

State K12 Procurement Case Studies: Spotlight on Digital Instructional Materials Acquisition



Excerpt

California

California, an adoption state, reviews and adopts instructional materials for grades K-8. The [State Board of Education](#) only adopts full course/core instructional materials for language arts, math, history/social science, science, health, visual and performing arts, and world languages. California considers print and digital formats for instructional materials. California employs an eight-year adoption cycle per subject. Instructional materials must meet 100% of adopted state standards in addition to other evaluation criteria. Districts are not required to adopt instructional materials reviewed by the state--it is incumbent upon districts to determine their own local needs. Districts can adopt and implement instructional materials in the format they choose, print, digital, or some combination. For transitional kindergarten and grades 9-12, local districts are responsible for adopting instructional materials. Districts must follow [California Education Code \(EC\) Section 60119](#), which requires instructional materials to be aligned to the state adopted academic content standards in the four subjects of English language arts/English language development; history/social science; mathematics; and science and for all instructional materials to be consistent with the cycles of the State Board adopted curriculum frameworks.



California encourages school districts, county offices of education, and charter schools to use technology to improve instruction, student learning, and teacher professional development. California defines [technology-based instructional materials](#) as “basic or supplemental instructional materials that are designed for use by pupils and teachers as learning resources and that require the availability of electronic equipment in order to be used as a learning resource. Technology-based materials include, but are not limited to, software programs, video disks, compact disks, optical disks, video and audiotapes, lesson plans, and databases. Technology-based materials do not include the electronic equipment required to make use of those materials, unless that equipment is to be used by pupils and teachers as a learning resource”.

Publisher Requirements

As of 2014, a publisher or manufacturer that submits a printed instructional material for adoption by the state board, or a school district governing board, or for use by the governing board of a school district, must ensure that the printed instructional material is also available in an equivalent digital format during the entire adoption term. The printed instructional material equivalent digital format shall conform to the most current, ratified standards under the federal Rehabilitation Act of 1973, and the Web Content

The State Board of Education shall adopt textbooks for use in grades one through eight throughout the State, to be furnished without cost as provided by statute.

- California State Constitution, Article 9,
SEC. 7.5

Accessibility Guidelines – World Wide Web Consortium for accessibility. The state requires the publishers of full-course programs to provide digital files in RTF and PDFs of state-adopted instructional materials. The [Clearinghouse for Specialized Media & Translations \(CSTM\)](#) uses the digital files to create large print, braille and audio files for students with visual impairments to use.

Publishers may not alter or amend content after it is submitted for review and adopted by the state, including content in digital format. California conducts a formal revision process for state-adopted materials once every two years in which adopted publishers may choose to participate. However, upgrades of technology-based materials that do not contain content changes (e.g., software or platform upgrades) can be made by publishers without state approval.

California law regulates the pricing for instructional materials and requires that the publisher offer instructional materials at a price that does not exceed the lowest price the publisher offers to any other state or territory. This practice includes free materials. If a publisher offers materials for free to another state or district, they must offer those materials to California for free. However, districts or county offices of education can negotiate lower prices for instructional materials in either print or digital format, provided they follow state guidelines. These provisions apply to all instructional materials and not just state adopted instructional materials. Publishers may increase prices on state adopted materials once every two years.

Funding

Districts may use [Local Control Funding Formula](#) funds to purchase instructional materials or Proposition 20 lottery funds.

Process

The [Curriculum Frameworks Adoption Process – CalEdFacts](#) provides detailed information about the instructional materials evaluation and adoption process. California strives to ensure broad public participation in the adoption process and involves three concurrent steps:

- Social content review—Instructional materials may not contain any matter that reflects adversely upon persons because of their race, color, creed, national origin, ancestry, sex, handicap, or occupation and any religious doctrine contrary to state law.
- Public review and comment—The public can review samples of materials at the Learning Resources Display Centers located throughout the state. The public may submit written comments to the IQC and the SBE for consideration. The state holds three public hearings before adoption.
- Education content review—Reviewers evaluate instructional materials based upon the state adopted framework and content standards.

The [Instructional Quality Commission\(IQC\)](#) supervises the instructional materials reviews. The IQC recommends and the state board appoints panels of reviewers that include:

- Instructional materials reviewers (teachers, administrators, parents) who evaluate materials based on all categories of criteria.
- Content review experts (subject matter experts) who review materials to ensure that they are aligned to [state content standards](#) and [curriculum frameworks](#).

The review panels work together throughout the process and formulate a recommendation for each submission. The IQC considers the recommendations of the panel, conducts their own individual and independent reviews and then makes recommendations to the state board of education. The state board

considers the recommendations and public comments before adopting materials. California posts the [Price List of Adopted Materials](#) that is searchable by subject and grade level. Districts purchase adopted instructional materials directly from publishers.

Local Process

Districts are not required to adopt materials from the state list and may select instructional materials on their own.

These materials must be aligned to the state content standards. Districts must engage in a review process to ensure that the instructional materials meet state content standards. California law requires that the majority of reviewers selected for the evaluation process are classroom teachers assigned to the subject area or grade level of the materials.

Equity

California law (Section 60119) requires districts to provide instructional materials in the four primary subject areas both in the classroom and to take home. The law applies to both print and digital materials.

Challenges and Considerations

This section presents some of the challenges and considerations for conducting procurements identified during interviews with state leaders and independent research.

Home Access

California law (Section 60119) requires districts to provide instructional materials in the four primary subject areas both in the classroom and to take home. The law applies to both print and digital materials.

Publisher Requirement

As of 2014, a publisher that submits a printed instructional material for adoption by the state board, or a school district governing board, or for use by the governing board of a school district, must ensure that the printed instructional material is also available in an equivalent digital format during the entire term adoption term.

Utilize Technology for Instruction

California encourages school districts, county offices of education, and charter schools to use technology to improve instruction, student learning, and teacher professional development.