720:10-1-2. Definitions [AMENDED]

"Adopted materials" Adopted materials refers to materials approved by the State Textbook Committee and purchased with state funds.

"Ancillary material" Ancillary items considered for adoption shall be compatible with the textbook bid. This term refers to materials intended and designed to be used with a comprehensive program submitted by the same publisher. Examples of this type of material may include but are not limited to workbooks, quizzes, puzzles, test banks, transparencies, black line masters, etc. Materials intended and designed to be used with a comprehensive program submitted with the corresponding comprehensive program or comprehensive materials with the publisher bid. Examples of this type of material may include, but are not limited to, workbooks, quizzes, and test banks.

"Comprehensive material or comprehensive program" This term refers to teacher instructional material not intended to be used by students and shall include Priority Academic Student Skills (PASS) correlations. Additionally, this also includes one edition of the initial student instructional material such as a student text (electronic or print). Instructional materials or textbooks designed to guide instruction for, and learning of, grade-level courses or subject areas. Materials should align to and encompass the breadth of Oklahoma Academic Standards or learning objectives associated with the grade level(s) course being bid.

"Core subject cycle" This term refers to the period of time for which contracts are entered into for subjects identified by the State Textbook Committee. The cycle begins when contracts go into effect for the items bid in a subject area, and the cycle ends when the contracts expire and new contracts are established for materials in the same subject area. The State Textbook Committee operates under a six-year adoption cycle for all subjects except Instructional Technology, which operates under a three-year adoption cycle.

"Free materials" Materials in any medium which a publisher intends to make available without cost upon the purchase of textbooks bid and adopted.

"Supplementary item or supplementary materials" These terms refer to items intended and designated to guide the instruction of one or a few of the curriculum standards for the subject area for which the item has been submitted. Supplementary materials are designed to be used independently or cooperatively with bid items submitted in the same subject area by the same or different publisher. Examples of supplementary items may include but are not limited to maps, atlases, flash cards, classroom libraries, stories about significant people in the subject area, selected readings, literature guides, assessment materials or small books textbooks or instructional materials teaching about one component of a subject area.

SUBCHAPTER 3. BIDDING PROCEDURES

720:10-3-5. Materials to be considered for adoption [AMENDED]
(a) One copy of each textbook and one sample of each learning package, kit, or other comprehensive review materials shall be filed with the office of the Secretary of the state Textbook Committee on or before the date specified in the schedule for the textbook adoption process. Textbooks must be in final form.
(b) One copy of each textbook and one sample of each learning package, kit, or other comprehensive review material and materials not listed as free shall be provided to each member of the State Textbook Committee, review teams, and to each Congressional District Review Center. Failure to deliver samples by the date established by the State Textbook Committee
calendar will result in a bid rejection.  
(c) Samples of textbooks provided to the State Textbook Committee members and review teams may be returned to the publishers, donated to a school district or donated to a college or university. Under no circumstances shall the samples become the personal property of the committee member or the advisor-review team members. Under no circumstances shall the samples be sold or donated for resale purposes.
(d) In order for a library or university to be designated by the State Textbook Committee as a Congressional District Review Center the library or university must agree to the following conditions:
   (1) conveniently display materials immediately upon the receipt of materials and maintain the display until such date adopted by the State Textbook Committee;
   (2) obtain approval of the State Textbook Committee before disposing or distributing the materials to any other person or entity; and remove materials from public access once they are adopted. Materials may remain accessible for on-site use to a limited audience (education professionals and pre-service teachers); and
   (3) sample materials may be returned to the publisher or may be disposed of with the approval of the State Textbook Committee.
(e) Highly-visible, permanent labels stating, "sample not to be sold" must be attached to each item furnished as a sample to the State Textbook Committee, review teams, Congressional Review Centers and the office of the Secretary of the State Textbook Committee.
(f) Consumable materials must be clearly marked as consumable.
(g) Each publisher must warrant that all books adopted shall comply with the standards in the Manufacturing standards and Specifications for Textbooks approved by the National Advisory Commission on Textbook Standards.
(h) The State Textbook Committee favors regular editions, but special editions may be considered provided the differences between the two (2) editions are set forth with the bid.
(i) Digital content and related materials will be considered for adoption.
(j) Teacher materials will be adopted as separate items only at the kindergarten level and ESL.
(k) Instructional Materials shall be adopted in no more than one (1) core subject cycle.
(l) A book which has been bid and rejected by the State Textbook Committee cannot be bid again for the subject contract cycle.
(m) Technology components of instructional materials, including, but not limited to applications using computer assisted instruction, Web 2.0 Tools, Saas (Software as a Service) and other Cloud-based technologies, shall include comprehensive teacher materials listing special requirements for the respective subject or course along with
   (1) instructions on how to use the technology components;
   (2) an inventory of the components of the program;
   (3) specifications for the hardware necessary to operate the system; and
   (4) on-demand technical support.
(n) Specifications for the hardware necessary to operate the instructional computer software system must be identified. If the hardware and equipment essential for review of the materials bid in any category is not available, it shall be supplied to the State Textbook Committee, Congressional District Review Centers, review teams, and the State Department of Education for the duration of the review process.
(o) Publishers may not pilot programs to be bid for adoption without explicit written permission from the district superintendent and site administrator. Pilots must be completed no later than the date of the call for bids one adoption cycle year prior to the opening and consideration of bids in that subject area. Violation of this rule will result in immediate removal from the state textbook list.
Any ancillary materials or supplementary items listed with textbooks in the annual requisition must be approved by the State Textbook Committee with the corresponding comprehensive materials or programs being bid unless designated as free. If ancillary or supplementary materials are not available at the time of the initial adoption, but subsequently become available, publishers may submit the ancillary and supplementary materials out of cycle. When the Call for Bids is mailed each year, publishers can submit letters of intent to present ancillary and supplementary materials. Samples must be sent to all members of the State Textbook Committee and review team members, to the regional review centers and to the office of the Secretary of the State Textbook Committee. The ancillary and supplementary item(s) materials will be considered for adoption at the regular adoption meeting. The adopted ancillary materials and supplementary item(s) will be listed in the next annual requisition.

Supplementary materials are not reviewed or approved by the State Textbook Committee. Supplementary materials purchased with State Textbook funds should undergo a rigorous local review process with the local district textbook committee prior to selection. Supplementary materials should supplement adopted comprehensive materials or programs but not replace them. Supplemental materials must be listed on the Supplemental Materials Form of the Bid and additionally labeled, “Supplemental Materials not reviewed or approved by the State Textbook Committee”.

SUBCHAPTER 5. PROCEDURES FOR EVALUATING AND VOTING TO SELECT TEXTBOOKS

720:10-5-1. Advisors [REVOKED]
(a) Each textbook committee member shall select a maximum of five (5) advisors for each subject in which textbooks have been called for adoption to assist in the textbook review process. One (1) of the advisors may be a lay member who has a child in public school in this state and who does not have a teaching certificate. All remaining advisors will be certified educators with experience in the adoption area.
(b) Official advisors must abide by all laws and rules and regulations of the State Textbook Committee and the state.
(c) Nothing in this section is intended to limit the right of textbook committee members to seek advice from as many sources as they wish; however, textbook samples may be provided only to official advisors.

720:10-5-5. Consideration of new materials due to unusual or extraordinary circumstances [AMENDED]
(a) Under the provisions of Title 70, Article XVI, Section 16-102, any resident of the State of Oklahoma, or publisher of textbooks, who feels that unusual or extraordinary circumstances exist in a particular subject area during the period of adoption may, by written request to the State Textbook Committee, present evidence that significant new techniques of teaching, significant new findings or discoveries, or other new information or knowledge exists in a particular subject area that would warrant consideration by the State Textbook Committee of new materials in that particular subject area.
(b) Written requests will be addressed to the Secretary of the State Textbook Committee. The written request will include the name, address, and phone number of the person making the request. Also to be included are the subject area name and grade classification. The person making the request will then describe in detail any new technique, procedure, finding, discovery, and any other information that will aid the Committee in making a decision. Furthermore, the person making the request will address the impact the technique, procedure, finding or discovery will have on students or education and the impact the absence of this information will have upon students or education until the next adoption period.
(c) Upon determination by three-fourths (3/4) of the members of the State Textbook Committee that unusual or extraordinary circumstances exist in a particular subject area, the Committee may select one or more textbooks in that subject area for the remainder of the adoption period.

(1) The chairperson of the Committee will direct the Secretary of the Committee to issue a Call for Bids in the subject area indicated. Said Call for Bids will include:

   (A) subject area;
   (B) grade;
   (C) description of new technique, Finding, discovery or procedures that must be included in any item bid;
   (D) deadline date for letters of intent;
   (E) deadline dates for receipt of bids and books;
   (F) public hearing dates; and
   (G) date of the adoption meeting.

(2) All normal adoption procedures will be followed to include sampling of Committee, State Department of Education, Congressional District Review Centers, and any advisors review team members that the committee members may identify. Adoption will be by a majority vote.

SUBCHAPTER 7. CONTRACTS AND BONDS

720:10-7-2. Contract [AMENDED]

(a) The execution date of the contracts shall be December 31 of each year.

(b) Assumption, acquisition, assignment or transfer of contracts currently in effect between the State Textbook Committee and persons, firms or corporations will be allowed during the period of the contract upon receipt by the Secretary of the State Textbook Committee of a replacement bond provided by the receiving company.

(c) It is required that a publisher notify the office of the Secretary of the State Textbook Committee of any and all price reductions, either temporary or permanent, of materials under contract with this state. Those price reductions then become permanent and replace the existing costs on the approved contracts. All price reductions are permanent until the contract expires or a substitution with a price increase is approved by the State Textbook Committee. Temporary sale prices are not permitted.