

# INSTRUCTIONAL MATERIALS ALLOTMENT AND THE REVIEW AND ADOPTION OF INSTRUCTIONAL MATERIALS

AN ISSUE BRIEF FROM LEGISLATIVE BUDGET BOARD STAFF

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## OBJECTIVE

The State Board of Education adopts materials that align with the Texas Essential Knowledge and Skills, which can be purchased using funds from a district or charter schools Instructional Materials Allotment.

## KEY FACTS

- ◆ Instructional materials are developed to incorporate the Texas Essential Knowledge and Skills adopted by the State Board of Education.
- ◆ The Instructional Materials Allotment provides each school district and charter school with an account into which funding for the purchase of instructional materials and some technology is deposited based on average daily attendance.

## BUDGETARY IMPACT

The Instructional Materials Allotment is required by the Texas Education Code to be funded with 50 percent of the distribution from the Permanent School Fund to the Available School Fund, or a different amount determined by the Legislature.

## STATUTORY REFERENCES

Texas Education Code, Chapter 31

Texas Education Code, Section 31.0211

## INSTRUCTIONAL MATERIALS ALLOTMENT

Senate Bill 6, Eighty-second Legislature, First-Called Session, 2011, established the Instructional Materials Allotment (IMA). The IMA provides each school district and charter school with an account into which funding is deposited based on average daily attendance. School districts can use those funds to purchase approved instructional materials for any subject and certain technology. The funds within these accounts can be carried forward between fiscal years and biennia.

Prior to the enactment of Senate Bill 6, school districts and charter schools did not have their own accounts where funds could be carried forward between fiscal years and biennia. Instead, school districts would order materials from a list of approved items limited to items determined by the State Board of Education (SBOE) review and adoption process (described below); replacements for lost, damaged, or consumed materials; and materials for new campuses and students. The state would pay publishers directly for the materials. Technology expenditures were supported separately through the technology allotment, which was repealed by Senate Bill 6.

Following the implementation of Senate Bill 6, school districts and charter schools have more discretion to purchase materials. School districts and charter schools are no longer limited to purchasing instructional materials on the SBOE's adoption cycle. In addition to SBOE adopted materials, school districts now have the opportunity to purchase: instructional materials not adopted by the State Board of Education; state-developed open-source instructional materials; and materials approved by the Commissioner of Education. The Texas Education Code requires all districts and open-enrollment charter schools to annually certify to the SBOE and the Commissioner of Education that the instructional materials provided cover all of the Texas Essential Knowledge and Skills (TEKS) for each subject in the required curriculum. Prior to Senate Bill 6, districts and open-enrollment charter schools were only authorized to purchase materials approved by the SBOE or the Commissioner; therefore, the process ensured that all of TEKS were covered by the instructional materials.

## FUNDING THE INSTRUCTIONAL MATERIALS ALLOTMENT

The IMA is funded from the Instructional Materials Fund (IMF, Fund 3), a General Revenue fund that derives all of its revenue from the Available School Fund (ASF). Prior to the enactment of Senate Bill 6, the IMF was called the State Textbook Fund.

The ASF is a constitutionally dedicated fund for the support of the public education system. It is used solely to fund instructional materials and as a method of financing the Foundation School Program. The ASF is funded with distributions from returns on investment of the Permanent School Fund (PSF) as approved by the State SBOE, revenue derived from the lands of the PSF as directed by the General Land Office (GLO) (up to \$300 million per year), and receives 25 percent of state motor fuels tax revenues.

The Education Code establishes the IMA be funded with 50 percent of the distribution from the PSF to the ASF, or a different amount determined by the Legislature. In the 2012–13 biennium, the Texas Education Agency was appropriated a total of \$608.1 million to fund the IMA. According to the Texas Education Agency, districts and charter schools primarily purchased from Proclamation 2011 in fiscal year 2012, but with no new proclamations scheduled until fiscal year 2015, the agency reports that many districts and charter schools are beginning to buy more materials from non-SBOE adopted sources in fiscal year 2013.

### INSTRUCTIONAL MATERIALS REVIEW AND ADOPTION

One of the primary functions of the State Board of Education (SBOE) is the adoption of the of the state’s curriculum, TEKS, and the subsequent review and approval of instructional materials aligned with those standards. The SBOE has legislative authority to adopt the TEKS for each subject of the required curriculum. Following the adoption of the TEKS for a subject, the SBOE solicits bids for new instructional materials by issuing a proclamation. The proclamation contains the content requirements of the solicited instructional materials and a detailed schedule of adoption procedures. Following the issuance of a proclamation, publishers are required to submit a Statement of Intent to Bid and typically have one year to develop materials that align with the requirements of the proclamation.

Following the submission of the instructional materials from the publishers, the materials are reviewed by a state review panel who reports their findings to the Commissioner of Education who recommends that the instructional material be placed on the adopted or rejected list, based on the number of TEKS covered. Additionally, the Commissioner documents factual errors in an instructional material, which must be corrected by the publisher. Following a period of public comment and using the Commissioner of Education’s reports and recommendations as a guide, the SBOE formally adopts or rejects instructional materials. Fig. 1 summarizes the review process for instructional materials.

**FIG. 1**  
**THE REVIEW PROCESS FOR NEW INSTRUCTIONAL MATERIALS**



SOURCE: Legislative Budget Board.

In addition to the SBOE adoption of instructional materials, there are also two other sources of approved instructional materials including the Commissioner’s List and open-source instructional materials. The Commissioner’s List is list of electronic instructional material and other materials used as part of the foundation for the curriculum of science in kindergarten through grade 5 and personal financial literacy in kindergarten through grade 8 adopted by the Commissioner. Open-source instructional materials are materials developed by public institutions of higher education and public technical institutes developed for secondary-level courses meeting certain requirements.

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