

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



Excerpt

Utah

As an adoption state, Utah has a process for the selection and adoption of instructional materials, including digital instructional materials. [Utah's definition of instructional](#) materials is defined as “systematically arranged content in text or digital format which may be used within the state curriculum framework for courses of study by students in public schools, including textbooks, workbooks, computer software, online or internet courses, CDs or DVDs, and multiple forms of communication media.”

This can include, but is not limited to, textbooks, software programs, multimedia programs, and online Internet-based programs. These materials may be used by students or teachers or both as principal

sources of study to cover any portion of the course. The [Utah State Board of Education](#) approves a recommended list of instructional materials twice yearly as a service to districts in the selection of

It's important to establish trust with our districts. We believe there is great value in collaboration.

– Alan Griffin, Utah

instructional materials. Since 1907, this review procedure has been mandated by law; however, districts are free to select materials that are not on the recommended list. While schools and districts are not required to select materials from the [Recommended Instructional Materials System \(RIMS\)](#), most, if not all districts select materials from the list and find it a valuable resource for selecting the highest quality instructional materials at the lowest prices for Utah students.

The adoption process also establishes, by contracting with each publisher, a price for instructional materials to be maintained throughout the adoption period, thus providing equality in cost for each school district. These prices are guaranteed for five years—the length of the contract. The [Favored Nation Status](#) also guarantees district and local education agencies the lowest price offered anywhere in and outside of the state.

Utah provides prospective vendors with a [Program Guidebook](#) describing the procurement process. Vendors interested in providing instructional materials to the state must adhere to the requirements outlined in the guidebook, including submitting an intent to bid, a formal bid, alignment to standards, accessibility features and a signed contract that includes the lowest available pricing. For instructional materials, including digital and online materials, submitted to be designated as “recommended primary,” publishers must also submit documents detailing alignment to core objectives, standards, and indicators. Sample forms are included in the [Program Guidebook](#). For digital instructional materials, publishers must provide a document stating the technology specifications required for the materials. Utah provides guidance to publishers for submitting digital materials, and requests log-in credentials; log-in instructions; tutorial on how to use the resource; and access to the digital resource during the entire evaluation period. Utah requires vendors to complete a NIMAS agreement that provides for alternate formats for students with disabilities for all adopted materials that are “Recommended Primary”

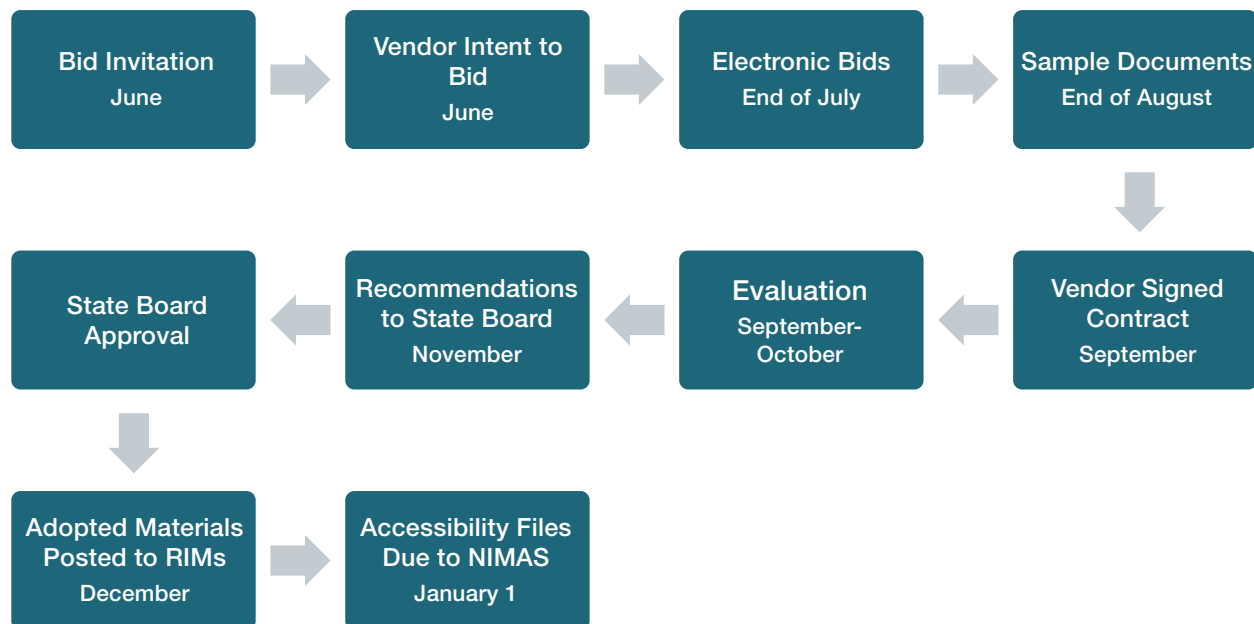
and submit the files to [NIMAC](#). Utah often awards contracts to multiple vendors and in the spring of 2017, Utah awarded contracts to 11 different vendors.

State Contracts

In addition to offering districts instructional materials that have been reviewed and approved with negotiated pricing, Utah also has several statewide contracts. Current statewide contracts include subscription services through the Utah Education Network Subscription Service. The [Utah Online Library](#), a partnership between the [Utah Education Network](#), the [Utah State Board of Education](#) and the [Utah System of Higher Education](#), is available for all districts and schools to use. Other statewide contracts include three major software contracts, allowing districts to purchase software at a significantly reduced rate, and provide special pricing for districts through UEN for a learning management system and math software for the STEM Action Center.

Process

Utah posts requests for proposals twice a year on the [Utah Division of Purchasing and General Services](#) website and an official announcement of Utah's intent to adopt instructional materials is sent to publishers in May and October. Utah considers most curriculum content areas once a year and provides a list of [specific content areas](#) considered for each adoption cycle. Publishers must submit an intent to submit materials and samples of each title to the [Instructional Materials Center](#). These materials are evaluated by the Instructional Materials Advisory Committees and the recommendations of the committees are then sent to the Utah State Instructional Materials Commission during their semiannual adoption meetings. The recommendations are then sent to the State Board of Education for final approval. From start to finish, the adoption process takes approximately six-months and is detailed in the following chart.



Decision Makers

The Utah State Board of Education appoints the members of the Utah State Instructional Materials Commission. Members serve a four-year term and include:

- The state superintendent of public instruction, or the superintendent's designee
- A dean of the college of education of one of the state-owned schools on a rotating basis

- One school district superintendent
- One secondary school principal
- One secondary school teacher
- One elementary school principal
- One elementary school teacher
- Five persons not employed in public education



The Utah State Instructional Materials Commission responsibilities:

- Review instructional materials and make recommendations to the Utah State Board of Education
- Accept bids from publishers
- Appoint Instructional Materials Advisory Committees to evaluate instructional materials
- Recommend policies for instructional materials adoption procedures to the State Board of Education
- Review requests for renegotiation of instructional materials contracts and requests for instructional materials to be removed from contract

The Instructional Materials Advisory Committees evaluates materials using rubrics that focus on alignment to standards, accessibility for all students, and appropriate pedagogy for ideal teaching and learning. Curriculum specialists in the Utah State Office of Education, in cooperation with subject area specialists in districts and schools develop rubrics for the evaluation of instructional materials. The major focus of the rubrics is the core content for the course, but the rubrics also address issues such as equity, material quality and construction, adherence to Utah law, and other issues. The rubrics are designed to help reviewers evaluate instructional materials and guide the narratives for RIMS. During the evaluation process, reviewers categorize each instructional material submitted by the vendors as one of the following:

- **Recommended Primary** – Instructional materials that are in alignment with content, philosophy and instructional strategies of the Core may be used by students as principle sources of study, provide comprehensive coverage of course content, and support current assessment requirements.
- **Recommended Limited** – Instructional materials that may be used or purchased and are in limited alignment with the Core or current assessment requirements, or are narrow or restricted in their scope and sequence. If school districts or schools select and purchase materials recommended under this category, it is recommended that they have a plan for using appropriate supplementary materials assuring coverage of Core requirements.
- **Recommended Teacher Resource** – Instructional materials that may be used or purchased for use as teacher resource material only.
- **Recommended Student Resource** – Instructional materials aligned to the Core that are developmentally appropriate, but not intended to be the primary instructional resource. These materials may provide valuable content information for students.

- **Reviewed, But Not Recommended** – Instructional materials that may not be aligned with the Core; may be inaccurate in content; may include misleading connotations or undesirable presentation; are in conflict with existing law and rules; or are unsuitable for use by students. School districts are strongly cautioned against using these 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.

Sustainability

Currently, the state legislature is providing funding through a special allocation for each district to utilize the UEN learning management system. Since it is a special allocation, the state requests this funding annually. Many districts do not have funds set-aside if the legislature eliminates this funding.

Local Control

Although Utah reviews and adopts instructional materials for districts to use, districts have local control and autonomy in acquiring materials.

High-Quality Materials

Districts can easily search for instructional materials that have been through a rigorous review process and recommended by the state. The Recommended Instructional Materials System (RIMS) database is an excellent resource, especially for smaller districts that don't have the staffing to conduct intensive reviews.

Economies of Scale

Utah establishes a price with each publisher for instructional materials that is valid throughout the adoption period. The negotiation of these contracts results in economies of scale and the prices are guaranteed for five years—the length of the contract. The Favored Nation Status also guarantees district and local education agencies the lowest price offered anywhere in and outside of the state and equality of pricing among districts.

Publisher Feedback

When Utah enters into a contract for instructional materials, it provides feedback to the publisher based on district evaluations of the product. Districts that select the instructional material from the state recommended list are expected to use the resource to its full potential and provide feedback.