



T E X A S
F R E E D O M
N E T W O R K

**Texas Senate Education Committee
Interim Hearing
October 18, 2006**

Statement by Kathy Miller, President, Texas Freedom Network

The Texas Freedom Network is a non-partisan, grassroots organization of over 25,000 religious and community leaders who advance a mainstream agenda of religious freedom, individual liberties and strong public education.

In response to years of efforts by some members of the SBOE to pressure publishers to edit textbook content to which they had political or ideological objections, in 1995, the Texas Legislature wisely stripped much of the State Board of Education's authority over textbook approval. Two subsequent opinions by the Texas Attorney General have reaffirmed the limitations set in that legislation.

Currently, the SBOE is only permitted to reject textbooks or instructional materials submitted for consideration based on the following criteria:

- The materials fail to meet the state's curriculum standards,
- The materials include factual errors, and/or
- The materials do not meet manufacturing standards.

The ruling last month by Attorney General Abbott included reference to legislation passed in 2003 that also allows the board to ensure that information on U.S. and Texas history and the free enterprise system be included in textbooks where appropriate. Contrary to claims by some members of the State Board, that ruling did not give the board the authority to decide whether their personal opinions about U.S. and Texas history or the free enterprise system trump the facts. The Board is simply required to ensure, and rightly so, that our students learn about our history and the importance of the free enterprise system.

Many committee members have been here long enough to remember some of the early efforts to censor common sense information from public school textbooks. Examples of those efforts include: calling for the removal of a line drawing of a female breast used to teach breast self-exams to girls; efforts to censor a picture of a woman carrying a briefcase because the photograph undermined "traditional family values;" and demands that publishers make literally hundreds of changes to health textbooks.

Unfortunately, efforts by State Board members to circumvent the 1995 legislation have been pursued with vigor in the last decade. Since having their authority to censor textbook content stripped by the legislature, members have attempted to delete certain photographs in new textbooks, saying publishers went "overboard" in their inclusion of minorities. They also claimed history textbooks overemphasized the cruelty experienced by slaves. Ignoring fossil evidence, they forced references in textbooks to the Ice Age to



be changed from “millions of years ago” to “in the distant past” in order to avoid conflict with narrow interpretations of biblical timelines. And, they have demanded the elimination of discussions of endangered animals and environmental issues. In 2004, they allowed state-mandated information on family planning and the prevention of sexually transmitted diseases to be included only in the teacher’s edition of new health textbooks.

The history of Texas’ State Board of Education’s efforts to censor textbooks, even in defiance of state law, leaves no room for doubt that the strict limitations placed on Board members with respect to textbook content must be reinforced by the Texas legislature. Otherwise, this board will certainly seize the opportunity to edit textbook content based on their own personal beliefs. The “facts” our children learn will change with the majority. There will be a diluting of history, a narrowing of perspectives, and a removal of factual information if it doesn’t fit with the personal political and religious beliefs of the majority.

The consequences are critical. Our children will be deprived of information and a quality, competitive education.

I have two recommendations regarding textbook adoption that I believe will make dramatic progress in eliminating the threat to our kids’ education posed by State Board censorship efforts.

First, subject matter experts should be appointed by the commissioner of education to evaluate textbooks submitted by publishers. These experts should have well-established academic credentials in the fields of study included in the instructional materials. That should be an easy task in Texas, given the well-respected network of public universities across our state. Experts in biology will review biology textbooks for their accuracy and ensure that information necessary for our children to succeed in college is included. The same will be true for social studies, math and language arts. As we move to a more frequent adoption process, necessary if we are to have the ability to approve instructional materials made available electronically or online, we will need to appoint these expert textbook review panels for a period of one to two years so that there is some consistency in the review process.

Recently, members of the State Board of Education asked for a new ruling from the Attorney General that would allow them more oversight over the content of textbooks. For the second time in a decade, the Attorney General asserted the limitations placed on the board in the 1995 legislation. State Board members are prohibited from censoring textbook content based upon their own political or ideological bias.

However, I fully expect the legislature in 2007 to be asked to consider rescinding the 1995 parameters for textbook content editing and censorship. My second recommendation, stated unequivocally, is that this body reject those efforts.

Censorship and Texas Textbooks

Religious Extremists Target Textbooks

Texas textbooks have long been a target for censorship by religious social conservatives, who aim to delete information they don't like and inject their own political ideology and religious values into the books.

Mainstream Values Targeted

In Texas, a handful of far-right groups have lobbied to censor various topics in textbooks over the years, including:

- *Scientific Dates:* History book references to the Ice Age and other events occurring “millions of years ago” were changed to read “in the distant past” so ancient geological events did not conflict with literal interpretations of the Bible. (2002 testimony on file at TEA)
- *Evolution:* State Board of Education members and advocacy groups lobbied for evolution to be either wholly eliminated from biology textbooks or taught on par with creationism or “intelligent design.” (1993 and 2003 testimony on file at TEA)
- *Slavery and Civil Rights:* History books were targeted for what critics called an “overkill of emphasis on cruelty to slaves,” asserting that coverage of slavery, civil rights struggles or discrimination was unpatriotic and anti-Christian. (1996 & 2002 testimony filed at TEA)
- *Working Women:* Board members worked to remove a picture of a woman carrying a briefcase, which they said undermined traditional family values. (1994 testimony on file at TEA)
- *Health Education:* A line drawing illustrating a breast self-exam, which Board members called “embarrassing” and “objectionable,” was deleted from health textbooks. In 2004, the State Board of Education adopted textbooks that included no information about contraception and the prevention of sexually transmitted diseases except through abstinence – even though such information was required by the state’s curriculum standards for health education. (1994 and 2004 Board recommendations on file at TEA)
- *Science:* Board members rejected an environmental science textbook that critics called “anti-free enterprise” and “anti-Christian.” The book included discussions of global warming and the U.S. role in creating pollution and had been used at the college level for several years. Changes to other textbooks significantly curtailed the talk of endangered species and discussions of Native American cultures. (2001 Board transcripts on file at TEA)
- *Religious Minorities:* Far-right activists stripped history textbooks of positive references to Islam, which they called “propaganda.” (2002 testimony on file at TEA)
- *Racial Minorities:* Far-right groups said history books went “overboard” on including pictures of minorities included and worked to replace a picture of an African-American family with a white family to accompany a discussion of the “American Family.” (1996 testimony on file at TEA)

In an effort to make the review process less vulnerable to the ideological whims of extremists on the State Board of Education (SBOE), the Texas Legislature passed reforms in 1995 that curbed the authority of the Board. Since then, the Board’s control over textbook content has been limited to *only* “the criteria for textbook adoption set out in the code: physical specifications, essential knowledge and skills elements, and factual errors.” (A.G. Opinion No. DM-424).

Despite these legal limitations, in 2001, the SBOE banned an environmental science textbook and made sweeping changes to several more that were criticized by the far right as being too pro-environment, and not supportive enough of capitalism or Christianity. In 2002, far-right groups successfully lobbied publishers and the Board to edit social studies texts based on their own narrow religious and political philosophy. Most testimony criticizing these books was orchestrated by far-right groups such as the Texas Public Policy Foundation, Texas Citizens for a Sound Economy, Texas Justice Foundation and the Texas Eagle Forum.

Texas Textbooks have National Significance

Texas has the nation’s second largest textbook market. As a result, the outcome of textbook editing and selection in Texas has a national impact – Texas books often serve as a model for many other states. The millions of dollars Texas spends on textbooks nearly every year offers ample financial incentive for publishers to make revisions demanded by a small, but vocal, group of extremists who have the power to get a book rejected.



Textbook Censorship in Texas: A Timeline

Texas textbooks have long been a target for censorship efforts by groups like the Texas Public Policy Foundation, Texas Citizens for a Sound Economy, Texas Justice Foundation and the Texas Eagle Forum. Those groups work to delete information they disagree with and inject their own political ideology and religious values.

1960's to present – Efforts to censor Texas textbooks stretch back to at least the 1960s, when Mel and Norma Gabler began to review the books. The Gablers – whose motto is “We review public school textbooks from a conservative, Christian perspective” – are based in the East Texas city of Longview. According to their Web site, the Gablers have targeted more than a half-dozen “subject areas of concern,” including evolution, phonics-based reading in instruction, the free-enterprise system, “original intent” of the U.S. Constitution, “respect for Judeo-Christian morals,” abstinence sex education, and “politically incorrect degradation of academics.” The Gablers and their associates review textbooks submitted for approval in Texas, identifying “errors” that often are simply ideological objections to textbook content. They also prepare ratings of each textbook.

1993 – Other groups in Texas join the Gablers in trying to remove discussions of evolution from biology textbooks or have it taught alongside Biblical-based “creationism” theory.

1994 – Critics target health textbooks, focusing largely on discussion involving sex and gender roles. For example, they called for the removal of an illustration of a female breast used to teach breast self-exams to girls. They also try to censor a picture of a woman carrying a briefcase because the photograph undermines “traditional family values.” The State Board of Education (SBOE) demands that publishers make hundreds of changes to their health textbooks. One publisher ultimately withdraws its textbook from consideration by the SBOE rather than make such changes.

1995 – The Texas Freedom Network begins to monitor the textbook adoption process to counter censorship efforts.

March 1995- SBOE member Donna Ballard sends a letter to local school board presidents urging them not to adopt certain textbooks that teach about sexually transmitted diseases and condom use.

June 1995 – The 74th Legislature passes Senate Bill 1, which limits the power of the SBOE to edit textbooks. The state attorney general subsequently writes an opinion that interprets this law strictly, confirming that the SBOE can reject a textbook only if it does not meet physical specifications, fails to cover the state curriculum standards or contains factual errors.

1996 – Censors attempt to delete certain photographs in new textbooks, saying publishers went “overboard” in their inclusion of minorities. They also claim the textbooks overemphasize the cruelty experienced by slaves, demand that the age of Earth to be determined by biblical genealogy rather than fossil evidence and attempt to eliminate discussions of endangered animals and environmental issues.

2001 – The Texas Public Policy Foundation and other groups successfully lobby to ban an environmental science textbook they called “anti-free enterprise” and “anti- Christian” due to its discussion of global warming and the U.S. role in creating pollution. The textbook had been used at the college level for several years. Changes in other books are made that significantly curtail the talk of endangered species and discussions of Native American cultures.

2002 – Under pressure from groups like the Texas Public Policy Foundation, publishers remove passages in social studies textbooks that have positive references to Islam and that note any negative characteristics of capitalism. They also delete references to events happening “millions of years ago,” changing them to “in the distant past” in order to avoid conflict with biblical timelines.

2003 – The Discovery Institute mounts a campaign to alter the discussion of evolution in biology textbooks and suggests that evolution is controversial and unproven. (The Discovery Institute supports a religion-based theory called “Intelligent Design.”) After the Texas Freedom Network launches a campaign to counter these efforts, the SBOE votes to approve the biology textbooks with discussions of evolution intact.

2004 – Publishers beat censors to the punch by submitting to the state four new high school health textbooks that include no state-mandated information on family planning and the prevention of sexually transmitted diseases. The SBOE ultimately votes to approve the four textbooks after publishers include information on contraception in Teacher’s Editions. Student’s Editions still lack this basic, medically accurate information. Publishers also agree to define marriage in middle and high school textbooks as a “lifelong union between a man and a woman.” Although that change is not required by the state’s curriculum standards, publishers agree to the change after SBOE members argue that the textbooks subtly promote same-sex relationships with phrases like “married partners” and “couples.”



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Public Education

Textbook Adoption Process

Texas spends tens of millions of dollars each year on new textbooks. As a result, publishers often create textbooks for this state and also sell the books to schools in other states. Texas is also one of 22 states with a centralized process for adopting textbooks. Censorship proponents work hard to influence this process and have strong allies on the 15-member, elected State Board of Education (SBOE). The SBOE approves or rejects textbooks for adoption.

After years in which some SBOE members pressured publishers to edit content to which they had political or ideological objections, the Legislature in 1995 stripped much of the board's authority over textbook approval. The new law permitted the board to reject textbooks only if the books:

- fail to meet the state's curriculum standards,
- include factual errors, and/or
- do not meet manufacturing standards.

Approved textbooks may be placed on one of two lists: conforming and nonconforming. Conforming textbooks meet all of the state's curriculum standards. Nonconforming textbooks meet at least half, but not all, of the state's curriculum standards. Local school districts may use state funds to purchase textbooks from either the conforming or nonconforming lists. Local school districts may not use state money to purchase textbooks not approved by the SBOE.

The Adoption Process

Event	Actions by Censorship Proponents
The SBOE calls for bids from publishers, listing curriculum standards (the Texas Essential Knowledge and Skills, or TEKS) and other requirements.	Work to influence content as publishers begin development of textbook programs. Sometimes publishers submit potentially controversial chapters to political interest groups for review.
Publishers submit completed textbooks to the Texas Education Agency (TEA), 20 regional service centers (for public review), and state review panels.	Recruit private reviewers to analyze publishers' materials separate from the official state review process.
Based on recommendations from the state's review panels and TEA staff, the state education commissioner prepares a preliminary report on textbooks for the SBOE.	Submit lists of "errors" directly to publishers. Many of the "errors" are in fact ideological objections to content.
Texas residents may file written comments on textbooks and may testify at the SBOE's public hearings before the final board vote on adoption.	Orchestrate testimony for or against certain textbooks, focusing on items such as word choice, photos and illustrations in the books.
Publishers report to the TEA all revisions they plan to make to their textbooks.	Redouble efforts, marshaling public opinion against textbooks they still oppose.
The SBOE votes to reject a textbook or place it on the state's adoption list.	Lobby SBOE members to reject books that still contain passages or illustrations that religious, social and economic conservatives find objectionable.
Local school districts may use state funds for buying only those instructional materials placed on the state's official adoption list.	Try to influence purchasing decisions by distributing material about textbooks and lobbying officials in local school districts.

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