESCs with a pre- and post-adoption sample [samples] of the material that matches [match] the format of the product to be provided to schools upon ordering.

If the product is electronic, publisher must supply all information, including locator information and passwords, required to access the pre- and post-adoption samples. The original pre-adoption samples must remain available and unchanged until final (post-adoption samples) are submitted in May 2021. Access to the post-adoption sample must remain active throughout the life of the adoption (TAC §66.39(g) [66.28(e)]).

Public Access Samples (Pre- and Post-Adoption)

Publishers must supply TEA with a pre- and post-adoption sample [samples] that matches [match] the format of the product to be provided to schools upon ordering.

If the product is electronic, publishers must supply TEA with all information, including locator information and passwords, required to ensure public access to their pre-adoption materials (TAC §66.27(g)(2) and §66.28(d) [66.28(e)]). The access must be granted until final post-adoption samples are submitted in May 2021. TEA will post access information or accessible PDFs of the pre-adoption sample to the agency website and make print samples available to view by appointment only. Publishers that wish to protect content such as test questions and answers may provide TEA with two versions—a public-facing version that does not include protected content and a full version that will not be posted online.

The original version of the pre-adoption sample must remain static and be available throughout the entire adoption process even if updated versions become available.

Publishers are encouraged to add a draft watermark throughout pre-adoption samples to protect copyright information. The public can access non-electronic pre-adoption and all post-adoption samples by making an appointment at the nearest ESC or the Instructional Materials Office at TEA located in Austin, Texas.

Samples for Braille, Large-Print, and Audio Producers (Post-Adoption)

Publishers must submit three print post-adoption sample copies of adopted student materials to the designated braille, large-print, and audio material producers. Publishers must also include 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 two printed teacher editions to the designated producer(s).

Samples (continued)

Samples for Braille, Large-Print, and Audio Producers (Post-Adoption) (continued)

Publishers must markup print materials eligible for NIMAS submission that contain mathematical or 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>.

If the requirements for samples to the designated producer(s) are not met for any specific product, that product will be removed from the adopted list and the EMAT system (TAC §[66.27\(g\)\(6\)](#)).

SBOE Samples (Pre- and Post-Adoption)

If requested, publishers must supply SBOE members with [pre- and post-adoption \[print\]](#) samples [that match the format of the product to be provided to schools upon ordering \[of materials under consideration or adopted \(TAC §66.28\(a\)\(7\)\)\]](#).

State Review Panel Samples (Pre-Adoption)

Publishers must supply samples that match the format of the product to be provided to schools upon ordering.

Ancillary materials are not permitted at the state review panel meetings. Publishers of materials that require hardware or special equipment must provide the appropriate hardware or equipment for the review (TAC §[66.28\(d\)](#) [\[66.28\(e\)\]](#)).

TEA will provide shipping instructions for publishers that wish to mail print samples to the location of the state review panel meeting. TEA does not guarantee the return of print materials (TAC §[66.28\(d\)](#) [\[66.28\(e\)\(12\)\]](#)).

TEA Samples (Pre- and Post-Adoption)

Publishers must supply TEA with pre- and post-adoption samples that match the format of the product to be provided to schools upon ordering.

For electronic products, publishers must supply TEA with all information, including locator information and passwords, required to access the pre- and post-adoption samples. The original pre-adoption samples must remain available and unchanged until final post-adoption samples are submitted in May 2021 (TAC §[66.28\(d\)](#) [\[66.28\(e\)\(1\)\]](#)). Access to electronic post-adoption samples must remain active throughout the life of the adoption (TAC §[66.28\(n\)](#) [\[66.28\(e\)\(11\)\]](#)). Publishers are required to notify TEA

if user access information changes. Publishers that do not maintain proper access for TEA and the ESCs will have materials removed from the adopted list and the EMAT system.

TEA Samples (Pre- and Post-Adoption) (continued)

Post-adoption samples of electronic products must be designed to use the machine-readable TPG provided by TEA.

TEA will conduct random audits of final electronic post-adoption sample access information.

Texas Public School Samples (Pre- and Post-Adoption)

At the request of a Texas school district, publishers must supply a sample, which can be provided in demonstration or representative format ~~[that matches the format of the product to be provided to schools upon ordering]~~. Publishers are not required to supply school districts with a full system in the same format as the final version of the system is intended to be sold. ~~[Samples of learning systems and electronic, visual, or auditory media may be provided in demonstration or representative format.]~~ Samples must be provided at no cost.

~~[Samples of prekindergarten systems must match the format of the product to be provided to schools upon ordering.]~~ If samples must be returned, the publisher must notify the district in advance and provide a shipping label and date by which sample should be shipped back (TAC §66.101).

Side-by-Side List of Changes to Braille Producer(s)

Publishers must provide a side-by-side list of changes made to pre-adoption samples when submitting corrected post-adoption sample materials to designated braille producer(s).

Statement of Intent to Bid

Publishers interested in participating in the SBOE's process must submit one *Statement of Intent to Bid* for each product for each course for which it is intended. A publisher that does not submit a *Statement of Intent to Bid* by the deadline is not eligible to participate in the process (TAC §66.28(c) ~~[66.28(b)]~~).

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

Deliverables and Requirements for Education Service Centers

Below is a list of requirements that each of the twenty education service centers will be expected to fulfill. The deadline for each deliverable is provided in the *Adoption Timeline*.

Report of Sample Irregularities
ESCs are required to ensure public and district access to pre- and post-adoption samples. To that end, ESCs are required to notify TEA of any irregularities in electronic or sample print materials (TAC §66.39).
ESC Samples (Pre- and Post-Adoption)
Each ESC is required to provide public access to materials under consideration and adopted materials. Each ESC should designate one person to supervise access to all samples and establish reasonable public access, including access outside of normal working hours that can be scheduled by appointment. Each ESC is required to notify districts in its region and publicize the date on which samples materials will be available for review (TAC §66.39).

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

Student Enrollment

The numbers listed below represent the reported course enrollment for the 2018–19 school year.

Prekindergarten	399,061*
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* [Prekindergarten enrollment may significantly increase in the coming years as a result of HB 3, 86th Texas Legislature, 2019, which requires full-day prekindergarten for all eligible four-year olds.](#)

Texas Prekindergarten Guidelines

The TPG outline the behaviors and skills that children are required to exhibit and achieve. To be eligible for adoption, instructional materials must meet at least 50% of the end-of-year outcomes in each domain of the TPG. The table below provides a link to the TPG.

Texas Prekindergarten Guidelines
https://tea.texas.gov/WorkArea/DownloadAsset.aspx?id=25769825386

Ethical Standards

Texas administrative rules dictate requirements and standards of publishers and appointed state review panel members (Government Code, §[572.051](#) (relating to Standards of Conduct) and Texas Penal Code, §[36.02](#) (relating to Bribery)).

Publishers and state review panel members are required to maintain a no-contact period that begins at appointment to the panel and ends once the preliminary report of materials under consideration is announced (TAC §[66.36\(h\)](#)).

To be eligible to serve on the state review panel, nominees may not be employed by or have received funds from an individual or publishing company involved or connected to the adoption process; owned or controlled any interest valued at more than \$5,000 in a privately owned publishing company or an entity receiving funds from a publishing company involved or connected to the adoption process; and, been employed by an institution of higher education that has submitted open-source materials or is a publisher of materials (TAC §[66.30\(d\)](#)).

Publishers or authors may not solicit input, directly or indirectly, on original or new content from a member of the state review panel for any product. This includes products under consideration and/or after a product has been adopted or rejected by the SBOE (TAC §[66.28\(j\)](#) [~~66.28(g)~~]).

Glossary of Proclamation Terms

Below are words and terms commonly used in this proclamation.

Accessibility

Design features of products and services that ensure equitable access for people with and without disabilities

Publishers are required to ensure all materials are made accessible for all students.

Adopted Materials

Instructional materials formally adopted by the SBOE in an open meeting

Publishers are encouraged to view SBOE meeting webcast on the agency [website](#) or attend in person.

Adoption Timeline

Schedule of adoption procedures, deadlines, and requirements of publishers, the public, education service centers, and the agency

Ancillaries

Components that are not reviewed by the state review panel, are not adopted by the SBOE, and are offered for free to school districts

Breakouts

The separate parts of a student expectation or end-of-year outcome

The breakouts are shown on the correlations and evaluation forms.

Citation

The identification of one specific example of content that covers one element of the TPG

Consumable

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

Depository

Any 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 allotment.

Education Service Centers (ESCs)

Public entities created by state statute (TEC, [§8.001](#)) to provide educational support programs and services to local schools and districts

Each of the twenty ESCs serves districts in a [specific geographic area](#).

Education Committee Application

Application educators, parents, business and industry representatives complete to serve on the state review panel

Enrichment Subjects

Languages other than English, health, physical education, fine arts, career and technical education, technology applications, and religious literature, including Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature

Evaluation Instrument

A document that the state review panel completes detailing where the instructional material addresses the standards and lists any errors found

Publishers will also use this document to provide new content for the state review panel to review.

Exhibit A

A document that is part of the instructional materials contract listing adopted materials and corresponding fixed prices

Foundation Subjects

English and Spanish language arts and reading, mathematics, science, and social studies

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, supplemental materials, a combination of a book, workbook, and supplemental 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 SBOE’s review and adoption of instructional materials, provides accessible instructional materials for students with disabilities, manages funds, facilitates the distribution of SBOE 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

An ISBN should be assigned to each edition and variation of a book. ISBNs are issued by the registration agency that is responsible for that country or territory. In the United States, R.R Bowker is the only company authorized to administer ISBNs.

Machine-Readable TPG

A technical format by which all prekindergarten guidelines are formatted that can be easily processed

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 American Publishers and 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.

Multiple Simultaneous Users

Access granted to a program by several individuals at the same time

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, electronic 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 the content of the instructional materials under evaluation by the panel

New Content

Content that was created in response to the report from the state review panel meeting that has been reviewed and approved by the state review panel only

New Citations

Citations of content in a product that was not initially cited on the correlation document and is provided to the state review panel in response to the panel's report

Nonconsumable

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

Open Educational Resource Material

Material that is freely accessible, openly licensed, and available to Texas school districts, including those available through the [Texas Gateway](#)

Proclamation

The document issued by the SBOE calling for bids for instructional materials that identifies subject areas and courses/grade levels scheduled for review and outlines requirements for participation

Proclamations are named for the year in which the materials are intended to be made available in the classroom.

Publisher Handbook

A proclamation-specific guidance document issued by TEA that contains detailed requirements and additional information about each publisher deliverable

Questions and Answers Document

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

Show-Cause Hearing

An opportunity for eligible publishers to present evidence of required TPG content provided to the state review panel but not accurately reflected in the preliminary report

Specialized Format Materials

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

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 TPG are covered and to identify factual errors

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.

Student Component

Any print or electronic instructional material component that is specifically intended for use by the student

Teacher Component

Any print or electronic resource that is specifically intended for use by the teacher

Teacher components may also include materials intended for use by the students.

Technology and Instructional Materials Allotment

A biennial allotment of money from the state technology and instructional materials fund to Texas public schools

Texas Education Agency (TEA)

The agency that oversees primary and secondary public education in the state of Texas

Texas Prekindergarten Guidelines (TPG)

The state guidelines for prekindergarten identify the behaviors and skills that children are to exhibit and achieve by the end of prekindergarten, as well as instructional strategies for teachers.

Word Search

Feature in a program that allows for keywords to be located