

## NC Textbook Commission Meeting Minutes - DRAFT

NC Department of Public Instruction  
301 N. Wilmington Street Raleigh, NC 27601

February 28, 2020  
10:00 AM – 3:00 PM  
State Board Room

**Members Present:** Lora Austin, Jodi Rae Autry, Kelly Browning, Edward Coggins, Hannah Cook, Angela Flowers, Aubrey Godette, Dawn Hester, Hannah Jimenez, Kathleen Linker, Susan Mills, Dr. Lynn Moody, Stephen Parker, Michelle Perry, Nardi Routten, Lindsey Sise, Rosalyn Yarus

**Members Absent:** William Chesher, Dr. James Davis, Renee Kimball, Kim Robertson

**Others Present:** Dr. Carmella Fair, Ms. Audrey Long, Mr. Eric Snider

### **Call to Order and Welcome**

Commissioner Moody called the meeting to order and welcomed everyone. She had everyone to introduce themselves and share interesting fun facts. Moody said this is a very formal process and encouraged the committee members to reach out to other commissioners for assistance because sometimes it can seem overwhelming. She mentioned the importance of remembering how to address each other, parking when coming to DPI, etc.

### **Roll Call**

Dr. Carmella Fair conducted the roll call for the sake of quorum.

### **Approval of Minutes**

Commissioner Autry made a motion to approve the minutes from the prior meeting and Commissioner Mills provided a second.

### **Meeting Best Practices**

Moody reminded everyone that the meeting is recorded so be sure to speak into the mic. She also asked commissioners to try to slow down and answer everyone's questions and hear everyone's voice. Moody noted it is important to hear everyone's opinion. She encouraged commissioners to ask for help if they are unclear about anything. Moody stated today is about how things are done and she opened the floor for questions regarding best practices.

She stressed that it is important to attend in person as opposed to attending virtually and that commissioners' commitment is very important. Moody stressed commissioners need to be present and she mentioned that when attending virtually it is hard to hear when questions are asked, or opinions are given. Moody highlighted that when you attend virtually and votes are

done, it's complicated to see what your vote is. Commissioner Mills had questions about the March and April meetings. Mills mentioned the March meeting date conflicts with the state FBLA convention meeting, a bar mitzvah and chaperoning a field trip, and the April meeting is scheduled during the spring break.

Linker stated that notifications regarding meetings dates were sent out and there wasn't any response but noted that one person did respond, and she ended up resigning because she could not be committed to several meetings. Moody asked Dr. Fair if she could resend the meeting dates again for response from the committee. They will come back to this before the end of the meeting. Linker re-iterated that 75% attendance is required and very important and she indicated the Evaluation Week does not count as a meeting. She explained that for some this is their first cycle and because they are appointed by the Governor, it changes with each new Governor. She reminded the committee that there was an attendance problem last year and the two most important responsibilities are the attendance and the charge to do a formal report at the end of the cycle in July/August.

### **Textbook Commission Overview**

Linker and Moody both referred to the operations manual that outlines the legislation requirements and the Invitation. They mentioned two critical points - 75% attendance and the report. They will work with the new members on how to do the report. They also mentioned a document in the folder that discusses the attendance and commissioner roles for evaluation week. An Invitation is sent out after approval by the Board of Education. The dates are in a document draft form and have to be approved before sending it to the board. The document includes statutes, adoption process, legal information for the publishers. Our charge is to approve materials that are recommended from Publishers for the adoptive list.

The next meeting Phase 2 will be evaluation week and hiring advisors in the content field, teachers across the state. This year we are looking into math 9-12 and the CTE courses. Other things reviewed are what is a Textbook? DPI puts the bid out to Publishers and they submit a bid proposal of what it will take to meet the requirements on the criteria sheet. The materials are called a bid. The Commissioners will receive all materials printed and digital that are sent out by the publishers. Tentatively between May and beginning of June. Then they will look at how many Advisors will be needed based on the number of Bids that are submitted and locate advisors in our region. We're currently looking for advisors to assist with the process of reviewing the books. Commissioners will have access to the bids submitted by the publishers and with information gathered will complete the Report. Preferably they would like to have representatives from across the state to assist with the decision making process. They like at least three eyes (experts in the field) on everything and their own eyes on the materials that are submitted and that leads to Evaluation week.

Two meetings will be held between now and evaluation week. The commissioners will come in on Sunday, July 5th and the advisors will start on that Monday. Depending on how many submissions they have will determine how long they will be there, but at least until the end of the week. The Publishers will come in and setup and then leave. The teachers are in the room with materials and the Commissioners are there also to help them navigate and find items. At the end the teachers give the commissioners their impressions of the material. From then until August they meet again for Deliberation week and vote. Advisors do not vote. Conversation is between the (commissioners) and they vote yes or no. The publishers will be in the meeting. If they vote no, the publishers can request a reconsideration and can speak on why the commission should reconsider their materials.

Commissioner Routten asked why Publishers might want to be on the list and submit. Linker explained that the textbook list is a vetted list. Any teacher has access to adopt or purchase material. There is (usually) not a lot of money for textbook adoption. Commissioners do not see the prices. It is more affordable for teachers to go to a book on the list. Because there are not enough state funds, you can use any fund to purchase off of the list. Teachers are confident to reference the list because they know the materials have matched all of the criteria.

### **Textbook Evaluation Process and Draft Timeline**

Linker spoke about the Invitation and the scheduled tentative timeline. Tentatively the next (commission) meeting is scheduled for March 20, 2020. Linker indicated at the next meeting, a group picture will be taken. Fair distributed the media release forms to the Commissioners that were present and asked for them to complete and return them today. Linker mentioned the photo will be placed on the DPI website for the Textbook Commission.

Moody requested the agenda for the March 20th meeting and Linker provided her with the information. Linker stated the meeting will start at 10:00 so some commissioners may not have to stay overnight. She said the content, CTE and criteria sheet will be on the agenda. Moody asked how many had an issue with the March 20th meeting. She asked commissioners if it is possible to do a new date for content and planning on the same day and have a longer day. Linker said that when they do the planning that tends to be about evaluation and advisors and that is about evaluation week and they would not have that information that soon. She mentioned that tends to be the last meeting before evaluation week and might pose a problem. Dr. Moody said that it was important for them to attend the March 20th meeting. The possibility of the April meeting being a virtual meeting was brought up because it would be better to do (virtual) than the March meeting. Flowers wanted to know if the meeting will be recorded because of the training and all of the content information so you would still be able to get the information. Commissioner Linker said it will be recorded in the past and it's been just audio but there is a possibility that it will also be video. Moody took a vote for the following dates March 16<sup>th</sup>, March 17<sup>th</sup> or Monday 23<sup>rd</sup>? This item will be tabled. Fair mentioned she would need to see if the math and CTE staff can be in attendance on whichever date. Moody stated the commission will probably have to stick with March 20<sup>th</sup>.

Moody encouraged those who cannot attend on March 20<sup>th</sup>, to check with Katie. Dr. Moody said a math or CTE representative can catch up with another commissioner in their county if they were unable to attend. Commissioner Jimenez asked if those who cannot attend can contact someone in their region to do a one on one to share the content and information that was discussed. Commissioner Perry asked what areas of CTE are going to be adopted. She inquired if all areas like auto tech, technology, and health would be adopted. Fair said they are still in conversation about this because of the massive amounts of courses in each program area. She noted the information comes from the CTE content and curriculum team. A full list is provided for both CTE and Math in the invitation.

Linker reminded everyone to say their name before speaking. She also told the committee to contact her if they have questions on any of the information in the folder provided because there is a lot of information in the Invitation. The planning meeting will be held the Friday after Easter. The location of meetings is always held here at the DPI State Board room, if possible.

July 6-11th is the evaluation week. Still need to determine how many courses, advisors and rooms needed. Linker indicated logistics (meeting location) will be handled by Dr. Fair. The

Commissioners will come in on July 5<sup>th</sup>. Linker explained the publishers will set up from 8-12:00. Possibly at the Embassy Suites in Greensboro, NC.

Linker shared that the subcommittee met about the digital process. There are five committee members and 4 were in attendance. She said the committee will meet on the 5<sup>th</sup>, the night before, to discuss the logistics. Linker stated the subcommittee has plans that will be discussed also the week of evaluation. Linker said a meeting will be planned for whoever will come in on the 5<sup>th</sup> to look at the logistics of the rooms. She reminded commissioners that at least half of the Commissioners will have to be present for quorum. Currently, there is no projected time for this meeting.

Linker mentioned the tentative date for the Deliberations and Reconsiderations meeting is August 27<sup>th</sup> and 28<sup>th</sup> and no location has been chosen. Some commissioners commented they prefer not to have the meeting on August 27<sup>th</sup> and 28<sup>th</sup> because that is the first two weeks of school for some. Moody said that these two dates are the most important because this is the week of deliberation. The recommendations are made to the (State) Board of Education and they have to be done by a certain time before the Board meeting. Moody wants to send out some dates for the Deliberation.

The subcommittee met on February 27, 2020. Those in attendance were Linker, Flowers, Sise and Jimenez. The subcommittee has held two GoToMeetings on the goals and visions for the year. The first meeting was in December and the second meeting was in January and they discussed having two Canvas courses, one for commissioners and one for advisors. The Canvas courses would be a place to store information, training, videos and any other information. They (the subcommittee) met yesterday face-to-face and will meet the day before the next commission meeting. The subcommittee also discussed the difficulties of finding information digitally and the logistics. They will meet again on March 19 before the next Textbook Commission meeting.

### **Review of Operations Manual/Policies**

Fair said that the operations manual including the General Statutes and the State Board policies, are located in the Google Drive. Fair noted the manual includes rules of operation and Roberts Rules of Order. The guidelines about quorums were repeated. Fair emphasized that 12 people must attend the meetings to meet quorum since there are 23 commission members. Fair shared that a public notification of the meetings also has to be sent out and that sub-committee meetings on digital resources also have to meet the criteria for quorums. She added since there are five members of the sub-committee, at least three have to attend for quorum.

Fair reviewed that the commission has to meet a minimum of four times a year per the General Statutes. She mentioned a call meeting is considered a meeting so quorum would be necessary. Fair noted meeting materials (minutes and agenda) are located in the shared folder and also on the website. She stated that the commission formed a sub-committee in October for digital resources. She indicated the guidelines are also provided for the sub-committee in the operations manual.

Fair stated that ethical behavior, conflict of interest and standards of conduct are important. She encouraged commissioners that if they have a concern about a conflict of interest, they should make it known as soon as possible. Fair explained that Eric Snider, legal counsel for the State Board, will be at the meeting later if they have any questions or concerns for him. She reiterated the attendance requirement of 75% and added that other options may be available when commissioners are not able to make the meetings.

Fair discussed the blackout period which is after the State Board approves the Invitation. She mentioned that publishers cannot present anything submitted for adoption (in NC) at any state conferences or workshops during the black out. The black out for sampling occurs from the time the State Board approves the Invitation until after the day after evaluations with the teachers. Fair mentioned that during the blackout periods, commissioners and publishers cannot have personal contact.

Fair stated that at the end of the textbook adoption cycle, each commissioner submits a report of recommended and not recommended materials and the final report is given to the Board. She mentioned that publishers will see the recommendations before it is made public. Fair explained that Commissioner Linker will discuss the report and the contents of that report which include specific comments to support decisions to recommend or not recommend materials. Fair mentioned last year's report is on the website and it is a public record. Fair asked if anyone had questions about the report, information to the State Board or the process for the publishers. There were none.

Fair summarized that the rest of the manual covers other General Statutes and gives a detailed definition of textbook. The word textbook in General Statute covers digital and electronic resources, technology-based programs, hardcover, softcover, etc. Fair mentioned the General Statutes detail the Textbook Commission and the individual member roles. The recommendation (for commissioners) comes from the State Superintendent and the appointment is made by the Governor's Office. Fair indicated commissioners serve four-year terms and April, 2021 is the end of the current term.

The meeting was paused for the commissioners to eat lunch.

### **Subcommittee Update**

Commissioners Jimenez and Sise were asked to present the work of the subcommittee members in Canvas. Sise began the presentation. Sise mentioned they have created a platform for the Textbook Commission Canvas course that includes information that will be very helpful for new commissioners and make the process less overwhelming. The first page has the title page "Evaluation Training for the Textbook Commissioner". There are four buttons that are the most important topics - 1) Essential information, 2) Attendance policy, 3) Operations Manual, (each toggle will link you to the PDF or website), and 4) State Board policy (policies that are specific to the Textbook Commission). Digital Systems includes the number of meetings and Evaluation Week - before, during and after, logistics on virtual meetings and evaluation week - when the textbooks are delivered.

Jimenez said this platform will provide additional information even after the meetings are over. The course can be used as your go-to resource. The developers created spreadsheets for evaluation week to help the process go smoother, how to troubleshoot for both virtual and paper resources, the debriefing room with the teachers regarding the notes and submission of the report, how, and when to submit the reports, the deliberations and reconsideration meeting, what reports are mandatory and where the information comes from. Perry asked where the info is located. In Canvas and by March it should be ready to be distributed to the group. Eventually it will be mandatory for all commissioners to review. Linker said that other information will be added, for instance, Advisors. They started with information that would be manageable right now.

The Textbook Advisors' Canvas course will be shared with them once they have been selected. Their Canvas course will include e-procurement, quizzes and assignments that have to be done in order to get their CEU's. Fair said in the past there is webinar for advisors that goes through information they need. It can be discussed later as to what additional information the advisors will need. The webinar is not being replaced.

At the last meeting they were talking about troubleshooting and how to navigate the publisher's digital material. How to find it? There is a change in the Invitation. If they (publishers) are submitting non-print material they must submit how to access the digital information and detailed specifics were given. Autry said the information shared is very helpful. She talked about the importance of evaluation week, the bids and questions from advisors and which bid went with what material. It is important to have advisors from your area that will dig into the material and knowledgeable of the curriculum that will provide accurate and valuable feedback.

### **Ethics Training**

Mr. Eric Snider, general counsel to the State Board of Education, presented the ethics training. He greeted the commissioners and thanked them for their valuable work. He noted he will be sharing information about the State Board Policy, Public Records and Ethics provisions.

Public Records – Documents, papers letters, maps, books, photos, films sound recordings, texts. Whatever soft copies received will more than likely be considered as public records. Texts, Emails about public business is a public record. Documents that are not considered public records - settlement documents, tax records, trade secrets, student records, etc. Any person can access public records - they do not have to have a reason. Time to respond to the request. Reasonable time and manner. Reasonable time depends on the size of request, part of public notes that are not public records. Moody suggested that any ethical issues that come up do not reply but forward to Dr. Fair so the agency will handle it or Attorney Snyder.

Considerations – Agency doesn't charge fees, verbal communication is not a public record, commingled public/nonpublic records and there is not an obligation to create public records. The State Board takes this very seriously if public records are requested and not provided.

General policies concerning Ethics - Several policies in the State Board manual have a conflict of interest policy. Follow the law and regulations, call Attorney Snyder if needed. Have a fiduciary obligation to the Board and to the SBE not to advance your own self-interest. Avoid situations that would create a conflict of interest or appearance of a conflict of interest. Do not support or take a position with respect to any legislative or political matter. If you feel there is a conflict of interest involving you or someone else contact your chair, Dr. Fair or Attorney Snyder.

Standard Code of Conduct – The Board expects the highest standard of conduct and honesty. Avoiding the appearance of conflict of interest or actual conflict of interest, remembering that this work is in the best interest of the children.

If publishers reach out to you notify Attorney Snyder. There are reasonable exceptions. Moody said that if you have a concern or question about something, confirm with Dr. Fair if it is a violation or not. Policy does not prohibit meals, travel, lodging or gifts provided because of a family relationship. Regarding the Textbook Commissioners, there are specific rules by which the publishers should abide. They (publishers) should not attempt to persuade you in the

evaluation process. You should not meet privately with a publisher. Moody mentioned once during evaluation week, one of the publishers was on the elevator with one of the commissioners and they just referred them to Dr. Fair instead of answering the question in any way. Linker said that the publisher knows that they could be excluded so for them it is a bigger consequence. Attorney Snyder said that you should handle it in a professional way. Publishers should not cause any form of pressure.

If you have questions, contact Attorney Eric Snyder or Dr. Fair for verification.

### **Advisor Interest and Recruitment**

Linker and Commissioner Flowers said that there needs to be a setup time for commissioners to look at the publishers' displays. There are some that do not label their materials properly and it forces you to get involved to a certain degree. Linker said that publishers are provided information on how to set up their displays and the expectations, etc. Commissioner Autry said an example is that publishers should have two copies and commissioners cannot make copies or give them labels. They (publishers) have to seek other resources instead of asking the Commissioners for assistance. Linker mentioned that Evaluation week is the only time that the Commissioners will be in contact with the publishers. Before the next meeting, Linker will know the number of advisors that will be needed. Linker is responsible for determining who gets what. CTE consultants are very helpful in choosing advisors. DPI is also very helpful because they have a pool of people and a listserv.

A flyer will be created with a link and distributed through the listservs in DPI's different departments. and most likely finalized at the 3rd meeting which is the April meeting. The potential advisors will be hired after the pool of candidates have been chosen. Commissioner Austin mentioned Math 1 is taught in the 8<sup>th</sup> grade in their district and asked if she can reach out to those who are licensed and qualified. Linker said yes, as long as they are qualified and does currently teach that class. Flowers asked about doing a flyer like the one that was done before and Linker said that they would be working on the flyer together and opened it up for anyone else that would like to assist with the flyer. Linker spoke of the monetary and non-monetary value that is being able to meet professional standards as part of their evaluation process. Moody about the monetary compensation was for advisors. The response was \$150 a day.

Linker said that the advisor has to be very qualified and taught that course. She stated they need the experience. She mentioned, they may want to do Math 1 but there may not be an opening for Math I so, will they be willing to be an Advisor for Math 2? She indicated they should be sure they understand that just because you are talking to them does not mean that they are an advisor, but that they are a potential advisor. Fair said that before they (commissioners) do the flyer, she works with the content experts about the specific requirements and as soon as she gets that she will get that information to them so they can include that language on the flyer and she is also doing a spreadsheet that will include the details that are needed.

**Draft Invitation/Sample Sites** - Commissioner Linker said that copies of the Invitation have been provided. Linker emphasized that all of the information about advisors and rate of pay and policies are spelled out in the Invitation. She noted how close you are to the site, accommodations, mileage, living within 35 miles of the evaluation site you would only get per diem and mileage no meals. She said logistics are handled by DPI.

Sample sites – Linker explained the sample site is where your personal set of publisher materials are delivered. She doesn't know what it will look like because it hasn't been submitted yet.

Linker explained that traditionally CTE courses aren't as much materials as they are more modules and videos or links to videos and 9-12 grade math. Linker urged commissioners to locate a location for delivery. She emphasized that commissioners should provide the information to Dr. Fair, no later than the next meeting, where you want the materials delivered so that she can provide the information to the publishers. Linker stated that Dr. Fair did a google form for commissioners to complete with a deadline and email. Commissioners were reminded that someone has to be present to accept the deliveries. They will deliver to the door but may or may not take to the door. Linker also said it's up to you to dispose of the materials afterwards. You can't sell it, use it in your classroom or for local gain, etc.

Commissioner Perry stated that some CTE's that are broad areas in the rural areas, they don't have teachers that are trained in areas such as plumbing, welding etc., which are not taught at high schools but at the Community Colleges. Perry asked if those instructors would be qualified to be an advisor. Moody said that she feels they would be excellent advisors because they are in dual roles. She feels that it would be okay especially if they are serving in dual roles. Moody said the main thing is to think of who an expert will be and who is teaching the curriculum. She mentioned to consider those who are teaching in charter schools and private schools. Linker said they do have to represent the state and also a variety of regions represented. Perry said auto tech is only being taught in seven of the high schools in the state and it is not part of the CTE's this time, but could they reach out to find those who are teaching CTE's in the state this year through the listserv provided by DPI? Dr. Linker said yes, that the Regional Consultants and CTE's are willing to assist in finding advisors.

Dr. Fair said to include in the form special instructions for delivery. So it can be properly planned to ship and deliver. Sise said that sometimes it's not a guarantee that they will follow the shipping and delivery requests. When there is a mix up, Dr. Fair asked commissioners to notify her.

Linker and Moody reminded the commission to respond as soon as possible to the email from Dr. Fair because it is important and time sensitive. She noted, sometimes there have been no responses and Dr. Fair needs to hear from you because it could be regarding a meeting or the logistics of a meeting. Moody said that promptness matters. Linker was speaking about the invitation. Linker explained it is a 111 page document that includes general statute, board policies, examples of the criteria sheets, procurement, bids, appendixes, pictures of the labels the publishers should have. She told commissioners when they get their samples, confirm that everything is there, if not, notify Dr. Fair. Linker told commissioners, if you don't get your sample notify Dr. Fair because if it's not there that book cannot be presented during evaluation week. You will have the bid sheet of what was submitted, and you compare that with what you receive. Sometimes the codes to the digital components are in a separate envelope.

**Reimbursement Procedures** - Rick Klein answered questions and assisted the Commissioners with questions regarding travel and the reimbursement process.

**Next Steps/Closing Remarks/Adjournment** - Linker made a motion for the meeting to be adjourned. Commissioner Austin second the motion to adjourn.

**Minutes taken by:** Ms. Audrey Long

**Date of Approval:** March 20, 2020