

July 19, 2011

TO THE ADMINISTRATOR ADDRESSED:

SUBJECT: Ordering Instructional Materials for School Year 2011-12

The Educational Materials System (EMAT) is scheduled to open on August 8, 2011. School districts and open-enrollment charter schools will be able to submit requisitions for instructional materials adopted under Proclamation 2011, Supplemental Science, continuing contracts and the Commissioner's List of Electronic Textbooks.

The subject areas in Proclamation 2011 include Prekindergarten Systems; English language arts, grades 2-8; Spanish language arts, grades 2-5; English as a Second Language, grades K-8; handwriting, grades 1-3; spelling, grades 1-6; and English, I-IV and were adopted by the State Board of Education (SBOE) in November 2010. The Supplemental Science instructional materials include science, grades 5-8; Biology; Chemistry; Integrated Physics and Chemistry (IPC); and Physics and are scheduled for consideration by the SBOE in July 2011. Continuing contracts include consumable materials such as elementary math adopted under earlier proclamations and additional materials for student growth. The Commissioner's List of Electronic Textbooks includes English and Spanish language arts and reading, grades K-12; English as a Second Language, grades K-8; and English Language Proficiency Standards, grades 9-12.

Recent legislation from the 82nd Texas Legislature, First Called Session, 2011, created an Instructional Materials Allotment (IMA) for the purchase of instructional materials, technological equipment and technology-related services. The IMA is described below:

A school district is entitled to an annual allotment from the state instructional materials fund for each student enrolled in the district on a date during the preceding school year specified by the commissioner. The commissioner shall determine the amount of the allotment per student each year on the basis of the amount of money available in the state instructional materials fund. An allotment under this section shall be transferred from the state instructional materials fund to the credit of the district's instructional materials account as provided by Section 31.0212.

Districts must prioritize their instructional materials decisions to address the assessment and accountability requirements. Senate Bill (SB) 6 states that priority must be given to foundation curriculum subjects for which the essential knowledge and skills have been substantially revised and for which assessment instruments are required to satisfy foundation curriculum requirements. The English language arts and science foundation subject areas have been revised substantially.

The district superintendent will be required to certify that the district has instructional materials that cover all elements of the essential knowledge and skills of the required curriculum, other than physical education, for each grade level as required in the Texas Education Code, Section 28.002.

Calculation of the IMA for each district will be made in July. Instructional materials and disbursements will be requested by districts through EMAT. Districts can request SBOE-adopted materials and Commissioner-adopted materials through EMAT. The IMA will be reduced by the value of the requested materials. Disbursement of funds for instructional materials not on the adoption lists, technological equipment and technology-related services will also be requested by a district through EMAT.

The amount of the allotment for each district is provided for school years 2011-2012 and 2012-2013. Districts need to carefully consider all allowable uses for the district's allotment and plan for the IMA funds over the two-year period. IMA Guidelines are attached and also available at <http://www.tea.state.tx.us/WorkArea/linkit.aspx?LinkIdentifier=id&ItemID=2147501287> to assist with planning. Training information and timelines will be provided to administrators, textbook coordinators and key school personnel in July. We anticipate offering additional training via TETN during the first week of August. Specific information with training dates and times will be released as soon as it becomes available.

New legislation also transfers ownership of instructional materials from the state to the local district. Additional information will be forthcoming regarding changes to district responsibilities for these instructional materials.

Instructional materials for the visually impaired (braille, large type and audio) remain the property of the state and will **not** be counted against a district's IMA. Braille, large type and audio materials will continue to be requested in EMAT and returned to the redistribution center in the same manner as they have in the past. Districts will be able to requisition instructional materials for the visually impaired in July. A message will be sent out to all textbook coordinators with specific instructions for placing requisitions.

Districts **are** responsible for purchasing bilingual/ESL materials with the district's instructional materials allotment or otherwise acquire instructional materials for use in bilingual education classes. The commissioner will adopt rules regarding the purchase of bilingual/ESL instructional materials.

Additionally, the United States Department of Education (USDE), Office of Civil Rights (OCR), has recently issued a document containing frequently asked questions (FAQ) related to the provision of accessible/equitable technology and software to deliver instructional services to individuals with disabilities. (The FAQ covers students eligible under Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA).) The OCR FAQ can be found at: <http://www.ed.gov/news/press-releases/department-education-issues-guidance-rights-students-disabilities-when-education>. Agency guidance regarding how the IMA relates to students requiring Section 504 and IDEA instructional supports will be forthcoming. In the meantime, please review the OCR FAQ, and give serious consideration to the principles of accessibility and equitability when making instructional material/technology selections and purchases.

The transition from current practice to the new IMA will take time. We are working with publishers, depositories and freight carriers to provide instructional materials for the 2011-2012 school year as quickly as possible. We appreciate your patience during this transition period. Please send questions to instructional.materials@tea.state.tx.us.

Sincerely,

Anita Givens
Associate Commissioner
Standards and Programs

AG/jl

Attachment