

The State Board of Education (SBOE) proposes new §§67.21, 67.23, 67.25, 67.81, and 67.83, concerning ~~stat~~ annual request for instructional materials and criteria for publishers re

BACKGROUND INFORMATION
instructional materials in pu
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2023, significantly revised T
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At the June 2023 SBOE me
presentation on HB 1605 fro
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TEA website at <https://tea.te>

§67.21. Proclamations, Public Notice, and Requests for Instructional Materials for Review.

- (a) Upon the adoption of revised Texas Essential Knowledge and Skills (TEKS) or Texas Prekindergarten Guidelines (TPG), the State Board of Education (SBOE) shall determine if the extent of the revisions have created a need to remove instructional materials from the list approved under Texas Education Code, §31.022.
- (b) The SBOE shall issue a proclamation calling for instructional materials if the determination in subsection (a) of this section results in a decision that a proclamation is necessary. The proclamation shall serve as notice to:
 - (1) all publishers to submit instructional material for review for the subject and grade level or course(s); and
 - (2) all publishers with approved instructional materials for the subject and grade level or course(s) that to remain on the list of approved materials, the publisher must submit new or revised materials or new information demonstrating alignment of current instructional materials to the revised TEKS or TPG.
- (c) The Texas Education Agency shall issue an annual request for instructional materials to notify all publishers and the public that submissions of instructional materials aligned to quality rubrics and the suitability rubric approved by the SBOE are being invited for review.
- (d) Each proclamation and annual request for instructional materials for review shall contain the following:
 - (1) information about and reference to app0rTd()12 (c)4.3 (e)6 (o)12.1 (vo)6.9 ()TJEMC ET/Ar1.6 7iT8ls fxanf

- (2) evidence of alignment to the quality rubric indicators.
- (e) On or before the deadline established in the schedule of approval procedures, publishers shall certify that after exercising reasonable efforts, the submitted material complies with suitability standards and all applicable state laws.
- (f) A publisher that intends to offer instructional materials for review and approval shall comply with additional requirements included in a proclamation or the annual request for instructional materials for review.

§67.25. Consideration and Approval of Instructional Materials by the State Board of Education.

STATUTORY AUTHORITY. The new sections are proposed under Texas Education Code (TEC), §26.006, as amended by

§67.83. Publisher Parent Portal.

- (a) Standards under this section apply to any publisher that supplies instructional materials that are reviewed by a review panel under Texas Education Code (TEC), §31.022 and §31.023, and placed on the list of approved instructional materials by the State Board of Education (SBOE) as outlined in TEC, §31.022.
- (b) Standards under this section apply to any instructional materials, including:
 - (1) full-subject tier one instructional material;
 - (2) open education resource instructional material;
 - (3) partial-subject tier one instructional material; and
 - (4) supplemental instructional material.
- (c) A publisher hosting an instructional materials parent portal must:
 - (1) include in the portal all components placed on the list of instructional materials approved by the SBOE, including teacher- and student-facing materials;
 - (2) for each school district or open-enrollment charter school that purchases the instructional materials, make the parent portal interoperable with any learning management system or online learning portal used by the district or charter school to assign, distribute, present, or make available instructional materials as defined by TEC, §31.002, to students;
 - (3) for instructional materials not available in a digital format, contain the instructional materials component International Standard Book Number (ISBN) or part number, title, edition, and author to allow a parent to locate a physical copy of the material;
 - (4) allow access beginning not later than 30 days before the school year begins and concluding not earlier than 30 days after the school year ends;
 - (5) optimize the portal for viewing on large monitors, laptops, tablets, and smartphone devices; and
 - (6) meet Web Content Accessibility Guidelines (WCAG) identified in the associated proclamation or annual request for instructional materials for review and any technical standards required by the Federal Rehabilitation Act, Section 508.
- (d) A publisher hosting an instructional materials parent portal may not:
 - (1) include any instructional materials as defined by TEC, §31.002, that were not reviewed and placed on the approved materials list; or
 - (2) include any instructional materials on the portal that would undermine, subvert, or impede any local education agency or open-enrollment charter school from complying with TEC, §31.1011.