

Textbook and Instructional Materials Quality Commission Policy Proposal

2.300 POLICIES AND PROCEDURES FOR FREE MATERIALS & SAMPLES

The Commission shall specify uniform conditions under which ancillary items may be bid to be provided with adopted books at no additional cost. These conditions shall be updated annually and circulated with the INVITATION TO BID.

The following policies and procedures have been approved by the Tennessee Textbook Commission (Commission), pursuant to Tennessee Code Annotated § 49-6-2203, for the uniform conditions under which materials may be bid and/or sampled to be provided with the adopted books at no additional cost.

The Commission may adopt physical standards and specifications that assure suitable durability of the supplemental materials.

Definition: INSTRUCTIONAL MATERIALS AND SUPPLIES shall include, but not be limited to, books, periodicals, charts, black line masters, teaching aids, games, kits, student workbooks, [student assessments](#)~~student assessments~~, record keeping forms, prepared instructional and/or technology based media, including audio and video ~~tapes~~, slides, transparencies, CD-ROM, optical discs, diskettes, [manipulatives](#) or similar materials designed for use by teachers and students.

Uniform Gratis Kit Package

The components of the Gratis Kit shall include: Teacher edition, Student edition, Instructional CD/DVD package, online textbook and resource access for teacher and student per textbook purchased, and any print resources not provided in the CD/DVD package. Materials contained in the gratis kit shall also represent the list of approved items that a publisher/manufacturer can provide as samples during the entire adoption process. The sample and gratis kits shall be identical. The gratis kit must have its own unique International Standard Book Number (ISBN). Each publisher/manufacturer shall include a list detailing the ISBN and title, with components for each item included in the gratis kit.

All Gratis Kits shall be stocked and distributed directly to school districts according to the following ratios and accompany student text distribution by district:

Kindergarten	1:18
Grades 1-2	1:22
Grades 3-8	1:25

Grades 9-12 ¹ Core	1:50
Non-Core/Elective	1:35
CTE/AP/IB	1:25

Exceptions to the ~~uniform~~ gratis kit ~~package~~ will be formulated by the Commission, Publisher, and subject area ~~c~~Consultants prior to the opening of the adoption process for the particular subject area. In addition, exceptions will be allowed for accommodations of the Leveled Reader package that the publisher/manufacturer will provide with Reading and Social Studies adoptions and for student manipulative kits relative to subject area. Leveled Reader packages will be distributed in conjunction with the aforementioned gratis kit.

The following are strictly prohibited in gratis kits for future adoptions: consumable workbooks, class sets of student texts, and/or other instructional components, not essentially related to the program; and technology hardware. The materials included in the gratis ~~package kit~~ represent the extent of the resources that can be offered as free materials to accompany a textbook purchase.

Publishers/manufacturers will be allowed to bid workbook(s) for sale through the bidding process. Any bid workbook must follow the same availability guidelines that are placed on student texts. Stock levels must be maintained at all times with the distributor designated by the Commission.

Publishers/manufacturers shall offer workbooks at a reduced price to districts that have purchased their materials.

Failure to deliver, or deliver within sixty (60) days of purchase, any materials in the gratis package may result in the placement of the publisher/manufacture on the Noncompliant List published on the Department's website. Districts should notify the ~~Office of Textbook Services~~[Tennessee Department of Education](#) within thirty (30) days of failure to receive materials in a gratis ~~package kit~~.

Materials to Sample and Restrictions

Publishers/manufacturers are only allowed to provide a sample of the individual items that are included in the gratis kit. Contents **must** be in final form. Distribution of sample kits will be handled by the publisher/manufacturer.

¹ CTE shall reference Career and Technical Education courses; AP shall reference Advance Placement courses; and IB shall reference International Baccalaureate courses.

Publishers/manufacturers are only required to provide samples to those school systems that request materials. The publishers/manufacturers may send up to six (6) Sample Kits per title per district. The deadline for submitting samples will be determined by the Commission.

All materials and supplies which will be provided by the publishers bidding books for the **OFFICIAL LIST OF TEXTBOOKS** to the local school systems free of charge with the textbooks must be provided to all local school systems at the same ratio and for the entire period of the contract. Such provision must be no less than what the particular publisher is providing elsewhere in the nation on the effective date of the contract.

Each publisher must list on the bid form the free materials and supplies to accompany the programs in that bid, as specified in the Invitation to Bid.

Addition Clarification of the Free Materials Policy

The following information is a detailed interpretation of the attached “Policies and Procedures for Free Materials & Samples.” ~~that is in effect beginning with the Section VI Adoption Process.~~ All publishers participating in any adoption cycle will be required to adhere to these rules regarding free materials.

Uniform Teacher Resource Package (UTRP) – Uniform Series Resource Package (USRP) - TEACHER RESOURCE PACKAGE shall include: Teacher edition; Student edition, if not incorporated in the Teacher edition; Instructional CD/DVD package; online textbook and resource access for teacher and student per textbook purchased; and any print resources not provided in the CD/DVD package. Materials contained in the teacher resource package shall also represent the list of approved items that a publisher/manufacturer can provide as samples during the entire adoption process. The uniform teacher resource package must have its own unique International Standard Book Number (ISBN) or unique identifier. Each component of the USRP/UTRP packages must have its own ISBN or unique identifier. Each publisher/manufacturer shall include a list detailing the ISBN and title, with components for each item included in the teacher resource package.

The individual teacher resource items contained within the UTRP must also have the replacement cost of each component listed with its own International Standard Book Number (ISBN) or unique identification codes. The cost of each individual component shall be supplied to the distributor designated by the Commission. The purpose of the individual identification is to confirm exactly what is committed to the UTRP and the cost is requested so the customer may have an opportunity to purchase or replace pieces of the UTRP, as needed, during the life of the cycle.

A workbook may be offered as a sample item in the UTRP. Additional workbooks may be offered only as saleable items on the state bid, at a specified price.

Packaging and Identification: The UTRP should be packaged as one package with an individual ISBN or identification code assigned. However, if the components of the UTRP are too large or cumbersome to fit in one box, multiple cartons/boxes are acceptable. Please ensure the UTRP is packaged as compactly as possible. Each box shall be labeled with the proper package ISBN, and include the number of that carton and the total number of cartons (e.g. Box 1 of 5).

Distribution Ratios:

Teacher Materials: The UTRP will be distributed based on the ratios stated in the attached free materials policy.

School Materials: Publishers should follow the referenced packaging and identification rules in the UTRP when it is designed to go to each school versus each teacher. The bid must identify this item as USRP (Uniform Series Resource Package) to be distributed per school.

Choices or Options: Choices and/or options in the UTRP are strictly prohibited from being offered under the free materials policy, established by the Commission.

Novels or Leveled Readers: The only exception for a free per textbook purchased distribution in the Literature adoption and the Reading K-8 adoption is the distribution of novels/leveled readers. Leveled readers are defined as supplemental stories not included in the textbook for different reading abilities and shall be limited to grades K-8 Any publisher choosing to include free novels/leveled readers may do so by including a redemption certificate within the UTRP specifying the offering, list of available novels/leveled readers, and specific instructions for ordering.

(1) A publisher's leveled reader offer may not exceed the following:

1. For Grades K-8, six (6) per leveled program purchase for below level, on level, and above level;
2. For Grades K-8, one (1) per leveled program purchase for English Language Learners (ELL);
3. For Grades K-2, three (3) per leveled program purchase for decodable; and
4. For Grades 3-5, one (1) per leveled program purchase for decodable.
5. For Grades 6-8 leveled readers may used if reading is taught as a separate subject.

(2) A publisher's novel offer in grades 6-12, may not exceed two (2) novels per textbook purchased and must be limited to the first year of purchase only.

E-Goods included in the UTRP: All electronic access codes or any item that has no physical presence must be included within the list of components of the UTRP. All participating publishers will be notified by the depository when the

UTRP is distributed to the customer, so that the publisher can complete the transfer of the e-goods.

Hearings/Teacher Training/In-Service Sessions: Any material given away during presentations will be at the publisher's expense and cannot be removed or excluded from the UTRP.