

TEA Instructional Materials

When the COVID pandemic began to disrupt in-person learning, Texas public schools were not prepared to provide remote or hybrid instruction with appropriately designed instructional materials, and children fell behind because of lost instructional time. As a result, TEA undertook an accelerated process to acquire effective instructional material resources for schools that could support remote, in-person, and hybrid instruction, both to support schools during the pandemic and to speed up learning recovery efforts longer term.

Background on Local District, State Board of Education and TEA Involvement in Instructional Materials

Under state law, school systems in Texas have total flexibility and final authority to choose the instructional materials (e.g. lessons, books, videos, tutoring content, textbooks, etc.) used with students, as long as those instructional materials, in total, cover the State Board of Education (SBOE)-adopted Texas Essential Knowledge and Skills (TEKS), and do not violate the newly adopted House Bill (HB) 3979 / Senate Bill (SB) 3 provisions of Texas Education Code [TEC §28.0022](#) covering “Certain Instructional Materials and Prohibitions.” State law also directs TEA to make certain instructional programs and materials available for school systems to choose from on an optional basis. For example, statute has directed the agency since 2009 to procure open education resources (OER), which are instructional materials where the underlying intellectual property is either permanently owned by the state of Texas or is structured as a license that allows for the state to modify & use it for free in perpetuity (“Purchase Authority” [TEC §31.071](#)). As such, OER products can be freely used in digital form or printed. This statute exists to ensure the availability of textbooks for teachers aligned to Texas standards with appropriate levels of rigor that have an evidence base that leads to student achievement. The most recent efforts to acquire OER products prior to COVID began with Requests for Proposals (RFPs) issued by the agency in 2018, which resulted in a unit-level pilot with creative commons-based materials to ensure the ability to easily edit content in the materials moving forward.

COVID Response

As part of TEA’s COVID response, TEA expedited the acquisition of open education resource (OER) instructional materials that could be used either in printed form for in-person instruction or digitally for remote instruction, and also to acquire short term licenses when materials could not be secured as fully owned by the state but that still allowed for changes based on feedback. Despite the need for fast turnaround, these were never issued as sole source contracts. Instead, TEA conducted an emergency competitive Requests for Proposal (RFP) for these materials in April 2020. That RFP was advertised to at least 30 instructional materials vendors, 23 instructional materials vendors responded, and contracts were signed with 6 of those vendors. Winning proposals had to demonstrate alignment to the SBOE-adopted TEKS, ensure materials comply with all applicable state statutes (including the avoidance of content that violates any aspect of Texas Penal Code

disruption to student learning. Separately, TEA also issued an RFP and established contracts with third parties to review materials provided by these vendors, recognizing the need to ensure quality and edit content to ensure it reflected Texas standards.

As an example of what the state acquired during this process: Amplify – one of the six chosen instructional materials vendors – provided content based on Texas standards for grades Kindergarten-5 in English/reading language arts so that Texans could freely access, reproduce, revise, copy, and share it as OER in perpetuity. This equated to a full set of student activity books, teacher textbooks, readers, classroom posters, and more across all 6 elementary grades, covering 180 days of lessons in each grade, totaling roughly 60,000+ pages of content, all of which require

COVID Emergency Release (CER) Schedule

- Version: CER v1
Available in School Year: 2020–21
- Version: CER v2
Available in School Year: 2021–22
- Version: CER v3
Available in School Year: 2022–23
- Version: CER v4
Available in School Year: 2023–24

To reflect this process of accelerated development, all Covid Emergency Release products include the following disclaimer:

COVID Emergency Release Product Notice and Disclaimer: The agency has developed these learning resources as a contingency option for school districts. These are optional resources intended to assist in the delivery of instructional materials in this time of public health crisis. Feedback will be gathered from educators and organizations across the state and will inform the continuous improvement of subsequent units and editions. School districts and charter schools retain the responsibility to educate their students and should consult with their legal counsel regarding compliance with applicable legal and constitutional requirements and prohibitions. Given the timeline for development, errors are to be expected. If you find an error, please email us at texashomelearning@tea.texas.gov.

To ensure robust review, feedback is being gathered from parents, caregivers, educators, and organizations across the state. This feedback will inform the continuous improvement of subsequent units and editions. Feedback can be provided by filling out this [online survey](#)

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