



# VIRGINIA BOARD OF EDUCATION

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# AGENDA ITEM

**Agenda Item:** N

**Date:** October 24, 2024

**Title:** First Review of Proposed State Approved Textbooks and Instructional Materials for K-12 Mathematics

**Presenter:** Em Cooper, Deputy Superintendent of Teaching and Learning

**Purpose of Presentation:**  
Action required by state or federal law or regulation.

**Executive Summary:**  
Article VIII, Section 5, of the Virginia Constitution gives the Board of Education (“Board”) the authority “to approve textbooks and instructional aids and materials for use in the public schools of the Commonwealth.” The alignment of textbooks and instructional materials with the state’s academic standards provides a foundation for student success. With the assistance of experienced classroom teachers and other educators, the Virginia Department of Education (VDOE) reviews textbooks and instructional materials for alignment with the Standards of Learning and makes recommendations to the Board of Education on state adoption.

Following the Board’s approval of the 2023 Mathematics *Standards of Learning*, the VDOE requested permission to begin the process of textbook review for K-12 mathematics textbooks. The Board approved the 2023 Mathematics *Standards of Learning* Textbook Approval Process on September 14, 2023. The initial review process produced a limited number of textbooks for adoption. On April 25, 2024, the Virginia Board of Education authorized the Virginia Department of Education (the “Department”) to proceed with an expanded Mathematics Textbook and Instructional Materials Approval Process (see Written Report of Mathematics Textbook and Instructional Materials Approval Process and Attachment 1). Recommended textbooks to move forward for Board approval is included in Attachment 2.

The timeline was revised and expanded to allow for the submission of high-quality instructional materials in addition to the K-12 curriculum materials (textbooks). The addition of high-quality materials is intended to further support teachers in the classroom. The Department worked, in collaboration with an external educational consultant, to ensure that publishers accomplished this by establishing the following evaluations for all materials submitted: 1) an accuracy review based on the Textbook Publisher’s Certification and Agreement; 2) a review for correlation to the Virginia 2023 Mathematics

*Standards of Learning*, content, bias, and suitable instructional planning and support based on the evaluation criteria used by review committees; and, 3) a public examination of materials during a public review and comment period.

The Department began the expanded mathematics textbooks and instructional materials adoption process following the Board of Education’s approval on April 25, 2024. Following the Board’s approval, the Department invited publishers to submit textbooks and instructional materials for review. Ten publishers submitted “Intent to Submit” forms by the April 30, 2024, deadline as indicated within Attachment 1. Per grade level/content area, submissions were as follows:

- **Grades K – 5:** 6 submissions each
- **Grades 6 – 8:** 7 submissions each
- **End-of-Course Algebra 1, Geometry, and Algebra 2:** 7 submissions each

Following these submissions, the Department held a webinar with all publishers on May 8, 2024, to review the next steps in the submission process to include the completion of State Textbook Information and K-12 SOL Correlation Forms. State Textbook Information Forms were submitted to the Department on June 3, 2024. All K-12 SOL Correlation Forms were submitted to the Department by July 1, 2024.

The Department, with the assistance of experienced classroom teachers and other educators representing each Superintendent’s Region, began the expanded textbooks and instructional materials adoption process in August 2024. Reviewers were selected through a robust application and vetting process by Department staff and agency leadership. In September 2024, Department staff aggregated the analyses of committee members and shared consensus evaluations with publishers. The textbook submissions that were identified by the review committees as meeting the expectations of the 2023 Mathematics *Standards of Learning* will be added to the proposed Mathematics Approved Textbook List for the Board’s first review in October 2024. Following the Board’s first review of the proposed mathematics textbooks, the Department will conduct a 30-day public comment period, with the intent to bring to the Board a final list of proposed approved mathematics textbooks for K-12 Mathematics at its December 2024 meeting.

During October 2024, all publishers that submitted mathematics textbooks and materials to the Department will be given an opportunity to provide a rebuttal to the consensus evaluations. Publisher responses will be examined by Department staff, and the Mathematics Review Committee Correlation Reports will be developed. The reports of all Board-approved textbooks will be available to divisions on the VDOE website and may be used to assist divisions during their selecting textbooks and instructional materials processes.

If additional materials are identified as meeting the expectations of the 2023 Mathematics *Standards of Learning* through the publisher rebuttal process, an updated Mathematics Approved Textbook List will be developed to go to the Board for initial review in December 2024. At that time, the Board will

conduct a final review of the Mathematics Approved Textbook List. A detailed timeline of the next steps within the expanded process is included as Attachment 3.

Local school boards may approve textbooks that are not on the Board-approved list. In accordance with §22.1-238 of the Code of Virginia, any school board may use textbooks not approved by the Board provided the school board selects such books in accordance with regulations promulgated by the Board. Local school boards that choose to approve textbooks that are not on the Board-approved list will engage in a process similar to the Board's new process, where they request certifications of accuracy from publishers.

Review and approval of K-12 mathematics textbooks that are aligned to the 2023 *Mathematics Standards of Learning* aligns with Priority 1: To set and help every learner meet high expectations of the [Board of Education Comprehensive Plan 2024-2029](#) through having resources that support a system of quality education.

**Action Requested:**

Action will be requested at a future meeting: December 3, 2024.

**Superintendent's Recommendation**

The Superintendent of Public Instruction recommends that the Board of Education receive for first review the attached list of proposed recommended textbooks.

**Previous Review or Action:**

Previous review or action.

**Date:** [September 14, 2023](#)

**Action:** [First and Final Review of Mathematics Standards of Learning Implementation Timeline and Textbook Approval Process Launch](#)

**Date:** [April 25, 2024](#)

**Action:** [Written Report of Mathematics Textbook and Instructional Materials Approval Process](#)

**Background Information and Statutory Authority:**

The Board of Education's authority for approving textbooks or other instructional materials is prescribed in the Virginia Constitution and in the *Code of Virginia*.

*Virginia Constitution, Article VIII, Section 5(d)*

It [the Board of Education] shall have authority to approve textbooks and instructional aids and materials for use in courses in the public schools of the Commonwealth.

**Code of Virginia, § 22.1-238.** Approval of textbooks.

- A. The Board of Education shall have the authority to approve textbooks suitable for use in the public schools and shall have authority to approve instructional aids and materials for use in the

public schools. The Board shall publish a list of all approved textbooks on its website and shall list the publisher and the current lowest wholesale price of such textbooks.

- B. Any school board may use textbooks not approved by the Board provided the school board selects such books in accordance with regulations promulgated by the Board.
- C. For the purposes of this chapter, the term "textbooks" means print or electronic media for student use that serve as the primary curriculum basis for a grade-level subject or course.

*Code of Virginia § 22.1-241. Contracts with publishers.*

- A. Local school boards shall either enter into written term contracts or issue purchase orders on an as-needed basis with publishers of textbooks approved by the Board for use in the public schools. Such written contracts or purchase orders for textbooks approved by the Board shall be exempt from the Virginia Public Procurement Act (§ [2.2-4300](#) et seq.).  
The contract price shall not exceed the lowest wholesale price at which the textbook or textbooks involved in the contract are currently bid under contract anywhere in the United States.

If, subsequent to the date of any contract entered into by a local school board, the prices of textbooks named in the contract are reduced or the terms of the contract are made more favorable to purchase anywhere in the United States or a special or other edition of any book named in the contract is sold outside of Virginia at a lower price than contracted in the Commonwealth, the publisher shall grant the same reduction or terms to the local school board and give the local school board the option of using such special or other edition adapted for use in Virginia and at the lowest price at which such special edition is sold elsewhere and the contract shall so state.

- B. Contracts and purchase orders with publishers of textbooks approved by the Board shall require the publisher to furnish an electronic file of the textbook in the National Instructional Materials Accessibility Standards (NIMAS) format that will then be deposited in the National Instructional Materials Access Center (NIMAC) from which accessible versions of the particular textbook may be produced for students with print disabilities, as defined in 20 U.S.C. § 1474. Publishers shall deliver the NIMAS file of the textbook on or before the date of delivery of the regular text version.

Contracts and purchase orders with publishers of textbooks approved by the Board for use in grades 6-12 shall allow for the purchase of printed textbooks, printed textbooks with electronic files, or electronic textbooks separate and apart from printed versions of the same textbook. Each school board shall have the authority to purchase an assortment of textbooks in any of the three forms listed above.

- C. Every school board shall order directly from the respective publishers the textbooks needed to supply the public schools in the school division. The publishers shall ship the textbooks to the school board. The purchase price of such textbooks shall be paid directly to the publishers by the school board.
  
- D. With the approval of the local school board and the publisher, any private school within the school division that so requests may purchase from the local school board's contract with the publisher. Such private school shall be fully responsible for ordering, purchasing, and receiving shipments of books to be provided from the publisher pursuant to this section. The local school board shall be immune from any civil liability as a result of a private school purchasing from the local school board's contract.

*Code of Virginia § 22.1-242. State Board to adopt regulations.*

The Board shall adopt regulations governing (i) the purchase of textbooks approved by it for use in the public schools directly from the publishers by school boards and (ii) the distribution of such textbooks for the use by children attending public schools in Virginia.

On March 24, 2011, the Virginia Board of Education approved [Virginia's Textbook Approval Process](#). The proposed process places primary responsibility on publishers to ensure the accuracy of their textbooks.

**Timetable for Further Review/Action:**

The VDOE staff has posted a general notice on Town Hall requesting public comment, in accordance with § 22.1-17.5 of the Code of Virginia, and has posted material on the VDOE website for inspection by the public. Public comment will go to [vdoe.mathematics@doe.virginia.gov](mailto:vdoe.mathematics@doe.virginia.gov). Final review of proposed textbooks will take place on December 3, 2024.

**Impact on Fiscal and Human Resources:**

The State Approval of Textbooks for K-12 Mathematics revisions can be absorbed by the agency's existing resources at this time. If the agency is required to absorb additional responsibilities related to this activity, other services may be affected.