STATE BOARD OF EDUCATION

PROCLAMATION 2024

QUESTIONS AND ANSWERS

Issued September 2022

Contents

Questions and Answers

General Questions

1. **Question** If a publisher is interested in printing TEKS standards within a program, does it need permission from TEA?

   Answer Since the TEKS are in the public domain, publishers do not need permission to print them in products.

2. **Question** Will there be separate committees that review each course?

   Answer Committees will be formed based on the number of products submitted for each course. It is possible that a single committee could review products for various courses if the members of the committee are qualified to do so.

3. **Question** If a product is available digitally and in print, is there a requirement that every student have a print copy?

   Answer No. Schools must provide each student with instructional materials that cover 100% of the TEKS (Texas Administrative Code [TAC], Title 19, §66.105). Each district establishes a local policy that determines whether materials are physically issued to students and whether materials are available in print or digitally.

4. **Question** What options do publishers have to protect copyrighted material during the review?

   Answer Publishers are encouraged to add a draft watermark across pre-adoption samples to protect copyrighted materials.

5. **Question** How should the TEKS be cited in instructional materials?

   Answer Identify standards and parts of standards by referencing the appropriate rule from the TAC.

   Examples: *Students understand that personal health decisions and behaviors affect health throughout the life span. Students are expected to: describe and practice activities that enhance individual health such as enough sleep, nutrition, and exercise (TAC §115(b)(1)(A)).*

   Or, if the grade level or course is clear from the context: *Biology (c)(1)(a) requires students to demonstrate safe practices during laboratory and field investigations.*

6. **Question** What are machine-readable TEKS and what is the purpose of this requirement?

   Answer TEKS are currently published in HTML and a static PDF document. A machine-readable version provides standards in an IMS Global CASE-Certified format. When publishers use the machine-readable TEKS to tag the content that addresses the TEKS, districts have a clear and consistent way to search resources from different sources by TEKS and keywords.

7. **Question** How are publishers expected to incorporate machine-readable TEKS?

   Answer The machine-readable TEKS must be used to tag content in all electronic instructional materials. They are available at https://teks.texasgateway.org/. Publishers can view guidance and training materials for using machine-readable

TEKS on the Texas Gateway.

8. **Question**   Are the ELPS required to be machine-readable?

    Answer   No. The use of machine-readable ELPS is not a requirement for *Proclamation 2024*.

9. **Question**   Can publishers use the STAAR® logo in adopted materials?

    Answer   Under certain circumstances, yes. The STAAR logo and artwork belong to the Texas Education Agency (TEA). Publishers may not use STAAR® as part of their company or product name nor can they use it to describe a product.

Publishers may refer to STAAR® if they

- use the registered trademark symbol ® next to it (i.e., STAAR®);

- indicate that STAAR® is a federally registered mark owned by TEA; and

- state that their product is not sponsored by, endorsed by, or affiliated with TEA (e.g., *Company X is not sponsored by, endorsed by, or affiliated with the Texas Education Agency*).

Publishers may also use phrases like "similar to the Texas assessment program" or "based on Texas state assessments" to describe their products and may refer to Texas state assessments in generic terms in their products.

10. **Question**   *Proclamation 2024* states that publishers who submit new products must also provide new correlations to any currently adopted materials if they plan to continue selling those materials. Can we assume that currently adopted materials will continue to be available for purchase in EMAT as long as a new correlation to the revised TEKS is submitted?

    Answer   Yes, if the state review panel determines that the currently adopted materials meet the eligibility requirements for adoption and the materials are adopted by the SBOE under *Proclamation 2024*.

11. **Question**   What is the *Report of Interoperability and Ease of Use*?

    Answer   The report gathers information from publishers regarding their program's ability to work in different operating systems. The *Report of Interoperability and Ease of Use* form is available on the *Required Proclamation Forms* list on the [Adoption Resources webpage](#). This information will be provided to the SBOE and districts.

12. **Question**   Regarding the *Report on Interoperability and Ease of Use*, which standards of interoperability does this requirement refer to, or are we simply required to document whether our product(s) are capable of integrating with other software?

    Answer   There are currently no specific interoperability standards with which products must comply. Publishers are simply being asked to provide information related to interoperability.

13. **Question**   Which materials will be reviewed for quality with the Texas Resource Review (TRR)?

    Answer   Any materials submitted for K–12 science will be reviewed by TEA through the TRR. We do not have plans to review materials submitted for career and technical education, technology applications, or Personal Financial Literacy and Economics at this time.

14. **Question** How do you expect correlated content for digital course submissions to be referenced in correlations?

    Answer Publishers must provide the component ISBN, page number, description of the content's location on the page, and a hyperlink that directs users to the exact locations of the content that the publisher believes sufficiently addresses the breakouts of the student expectations (SE). The correlations of online products must also be embedded in the product.

15. **Question** When you say that publishers must embed correlations, do you mean that the correlations must be on our native site, that we must put a direct link in the correlations, or both?

    Answer Both. Links are required on the correlation document but providing them does not meet the embedding requirement unless the document is integrated into the digital program. Publishers can choose how they embed the correlations.

16. **Question** Does the state review panel use the publisher-supplied correlation document as its primary references for locating coverage of the TEKS, or is the publisher correlation only a secondary aid?

    Answer The state review panels use the publisher-supplied correlation document as their primary references as they review the instructional materials. The importance of carefully constructed and accurate correlations cannot be overstated. If the publisher-supplied correlations are vague or confusing, reviewers may not be able to locate the content and may reject the citations.

17. **Question** If an SE has eight individual breakouts, then does that mean you must have 16 citations (two for each breakout) for that one original SE?

    Answer Yes. SEs must be covered in their entirety two times in the material intended for student use and two times in the material intended for teacher use. However, the citations provided for the material intended for student use can be used to satisfy the requirement for the material intended for teacher use.

18. **Question** Can the same citation be provided for more than one breakout and/or SE?

    Answer Yes. The breakouts are created to make the review of materials easier for state review panels. They are not intended to imply that individual breakouts or even individual SEs require unique content.

19. **Question** Can the same citation be provided for both the teacher materials and the student materials?

    Answer Yes. The best, most closely aligned content should be provided in both sets of correlations for each breakout. Providing different citations for the material intended for teacher use and the material intended for student use can be confusing for review panelists and should be avoided.

20. **Question** Are all publishers who plan to submit English science curriculum expected to submit Spanish science curriculum?

    Answer It is entirely up to publishers whether to submit English and/or Spanish materials. You may, however, encounter districts who are unwilling to consider adopting materials that are not available in both languages.

21. **Question**   Is Spanish science curriculum expected to mirror an English science curriculum (authentically translated), or is it expected to be a unique experience?

   Answer   There are not any specific requirements for the Spanish materials. Districts may prefer that the content is translated to ensure a comparable experience for all students.

22. **Question**   Are publishers expected to submit Spanish science as a separate submission, or as part of their English submission?

   Answer   There are not any specific requirements. You can choose whether to submit one product that contains English and Spanish content or to submit separate products.

23. **Question**   If we plan on translating our English curriculum, does that qualify as a separate Spanish submission? If so, do we have to have the entire translated version ready for submission with the same English timeline?

   Answer   You can choose whether to submit one product that contains English and Spanish content or to submit separate products. Products need to be fully developed when submitting pre-adoption samples. You can view deadlines in the *Adoption Timeline* in the proclamation.

24. **Question**   Under science, grades K–8, can Spanish student materials be submitted as component items?

   Answer   Publishers may choose whether to submit one product containing English and Spanish content (components) or to submit those materials separately.

25. **Question**   Will science (Spanish), grades K–6 be reviewed along the same timeline as science, grades K–8?

   Answer   Yes, English and Spanish science materials will be reviewed at the same time.

26. **Question**   Will science (Spanish), grades K–6 be evaluated by TRR?

   Answer   Since the Spanish materials are typically a translation of the English materials, they will not be reviewed through TRR; however, we will provide information about the availability of Spanish materials.

27. **Question**   Is the K–6 Spanish science call a separate adoption and is the publisher expected to also provide a Spanish transadaptation (separate from the K–6 Spanish science adoption)?

   Answer   It is entirely up to publishers whether to submit Spanish materials. If you choose to submit materials in Spanish, those materials may be unique materials or transadaptations of the English materials.

28. **Question**   If we have material in an interactive, student facing portal, are print copies necessary, or can they be included as ancillary materials? If these components are required, do they need to be converted into NIMAS files? We are currently trying to decide if we need to publish physical student and teacher workbooks, or if online, downloadable files are acceptable.

   Answer   Print materials are not required. If a publisher offers ancillary items free of charge, those ancillaries in a bundled package of materials must be available for purchase individually (19 TAC §66.81). If you offer student-facing downloadable files, you

would be required to provide NIMAS files for that content.

| 29. | **Question** | Will Personal Financial Literacy and Economics be a replacement for the current high school economics course? |
| | **Answer** | The Personal Financial Literacy and Economics course will not replace the current high school economics course, it will be an additional option for students to satisfy the graduation requirement. |

| 30. | **Question** | Does the Personal Financial Literacy and Economics course fulfill the 1/2 credit graduation requirement for economics? How does AP Economics relate to Personal Financial Literacy and Economics? |
| | **Answer** | Yes, the Personal Financial Literacy and Economics course will fulfill the 1/2 credit graduation requirement for economics. Personal Financial Literacy and Economics course is a TEKS-based course for which the SBOE has called for instructional materials and AP Economics is based on College Board AP standards and the SBOE has not called for instructional materials. |

31.	**Question**	The legislative action that created the Personal Financial Literacy and Economics course takes effect in the 2022–2023 school year. Since *Proclamation 2024* does not have a call for any new purely economics texts, the assumption is that only the Personal Financial Literacy and Economics text will be on the state's adopted materials list from 2024 to 2032. Given that school districts have ever broadening discretion about how to use state instructional materials funds, will districts be able to purchase economics texts that are not on the adoption list?
	Answer	Economics materials were adopted in November 2014 through *Proclamation 2015*. These materials are still in adoption. Social studies courses are scheduled to be part of *Proclamation 2025* which will go into schools in the 2025–26 school year.
		Local authorities for each school district or open-enrollment charter school set their own policies for selecting instructional materials for their students. Districts may use their technology and instructional materials allotment to purchase adopted and non-adopted instructional materials.

Texas Essential Knowledge and Skills Coverage

| 32. | **Question** | Can content in material intended for teacher use be used to meet the requirement to address the TEKS in the material intended for student use? |
| | **Answer** | Yes, in certain circumstances. If there is content that is intended for use primarily by the student, and the publisher chooses to offer that content in the material intended for teacher use (e.g., digital teacher product with pages intended to be shared with students), then that content may be used to meet the requirement to address the TEKS in the material intended for student use. State review panels have the discretion to determine whether content is intended primarily for student use. |

33. **Question**   Can content in the material intended for student use be used to meet the requirement to address the TEKS in the material intended for teacher use?

     Answer   Yes, the teacher has access to content that is intended for teacher use, content that is intended for student use, and content that is intended for both. Therefore, citations for content in materials intended for student use may meet the requirement to address the TEKS in the teacher materials.

34. **Question**   Will the state review panels accept products that are not assembled in a specific scope or sequence?

     Answer   There is no scope and sequence requirement in the SBOE adoption process.

35. **Question**   Can you please define the term *student text narrative*?

     Answer   The *student text narrative* is the part of the instructional material that instructs the student or provides an opportunity for the student to acquire knowledge or learn a skill. Any content in the instructional material that is both intended for use by the student and provides an opportunity for the student to acquire knowledge or learn a skill could be considered *student text narrative*.

36. **Question**   Please define material intended for student use and the material intended for teacher use.

     Answer   The material intended for student use encompasses all the components of an instructional materials submission that are intended for use by the student (e.g., workbooks, reading passages, lessons). The material intended for teacher use encompasses all the components of an instructional materials submission that are intended for use by the teacher (e.g., teacher guide, lesson plans, unit guides) and can include material intended for use by the student (e.g., assessments, workbooks, student texts).

37. **Question**   Are the terms *student text narrative*, *student version*, and *student component synonymous*?

     Answer   No. The term *student text narrative* describes the part of the instructional material that instructs the student or provides an opportunity for the student to acquire knowledge or learn a skill. This contrasts with the part of the instructional material that checks for understanding or asks a student to demonstrate knowledge or practice a skill. The term *student version* encompasses all the components of an instructional materials submission that are intended for use by the student. Material intended for student use can be comprised of several student components. An instructional material submission that includes only a student textbook has a student version comprised of one student component. An instructional materials submission that includes a student textbook, a student workbook, and a digital resource for the student has material intended for student use comprised of three student components. Another way to understand the three terms is as follows: student text narrative is specific content within a student component. A student component is a specific element (workbook, textbook, website, etc.) of the student version of a product.

38. **Question** Should coverage of an SE be only in the printed content, or can one be covered by accessing a companion website or other digital resource?

Answer TEKS coverage may occur in any component of a submission, including a companion website or other digital resource. Links to outside resources should be direct, and the content should be easy for users to access.

Before including links to outside web resources, publishers should remember that, if the product is adopted, they will be required to sign a contract that requires the content to be available for at least eight years. They should also be aware of other website restrictions found in 19 TAC §66.29.

39. **Question** 19 TAC §66.27(h) requires a content SE to be covered "once in the student text narrative and once in an end-of-section review exercise, an end-of-chapter activity, or a unit test." 19 TAC §66.36(b)(1)(c) says, "Student expectations are not considered covered if only included in side bars, captions, or questions at the end of a section or chapter." Please confirm and/or clarify: Questions at the end of a section or chapter will count for this second instance of coverage?

Answer Yes, but they cannot be the only kind of citation provided. To be considered covered, the SE must also be adequately addressed in the student text narrative.

40. **Question** Are we required to print the TEKS on any student materials or on any teacher materials?

Answer No. Printing the actual text of the TEKS is not required in student or teacher materials.

41. **Question** Regarding the nature of the content coverage in teacher and student instructional materials: Instructional materials must meet at least 50% of TEKS in the materials intended for student use and 50% of TEKS in the materials intended for teacher use; does it have to be the same 50% (i.e., coverage for some TEKS standards only appears in the materials intended for teacher use, coverage for some TEKS standards only appears in the materials intended for student use, but both student and teacher versions are covering at least 50%)?

Answer Yes. To determine eligibility for adoption, only those SEs that are addressed in both the student and teacher materials can be considered.

42. **Question** May the correlation for the student version and the correlation for the teacher version have different TEKS percentages if they are both over 50% (e.g., correlation says student version meets 80%, teacher version meets 100%), or must there be coverage in both student and teacher version to meet a given TEKS standard?

Answer To determine eligibility for adoption, only those SEs that are addressed in both the student and teacher materials will be considered. Once a product has met the requirement of at least 50% coverage of the same SEs in both the teacher materials and the student materials, additional citations can be provided for one or the other or both sets and the final TEKS coverage for each may be different. The TEKS coverage percentage that will be published in EMAT will be the percentage of coverage in the student materials.

43. **Question** Is it correct that if a publisher misses one breakout of an SE that has several breakouts, the whole SE is considered "not met," and even the breakouts that were met are discounted and do not count toward the 50%?

    Answer That is correct. The 50% requirement refers to SEs, not breakouts. The purpose of parsing each SE into breakouts is to ensure that each portion of an SE is addressed. Accordingly, if all the breakouts of an SE are not sufficiently covered, then the entire SE is considered not addressed and does not count toward the 50%.

44. **Question** Each of the TEKS is comprised of a knowledge and skills statement and SEs. Must each of the SEs in a given standard (related to the same knowledge and skills statement) be addressed for the other SEs within the same standard to be considered addressed?

    Answer No. Each SE is considered addressed or not addressed individually, without respect to any other SEs. The 50% requirement refers to SEs, not knowledge and skills statements. For example, if a standard has a knowledge and skills statement and three SEs, and a product addresses all the breakouts in two of those SEs (essentially meeting only two of the three SEs), those two SEs will still count toward the 50% requirement for eligibility for adoption.

45. **Question** How is it determined that a submitted product is at least 50% compliant with the TEKS? Does a book need to reach 50% compliance for each knowledge and skills statement, or can the percentages vary from knowledge and skills statement to knowledge and skills statement, if they add up to 50%?

    Answer A product does not need to meet 50% of the SEs for each knowledge and skills statement. A product only needs to meet 50% of all the SEs. The percentage of coverage within each knowledge and skills statement will not be calculated as part of this process.

46. **Question** Please confirm that the requirement to address TEKS in the student text narrative can be met through a variety of instructional materials that students work with, not just by reading a passage in a student textbook narrative (or e-textbook narrative), including, for example, by

    a. conducting or participating in a hands-on investigation/experiment;

    b. reading and/or completing a student copy master/worksheet;

    c. participating in a classroom discussion;

    d. completing an electronic interactive activity or simulation; or

    e. viewing and discussing a video.

    Answer Any instructional material that is both intended for use by the student and provides an opportunity for the student to acquire knowledge or learn a skill *could* be considered student text narrative. Content in a student textbook, student workbook, or digital resource for the student could be considered part of the student text narrative. Whether specific examples such as those provided in the question above will be accepted as part of the student text narrative will be determined by the state review panel.

47. **Question**   If a publisher submits both online and print materials as a package, does the TEKS coverage percentage have to be identical? Will the evaluators look at each product separately? For example, if our online curriculum covers 100%, does our printed material included in the package have to cover 100%?

    Answer   Online and print materials are not required to have identical TEKS coverage. If both online and print materials are submitted as a package in one *Complete Description*, the TEKS coverage percentage will reflect the entire product rather than the print and online portions individually. If print and online materials are submitted separately and the publisher indicates that the content in each version is different, the materials can be reviewed for TEKS coverage individually.

48. **Question**   If an instructional material contains only one instance of a breakout, should that instance be recorded on the correlation form?

    Answer   An SE must be met at least twice in the material intended for student use—as described in 19 TAC §66.27(h)—and at least twice in the material intended for teacher use in order for that SE to count toward the 50% requirement for eligibility for adoption. If, in its correlations, a publisher only lists a narrative or activity citation or no citations for a breakout, the associated SE will not be met.

49. **Question**   If there is an activity, must it come at the end of the chapter, or can it be included at the point where the material is covered?

    Answer   Activities can be included at any point the publisher deems is most instructionally appropriate.

50. **Question**   Given that "Any instructional material that is intended for use by the student and provides an opportunity for the student to acquire knowledge or learn a skill could be considered student text narrative," it seems logical to assume that any material in a student text that imparts knowledge—such as introductions, essays on specific topics, appendices that provide information—are considered student text narrative. Is that correct?

    Answer   Subject to the findings of the state review panels, content in introductions and essays on specific topics could be used to satisfy the requirement for TEKS coverage in the student text narrative. However, content in the table of contents, appendices, or other front- or end-matter is not considered part of the student text narrative, and, therefore, cannot be used to satisfy the requirements for TEKS coverage.

51. **Question**   If a publisher inserts questions for the students in photo and art captions and those questions address TEKS breakouts, will those questions count toward meeting TEKS requirements?

    Answer   No. A question in an art illustration or photo caption cannot count toward meeting the required coverage of the content standards.

52. **Question**   Can content in a photo/art caption or a sidebar be used to address the TEKS?

    Answer   No, content in a caption or sidebar cannot be used to satisfy the requirements for coverage of the content standards. Art, photo captions, and sidebars are not considered student text narrative, nor are they considered end-of-section review exercises, end-of-chapter activities, or unit tests.

53.	**Question**	What constitutes a citation? The mention of the word on a page? What about a definition followed by two examples? Can that count as three citations even though it is all on one page?
	Answer	The proclamation defines citation as "The identification of one specific example of content that covers one element of the TEKS." To be an example of content that covers one of the TEKS, the content must provide 1) an opportunity for the teacher to teach the knowledge or skill, 2) an opportunity for the student to learn the knowledge or skill, or 3) an opportunity for the student to demonstrate the knowledge or practice the skill. It is permissible to have more than one citation on a page or screen. The mention of a word on a page does not constitute coverage.
54.	**Question**	Does a definition of the word in the glossary count in either the student or teacher edition?
	Answer	No. Content in the table of contents, appendices, including glossaries, or other front- or end-matter is not considered part of the student text narrative, an end-of-section review exercise, an end-of-chapter activity, or a unit test and, therefore, cannot be used to satisfy the requirements for TEKS coverage.
55.	**Question**	If a publisher provides a print textbook and an eBook, as well as additional digital materials, do all TEKS need to be met both in the print textbook and the eBook, or can some standards be met in the print materials and some in the eBook if they are all available to the student and cited accordingly in the correlations?
	Answer	If the print textbook and eBook are both included on the *Complete Description* and the publisher cites each one accordingly in the correlations, they do not each need to meet the same TEKS. The publisher must include both on all bids. If the publisher wishes to sell the print textbook and eBook separately, each should be submitted on a separate *Complete Description* and correlated individually.
56.	**Question**	In the knowledge and skills statement 1.D in the K–5 science TEKS has a tool list with the word "including" but grades 6–8 standards used "such as". Is the difference deliberate?
	Answer	The TEKS work groups felt strongly about using "including" rather than "such as" in the SEs that include a list of tools. For the purposes of instructional materials alignment, we are going to treat all tool lists as such as statements, which means the tools will not be included in the breakouts.
57.	**Question**	Specific items are called out as a tool. Can an item that serves the same purpose be used instead of the specific item on the tool list? For example, an aluminum pan for a tray or yarn for ribbon. Also, some tools do not align to the content taught in the grade level or there are safety concerns.
	Answer	The lists of tools were developed by the TEKS work groups as they determined how each student expectation might be taught. If there are other objects that may be substituted and fulfill the same purpose, that is acceptable. Also, many of the tools suggested have more than one use within and across grades. For example, the sun-Earth-moon model is not only to be used in discussion the patterns in that system. It was specified because it is used for that in other grade levels and would be in the building and available for use by kindergarten teachers when discussing day & night.

58. **Question** To what extend do the Science Safety Standards need to be written into the science curriculum, or are they solely referenced?

    Answer Science Safety Standards are referenced in the Scientific and Engineering Practices and should be followed any time they apply. Best practice would be to reference them in the curriculum, but it is not strictly necessary.

59. **Question** The same tools list is used for Grade 6–8 TEKS 1.D, even though several of the items indicated are appropriate for only one grade. One example from 1.D is "…pH indicators…," which are only appropriate for Grade 8, and would be irrelevant in Grades 6 and 7.

    Answer It is a such as statement; therefore, there shouldn't be an issue if a tool in the list may not be used in a particular grade level.

60. **Question** In the TEKS, are we to interpret "including" is being read as "limited to"? As an example from G4: (6) Matter and energy. The student knows that matter has measurable physical properties that determine how matter is identified, classified, changed, and used. The student is expected to: (B) investigate and compare a variety of mixtures, including solutions that are composed of liquids in liquids and solids in liquids..." We assume all "included" material must be taught.

    Answer Including does not mean limited to. For the purposes of instructional materials, anything following the word "including" is separated into a breakout, and publishers are required to demonstrate alignment to each of those breakouts in order for the student expectation to count towards your product's TEKS coverage. For science, we will make an exception for student expectation 1.D that lists a series of tools and treat the list as a "such as" statement. You are correct that all of the SEs must be taught. When there is an "including" statement, everything in the list must be taught. When there is a "such as" statement, the items in the list are illustrative examples and are not required to be taught.

61. **Question** How are SEs that use "including" and "such as" tested?

    Answer These SE examples may be used in the assessment questions. The assessment questions may also use examples not included in the TEKS in both cases. Any examples in the TEKS are illustrative of the possible questions but are in no way a limiting factor.

62. **Question** We would like clarity on 'themes' in the new TEKS. It was shared that at the last TEA meeting the themes were only for grades K–8 and not Biology or other HS Courses. These are called out in all of the new TEKS, but what emphasis should be placed on themes in Biology?

    Answer The recurring themes and concepts are included in all the newly adopted TEKS, K–12. In K–8, there is a Knowledge & Skill statement that describes what students are expected to know and be able to do with the recurring themes and concepts. At the high school level, however, they only appear in the introduction. This means that the recurring themes and concepts will not be assessed in high school but are still expected to be connected to instruction. In Biology, the paragraph describing the recurring themes and concepts is here: (6) Science consists of recurring themes and making connections between overarching concepts. Recurring themes include systems, models, and patterns. All systems have basic

properties that can be described in space, time, energy, and matter. Change and constancy occur in systems as patterns and can be observed, measured, and modeled. These patterns help to make predictions that can be scientifically tested, while models allow for boundary specification and provide a tool for understanding the ideas presented. Students should analyze a system in terms of its components and how these components relate to each other, to the whole, and to the external environment. Since they do not appear in the Knowledge & Skills or Student Expectations and are not to be assessed at the high school level, Instructional Materials may incorporate them in a wide range of ways and with varying emphasis. However, best practice tells us that using the recurring themes and concepts ties science content together into a coherent schema for students.

63.	**Question**	In the introduction section of the K–5 science standards, 1.A.iii suggests the amount of instructional time to be dedicated to investigations. Is "investigations" in this context defined as "plan and conduct an investigation" employing either descriptive, correlative, comparative or experimental investigations or does the percentage of recommended investigation time include participating in any part of the Science and Engineering Practices?
	Answer	This includes all scientific and engineering practices as they relate to doing any of the types of investigations.
64.	**Question**	In regard to identification of content for the correlations, the distinction between electronic resources, digital media, and multimedia resources in the TEKS is not apparent. "Electronic" and "digital" could be considered synonymous, and multimedia can be delivered online (i.e., electronically/digitally). Can you please define these terms as they relate to the TEKS?
	Answer	In the proclamation, the terms "electronic" and "digital" are used synonymously and refer to materials that require the use of technology to access. In the Medical Terminology TEKS, both "electronic" and "digital" could be considered synonymous and multimedia can be delivered online. Medical Terminology standard 4(A) refers to published and medically approved resources and standard 4(C) refers to non-formal media and digital resources that may be used for research purposes or in the workplace, thus requiring supervision. An example of this might be a patient's digital medical report, or medical email, surgical video review, imaging interpretation, etc.
65.	**Question**	In the new Personal Financial Literacy and Economics TEKS, the section involving college and training opportunities and associated loan and process is placed toward the beginning. Does this imply that these TEKS should be covered ahead of the ones that follow? Would it be ok for a curriculum to cover personal finance and budgeting before covering college/training opportunities, etc.?
	Answer	The TEKS do not dictate or prescribe a sequence for instruction or instructional materials.
66.	**Question**	Does science (Spanish), grades K–6 have different standards than science, grades K–8 or is it simply a translated version of science, grades K–8?
	Answer	The new science TEKS are not available in Spanish, but they are being developed. The Spanish TEKS will be a translation of the English science TEKS adopted in 2021.

English Language Proficiency Standards (ELPS)

67. **Question** Is coverage of the ELPS required by *Proclamation 2024*?

    Answer Yes. Coverage of the ELPS is required for each science course and career and technical education courses for which a student earns science credit included in *Proclamation 2024*.

68. **Question** What is considered 100% ELPS coverage? Is it 100% of section C 1–5? Or does it include sections A (Introduction) and B (School district responsibilities) as well?

    Answer ELPS coverage is based on the applicable breakouts of the cross-curricular second language acquisition knowledge and skills (section C 1–5). The science ELPS breakouts are posted on the [TEA website](#).

Bids and Pricing

69. **Question** Are teacher materials required to be included with submissions?

    Answer Material intended solely for use by teachers is not required.

70. **Question** Are publishers required to submit bid packages that serve a specific number of students and teachers?

    Answer No; however, to improve transparency for districts, publishers will be required to provide per-student pricing information and information regarding volume discounts in a manner designated by TEA.

71. **Question** How will a publisher be notified when a district purchases an adopted material?

    Answer How a publisher is notified when a district purchases one of its materials is directly related to how the publisher plans to process its orders. A publisher may process orders manually through the EMAT system, through a depository, or in EMAT through an Electronic Data Interchange (EDI) system. If a publisher chooses not to use a depository, it must use EMAT. Publishers are required to complete the *Order Processing Information Form* prior to submitting their *Official Bids*.

72. **Question** There is no mention of a printed teacher edition in the "Adoption Timeline." Are publishers not required to provide teachers with printed teacher editions (in cases where printed texts exist)? If not required, may publishers provide teachers with printed teacher editions if publishers so desire?

    Answer Publishers are not required to provide a printed teacher edition for the purposes of the state review panel. However, should a braille or large-print teacher edition be required by a district, publishers must provide TEA with two printed teacher editions. Publishers may choose the specific media formats of each component.

73. **Question** Will annual renewals on online licenses be allowed, or must districts purchase the materials for the life of the adoption all at once?

    Answer Annual renewals of online licenses are allowed.

74. **Question** In previous adoptions replacement consumable materials were required to be provided for free throughout the life of the adoption. Will this be a requirement of *Proclamation 2024*?

    Answer *Proclamation 2024* did not call for consumables, but if the pricing option includes consumables, the bid price must include the price of the consumable for the term of the contract.

75. **Question** Is it permissible to bid the same program in multiple courses across the same subject area in *Proclamation 2024*?

    Answer Yes. It is permissible to submit one program in multiple subjects, courses, and/or grade levels. In such cases, the publisher should submit a separate *Statement of Intent to Bid*, *Complete Description*, and correlation for each course, and the product will be reviewed against each set of TEKS. The SBOE's adoption of the product in one subject or course does not guarantee adoption in any other subject, course, or grade level.

76. **Question** Must each product have its own unique ISBN?

    Answer Yes. Each product and each component must have its own unique ISBN or ISSN. These numbers are used to track the products as they progress through the review and adoption process. Following the adoption, districts use these numbers to order the products in the EMAT system.

77. **Question** If a publisher submits an updated version of a bid, can it add components to those listed in the previous version of a bid?

    Answer Yes, as long as prior to submitting the new bid, the components have been approved through the Update and Substitution process and the components that were reviewed are also on the bid. If the additional component is a print student component that was not previously bid, publishers also must submit NIMAS files. It may take longer to get new print components listed in EMAT because of the requirement to have accessible materials enter the classroom at the same time as materials intended for use by students without visual impairments.

78. **Question** *Proclamation 2024* lists Monday, August 21, 2023, as the deadline for submitting initial *Official Bids*. Can you please explain what is meant by the word initial? Must publishers submit bids by this deadline?

    Answer Submitting *Official Bids* by the August 21st deadline is required. Bids for adopted products that are submitted by the initial deadline of August 21st will be incorporated into contracts and put into EMAT by the time EMAT opens for the 2024–25 school year. Publishers who miss the initial deadline will not be eligible for adoption by the SBOE. After the August 21st deadline, a publisher can add additional bids, and TEA will work as quickly as internal processes allow to get the products incorporated into contracts and into EMAT, but TEA may not have those products in EMAT when EMAT opens for the 2024–25 school year. Meeting the initial bid deadline will permit TEA to begin working to produce accessible materials, develop contracts, and get products into EMAT by the time it opens for the new school year. The option to submit additional bids by the additional bid deadline of Monday, November 6, 2023, allows publishers to respond to the needs of districts. The prices listed in the additional bids may not exceed those that were

provided in the initial bids.

79. **Question** Can a publisher submit additional bids by the Monday, November 6, 2023, deadline if it did not submit *Official Bids* by the Monday, August 21, 2023, deadline?

    Answer No.

80. **Question** Can you please explain the concept of "core content" as it relates to submitting a *Complete Description* for *Proclamation 2024*?

    Answer Core content—sometimes referred to as TEKS-bearing content—refers to the components of a product that a publisher indicates will be used during the review to meet the required TEKS.

81. **Question** When will publishers be required to provide information about the components that will be sold to districts and are not part of the core content?

    Answer Publishers are required to include that content in the pre-adoption samples and to provide information about the components that are not part of the core content when they submit *Official Bids* in August 2023. The *Official Bids* require publishers to provide information about each component the publisher intends to sell in EMAT. Publishers must submit one bid for each pricing option and/or product offering, and each *Official Bid* must include the core content.

82. **Question** How will bids that include an eight-year pricing option be handled if a district chooses to order the eight-year option after the first year of adoption?

    Answer Publishers are required to include the subscription length of programs using "through school year" rather than indicating a specific number of years in the program title of bids for eight-year options. For example, an eight-year program title could be *Texas Biology, (Through SY 2031–32)*. Publishers are given the opportunity to lower prices after the first year of adoption. If publishers cannot change the number of subscription years and price associated with an ISBN, they can provide a post-contractual bid for a seven-year subscription.

83. **Question** What is a component requisition?

    Answer In accordance with 19 TAC §66.28, publishers are required to allow individual purchase of each component included in their programs. The individual components must be available for the entire contract period. Districts complete a component requisition in the EMAT system to purchase an individual item.

84. **Question** Using a publisher submitting a print product as the scenario, can you please describe the process of submitting these forms?

    Answer A publisher with an adopted product that contains a student book and a teacher book that comprise the core content, along with several additional resources and other options, could submit the information as follows:

    i. By Monday, December 5, 2022, the publisher submits one *Statement of Intent to Bid* that provides only general product information, such as the name of the publisher, name of the product, system requirements, media formats, and preliminary price information.

    ii. By Monday, March 6, 2023, or Tuesday, May 30, 2023, for courses with TEKS adopted in June 2022, the publisher submits one *Complete Description* of the

product that provides specific information about the student book and the teacher book (core content) only.

iii. By Monday, August 21, 2023, the publisher submits its *Official Bids*. The number of *Official Bids* this publisher submits depends on the number of different ways it would like to offer or "bundle" the core content with any additional resources. For instance, the publisher could offer simply the core content at one price and offer the core content with certain additional components at a different price. Each of these offerings requires a separate *Official Bid*, and each *Official Bid* must include the core content.

85. **Question** Using a publisher submitting a subscription-based online product as the scenario, can you please describe the process for submitting these forms?

   Answer A publisher that would like to submit an online product with different options for subscriptions could submit the information as follows:

i. By Monday, December 5, 2022, the publisher submits one *Statement of Intent to Bid* that provides only general product information, such as the name of the publisher, name of the product, system requirements, media formats, and preliminary price information.

ii. By Monday, March 6, 2023, or Tuesday, May 30, 2023, for courses with TEKS adopted in June 2022, the publisher submits one *Complete Description* of the product that provides specific information about the digital student and teacher components that comprise the core content only.

iii. By Monday, August 21, 2023, the publisher submits its *Official Bids*. The number of *Official Bids* this publisher submits depends on the number of different ways it would like to offer or "bundle" the core content with any additional resources. For instance, the publisher could offer an eight-year subscription, a four-year subscription, a two-year subscription, and a one-year subscription—each with its own price. The publisher could offer even more options if it chooses to bundle the subscriptions with a tablet, laptop, or other equipment. Each of these options requires a separate *Official Bid*, and each *Official Bid* must include the core content.

86. **Question** Can you confirm publishers can bid hands-on kits? Our kits likely would not be needed to satisfy TEKS coverage, as our digital core program would do that. So, do most publishers bid kits as ancillary options that are not reviewed by the state but are included as an ancillary bid item?

   Answer Publishers must submit information regarding each component that will be used to demonstrate standards alignment. This information will be used by TEA staff to plan for the state review meetings (TAC §66.28(d)(6)). Your kit(s) will not be on the *Complete Description* if you are not using the kit's components for TEKS coverage. This information is on page 21 of *Proclamation 2024*.

You are permitted to include a kit in your final package bundles by submitting an *Official Bid*. Publishers must submit at least one *Official Bid* for each product eligible for adoption, listing each component that will be offered along with the price of the material. A separate bid is required for each package option a publisher submits. Each component or subcomponent offered as part of the

bundle, including items provided free with the purchase of the bundle, must also be available for purchase individually (TAC §66.28(f)–(g)). Bids of adopted materials become part of the instructional materials contract. This information is on page 23 of *Proclamation 2024*.

87. **Question**   Is there any specific funding provided by the state for kits, and does the manner in which kits are bid determine any funding availability?

    Answer   The state does not provide specific funding for kits. The price of the kit is at your discretion; however, package and component pricing on the bids may not exceed the lowest price at which you offer that instructional material for sale to any state, public school, or school district in the United States.

88. **Question**   Will physical kit samples need to be provided at any point in the adoption process? We often see states not require physical kit samples because of how large and cumbersome the shipments would be to receive—and therefore we provide content lists and/or pictures.

    Answer   All publishers participating in *Proclamation 2024* must provide digital access to instructional materials at no cost to TEA and each of the twenty ESCs. Rather than providing physical kits, publishers should provide a list of items that are included in the kit. More information can be found on page ten of the proclamation.

89. **Question**   As we see with global supply chain crisis, cost and availability for physical goods swing rather wildly. If we bid kits as ancillary, what flexibility do publishers have in terms of changes to price and contents?

    Answer   The price can be reduced at any time, but you are not able to increase the price higher than the price listed on the initial bid. You can change the contents of a kit by submitting an update or substitution request for approval prior to making the change. Publishers may not offer instructional materials in this state at a higher price than that offered to any other state, public school, or school district in the United States (TEC §31.151).

90. **Question**   Must product bundle prices equal the sum of individual component prices? This question is intended to clarify whether our bundles can/should be priced to offer a discount for purchasing a complete solution.

    Answer   Publishers decide on the pricing of the materials. Publishers may not offer instructional materials in this state at a higher price than that offered to any other state, public school, or school district in the United States (TEC §31.151). The bundled price can offer discounts.

91. **Question**   Is science (Spanish), grades K–6 bid separately with the ability to be priced separately from science, grades K–8?

    Answer   If a publisher chooses to bid your Spanish products separately, they may be priced separately.

Samples

92. **Question**   Are there specific technical requirements for the pre-adoption samples?

    Answer   Yes. If the sample is provided as a PDF, the PDF must meet the requirements of the [Web Content Accessibility Guidelines (WCAG) 2.1 AA](). Publishers can find more information about PDF accessibility on the [World Wide Web Consortium (W3C)]() and [Adobe]() websites. If the sample will be hosted on a website, the website may not contain any sales or marketing content, including links to such content. In addition, publishers may not require users to provide any identifying information (e.g., name, email address, phone number) prior to accessing the pre-adoption sample, the correlations must be embedded, and the sample must include a word search feature.

93. **Question**   Are there any system requirements for the platform or media types used by publishers for digital delivery?

    Answer   Instructional materials delivered digitally must meet the technical standards of the Federal Rehabilitation Act, Section 508, and all materials delivered online must meet minimum web-based standards, available at https://www.w3.org/TR/WCAG21/. Aside from these standards, there are no specific system requirements for the platform of electronically delivered instructional materials. However, on the *Statement of Intent to Bid* and *Complete Description*, a publisher must disclose the system requirements of the product.

94. **Question**   Is it permissible to provide third-party software with an instructional materials submission?

    Answer   There is no restriction on including third party software in an instructional materials submission. However, a publisher of adopted products is required to sign a contract agreeing to make its product available for an initial eight-year contract period. In signing the contract, publishers affirm that the state's or a district's use of the product will not infringe on any third-party rights for the full eight-year period. Additionally, publishers may not change any content in an instructional materials submission without prior approval.

95. **Question**   *Proclamation 2024* includes the requirement to provide an electronic copy of all new content reviewed and approved by the state review panel. Can you explain the purpose of this requirement?

    Answer   The purpose of this requirement is to ensure the transparency of the review and adoption process by allowing members of the public to review the content changes that publishers make in response to feedback from the state review panels. In addition to the new content, the public must also have access to the original version of the pre-adoption sample. Publishers should not make content changes to their submitted pre-adoption samples. Changes in content must be provided separately.

96. **Question**   What are the requirements for the word search feature that must be included in digital samples?

    Answer   Each digital pre-adoption sample must be equipped with a word search feature that allows users to search for specific words, such as important terms from the

TEKS, within each component.

97. **Question** What is the extent to which the word search feature must function in the digital sample? Must each component be searchable individually or must the word search span all the products and components we have submitted in a subject area across grade levels?

    Answer Each component must be searchable individually.

98. **Question** Is the need for a word search feature specifically for the state review panels or should the word search be customer facing? If it must be customer facing, must the word search feature be included in both teacher and student materials?

    Answer The word search feature requirement is specific to pre-adoption samples, which are made available to the public through TEA's website. The feature is used to search for specific words and phrases within the student and teacher materials. Publishers are strongly encouraged to include the word search feature in the final version of teacher materials.

99. **Question** Do videos need to be included in the word search feature?

    Answer Yes, a specific phrase or word search should yield all applicable results that contain the content, including videos.

100. **Question** Can you clarify the functionality of the word-search feature required for the March submission? Will browser search functionality suffice for that criteria? Does "content" refer to individual materials such as contextual PDFs for learning content or does it refer to cross-platform searching across a library of materials?

    Answer The word search feature must allow users to search for specific words, such as important terms, within the text and each component must be searchable individually.

101. **Question** We plan to have all content complete for the March 6, 2023, deadline; however, there seems to be diverging language around tech features. In the introductory language: Publishers can make technical enhancements to adopted electronic instructional materials that do not affect content. In the pre-adoption samples language: Pre-adoption samples must be complete electronic versions of the final product and must include all content, components, and features intended to be in the final product, not just the content identified in the correlations. How are "features" defined in the pre-adoption sample language? Do these mean technical features?

    Answer The section you are referring to is in reference to the final adopted version, not the pre-adoption sample. The version you submit for the pre-adoption sample should include all content that will be in the final version, not just the content needed for TEKS and ELPS alignment. Additionally, it needs to be fully functional. Features represents all attributes of the program. This would include functionality and technical features.

102. **Question** Will various formats, e.g., print, software, and/or a combination of both, be permitted in *Proclamation 2024*?

    Answer Yes. Publishers may submit print materials, digital materials, or a combination of

print and digital materials.

103. **Question**   For adopted electronic materials, how will TEA and/or school districts assist publishers in preventing digital piracy, or unauthorized copying of proprietary materials and posting them on the Internet with open access?

    Answer   Preventing the unauthorized use of instructional materials in schools is the responsibility of each district or charter school and the publisher of the materials. TEA encourages both districts/charters and publishers to take a proactive approach to protect their proprietary materials against piracy.

104. **Question**   When the content is identical in the digital and print versions of the instructional materials submitted for adoption, can the layout of the content be different? For example, if a two-column format is deemed most efficient and readable for a printed text, but a one-column format is considered most effective for online reading, could a publisher provide the exact same content in different layout formats in the printed and electronic versions of the instructional material?

    Answer   Yes, a publisher may provide the exact same content in different layouts in the printed and electronic versions. The publisher should list all available formats when submitting its *Statement of Intent to Bid*.

105. **Question**   The first mention of printed student materials in the *Proclamation 2024* Adoption Timeline is in the deadline for Monday, February 5, 2024. Is this the first time that publishers are required to submit printed copies of their instructional materials?

    Answer   Yes. These printed copies are to aid in the production of braille and large-print materials.

106. **Question**   Please confirm that the publisher can select the platform/media type used for the submission of the pre-adoption electronic sample due on Monday, March 6, 2023, for courses with TEKS adopted by April 2022 or Tuesday, May 30, 2023, for courses with TEKS adopted in June 2022.

    Answer   Yes. The publisher can select the platform/media type used for the submission of the pre-adoption electronic samples. If the sample will be hosted on a website, the website may not contain any sales or marketing content, including links to such content. To meet the requirements of the adoption process, a publisher must submit electronic samples (in either an open or closed format) to TEA, each of the 20 education service centers (ESCs), and to a school district or charter school that requests a sample.

107. **Question**   What information should the "complete description of all items included in a product" include?

    Answer   The complete description of all items included in a product should include every component included in an instructional materials submission being used to address the TEKS. It should specify for whose use each component is intended (student, teacher, or both), the media type (print, online, etc.) of each component, the system requirements for each component if different from the overall product, and whether each component is consumable. This information will be submitted using a specific format provided by TEA.

108. **Question**   What format is required for the state review panel samples?

   Answer   In accordance with 19 TAC §66.28(d)(8), publishers have the option to provide print samples, electronic samples in an open or closed format, or galley proofs to the state review panels. If the sample will be hosted on a website, the website may not contain any sales or marketing content, including links to such content.

109. **Question**   Can you please define *galley proof*?

   Answer   Yes. A *galley proof* is a complete (as to content), print sample that is bound (e.g., in a 3-ring binder or as a spiral). It is representative of the final pagination, layout, and organization of the product. A galley proof shows the actual size of the product (either by the trim size of the galley pages or with crop marks), resembles an advance reading copy of the final material rather than a proofreading or copyediting copy, and provides the state review panel an accurate depiction of what the final bound or online product will look like. For example, color laser proofs of final files to be used for "A-printing" that are bound in a 3-ring binder are acceptable as galley proofs. Printed signatures (also called "folds and gathers") that are bound together in a spiral binding is another example of an acceptable galley proof. A galley proof is not simply a raw or edited manuscript. The option to provide galley proofs is specific to samples for the state review panels.

110. **Question**   "Electronic instructional materials, including internet-based products, must be completely functional." Does this pertain only to digital-only materials as opposed to a website that accompanies a textbook program?

   Answer   This requirement applies to all electronic instructional materials including websites.

111. **Question**   Are there any rules surrounding district sampling?

   Answer   At the request of a school district, a publisher must provide an electronic sample of instructional materials submitted for adoption. These samples must be complete as to content and functional for review purposes and may be in an open or closed format.

   Once this requirement has been met, upon request of a school district or charter school and at the publisher's discretion, a publisher may also provide print sample copies. Print samples provided to districts must be clearly labeled *Sample Copy—Not for Classroom Use*. Samples must be provided at no charge.

112. **Question**   Must district samples be provided electronically?

   Answer   Yes.

113. **Question**   Are we required to provide districts with print samples?

   Answer   No. Publishers are only required to provide districts with electronic samples but can also provide print samples at their discretion. Print samples provided to districts must be clearly labeled *Sample Copy—Not for Classroom Use*. Samples are provided and distributed at the publisher's expense.

114. **Question**   Some classroom kits include several components like game boards, card sets, manipulatives, or posters. We do not believe any of these are necessary for evaluating the merits of the curriculum. Would it be acceptable to present photos of these materials, preferably on our website, rather than sending them to the state or ESCs?

   Answer   Participants submitting instructional materials for adoption must submit electronic samples of each product bid. The format by which the electronic samples are submitted is at the discretion of each individual publisher. Publishers may submit photos of manipulatives or links to images but should keep in mind that providing only an image of a manipulative may make determining TEKS coverage more difficult for the state review panel.

115. **Question**   Should all submissions of instructional material be in full color or black and white?

   Answer   The samples must be fully representative of the final product. A black and white sample would only be acceptable if the final product will be black and white.

116. **Question**   If *Proclamation 2024* materials are submitted in print format, is there a requirement to have an electronic version for any reason, e.g., sampling?

   Answer   Yes. Participants submitting instructional materials for adoption must submit electronic samples of each product bid. Electronic samples may be in either an open or closed format.

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

   Answer   Open-file formats are published and free to be used by anyone. Examples of open-file formats are HTML and PDF. Closed formats require the user to download and install proprietary software. If samples are provided in a closed-file format, users must be able to download all necessary files for free.

118. **Question**   Are galley proofs the only option with respect to print samples (i.e., please confirm that we cannot provide final format print samples to the state, review panels, and 20 ESCs, only galley proofs)?

   Answer   Publishers may provide final-format print samples to the state review panels. Publishers may not provide final-format print samples to TEA or ESCs. The acceptable format of samples is dependent on the recipient of the samples. (Answer continued on the next page.)

The table below indicates the sampling options.

	Pre-Adoption Samples	Post-Adoption Samples
Texas Education Agency	Electronic samples in open or closed format	Electronic samples in open or closed format
Education Service Centers	Electronic samples in open or closed format	Electronic samples in open or closed format
School Districts*	• Electronic samples in open or closed format • Print Samples*	• Electronic samples in open or closed format* • Print Samples*
State Review Panels	• Electronic samples in open or closed format • Print Samples • Galley Proofs	N/A
SBOE Members**	• Electronic samples in open or closed format • Print Samples**	• Electronic samples in open or closed format* • Print Samples**

*Samples are provided to Texas public schools and SBOE members upon request; they must be electronic. If a district also requests a print sample, the publisher may choose to provide it as well.

** Publishers must provide print samples to SBOE members upon request.

119. Question   The proclamation states that print samples may be requested by SBOE members. Is it permissible to provide less than final format materials if this request is received?

     Answer   Publishers are not required to provide print samples in the final format; however, the samples must include all content that will be in the final version.

120. **Question**   Are we allowed to require reviewers (including state review panel members, districts, general public, etc.) to register in order to view our online samples?

     Answer   Yes. However, it is not permissible for publishers to require users to provide personal information (including name, address, phone number, district or school name, and email address) to view online samples, and publishers must not gather personal information from those viewing the samples. A publisher may require a user to choose a username and password to register, but the publisher cannot require that the username be an email address.

121. **Question**   Our assessment questions consist of multiple-choice questions, as well as the other new item types. The content of all questions will be written by the pre-adoption

sample deadline. Our questions will always allow for completion on paper. For example, a hot spot question may be a visual representation of the same image that students would see digitally, with answer choices laid on top. Students would select all the applicable answer choices. Another example: Drag and drop questions would be represented as the same item bank of choices students drag over - instead, they would write those responses in the written example. We also plan to create digital versions of these item types after the pre-adoption sample deadline. Is it permissible to submit the text and content of our assessment questions and to add the digital version of these questions after the pre-adoption sample deadline as part of, "technical enhancements to adopted electronic instructional materials that do not affect content"? Is it permissible to develop auto-scoring capability to these questions after the pre-adoption sample deadline as, "technical enhancements to adopted electronic instructional materials that do not affect content"?

Answer   You will need to document and submit the changes in your corrections and editorial changes report if these updates change the way the questions are worded. TEA does not need to be notified if this enhancement is just activating the technology that allows the questions to work in the way it was intended. You may not make any changes to the pre-adoption sample.

122. **Question**   Pre-adoption digital samples are due in March 2023. The accessibility compliance report is due in March 2024. Is alt text expected to be completed by March 2023 or by the submission of the report in March 2024?

Answer   While it is best practice to address accessibility compliance as you develop your materials, you will not be required to demonstrate evidence of compliance until March 2024.

123. **Question**   Can I make changes to my pre-adoption sample?

Answer   No, your pre-adoption sample must remain static (unchanged). Your pre-adoption sample must be a complete version of the final product and must include all content intended to be in the final product, not just the content identified in the correlations (19 TAC 66.28(d)(1)). You must carefully track any changes you intend to make to the content in your List of Corrections and Editorial Changes.

124. **Question**   I understand that the final content and complete versions of the programs are required for pre-adoption samples. Does that mean we cannot update site functionality until post-adoption samples are due?

Answer   You may update site functionality at any time as long as it doesn't change the location of content or the links you provide in your correlations to your cited content.

125. **Question**   Does the accessible PDF requirement apply to each PDFs within our electronic materials (i.e., student/teacher handouts)?

Answer   If you provide your pre-adoption sample to us in PDF, the PDF needs to be accessible. For the final version, everything needs to meet accessibility requirements.

126. **Question**   Are the content changes on page 14 of the proclamation the time when publishers

are able to make changes to errors we identified or add additional content like extension activities (unrelated to TEKS coverage)?

Answer Submitting a *List of Corrections and Editorial Changes* is how the publishers document all proposed corrections, editorial changes, and approved new content made to each component after pre-adoption samples are submitted. Publishers should include responses to errors identified by the SRP and the public and editorial changes made in response to SRP and the public comments. *List of Corrections and Editorial Changes* are due to TEA on July 31, 2023. This information is on page 12 of the proclamation.

The content changes on page 14 of the proclamation refer to any changes made to materials under consideration in response to public comment. A new *List of Corrections and Editorial Changes* is due Tuesday, November 7, 2023.

127. Question For reviewing purposes, is a sample student experience per grade required or per school type (elementary, middle)?

Answer You will need to provide access to the content for each grade level or course you submitted a statement of intent to bid. It is up to the publisher to decide whether you provide one login that accesses samples of all your grade levels or course content or whether you provide a login for each grade level or course separately.

Ancillaries

128. **Question** Will TEA require publishers to provide any free materials with program bids (e.g., free teacher editions)?

Answer No. There are no requirements that publishers provide free materials with program bids. If free materials are included in program bids, those materials must be included on the bids and also be available for individual purchase.

Updates to Adopted Instructional Materials

129. **Question** 19 TAC §66.29(f) states, in part, "The publisher may not add any internet links to the materials without the approval of the commissioner of education, [and] will not redirect any user accessing the web-based or online instructional materials to other internet or electronic sites that are not directly related to the content, and may not collect any information about the user or computer accessing the materials that would allow determination of personal information, including email addresses." Would a product violate this condition if it includes links from the support section of the product which direct users to outside educational resources or links for research purposes that send users to reputable .edu/.gov/.org websites that are free?

Answer No. Products submitted for adoption may have links to outside resources and redirect users to other internet or electronic sites. Once the materials are adopted, publishers may not *add* new internet links or redirect users without the approval of the commissioner of education. Publishers may not make any changes to content in adopted instructional materials without the prior approval of the commissioner or the SBOE.

130. **Question**   Will publishers be allowed to revise and update content? Will the publisher be able to add new content? If updates either to functionality of the digital product or to content are allowed, will changes have to be submitted to TEA for approval before being implemented in the product?

     Answer   In accordance with 19 TAC §§66.75 and 66.76, all requests for updates involving content in state-adopted instructional materials must be submitted to TEA. If the change impacts TEKS coverage, it must be approved by the SBOE prior to its introduction into state-adopted instructional materials. This includes adding additional components to packages. In accordance with 19 TAC §66.29(d), publishers must agree that their electronic, web-based, or online instructional adopted materials will not be altered in any way that removes content or that changes content without prior SBOE approval. Publishers, however, are permitted to make changes to functionality or interactivity without first seeking the approval of the commissioner or the SBOE.

131. **Question**   Regarding program interactivity, is it permissible to embed blogging and synchronous communication exchange between users of the program or does the curriculum have to be static?

     Answer   It is permissible to embed blogging and synchronous communication exchange between users. Publishers are encouraged to pay special attention to 19 TAC §66.29 regarding the maintenance requirements for web-based materials.

132. **Question**   Once a digital product has been approved and adopted, will publishers be allowed to update functionality and interactivity over the lifetime of the contract?

     Answer   Yes.

133. **Question**   When can I change the content or add new content in an adopted material?

     Answer   Publishers can only make content changes following adoption by the SBOE if they follow the established procedure. All content changes must be submitted to TEA and approved prior to it being introduced into the adopted program. Failure to obtain approval first can result in financial penalties and contract termination by the SBOE. Publishers should review 19 TAC §§66.75 and 66.76.

134. **Question**   Can I update my TEKS coverage percentage after the materials have been adopted?

     Answer   Yes. Publishers with adopted materials will be given an opportunity to increase their TEKS percentage the summer following adoption by the SBOE. Those publishers eligible will be notified by TEA several months prior to the summer standards alignment review.

135. **Question**   Is the update request form only needed in cases where core components have been updated or must ancillary materials also be included?

     Answer   If, in the final version, you intend to offer additional components that were not made available for review in the pre- offered adoption sample, you would be required to submit an update request to obtain permission to do so. Each instructional material or ancillary material that is as part of a bundle must also be available for purchase individually (19 TAC 66.28(g)).

136. **Question**   After adoption in November 2023, how to do I submit proposed updates to my

materials before the post-adoption samples are due?

Answer   If you wish to propose any changes after adoption in November 2023, you must submit an update request.

Accessibility Requirements and Manufacturing Standards

137. **Question** *Proclamation 2024*: "Instructional materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508." Please confirm that this does not apply to electronic pre-adoption samples of print products.

     Answer Although pre-adoption electronic samples are not required to comply with specific technical standards, the samples provided to TEA, ESCs, and state review panels should be accessible to individuals with disabilities. Publishers are strongly encouraged to develop their products with the required accessibility in place rather than attempting to bring a fully developed product into compliance with accessibility standards.

138. **Question** Regarding the electronic format of the instructional materials, does Texas outline a set of technical requirements that publishers are required to meet and/or do districts each have their own set of technical requirements?

     Answer The format in which the electronic instructional materials are submitted is determined by each individual publisher. However, to be eligible for state adoption, materials must meet Section 508 Refresh standards, published on January 17, 2018. These standards and WCAG 2.1 now apply to not only web-based content, but to all electronic content. Each district or charter school may have its own additional requirements.

139. **Question** Most curricula now have online and print components which are comprised of essentially the same content, e.g., printed teacher's guides and almost identical online versions. For the purposes of interpreting the code and regulations, do these programs need to meet both sets of requirements and expectations (print and electronic) or do they generally fall under the print category?

     Answer Printed materials intended for use by the student must comply with the standards in the latest edition of *MSST*, approved by the Advisory Commission on Textbook Specifications. Instructional materials delivered electronically must meet Section 508 Refresh standards, published on January 17, 2018, and WCAG 2.1, Level AA. Including both print and online components with identical content does not exempt a publisher from these requirements.

140. **Question** Is 508 and W3C compliance required of *all* student components included on a bid, even if the component is provided simply for extra practice (i.e., not the primary mode of instruction)?

     Answer Yes. Just as all print student components included in a bid must meet *MSST*, all electronic components included in a bid must meet the 508 and W3C standards.

141. **Question**   *Proclamation 2024* states that instructional materials delivered electronically must meet the technical standards of the Federal Rehabilitation Act, Section 508, and that materials delivered online must conform to WCAG 2.1, Level AA, available at https://www.w3.org/TR/WCAG21/.

The W3C standards contain 7 broad categories of standards:

  a.   Web Design and Applications

  b.   Web Architecture

  c.   Semantic Web

  d.   XML Technology

  e.   Web of Services

  f.   Web of Devices

  g.   Browsers and Authoring Tools

Within these broad categories, there are over 100 different technologies listed, and within the different technologies, there are even more standards. It is our understanding that TEA is looking for publishers to document conformance around the accessibility of the content within the product, not over all the different standards. In particular, there is a Web Content Accessibility Guideline in the W3C. Is this the guideline that we should be focused on?

   Answer   To fulfill this requirement, a publisher's product must meet the standards that are applicable to the product. If the product is electronic, it must meet the Federal Rehabilitation Act, Section 508 Refresh standards, published on January 17, 2018, and WCAG 2.1, Level AA.

142. **Question**   What information needs to be included in the accessibility report due on Monday, March 25, 2024?

   Answer   Publishers with electronic instructional materials are required to complete the *Accessibility Compliance* form and provide a report for each electronic component included in their program that verifies the components follow WCAG 2.1 AA standards and Section 508. The report must, at a minimum, include the following:

- Third-party vendor cover page that includes the publisher name, program title, program ISBN, subject area, and course/grade level of adopted material

- Third-party vendor contact information

- Date report was started and completed

- Total number of pages tested, including the home page used 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, such as a map or graph, one randomly selected page of each different type of electronic component, and at least one page from each component within the program

- List of issues identified (if any) and how publisher is working toward correcting them

- Confirmation from publisher that the third-party vendor conducted the

143. **Question**   How soon should we get started on the accessibility report due on Monday, March 25, 2024?

     Answer   Publishers of electronic instructional materials should build accessibility into their programs from the beginning. Third-party vendors typically take at least 3 to 4 weeks to complete an accessibility report. Publishers are encouraged to begin searching for a third-party vendor to complete their report at least 2 to 3 months prior to the deadline. Publishers that fail to provide the accessibility report that verifies the required accessibility standards have been met by the deadline will have their products removed from the adopted list.

144. **Question**   What if my accessibility report lists components that are not compliant?

     Answer   Materials that are found to not be compliant with required accessibility standards will result in that product's removal from the adopted list. Publishers should work to correct accessibility issues as soon as possible, complete a second accessibility report, and certify that the product meets the required accessibility standards. Products will be returned to the adopted list and EMAT once the report and certification has been submitted to TEA. If the product remains out of compliance for an unreasonable amount of time, the publisher's contract may be presented to the SBOE for termination.

145. **Question**   Please explain the NIMAS files requirement.

     Answer   NIMAS files are required for all student print components included on the *Official Bid* to facilitate the production of braille, large-print, and audio versions. NIMAS files, along with three print copies of the adopted student material must be submitted to the designated braille producer by Monday, February 5, 2024. Corrected samples and updated NIMAS files must be submitted to the braille producer by Monday, March 25, 2024. If no changes are necessary to a publisher's NIMAS files, publishers are required to notify the braille producer and TEA by the deadline.

     NIMAS files must be submitted to the designated large-print and audio producers by Monday, March 25, 2024, along with corrected samples of adopted materials. Failure to provide any of these deliverables will result in the product's removal from the adopted list.

     TEA will inform publishers of the specific contact information for each of the designated producers after contracts have been finalized.

146. **Question:**   If our LMS has a teacher portal and student portal, must both be WCAG 2.1 AA compliant to be eligible for adoption? If so, what is the timeline in which they must be fully compliant, and must they be 100% compliant, or can they have exceptions noted and still be eligible for adoption? Our application has downloadable resources for teachers that they may choose to deliver to students. As a part of this adoption, are you requiring that every one of those resources be 100% compliant or again just the exceptions noted?

     Answer   All digital components, regardless of the intended audience, are required to be fully compliant with WCAG 2.1 AA and the technical standards of the Federal

Rehabilitation Act, Section 508. You are required to submit evidence of compliance when the post-adoption samples are due. Any instances of non-compliance will result in your materials being removed from the adopted list and EMAT and may result in contract termination.

147. **Question** What percentage of digital applications and publishers do you currently have that meet the accessibility standards?

   Answer All digital materials that were adopted under *Proclamation 2017* and beyond that are available for purchase in EMAT meet accessibility standards. You can see that information in *[Currently Adopted Instructional Materials](#)*.

148. **Question** If, as a small company, after receiving our audit, we cannot absorb all of the cost required for 100% compliance within one year, are there provisions or addendums that are allowed if we commit to a timeline for full compliance?

   Answer If your materials are found to be out of compliance, you will have the opportunity to remedy the issues and submit evidence of compliance. If your contract has not yet been terminated, your materials will be returned to the adopted list and EMAT.

Glossary of Acronyms

EDI – Electronic Data Interchange
ESC – education service center
ISBN – International Standard Book Number
ISSN – International Standard Serial Number
MSST – Manufacturing Standards and Specifications for Textbooks
NIMAS – National Instructional Materials Accessibility Standard
SBOE – State Board of Education
TEA – Texas Education Agency
TEKS – Texas Essential Knowledge and Skills
WCAG – Web Content Accessibility Guidelines
W3C – World Wide Web Consortium