SNAPSHOT

An Evaluation of the Tennessee Textbook and Instructional Materials Quality Commission

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In May 2019, Senate Education Committee Chair Gresham requested that OREA evaluate the Tennessee Textbook and Instructional Materials Quality Commission, as well as what adjustments may be needed in the textbook selection process given technological changes.

The commission has not had full membership since 2016, and current membership does not reflect the grand divisions of the state. A lack of appointees and other appointment issues have resulted in the commission lacking full membership since 2016. A 2014 law reconstituted the commission, and a second reconstitution took place following passage of a 2018 law. State law directs the appointing authorities (the Governor, the Speaker of the Senate, and the Speaker of the House) to "strive to ensure that a proportionate number of persons are appointed to the commission from each grand division of the state." As of fall 2019, there are no members from middle Tennessee on the commission, and five of the seven current appointees are from east Tennessee.

The Tennessee Department of Education (TDOE) has historically allocated limited staff to support the commission's activities, though the department recently increased staff support for the commission. OREA found issues with the level of administrative support historically provided by TDOE to the commission, specifically regarding meeting preparation, training for new members, and the availability of information about various aspects of the adoption process. Toward the end of the 2019 adoption cycle, TDOE increased the number of staff allocated to the adoption process, but this increase occurred too recently to be fully evaluated by OREA. The report calls for TDOE to consider conducting a future evaluation of the effectiveness of recent changes made to the staffing provided to the commission.

More information about each step on the path to approval for all textbooks and instructional materials on the state-approved list would make the adoption process more transparent and understandable. TDOE does not maintain consolidated information regarding the number of materials submitted for each review, the number of materials approved through the review process, or the number of appeals and substitution requests submitted by publishers for each adoption cycle. The report calls for TDOE to consider making such data and information more easily accessible and understandable on its website.

The textbook adoption process does not require publishers to fully disclose all the terms of use and licensing restrictions when submitting materials for inclusion on the state-approved list. Licensing terms can include whether a purchased digital license allows a district access for a certain number of classrooms or for all classrooms in a district, as well as how long certain terms of use remain in effect. The report calls for the commission to consider requiring more transparency from publishers regarding terms of use and licensing restrictions.

Tennessee's adoption process allows open educational resources (OERs) to be submitted for review if the bidder submitting the materials meets certain requirements. OERs are instructional materials not under license or copyright, allowing anyone to access them at little to no cost. Several districts in Tennessee have begun using OERs in a variety of ways, from supplementing existing textbooks to replacing hardback textbook purchases altogether. State law requires publishers to submit online and hard copies of materials for review, and each bid must be accompanied by a certified check of between $1,000 and $10,000, with an overall cap of $10,000 for any one bidder.

To learn more about this study and the accompanying policy options, see the full report at **tncot.cc/orea**.