



## **A Brief Overview of the Adoption Process**

<http://www.tea.state.tx.us/textbooks/adoptprocess/overview.html>

Texas is one of 22 states with a process for approval or adoption of instructional materials. The Texas Constitution, Article VII, Section 3, requires that the State Board of Education (SBOE) set aside sufficient money to provide free textbooks for children attending the public schools in the state. In accordance with this constitutional requirement and provisions of the Texas Education Code, each year a portion of the Available School Fund is set aside by the SBOE to purchase instructional materials. Funds to be expended on instructional materials are appropriated by the Texas Legislature.

### ***❖ Conforming and Nonconforming Instructional Materials***

The Texas Education Code, Chapter 31, provides for adoption of two separate lists of instructional materials. The "conforming" list is to consist of instructional materials submitted that meet manufacturing standards adopted by the SBOE, contain material covering each element of essential knowledge and skills, and are free of factual errors. The "nonconforming" list is to consist of instructional materials submitted that meet manufacturing standards adopted by the SBOE, contain material covering at least half, but not all, of the elements of essential knowledge and skills, and are free of factual errors. Both conforming and nonconforming adopted instructional materials may be purchased by the state for school districts and open-enrollment charter schools.

### ***❖ Evaluation and Adoption of New Instructional Materials***

Bids for new instructional materials from the publishing industry are solicited by means of a proclamation issued by the SBOE. The proclamation identifies subject areas scheduled for review in a given year and contains content requirements (Texas Essential Knowledge and Skills), maximum per-student costs to the state for adopted materials, an estimated number of units to be purchased during the first contract year for each of the subject areas and/or grade levels, and a detailed calendar of adoption procedures.

Publishers who plan to offer instructional materials for adoption in the state provide finished-format review samples to the Texas Education Agency, each of the 20 regional education service centers, and members of the appropriate state textbook review panels appointed by the Commissioner of Education.



Members of the state textbook review panels are charged with evaluating instructional materials to determine coverage of essential knowledge and skills and with identifying factual errors. At the close of the review period, panel members submit evaluations to the commissioner of education. Based on these evaluations, the commissioner prepares a preliminary report recommending that instructional materials be placed on the conforming list, be placed on the nonconforming list, or be rejected. Texas residents are allowed to file written comments regarding instructional materials submitted for adoption. In addition, a public hearing is held before the SBOE approximately two months before scheduled adoption.

After consideration of evaluations submitted by state review panel members, information provided by publishers, and staff recommendations, the Commissioner of Education submits a final report to the SBOE recommending that instructional materials submitted be placed on the conforming list, placed on the nonconforming list, or rejected. A report detailing any factual errors to be corrected in instructional materials prior to delivery to school districts is also presented.

#### ❖ ***Local Selection and Distribution***

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Publishers are required to provide complete descriptions of newly adopted instructional materials to all school districts and open-enrollment charter schools; however, a district retains the option of requesting one complete official sample. Publishers are responsible for all aspects of the shipment and retrieval of sample materials and bear all costs of the sampling process.

Each local board of trustees is responsible for determining appropriate local policy for selecting new instructional materials. However, with the exception detailed in the following paragraph, only state-adopted instructional materials ratified by a school district's board of trustees will be purchased by the state for districts.

In enrichment subjects, school districts will be allowed to select non-adopted instructional materials. The state will pay the district the lesser of: (1) 70 percent of the cost of the materials to the district based on the applicable quota for adopted materials in the subject; or (2) 70 percent of the maximum cost to the state established in the proclamation for the subject based on the applicable quota for adopted materials in the subject. School districts electing to order non-adopted instructional materials will be responsible for the remainder of the cost.



Orders for new instructional materials are transmitted to the agency for processing. Local adoption, requisition, and membership data are entered into an automated system for verification based on the enrollment of the district and the distribution quota established for the course or subject.

Publishers are required to have adopted materials in stock in one of the approved depositories in the Dallas area, and instructional materials are ordered and shipped from one or more of the depositories. Shipments are made to school districts throughout the summer based on the district's preferred shipment date. After the first day of school, requisitions are processed within one day of receipt and depositories are instructed to ship materials as soon as the orders are received from the agency. Districts are allowed to submit orders throughout the school year, as necessary. Instructional materials are usually shipped within seven days of receipt of a requisition.

❖ **Braille, Large Type and Audiotape Instructional Materials**

The SBOE is authorized to acquire, purchase, and contract for free instructional materials for the education of blind and visually impaired public school students. Local school districts submit orders for Braille and large type materials to the agency, which manages acquisition from producers. Teachers who are blind or visually impaired are provided with Braille or large type teacher materials to accompany materials the teacher uses in the instruction of students. A contractor provides audiotape instructional materials to school districts. Publishers are required to provide the agency with computerized files for rapid production of adopted Braille instructional materials whenever such files are requested by the SBOE.