
**Textbook and Instructional Materials Waiver Request:
Clinton City Schools**

The Background:

T.C.A. § 49-1-302(a)(9) states that it is the duty of the board, and the board has the power to, “prescribe the use of textbooks and other instructional materials, based on recommendations of the state textbook and instructional materials quality commission, for the various subjects taught or used in conjunction with the public schools.” In addition, Public Chapter 770 of 2020 provided the State Board with the authority to approve or deny waiver requests from local education agencies (LEAs) that wish to use textbooks or instructional materials that are not on the state-approved adoption list due to the unique or unusual needs of the LEA. Public Chapter 770 also provided the State Board authority to promulgate emergency rules to effectuate the act. The emergency rule was approved on first and final reading at a special called meeting of the State Board on August 17, 2020.

In accordance with the requirements of the emergency rule, Clinton City Schools submitted a waiver application for the use of a third (3rd) grade English language arts textbook: *Into Reading* published by Houghton Mifflin Harcourt (HMH). Clinton City is seeking approval for the use of this textbook until the next English language arts (ELA) textbook adoption cycle in 2025-26. In 2019, the State Textbook and Instructional Materials Quality Commission (Textbook Commission) approved the use of HMH’s *Into Reading* textbooks for all elementary grades, with the exception of third (3rd) grade.

Review Process:

The Textbook Commission conducted a thorough review of all proposed ELA materials in 2019. Based on that review, two (2) specific areas of concern were identified for the third (3rd) grade HMH *Into Reading* textbook. As part of the review of this waiver request, Clinton City provided State Board staff with their plan to address both areas of concern identified by the Textbook Commission. These plans were reviewed by staff members with experience in English language arts and/or elementary education to determine whether they adequately addressed the identified concerns.

Factors Affecting the Waiver Decision:

Based on the emergency rule, the State Board may consider the following factors in making its decision on waiver applications:

- (1) The recommendation of the Commissioner and reasons supporting the recommendation to approve or deny the application.
 - a. Before the authority to review textbook waiver requests was assigned to the State Board, the Department of Education reviewed waiver applications from eight (8) LEAs for this same textbook and ultimately approved four (4) of those waivers. The Department also provided an overview of the rationale used to make those waiver decisions to State Board staff.
- (2) The explanation of the unique or unusual needs of the school system necessitating the use of the requested Textbooks and/or Instructional Materials in the waiver application.
 - a. According to its waiver application, Clinton City is requesting this waiver due to the unique and unusual needs of the district. Those needs included:
 1. Committees of Clinton City teachers unanimously selected the Houghton Mifflin Harcourt *Into Reading* program for elementary English language arts for all other grades, in addition to third (3rd) grade.
 2. *Into Reading* supports both whole-group and small-group/guided reading instruction.
 3. *Into Reading* materials appeared to best support differentiation based on student needs.
- (3) The extent of the Textbook and/or Instructional Materials' alignment to Tennessee academic standards and, if necessary, the extent to which the LEA's plan would remediate any areas of misalignment with Tennessee academic standards.
 - a. The Textbook Commission reviewed the proposed textbook in 2019. After an initial review and re-review based on additional information from publishers, the Textbook Commission found the HMH *Into Reading* third (3rd) grade textbook did not fully meet the two following requirements.
 1. 1.b. Vocabulary: Materials provide direct and contextual instruction for Tier 2 and Tier 3 vocabulary that supports knowledge building.
 2. 1.c. End-of-unit/culminating tasks: Materials provide students with multiple opportunities to demonstrate their literacy skills and convey their knowledge acquisition.
 - b. Based on the State Board staff review, the plans detailed in the Clinton City waiver request adequately address the concerns noted by the Textbook Commission. To address the vocabulary concerns, Clinton City plans to use additional research-based vocabulary supplemental materials and indicated that teachers would have a designated professional development day to emphasize vocabulary routines. To address the culminating tasks concerns, Clinton City plans to work with teachers to modify and enhance the culminating tasks within each module and include the revised tasks in their district pacing guide. They

will also adapt the writing workshop by developing writing prompts for each story in the module. While these plans address the concerns of the Textbook Commission, the district must ensure that it fully implements all stated plans for addressing these two (2) deficiencies if the waiver is approved.

- (4) Prior experience of the LEA seeking the waiver with the proposed Textbooks and/or Instructional Materials, if applicable.
 - a. Clinton City had previously adopted Houghton Mifflin Harcourt's *Journeys* product. The district stated they are familiar with the general structure of HMM's materials and were encouraged by the increase in rigor while continuing to provide multiple opportunities for differentiation.
- (5) Whether the State Board has previously approved waivers for the same Textbooks and/or Instructional Materials for other LEAs.
 - a. The State Board has not approved waivers for this textbook since the authority to approve textbook waivers was assigned to the Board in August 2020. However, as outlined in paragraph (a), the Department of Education approved four (4) of eight (8) LEA-requested waivers for this textbook from January through May 2020. Additional information on those approvals is located in [this list](#).
- (6) The availability of state-approved Textbooks and/or Instructional Materials for the requested course and/or subject.
 - a. There are state-approved textbooks and/or instructional materials available for third (3rd) grade ELA. However, due to the unique and unusual needs cited in (b) above, Clinton City believes that HMM's *Into Reading*, with planned supplements at the local level, represent their best option for instruction in this subject and grade.

The Recommendation:

The State Board staff recommends approval on first and final reading of the HMM *Into Reading* textbook waiver for third (3rd) grade until the next English language arts adoption cycle in the 2025-26 school year.