

## **“Open Source” Textbooks Are Reason for Grave Concern**

December 18, 2009

**By Geraldine “Tincy” Miller, SBOE Dist. 12**

The week before Thanksgiving, the State Board of Education (SBOE) met for its November meeting and a number of issues were covered that were of great importance. Many of these issues are nearing critical decision points which are scheduled for our upcoming January & March SBOE Meetings. The Board voted to ...

1. Allow students to take two more P.E. credits (or substitutes) to count toward graduation requirements;
2. Eliminate the requirement that students take a health & technology applications class;
3. Reduce the number of physical education credits required from 1.5 to one credit;
4. Approve the Reading Language Arts textbooks that will be in schools next year;
5. Revise its ethics policy, requiring its members to disclose an existing or prior relationship with businesses in which the Permanent School Fund (PSF) is invested, or that may provide future investment advice to the Board; and
6. Allow board members an opportunity to dispute any written disclosure from a vendor.

Of all the items we addressed, however, one stands out as an issue that could dramatically affect the quality of materials your students receive in school, while weakening the duties of the Board, and that is open source textbooks.

Last session, Representative Scott Hochberg authored a bill that allows the Commissioner of Education to approve textbooks for schools without any public input or oversight by an elected body.

House Bill 2488 – the “open source” textbook bill – is a watershed piece of legislation that unfortunately passed and went under the radar of most Board members. Now that it is taking form, and accelerating at a rapid pace, there is reason for grave concern.

The SBOE has developed a textbook adoption process that is a model for other states. It implements the highest quality curriculum standards for the state through a process where the Texas Education Agency, educators, parents and students work closely with the Board in a transparent and open process.

House Bill 2488 ignores a process that has been in place for years and has resulted in great success. It offers no chance for review or public participation. No one – including the SBOE – will be able to evaluate the materials before they are sold to schools in March 2010.

The effects of this bill run deep. It will eliminate materials that are aligned with state standards and will allow questionable resources into the system that will be there for years to come.

The SBOE has a responsibility – as written in the constitution – to manage and protect Texas students’ instructional materials, ensuring they are aligned with state standards. It is a mistake to take this power from the Board and handle our textbook adoption process in this way. Something needs to be done to slow this train down before it is too late!

In recent years, certain members of the Texas Legislature have tried to pass legislation to neuter the SBOE of its duties in favor of a system that hands the decision over to one person with no public oversight. Fortunately, this faction of individuals has not been strong enough to affect such an outcome, but as you can see from this legislation it is growing.

Though the bill has already passed, there are certain things we can do to mitigate its effects:

- **First**, we need as many people as possible to write Governor Rick Perry and ask him to request that Commissioner Robert Scott hold a public hearing to allow input on this issue. We don't want a textbook adoption system that is accountable to only one person.
- **Second**, we need to elect state representatives and senators who support the SBOE and allow it to perform the tasks required by the Texas Constitution. As you meet with candidates, please make sure they are aware of this issue and find out where they stand on it.
- **And finally**, tell your friends and colleagues about the open source textbook issue so that we can get a public dialogue going about the detrimental affects of this legislation.

This bill passed because not enough people knew what it did. I firmly believe most parents and educators would be appalled to know the truth about this bill and will do whatever they can to stop it from going any further!

Thank you, in advance, for helping educate folks about this issue. I will continue to follow up with you on any developments.

As always the quickest way to find out new information on the SBOE is to go to the "Issues" page on my Web site at: [www.tincymiller.com/#issues](http://www.tincymiller.com/#issues).

Have a blessed and joyous Christmas, and a Happy New Year!

**P.S.** [The board will hold a public hearing to complete the proposed Social Studies TEKS in January](#), at which point I will follow up with you to let you know the outcome of that hearing.