

## **Texas Textbook Adoption Process: A Brief Overview**

The Texas Constitution, Article VII, Section 3, requires that the State Board of Education 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 State Board of Education to purchase instructional materials.

The funds to be expended on instructional materials are appropriated by the Texas Legislature.

### ***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 State Board of Education. 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 State Board of Education 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 State Board of Education 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*

- 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:
  - 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.

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

The Texas Education Code, Chapter 31, provides for adoption of two separate lists of instructional materials called conforming and nonconforming. Both conforming and nonconforming adopted instructional materials may be purchased by the state for school districts and open-enrollment charter schools.

### **Conforming**

- The "conforming" list is to consist of instructional materials submitted that meet manufacturing standards adopted by the State Board of Education, contain material covering each element of essential knowledge and skills, and are free of factual errors.

### **Nonconforming**

- This list is to consist of instructional materials submitted that meet manufacturing standards adopted by the State Board of Education, contain material covering at least half, but not all, of the elements of essential knowledge and skills, and are free of factual errors.

The following information was provided by the Texas Education Agency