

POLICIES AND PROCEDURES FOR THE
2005-2006 FLORIDA
INSTRUCTIONAL MATERIALS ADOPTION



Florida Department of Education
Bureau of School Improvement
Instructional Materials and Library Media
325 W. Gaines Street - Suite 444 - Tallahassee, FL 32399-0400

BIDDER'S/PUBLISHER'S CHECKLIST

PART I: Deadline 5:00 p.m., May 2, 2005

- _____ BIDS (sealed hard copy and electronically) to be received in the Florida Department of Education no later than 5:00 p.m. (EDT), **May 2, 2005**. Hard copy of bid must be in a sealed envelope separate from any other item.
- _____ BID DEPOSIT to be received in the Florida Department of Education (made out to the Florida Department of Education) no later than 5:00 p.m. (EDT), **May 2, 2005**. (Cashier's Check or Money Order)
- _____ REGISTRATION (two copies: one is a hard copy and one is electronic) to be received in the Florida Department of Education no later than 5:00 p.m. (EDT), **May 2, 2005**.
- _____ FORM B and/or M, WARRANTY (one hard copy) to be received in the Florida Department of Education no later than 5:00 p.m. (EDT), **May 2, 2005**.
- _____ WRITTEN CORRELATIONS (two copies for each submission: one is a hard copy and one is electronic) to be received by the Florida Department of Education no later than 5:00 p.m. (EDT), **May 2, 2005**.
- _____ PUBLISHER'S QUESTIONNAIRE (two copies for each submission: one is a hard copy and one is electronic) to be received by the Florida Department of Education no later than 5:00 p.m. (EDT), **May 2, 2005**.

PART II: DEADLINE 5:00 P.M., June 27, 2005.

- _____ PUBLISHER'S AFFIDAVIT to be received in the Florida Department of Education no later than 5:00 p.m., **June 27, 2005**.
- _____ STATE COMMITTEE SAMPLES, along with publisher's questionnaire and correlations, shipped to state committee members to be received no later than 5:00 p.m., **June 27, 2005**.
- _____ CHECKLISTS of samples shipped to state committee members to be enclosed with publisher's questionnaire and correlations and received no later than 5:00 p.m., **June 27, 2005**.
- _____ EXACT COPIES OF EACH INDIVIDUAL CHECKLIST of samples shipped to state committee members to be received by the Florida Department of Education no later than 5:00 p.m., **June 27, 2005**.

PART III: DEADLINE: STATE COMMITTEE MEETING

- _____ OFFICIAL SAMPLES to be delivered, displayed, and then removed at meeting of the appropriate state committee.

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POLICIES AND PROCEDURES FOR THE 2005-2006 FLORIDA INSTRUCTIONAL MATERIALS ADOPTION

PART I. INTRODUCTION

The following policies and procedures have been approved by the Commissioner of Education pursuant to Sections 1001.10(15)(16), 1006.28, and 1006.34, Florida Statutes for use by State Instructional Materials Committees who evaluate the instructional materials and publishers who submit instructional materials for adoption.

In Florida, specific courses within selected subject areas are called for adoption on a rotating basis, usually for a period of six years. Florida adopts instructional materials for those specific courses. For the 2005-2006 adoption, the subject area is K-12 Science. One to two years prior to each adoption, the Florida Department of Education publishes the Instructional Materials Specifications for the subjects to be adopted. These specifications outline the courses for which materials are being sought, as well as the standards that those materials are expected to meet. Specifications for the courses listed above may be found at <http://www.firn.edu/doe/instmat/home0015.htm>.

For purposes of state adoption, the major tool refers to those materials that can stand-alone and cover the Sunshine State Standards, intended outcomes, and course objectives of a course. Ancillaries are those items that were designed to work with the major tool and may be priced or free with order.

Florida does not have a process for the adoption of supplementary materials. Supplementary materials are defined as supporting materials that DO NOT qualify as the major tool, and ARE NOT designed to accompany the specific major tool with which they were submitted, but could be used with any publisher's materials. However, any materials that are considered during adoption of the major tool, regardless of price, are expected to be provided upon award of the contract.

Each section in this document contains information relative to the duties and responsibilities of each member of the State Instructional Materials Committee and of each publisher who is submitting material for the adoption.

PART II.
**RELATIONSHIP BETWEEN PUBLISHERS AND MEMBERS OF THE STATE
INSTRUCTIONAL MATERIALS COMMITTEE/ DISTRICT SCHOOL OFFICIALS**

The relationship between the State Instructional Materials Committee and the publishers shall be in compliance with Section 1006.30, Florida Statutes.

The relationship between **any public school employee** and the publishers shall be in compliance with Section 1006.32, Florida Statutes.

In the case of any misunderstandings about the issue of piloting instructional materials, the Department offers the following definitions.

For purposes of Florida's state adoption process, the following would fall into the category of a **"pilot"** program:

A school or a district accepts materials from a publisher (who will bid those materials in the subsequent adoption) either on loan, for free, or at a reduced price, within eighteen months prior to the April 1 adoption date.

(Publishers are encouraged to work directly through the district instructional materials coordinator for evaluation and sampling of their materials submitted for adoption.)

The following would fall into the category of a **"field test:"**

Math materials in developmental stages are given to the district teacher of the year in Brevard County, a mathematics classroom teacher of twenty years in Okaloosa County, and a mathematics teacher from Clay County selected by the Florida Teachers of Mathematics. Each of these three teachers is equipped with their students' baseline data; each uses the material for a specific period of time, and then conducts a posttest. All findings are reported systematically to the publisher, and information gathered is used to continue development of the material.

If questions continue to arise, please call our office at (850)245.0425.

PART III. STATE INSTRUCTIONAL MATERIALS COMMITTEES

State Instructional Materials Committees are appointed by the Commissioner of Education and are charged with the duties and responsibilities as outlined in Section 1006.29, Section 1006.30, and Section 1006.31, Florida Statutes.

1. COMMITTEE TRAINING

By order of Section 1006.29(5), Florida Statutes, the Department of Education has developed a training program for the State Instructional Materials Committee members. The training session for the 2005-2006 adoption is June 14-15, in Tampa, Florida.

2. EVALUATION OF MATERIALS – To complete the evaluation process, committee members will receive the following materials:

Evaluation Forms - The evaluation forms are developed from the research contained in the Instructional Materials Specifications document. The Department of Education will furnish to each committee member copies of the evaluation forms.

Publishers' Evaluation Samples -The deadline for members of State Instructional Materials Committees to receive all evaluation samples is 5:00 p.m., June 27, 2005. The Department of Education reserves the right to request sample components as necessary, but publishers are asked not to sample the Department unless requested.

Committees are required to evaluate all materials submitted as part of the major tool and any ancillary items bid for purchase. Other items may be offered by publishers as free with purchase, but the evaluation of such items is not required. However, such ancillary items considered as part of the adoption of the major tool may become part of the contract and subject to liquidated damages for failure to provide such items in a timely manner.

Committee members are obligated to return evaluation samples if requested by publishers in a manner prescribed by the Department of Education in the Policies and Procedures, Part C, Instructions to Bidders.

Publisher's Questionnaire - The Publisher's Questionnaire, prepared by the publisher, is due to each member of the State Instructional Materials Committee by 5:00 p.m., June 27, 2005. This questionnaire describes and identifies the components of the program being bid by the publisher.

Written Correlations - Written correlations, prepared by the publishers, assist instructional materials committees in determining the degree to which submitted materials meet the Sunshine State Standards and/or intended outcomes of subjects or courses as required in the Instructional Materials Specifications.

Publishers are required to provide each member of the State Instructional Materials Committee a copy of the Written Correlations for each submission by 5:00 p.m., June 27, 2005.

Bid List/Materials List - The Department of Education will furnish to each committee member a list of instructional materials to be evaluated. This list should be checked against the Publisher’s Checklist sent to each committee member. Committee members are asked to notify the Department of Education of any materials not received.

3. 2004 STATE INSTRUCTIONAL MATERIALS COMMITTEE MEETINGS

Meeting Dates -

Subject Area	State Instructional Materials Committee Meeting Dates
9-12 Science, Committee A 9-12 Science, Committee B	September 20-23, 2005
6-8 Science, Committee A 6-8 Science, Committee B	October 4-7, 2005
K-5 Science 9-12 Science, Committee C	October 18-21, 2005

General Procedures - All meetings of Instructional Materials Committees are open to the public (Section 1006.31(1), Florida Statutes).

A quorum of two-thirds of the committee members shall be required to conduct business.

The committee will review reports from the Florida Department of Education related to bidder requirements and bid prices.

Publisher Presentations - Each publisher, manufacturer, or a representative will be allowed a period of uninterrupted time per submission for presentations during hearings conducted by the State Instructional Materials Committees. Each committee shall set its own time for presentations. The committee reserves the right to question the publisher after each presentation. A proposed agenda and the order of presentations will be sent to each committee and the participating publishers at least two (2) weeks prior to the meeting. Presentations are not required, and a publisher’s decision to decline the opportunity shall not disqualify submitted materials from consideration. The committee may ask questions of the publishers at the close of their individual presentations (Section 1006.34, Florida Statutes).

Public Input - The committee will review any oral or written evaluations and/or recommendations from the general public or special interest groups as specified below.

A designated time will be set to hear from the general public regarding concerns about specific instructional materials being considered for adoption. An individual member of the general public or one representative of each special interest group wishing to speak must register with the Department of Education prior to the committee hearing. Each speaker must furnish an outline and brief written explanation of concerns and recommendations,

which contains specific references with appropriate page numbers of the materials being considered for adoption.

The publisher, manufacturer, or representatives may respond at the committee meeting.

Members of the general public or one representative of each special interest group who wishes to submit written comments should do so at least fifteen (15) days prior to the committee's hearing date. Written comments should be addressed to the Instructional Materials Office, Department of Education. All written comments must contain specific references with appropriate page numbers of the materials. The publisher, manufacturer, or representatives may respond at the committee meeting.

Unsolicited correspondence directly related to the adoption or materials submitted for adoption received by any committee member shall be forwarded to the Florida Department of Education. It is inappropriate for publishers or other parties to contact committee members regarding the adoption.

Committee Questionnaire – At the fall/winter committee meetings, each committee will complete a Committee Questionnaire for each submission prior to making any recommendation for adoption.

Discussion of individual and/or collective evaluations by committee members shall include all factors pursuant to Section 1006, Florida Statutes.

Voting Procedures - Section 1006.31, Florida Statutes, requires a roll call vote when recommending materials for adoption.

Each committee member shall vote on each submission. Written ballots will be prepared for each committee member. Committee members will vote simultaneously and submit their ballots to the chairperson. The roll call vote will then be taken with the chairperson reading aloud the individual member's votes.

A two-thirds vote of the committee members present is required to recommend a submission for adoption.

In the event that the Commissioner of Education sets a limit on the number of submissions that may be recommended in a category as authorized by Section 1006.29, Florida Statutes, the following procedure will be followed:

- If the number of submissions receiving a two-thirds vote does not exceed the limit set by the Commissioner of Education, no further balloting shall be necessary.
- If the number of submissions receiving a two-thirds vote does exceed the limit set by the Commissioner of Education, subsequent ballots shall be taken until the committee's recommendations are within the prescribed limit. On each ballot, any submission not receiving a two-thirds vote shall be eliminated from further consideration. Notwithstanding

the above, if the recommendations for adoption fall below the limit set by the Commissioner of Education, the committee may, by a two-thirds vote, elect to reconsider those submissions eliminated in the previous ballot in order to raise its recommendations for adoption up to those limits.

- In the event the committee is unable to determine any significant differences in the quality of those items submitted by publishers for adoption consideration, the committee may recommend, as appropriate, more than the limit set by the Commissioner of Education. The committee shall support its recommendation to the Commissioner in writing.

Reports of Committees – After each committee meeting has been held, the recommendations are compiled and presented in a report to the Commissioner. The Commissioner reviews the report, considers the recommendations of the committees and the costs of the materials, and then approves, rejects, or amends the list of materials.

PART IV. INSTRUCTIONS TO BIDDERS/PUBLISHERS

GENERAL INFORMATION

In 2003, the Florida Department of Education released to publishers documents entitled *Instructional Materials Specifications* for Science, K-12. These documents contain Sunshine State Standards, course descriptions, and/or curriculum frameworks for each course for which instructional materials are to be adopted. In addition, these specifications provide information about the kinds of materials that are desired, the grade levels for which the materials should be designed, and the research findings about what makes instructional materials effective.

Bidders should examine the *Instructional Materials Specifications* to determine whether they have products that cover the Sunshine State Standards, stated intended outcomes, and course objectives, and that can be used as a **major tool** for teaching the course as referenced in Part A, Section I, Introduction. These specifications may be found at <http://www.firn.edu/doe/instmat/home0015.htm>.

Florida adopts the major tool of instruction, **along with priced ancillary materials that were designed to work with the major tool. The major tool is comprised only of items necessary to meet the standards and requirements of the course or subject for which it is designed and submitted.** Again, a major tool may include a single item, or may include a number of items bundled together, which, when combined, meet the required standards. **Ancillary materials**, while not necessary to meet the course requirements, are designed to enhance the major tool.

Teacher materials designed as the major tool or part of the major tool of an instructional program will be considered for adoption, even though offered free with purchase. When the publisher identifies the teacher materials as part of the **major tool**, those materials **must be sampled, even when offered free with purchase.**

Items such as teacher's manuals or guides, answer keys, teacher's resource binders or similar products which are primarily for teacher enrichment and support, and staff development or in-service materials may be submitted on a gratis basis only--**they are not eligible for adoption for purchase.** Items designed for direct student use, such as resource materials that contain only student reproducible materials, will be considered for adoption. **PLEASE NOTE: A publisher should NOT package student materials with "teacher only" materials unless the publisher intends for those student materials to be offered on a gratis only basis along with the teacher materials.**

Other items not eligible for adoption include supplementary materials, equipment, and supplies. Supplementary materials are defined as supporting materials that do not qualify as the major tool, and are **not** designed to accompany the specific major tool with which they were submitted, but may be used with any publisher's materials. Equipment and supplies refer to ANYTHING that DOES NOT have intellectual content. Examples of items from previous bids that will be removed from the bid unless offered free are: Word Wall

Charts, Hanging Vinyl Charts with Pockets, Writing Folders, Cumulative Folders, Page Protectors, Skills Profile Folders, and Website Resource Cards.

Submissions that are comprised of two or more independent, stand-alone programs are not acceptable for adoption consideration.

Unless otherwise specified, only English versions of instructional materials will be considered for adoption.

ACCURACY IN INSTRUCTIONAL MATERIALS

In recent years, errors in textbooks have become a topic of national interest. The 2000 Florida Legislature acted on its concern by passing laws to allow the Commissioner of Education to deal with such issues when they arise within the scope of the Florida Instructional Materials Adoption (Section 1006.35, Florida Statutes).

PROCEDURES FOR SUBMITTING MATERIALS FOR ADOPTION

A submission can be bid for only one course or course category. Materials that are currently on a contract that ends March 31, 2006, or beyond are not eligible for consideration. This policy applies regardless of the edition or copyright date.

If the call is for a series, such as K-5 Science, then all levels of K-5 Science materials must be bid as **ONE** submission. **Please do not put each level on a separate bid form.**

Original signatures are required on one copy of all documents. In addition to the hard copies with original signatures, the Department will accept electronic copies of all forms via e-mail.

Questions regarding these requirements should be directed to Charlie Carraway, Instructional Materials and Library Media, Suite 444, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400; 850.245.0881; charlie.carraway@fldoe.org.

All forms and documents required in this process should be mailed to Charlie Carraway, Instructional Materials and Library Media, Suite 444, Turlington Building, 325 West Gaines Street, Tallahassee, Florida 32399-0400.

BID FORMS OR PROPOSALS

Sealed bids must be received in the Instructional Materials Office of the Florida Department of Education **no later than 5:00 p.m. (EDT), Monday, May 2, 2005**. After the bid deadline, publishers **will not be allowed** to revise their bids except for the reduction of price and/or the change of free items offered pursuant to “most favored nations” (Section 1006.38(7-8), Florida Statutes). Once the State Instructional Materials Committee has recommended a submission for adoption, the only changes to the free list that will be accepted are those that add value.

The bid must be submitted on the *State of Florida Instructional Materials Bid Form*. In addition to a hard copy of the bid form, the Florida Department of Education requires that bids be submitted electronically to Charlie.carraway@fldoe.org.

To be acceptable, all items of information specified on the bid form must be provided.

- The signature page must bear the original signature of an authorized company officer. A separate signature page must accompany each bid submitted.
- The bid must state the lowest wholesale price at which the materials will be furnished at the time the adoption period begins on April 1, 2006, delivered f.o.b. to the Florida depository of the bidder. **Variations in price based on volume purchase are not acceptable.**
- Materials bid for adoption must be in final form in time for sampling. **If final form will not be ready in time to meet the sampling deadline, please do not submit a bid for those materials.** You may sample the first printing of materials, with the understanding that **Florida does not adopt the first printing.**
- Publishers are required to provide any instructional materials free of charge in Florida to the same extent as that received by any other state or school district in the United States (Section 1006.38(3), Florida Statutes). These free items must be appropriately identified on the bid form.
- Publishers are required to use the Free with Order form for listing any items that are not associated with a price.
- The bid must be sealed separately from all other items and must be in an envelope marked **“SEALED BID.”**

The sealed bid must be RECEIVED no later than 5:00 p.m. (EDT), Monday, May 2, 2005. Bids received after that time will be rejected and returned to the bidder. The bid deadline will not be extended.

The Department of Education will not consider offers of free materials that give the teacher, school, or district a choice of a specified dollar amount from a list of available items. **Florida will not accept hardware or equipment as part of the submission, even if offered as free material.**

BID OPENING

Bids in all subject areas will be opened on Tuesday, May 3, 2005, beginning at 8:30 a.m. (EDT) in the Instructional Materials Office of the Department of Education. The office is located in Room 444, Turlington Building, and 325 West Gaines Street, Tallahassee, Florida. Bidders and their representatives may be present, but attendance is optional.

BID DEPOSIT

Florida law requires bidders to place a bid deposit with the Florida Department of Education. The amount of the deposit is \$500 for each submission, with a maximum of \$2,500 for five or more submissions (Section 1006.33, Florida Statutes). Deposits must be submitted in the form of a Cashier's Check (**drawn on the bank, not the company account**) or Money Order. Checks must be made out to the **Florida Department of Education**.

Bid deposits must be **RECEIVED** in the Office of Instructional Materials in the Florida Department of Education no later than 5:00 p.m. (EDT), Monday, May 2, 2005. **THE BID DEPOSIT MUST BE SEPARATE FROM THE SEALED BID.** The mailing address is the same as stated previously for bids.

The Department reserves the right to reject any bid that fails to comply with the bid deposit requirements or to meet the stated deadline.

RETURN OF BID DEPOSIT

The bid deposit will be returned to successful bidders when the bidder has executed the contract and submitted the required surety bond within thirty (30) calendar days after receipt of the contract. The bid deposit will be returned to unsuccessful bidders as soon as practicable following the meetings of the state instructional materials committees. **In the event a successful bidder fails to execute the contract and/or furnish a surety bond within thirty (30) calendar days after receipt of the contract, the bid deposit will be forfeited to the State of Florida** (Section 1006.33, Florida Statutes).

PUBLISHER REGISTRATION

The Department of Education requires bidders to register the names and addresses of representatives, agents, or other persons retained for legal or other services to which there will be paid any salary, commission, or royalty for representing the bidder in the State of Florida during the adoption period. The bidder should register these persons by completing the *Publisher Registration* form.

Publishers should be advised that it is unlawful for any superintendent, school board member, or any person officially connected with the government of or direction of public schools, or teacher thereof, to be involved in the sale or promotion of instructional materials (Section 1006.32, Florida Statutes).

A hard copy of the *Publisher Registration* must be received in the offices of the Florida Department of Education no later than 5:00 p.m. (EDT), Monday, May 2, 2005. The mailing address for the publisher registration is the same as the one for bids. An electronic copy must also be received by this time and date.

PUBLISHER AFFIDAVIT

Publishers and their representatives shall submit to the Florida Department of Education a signed form developed by the Florida Department of Education acknowledging and agreeing to adhere to Florida's Statutes as a standard **code of ethics**. These forms must be mailed to the Florida Department of Education by **June 27, 2005**.

WARRANTY OF PUBLISHER (Forms B and M)

Bidders submitting textbooks are required to furnish detailed specifications of the physical characteristics of the books and will comply with the stated specifications if the books are adopted and purchased in completed form. Form B will be used for books and Form M for electronic media such as video or audiotapes or discs, and computer software on floppy disk or compact disk. Both forms are provided in the bid packet.

The State Board of Education has adopted the *Manufacturing Standards and Specifications for Textbooks (MSST)* developed by the National Association of State Textbook Administrators (NASTA), as the official minimum standards and specifications for Florida. Textbooks and electronic media must meet or exceed these standards and specifications in order to be considered for adoption. **The Department is authorized by law, however, to make an exception for college-level texts that do not meet the MSST specifications for secondary materials, if the publisher guarantees replacement during the term of the contract.**

The MSST specifications may be purchased from the Advisory Commission on Textbook Specifications, 45 William Street, Suite 245, Wellesley, MA 02818-4004 (telephone

781/239-0103; fax 781/239-0106). A copy is open for inspection in the offices of the Department of Education, Room 444, Turlington Building, 325 West Gaines Street, Tallahassee, Florida.

Florida requires that a universal ownership label be affixed to the inside front cover of all textbooks furnished under state contract. A sample of the label is included in the MSST specifications document.

One copy of each Form B and Form M must be mailed to the Department of Education to be received no later than 5:00 p.m. (EDT), Monday, May 2, 2005. **For texts that do not meet the MSST specifications, a letter guaranteeing replacement during the term of the contract must be attached to Form B.** A second copy of Form B must be taped to the inside front cover of the “official sample” of the book that will be on display at the Fall Committee Meetings. Each of the Forms B and M must have an original signature.

Publishers are encouraged to have their manufacturer or someone else within the company who is familiar with the MSST to complete the warranty form(s).

Failure to comply with the requirements for furnishing Form B for textbooks and Form M for electronic media and/or failure to meet the stated deadline may result in rejection of the bid.

PUBLISHER’S QUESTIONNAIRE

The *Publisher’s Questionnaire* must be completed for each submission. If the submission is a series, then one Questionnaire must be completed for the entire series. This required document includes a request for a **description** of the submitted program. **This description should include information about the educational approach of the program, not just a list of the materials submitted.**

WRITTEN CORRELATIONS

Bidders are **required** to provide written correlations to state standards and/or course curriculum frameworks of submitted materials **as specified in the *Instructional Materials Specifications***. These Sunshine State Standards and/or course curriculum frameworks to which publishers must correlate are in the specifications documents. Correlations should relate each desired outcome to the page(s) on which the material is taught. The required format for correlation is included in the bid packet.

- Bidders are required to send two copies each of the Publisher’s Questionnaire and the Written Correlations to the Instructional Materials Office no later than **5:00 p.m. (EDT), Monday, May 2, 2005. One of these copies should be a hard copy and one copy should be submitted electronically.**

- Bidders are required to send copies of both the Publisher's Questionnaire and the Written Correlations to each State Committee Member after June 16, 2005, but no later than **5:00 p.m. (EDT), June 27, 2005**. These documents should be bound together and packaged separately from the evaluation samples. Please clearly mark the package as Publisher Questionnaire and Correlations.
- Successful bidders are required to provide written correlations as a free ancillary item for use by classrooms teachers.

Failure to comply with the requirements for furnishing the *Publisher's Questionnaire* and *Written Correlations* according to instructions on the form and/or failure to meet the stated deadlines may result in rejection of the bid.

PROCEDURES FOR PROVIDING EVALUATION SAMPLES

Publishers and manufacturers of instructional materials, or their representatives, shall deliver specimen copies of all instructional materials upon which bids or proposals are based to each member of a State Instructional Materials Committee (Section 1006.38(2), Florida Statutes).

MATERIALS TO SAMPLE

Publishers must sample the following: Major tool and priced ancillaries.

All instructional materials being bid for purchase (priced), **including teacher editions**. These samples **must** be in final form.

Items offered as "free" should be sampled **only if** they are listed as part of the components of the **major tool**.

Publishers may, but are not required to, sample the following:

Each publisher may include as samples to the committee, up to five (5) of the free with order (FWO) ancillaries that might be considered essential to the program. Publishers should identify on the bid those ancillary items that will be sampled. If more than the five items identified on the bid are sampled, the committee members will be instructed to disregard those items and to evaluate **only** the priced materials.

Failure to comply with these requirements may result in rejection of the bid.

CLASSROOM KITS OR LIBRARIES

If your submission includes a **priced** classroom kit or library with multiple copies of the same materials, please create a sampler that would include only **one** copy of each of the items. **If the sample package and/or the items in the package have a different ISBN from the one on the bid form because of packaging, please indicate that this is a “sampler ISBN” on the checklist sent to the committee member.**

DEADLINE FOR RECEIPT OF SAMPLES

All committee members must receive samples between June 16, 2005 and June 27, 2005, with 5:00 p.m., June 27, 2005 being the deadline.

It is inadvisable to wait and depend on a last-minute overnight delivery, since experience has shown problems with this procedure.

The Florida Department of Education reserves the right to disqualify any materials not received by the appropriate committee members by the stated deadline.

Publishers and manufacturers shall comply with the following instructions for packaging and delivering evaluation samples and related materials to state committee members.

CHECKLIST

The publisher shall prepare a **SEPARATE checklist for each member** of the state committee. The checklist shall include the following information:

- The name and address of the committee member.
- Publisher Information (must be listed on Master List and separate lists in each carton)
- Publisher’s Questionnaire and Correlations
- A Master List of the exact titles with ISBN’s for each item in the shipment. If a sample package or kit has been put together and has an ISBN different from the one listed on the bid form, **please indicate this.**
- Identification of all items to be returned.
- Instructions for returning the samples.
- The number of cartons in the shipment.

A copy of the checklist must be placed in the package with the Publisher’s Questionnaire and Correlations. If acknowledgment of receipt of the samples is desired, a second copy of the checklist with a self-addressed, stamped envelope must be enclosed. This is, of course, optional, and **committee members will be under no obligation to meet any deadline with this checklist.**

A checklist in each separate carton of only those items in that carton, with exact titles and ISBN's, are also required of publishers.

The publisher should mail a copy of **each individual committee member's checklist** to the Florida Department of Education, to be received no later than **5:00 p.m., June 27, 2005.**

Sample Checklist

PUBLISHER XYZ	
CHECKLIST Of SAMPLE MATERIALS	
State Instructional Committee - Science K-5	
<p>Committee Member – Ellen Dean Haworth High School 1800 Wuthering Way Bristol, Florida 12150</p>	
_____	0-8978-1234-8 Student Text (Major Tool)
_____	0-8878-1235-4 Teacher's Annotated Edition (Major Tool)
_____	0-8787-1232-3 Student Workbook (FWO)
_____	0-8888-1212-3 Teacher's Resource Package (FWO)
_____	0-8898-1234-1** (sample set of manipulatives) (FWO)
_____	0-8898-1323-1 Student Activity Guide (FWO)
_____	0-8898-1333-2 Test Creation Software (FWO)
_____	Publisher's Questionnaire
_____	Correlation
<p>**This is not the ISBN listed on the bid. This is a sample packet put together for committee members.</p>	
<p>1 Carton in this shipment These samples do not need to be returned.</p>	

PACKAGING - The publisher shall:

- Package each submission separately. (Example: If a publisher bids two or more submissions that will be sent to a committee member, each submission is to be in a separate package. Two or more packages may be placed in a large carton for shipping.)

- Clearly identify each item in the package with its ISBN and identifying title. **(Make it easy for the committee member to check items off the checklist.)**
- Label each returnable item “to be returned.”
- Enclose one copy of the checklist or two copies with a self-addressed, stamped envelope if acknowledgment of receipt is desired. Enclose a checklist in each carton of a multi-carton shipment.

SHIPPING CARTONS - The publisher shall:

- Pack samples in durable, reusable cartons. If the samples are to be returned, mark the outside shipping carton “to be returned” and include a self-addressed label.
- On the outside of each carton, clearly indicate the course(s) and grade level(s) for which the enclosed materials are being submitted. **Please remember to include a checklist in each carton of only those items in that carton.**
- Number the cartons (1 of 3, 2 of 3, 3 of 3, etc.).

DELIVERY - The publisher shall:

- Ship the samples by common carrier (UPS, US Postal Service, etc.). Use a service that allows tracking of delivery.
- Ship all instructional materials related to a submission at the same time. If an item must be shipped separately, a notice to that effect must be in the carton with the first shipment. However, the deadline for receipt of all instructional materials remains **5:00 P.M., June 27, 2005.**

RETURN OF SAMPLES

Committee members are obligated to return samples **if publisher has so indicated.** Publishers and manufacturers who wish to have their materials returned must comply with the following:

- The publisher or manufacturer shall label each returnable piece of material. The label shall be affixed to the item and shall clearly indicate that the item is to be returned. **In the absence of the labeling of each returnable piece, committee members will assume that the samples are not to be returned.**
- The publisher shall arrange for pickup of materials from the delivery site at the publisher’s expense. Materials to be returned shall be shipped in durable, reusable containers with self-addressed labels and detailed instructions for return shipment to the publisher or manufacturer. The outside container shall be clearly marked “to be returned.” **In the event the publisher or manufacturer fails to provide means for returning the evaluation samples, committee members shall not be liable for return or payment.**

OFFICIAL SAMPLES FOR USE AT STATE INSTRUCTIONAL MATERIALS COMMITTEE MEETINGS

At the start of the fall or winter meeting of the appropriate state instructional materials committee, the bidder **must** deliver one complete set of all items bid for purchase. The samples **are not** to be shipped to the Department of Education in advance, but should be taken to the meeting site and displayed prior to the start of the meeting. Bidders will be notified of the time, date, and place to set up samples.

The bidder must also remove the samples at the close of the meeting.

PUBLISHER PRESENTATIONS AT STATE INSTRUCTIONAL MATERIAL COMMITTEE MEETINGS

Each publisher, manufacturer, or a representative will be allowed a period of uninterrupted time per submission for presentations during hearings conducted by the State Instructional Materials Committees. Each committee shall set its own time for presentations. The committee reserves the right to question the publisher after each presentation. A proposed agenda for the meeting and the order of publisher presentations will be mailed to each participating company in late July.

Publishers are reminded that **paid** promotional endorsements of their products by Florida teachers or other persons connected with the government of or direction of public schools are prohibited by Section 1006.32, Florida Statutes.

STATE APPROVAL OF MATERIALS

When all bids or proposals have been carefully considered, the Commissioner of Education shall select and adopt instructional materials from the list of suitable, usable, and desirable instructional materials recommended by the State Instructional Materials Committees. Under law, due consideration is given to the prices which have been quoted and to the reports of the state committees. The State reserves the right to reject any or all bids or proposals. It may also call for new bids or proposals.

DISQUALIFICATION OF BIDS

Each year, some publishers are disqualified from participation because of failure to comply with the bidding requirements established in this document. It is highly recommended that you review carefully all the Policies and Procedures herein prior to submitting a bid.

The Department may waive minor formalities or irregularities in proposals received where such is merely a matter of form and not substance, and the correction or waiver of which is not substantially prejudicial to other bidders. Minor irregularities are defined as those that do not have an adverse affect on the Department's interest and do not affect the price of the proposal by giving a bidder an advantage or benefit not enjoyed by other bidders.

CONTRACTS

The term of adoption for instructional materials in K-12 Science is six (6) years.

At the request of the State and with the agreement of the publisher, a contract may be extended for an additional one or two years.

The contract also provides that:

- If at any time during the life of the contract any instructional materials included therein shall be sold in any other state at a lower price than is designated in the contract, the said lower price shall immediately become the contract price in Florida. The State reserves the right to demand and recover from the publisher the difference between the contract price and the lower price for which the materials may be sold.
- The publisher shall guarantee that all copies of any instructional materials sold in Florida will be equal in quality in all respects to the specimen copies furnished to the State Instructional Materials Committee. Typographical errors or errors of fact that may be found in the instructional materials shall be corrected by the publisher, but in no case shall any change be made that would result in any confusion in classes using the corrected material and the material previously purchased.
- The publisher must agree that any supplementary materials developed at the district or state level will not violate the author's or publisher's copyright, provided such materials are developed in accordance with the doctrine of fair use.
- The publisher grants automatic permission, without prior written request, to the Department of Education or its agencies for the reproduction of textbooks and supplementary materials in Braille, large print, or in the form of sound recordings for use by visually handicapped students.
- Any publisher of a textbook for literary subjects adopted pursuant to the state instructional materials adoption process shall, upon request, furnish the Department of Education with a computer file in an electronic format that is readily translatable to Braille and can be used for large print or speech access. Any textbook reproduced pursuant to the provisions of this subsection shall be purchased at a price equal to the price paid for the textbook as adopted. The Department of Education shall not reproduce textbooks obtained pursuant to this subsection in any manner that would generate revenues for the department from the use of such computer files or that would preclude the rightful payment of fees to the publisher for use of all or some portion of the textbook (Section 1006.38(16), Florida Statutes). The requirements for the 2004-2005 adoption are outlined in the *Instructional Materials Specifications*.
- The publisher agrees to maintain or contract with a depository in the State of Florida and maintain there an inventory of the specified instructional materials in sufficient quantity to receive and immediately fill all orders for the same. In compliance with the contract, all items, including any free materials specified in the contract, must be maintained in the designated depository in order that school districts may obtain these materials from a single designated source.

A sample contract is included in the bid packet.

SUBSTITUTIONS

Florida State Board of Education Administrative Rule 6A-7.0711 provides that publishers may request permission to substitute “for any such instructional materials on a current contract a revised edition which corrects or updates content; provided, that the revised edition can be used satisfactorily with the currently adopted edition simultaneously in the same classroom, is identical, equal, or superior to the physical specifications of the currently adopted edition, and is available at no increase in price.”

Publishers should be advised that requests for substitutions **will not be processed** during the first six months of a contract.

BIDDER'S/PUBLISHER'S CHECKLIST

PART I: Deadline 5:00 p.m., May 2, 2005

- _____ BIDS (sealed hard copy and electronically) to be received in the Florida Department of Education no later than 5:00 p.m. (EDT), **May 2, 2005**. Hard copy of bid must be in a sealed envelope separate from any other item.
- _____ BID DEPOSIT to be received in the Florida Department of Education (made out to the Florida Department of Education) no later than 5:00 p.m. (EDT), **May 2, 2005**. (Cashier's Check or Money Order)
- _____ REGISTRATION (Two copies: one is a hard copy and one is electronic) to be received in the Florida Department of Education no later than 5:00 p.m. (EDT), **May 2, 2005**.
- _____ FORM B and/or M, WARRANTY to be received in the Florida Department of Education no later than 5:00 p.m. (EDT), **May 2, 2005**.
- _____ WRITTEN CORRELATIONS (Two copies for each submission: one is a hard copy and one is electronic) to be received by the Florida Department of Education no later than 5:00 p.m. (EDT), **May 2, 2005**.
- _____ PUBLISHER'S QUESTIONNAIRE (Two copies for each submission: one is a hard copy and one is electronic) to be received by the Florida Department of Education no later than 5:00 p.m. (EDT), **May 2, 2005**.

PART II: DEADLINE 5:00 P.M., June 27, 2005.

- _____ PUBLISHER'S AFFIDAVIT to be received in the Florida Department of Education no later than 5:00 p.m., **June 27, 2005**.
- _____ STATE COMMITTEE SAMPLES, along with publisher's questionnaire and correlations, shipped to state committee members to be received no later than 5:00 p.m., **June 27, 2005**.
- _____ CHECKLISTS of samples shipped to state committee members to be enclosed with publisher's questionnaire and correlations and received no later than 5:00 p.m., **June 27, 2005**.
- _____ EXACT COPIES OF EACH INDIVIDUAL CHECKLIST of samples shipped to state committee members to be received by the Florida Department of Education no later than 5:00 p.m., **June 27, 2005**.

PART III: DEADLINE: STATE COMMITTEE MEETING

- _____ OFFICIAL SAMPLES to be delivered, displayed, and then removed at meeting of the appropriate state committee.