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MEMORANDUM

TO: School District Superintendents

FROM: Pam Stewart

DATE: May 30, 2014

SUBJECT: **2013-14 Instructional Materials Adoption Options**

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DPS: 2014-84

The 2013 bid call for English language arts (ELA) and mathematics for grades 6-12 resulted in an unprecedented number of materials that require review. The review is ongoing; the most important consideration being the fidelity of the process, so that the most well aligned materials will be available for the use of Florida students.

The review for ELA is almost complete and the results will be proposed to the Commissioner shortly. Due to the lack of an efficient number of experts for review of the mathematics materials, the department recently called for additional mathematics reviewers for materials bid for middle school courses (DPS 2014-79).

For those districts wishing to move forward with purchasing instructional materials prior to the availability of the state adoption list, below are two available options.

Option 1:

Currently under section 1006.283, Florida Statutes (F.S.), districts or consortiums of districts may implement an instructional materials review program. Per statute, a district school board implementing an instructional materials review program must adopt rules for the program which include, but are not limited to:

- Its review and purchase process;
- Identification of a review cycle for instructional materials;
- The duties and qualifications of the instructional materials reviewers;
- The requirements for an affidavit made by a district instructional materials reviewer which substantially includes the requirements of s. 1006.30, F.S.;
- Compliance with s. 1006.32, F.S., relating to prohibited acts;
- A process that certifies the accuracy of instructional materials;
- The incorporation of applicable requirements of s.1006.31, F.S., which relates to the duties of instructional materials reviewers;

- The incorporation of applicable requirements of s. 1006.38, F.S., relating to the duties, responsibilities and requirements of publishers of instructional materials; and
- The process by which instructional materials will be purchased, including advertising, bidding and purchasing requirements.

Furthermore, a school district that implements an instructional materials review program may assess and collect fees from participating publishers. The amount assessed and collected must be posted on the school district's website and reported to the department. These fees may not exceed \$3,500 per submission by a publisher and must be allocated for the support of the review process. School districts may only use revenues generated by these fees to support the instructional materials review process, including the payment of stipends for reviewers, reimbursement of travel expenses and per diem incurred by reviewers, and costs relating to employing substitute teachers to fill in for instructional personnel serving as reviewers. These fees must be maintained in a separate line item for auditing purposes.

School districts that implement an instructional materials review program are exempt from several instructional materials purchasing requirements specified in s.1006.37, F.S. and s. 1006.40, F.S. These districts are not required to:

- Provide each student with a major tool of instruction in the core courses of mathematics, language arts, science, social studies, reading and literature;
- Requisition materials through the publisher's depository;
- Purchase materials within three years of an adoption; or
- Use at least 50 percent of their instructional materials allocation to purchase state-adopted instructional materials though they are still required to use at least 50 percent of their instructional materials funds to purchase digital or electronic instructional materials.

Option 2:

Under section 1006.40, Florida Statutes, districts may choose to use up to 50 percent of their instructional materials allocation on aligned resources that are not on the state-adopted list. Districts may therefore begin making discussions regarding instructional materials purchases utilizing the 50 percent of their allocation that can be used for materials not on the state adopted list. A district also has up to three years, from the effective date of the adoption cycle, to requisition adopted materials.

The department is committed to a robust instructional materials review process that provides districts, which opt not to conduct their own adoption process, with a list of high-quality materials correctly aligned to Florida Standards. The list for ELA and mathematics will be made available as soon as the review process is complete.

PS/kf