



Questions about Proclamation 2002

Answers that you wanted to know but didn't know
who to ask!

by Tom Waggoner

Texas is one of 22 states with a process for approval or adoption of instructional materials. The Texas Constitution requires that the State Board of Education (SBOE) allocate sufficient funds to provide free textbooks for children attending the state's public schools. As a result of this constitutional requirement and provisions in the Texas Education Code (TEC), a portion of the Available School Fund is apportioned each year by the SBOE to purchase instructional materials. Funds to be

expended on textbooks are appropriated by the Texas Legislature. Itemized below are the "top ten questions and answers about Proclamation 2002 that you wanted to know but didn't know who to ask":

10. What is Proclamation 2002?

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, 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. The term "Proclamation 2002" refers to the date that the SBOE approved the proclamation, which, in the case of Proclamation 2002, was May 3, 2002. The proclamation date is two years prior to SBOE approval of state adoption, allowing publishers a two-year time period to develop the textbooks. Proclamation 2002 includes

the state adoption of instructional materials for all grade levels in music (band, orchestra, choir, and general music), art, dance, and theatre subject areas listed under the Fine Arts Texas Essential Knowledge and Skills (TEKS) in addition to all subject areas and grade levels in languages other than English, health, and physical education. Upon completion of Proclamation 2002, all state-adopted textbooks in all academic disciplines will be aligned with the TEKS.

9. How often are new music/fine arts textbooks adopted by the state?

The textbook adoption schedule for music/fine arts and all other academic disciplines is approximately every eight years. Proclamation 2002 is the first time ever for new instructional materials in all fine arts subject areas and grade levels to be adopted in the same year. However, due to legislative funding issues, adoption schedules are occasionally delayed. The next state adoption of music/fine arts textbooks following Proclamation 2002 is tentatively scheduled for 2013 (Proclamation 2011), which will coincide with the SBOE review and possible revision of the Fine Arts TEKS.

8. What are the conforming and non-conforming lists?

Section 31 of the TEC provides for the state adoption of two separate lists of instructional materials. The “conforming” list consists of textbooks submitted by publishers that (1) meet manufacturing standards adopted by the SBOE; (2) contain material correlating with each student expectation (100%) of the TEKS of the corresponding content area; and

Texas Education Code

§ 31.101. Selection and Purchase of Textbooks by School Districts

- (a) Each year, during a period established by the State Board of Education, the board of trustees of each school district and the governing body of each open-enrollment charter school shall:
 - (1) for a subject in the foundation curriculum, notify the State Board of Education of the textbooks selected by the board of trustees or governing body for the following school year from among the textbooks on the appropriate conforming or nonconforming list; or
 - (2) for a subject in the enrichment curriculum:
 - (A) notify the State Board of Education of each textbook selected by the board of trustees or governing body for the following school year from among the textbooks on the appropriate conforming or nonconforming list; or
 - (B) notify the State Board of Education that the board of trustees or governing body has selected a textbook that is not on the conforming or nonconforming list.
- (b) If a school district or open-enrollment charter school selects a textbook for a particular subject in the enrichment curriculum and grade level that is not on the conforming or nonconforming list, the state shall pay to the district or school an amount equal to the lesser of:
 - (1) 70 percent of the cost to the district of the textbook, multiplied by the number of textbooks the district or school needs for that subject and grade level; or
 - (2) 70 percent of the limitation established under Section 31.025 for a textbook for that subject and grade level, multiplied by the number of textbooks the district or school needs for that subject and grade level.
- (c) A school district or open-enrollment charter school that selects a textbook that is not on the conforming or nonconforming list:
 - (1) is responsible for the portion of the cost of the textbook that is not paid by the state under Subsection (b); and
 - (2) may use funds received from the state under Subsection (b) only for purchasing the textbook for which the funds were received.
- (d) For a textbook that is not on the conforming or nonconforming list, a school district or open-enrollment charter school must use the textbook for the period of the review and adoption cycle the State Board of Education has established for the subject and grade level for which the textbook is used.

(3) are free of factual errors. The “non-conforming” list consists of instructional materials that (1) meet manufacturing standards; (2) contain material correlating with at least half, but not all (50–99 percent), of the TEKS; and (3) are free of factual errors. Textbooks that do not meet manufacturing standards, that correlate with less than half of the TEKS (0–49 percent), and/or are not free of factual errors are rejected for consideration of state adoption.

7. How were textbooks evaluated for Proclamation 2002?

Members of the state textbook review panels (fine arts educators, school/district administrators, and citizens representing diverse demographics of the state) were nominated, appointed, and charged with evaluating textbooks submitted by publishers to determine correlation with the TEKS and with identifying editorial/factual errors. The music review panel assembled in Austin during the week of June 21–25. Upon completion of the review period, panel members submitted evaluations to the Commissioner of Education. Based on these evaluations, the Commissioner prepared a preliminary report recommending that instructional materials be placed on the conforming list, be placed on the non-conforming list, or be rejected. Texas residents were afforded the opportunity to provide written comments regarding textbooks submitted for adoption. In addition, two public hearings were held before the SBOE before the state adoption in November. After consideration of evaluations submitted by state review panel

We as music educators owe a debt of gratitude to the publishers who have developed and submitted high-quality music instructional materials for Proclamation 2002 that are aligned with the TEKS.

members, information provided by publishers, and TEA staff recommendations, the Commissioner of Education submitted a final report to the SBOE recommending the instructional materials to be placed on the conforming or non-conforming lists or to be rejected. A report was also presented to the SBOE detailing any factual errors to be corrected in textbooks by publishers prior to delivery to school districts.

6. What is the cost to school districts for textbooks?

ONLIST: State-adopted instructional materials from the conforming or non-conforming lists and ratified by a school district's board of trustees will be purchased by the state at no cost to districts.

WAIVER: If no textbooks were submitted for state adoption for a given subject (e.g., Music History, Advanced Placement Music Theory, and International Baccalaureate Music), school districts may apply for a waiver. If approved by the Texas Education Agency, the district can be reimbursed 100 percent of the state maximum cost or the actual price of the textbook, whichever is lower.

OFFLIST: Even if textbooks have been submitted by publishers and have been state-approved for the conforming or non-conforming lists, school districts may, instead, purchase an "offlist" non-state-adopted textbook for an enrichment content area only (music/fine arts), and only during the year which that enrichment subject is adopted. The reimbursement for the enrichment offlist is 70 percent of the state maximum cost or the actual price of the textbook, whichever is lower.

5. What is the process for the adoption of textbooks at the school district level?

Publishers are required to provide complete descriptions of newly adopted instructional materials to all school districts. A district also retains the option of requesting at least one complete official sample of materials. Furthermore, four complete sets of instructional materials

are available for public review at each of the 20 regional education service centers. Publishers are responsible for all aspects of the shipment and return of sample materials and are responsible for all costs of the sampling process. The selection method of new textbooks is according to local school district policy as determined by the board of trustees.

4. When will the new music/fine arts textbooks be implemented in school districts?

The SBOE approved state-adopted textbooks at its general meeting on Friday, November 5, 2004. School districts are to conduct local adoptions between the months of November 2004 and March 2005. New music/fine arts textbooks will be implemented in districts at the beginning of the 2005–06 school year.

3. How many textbooks are school districts allowed to order?

Generally, school districts ordering pupil-edition instructional materials are entitled to 103 percent (103%) of their enrollment in the subject or grade level. For elementary music, this 103% formula applies to districts that do not employ music specialists. For elementary schools that employ music specialists, districts may order one class set of textbooks per music teacher and per grade level. The publishers provide teacher editions for each teacher of the class or grade.

2. What is a "split adoption"?

According to local policy, school districts may adopt multiple textbooks for the same course and grade level. However, the combined total of textbooks ordered may not exceed 103% of the course's total enrollment.

1. Where can I obtain more information about Proclamation 2002?

Most, if not all, school districts appoint an administrator or staff member who is responsible for textbooks. To access the "Textbook Coordinator's Manual," visit the page of the TEA

Division of Textbook Administration website provided below:

<http://www.tea.state.tx.us/textbooks/distribution/index.html>

To access complete details pertaining to Proclamation 2002, including access to the conforming and non-conforming lists for music/fine arts, visit the page below:

<http://www.tea.state.tx.us/textbooks/adoptprocess/index.html> (Scroll down to the section entitled "Information Related to November 2004 Adoption" and click on the desired links.)

Although funding for instructional materials is provided by the state, funds will not be officially allocated until the 79th Legislative Session, which is scheduled to convene in January 2005. With public school finance looming as a major issue in the upcoming session, there is no guarantee at the time of this article that Proclamation 2002, which, as stated above, also includes the purchase of new textbooks for languages other than English, health, and physical education, will be fully or partially funded.

We as music educators owe a debt of gratitude to the publishers who have developed and submitted high-quality music instructional materials for Proclamation 2002 that are aligned with the TEKS. In addition to the customarily adopted textbooks, Proclamation 2002 also includes state adoptions for music courses that have not been provided materials in the past, such as middle school band/choir/orchestra, middle/high school jazz band, high school band/orchestra, and music theory.

As always, thanks to Robert Floyd and Frank Coachman for their leadership in this important initiative and to music educators across the state for all that you do for children in Texas schools. You have my best wishes for an enjoyable winter vacation and a successful 2005 spring semester. Please do not hesitate to contact me at TEA if additional information or assistance is required regarding Proclamation 2002.

*Waggoner is Director of Fine Arts,
Texas Education Agency
twaggoner@tea.state.tx.us* 