

**Statement
Of**

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and
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Presented to the

**Senate Committee on Education
Texas Senate
Sen. Florence Shapiro, Chairman**

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Madam Chairman, distinguished Members of the Senate Education Committee, thank you for this opportunity to visit with you regarding an issue the State Board of Education (SBOE) as a whole, and myself with 22 years of service on the State Board, consider one of the most important and critical issues in Texas education today – curriculum, textbooks and appropriately moving the use of technology into the classrooms of Texas’ school children.

Clearly you have recognized this as a crucial issue, and I want to commend you all and Lt. Gov. Dewhurst for steering attention to Interim Charge #3: To review the operation of the State Board of Education, including its oversight of the Permanent School Fund, and make recommendations, if necessary, for appropriate legislative oversight and review.

I as chairman, and the entire State Board of Education, look forward to working with this committee and the legislature to continue improving Texas’ public education system.

So what can we do to address the issues of:

- 1.) Updating & insuring that our Texas curriculum is of the highest standards in the nation;
- 2.) Insuring that every school child in Texas has the textbooks or other instructional materials necessary to maximize their opportunities to learn that curriculum; and
- 3.) Increase the number of Texas school children moving on to college and further their careers with higher education if they so desire.

If I may, let me mention just a couple things about the State Board of Education, our curriculum and textbooks selection process – which includes the broader term “instructional materials” – as well as the Permanent School Fund, often referred to as the PSF.

First and foremost, Texas’ current system of curriculum adoption, vetting and selecting textbooks or classroom instructional materials, and paying for these materials via the PSF, is commonly known – and is literally accepted without debate across the country – as being the “best in the nation”.

In fact, it is the envy of every other state in the nation. This is because of its tried and true effectiveness.

Back in 1874, our state’s forefathers had the wisdom to create the Permanent School Fund.

The Texas Constitution requires that the proceeds from the PSF be used “in perpetuity” to provide textbooks and curriculum for every child in every public school in our state.

This fund, managed by the State Board of Education, has grown from its original \$2 million investment to become one of the largest endowments in the country. some \$22 billion. It now provides more than enough revenue for the children’s textbook fund, with money left over to pay for other educational needs.

Instead of seeing the textbook fund as one of our state’s greatest education assets, some view it as a huge slush fund just waiting to be tapped for other purposes.

I want to take this opportunity Chairman Shapiro, to publicly recognize and thank you for your steadfast interest in, and protection of, the PSF. That also holds true for our entire Texas curriculum & textbook adoption-purchasing process. From both myself, and the SBOE as a whole, thank you.

Without your devotion to maintaining, protecting – and now moving to improve our system – I think it is fair to say we would not have the opportunity to be discussing the solutions we are about here today.

Most Texas schools have already equipped their facilities – from elementary, to middle, to high schools – with technology from monies provided by Texas taxpayers to the TIF, the Technology Infrastructure Fund, that Texans regularly see at the bottom of their telephone bills.

We must be clear about this one fundamental issue: Computer equipment is not “instructional material” any more than desks, or lockers or football stadiums are “instructional material”.

Instructional materials provide educational content through textbooks, CD-ROMs, online services, interactive software, and other materials.

The key word here is “content.”

The children’s trust fund – the PSF – must be reserved for purchasing instructional content, not for equipment. It is what our forefathers, in their infinite and now proven wisdom, intended.

Several years ago, a group of companies came together to form an effort that they not so subtly labeled “no vendor left behind.” Their scheme was simple: get the legislature to define computer hardware and network equipment as “instructional materials” so it could be paid for – at the expense of textbooks – out of the PSF.

Instead of having the state buy textbooks for every school in Texas – again, as has been developed and proven by time to be a tried & true method for purchasing books or instructional materials – it was proposed that money from the trust fund would be sent directly to school districts with a requirement that districts spend hundreds of millions of dollars on computer equipment, regardless of whether the schools wanted or needed the equipment.

Chairman Shapiro, committee members, let me be very clear: Texas has developed an orderly, efficient system to ensure that new instructional materials containing the state’s required curriculum are provided to every child in the state at the same time. Texas’ textbook adoption system ensures every student in Texas has the materials they need to cover the curriculum expectations and state accountability measures. (Texas Essential Knowledge & Skills-TEKS)

The Texas system has never been the subject of litigation on adequacy or equity grounds. In fact, the strong links between textbooks, curriculum and testing have protected the state against litigation alleging every student does not have an equal opportunity to learn the material on which they are tested.

It is the position of your elected State Board of Education that nothing could be more detrimental to the school children of Texas than passage of this, or similar proposals.

If funds for instructional materials are sent to school districts with a mandate that some of the money be spent on computers, the entire accountability system will begin to unravel. The state's accountability system, the testing and assessments required by the "No Child Left Behind" law, all depend upon every student learning the same material at the same time. That is what all of us – both the SBOE, as well as you in the legislature – are working toward.

Now, if I may, allow me walk through the attached "State Board of Education Position Paper", which was adopted unanimously at our most recent SBOE Meeting, and which expresses the latest – almost a "progress report" if you will – plans and strategies we at the SBOE need your assistance to help make a reality. It was just last month sent to each and every member of the legislature, as well as the Governor.

This paper expresses the State Board of Education's strong support for continuing the current system of textbook procurement. It lays out some of the significant steps the SBOE has taken, and will be taking, to improve Texas' education system. After much study and consideration, SBOE members are convinced that radical changes would not serve the best interest of Texas public schools, or their students.

The State Board of Education appreciates the opportunity to discuss the benefits of the textbook adoption system, and the board remains committed to improving the delivery of those materials as the Texas public schools enter the digital age.

We look forward to, and appreciate, a constructive dialogue on funding expectations, flexibility in the adoption process, revisions and updates to align the curriculum standards and proclamation timelines, in order to address your legislative concerns and improve the process.

SBOE members look forward to working with the legislators during the 80th Texas Legislative Session to improve our state's system of education.

Thank you.

Senate Education Committee

Oct. 18, 2006

- The State Board of Education is a 15-member elected body that helps set education policy for the state's 1,200 school districts and charter schools.
- It is one of only two executive boards elected statewide in Texas and is the only one that is elected from single-member districts. (FYI – The Railroad Commission is the other one.)
- Each member represents about 1.4 million people.
- Our districts range in size from the two smallest districts, which cover two counties each (Allen & Knight) to one that is larger than most states and covers 75 counties (Craig).
- The State Board meets at least five times a year.
- One of our primary duties involves overseeing the Permanent School Fund, which I like to call the kid's textbook fund. We'll talk more about it later but the State Board has closely shepherded the state's \$2 million investment and turned it into an endowment that today is about \$22 billion strong.
- We are responsible for crafting the state curriculum. The board is currently updating the state's curriculum standards, which are called the Texas Essential Knowledge and Skills. This curriculum forms the basis of much what happens in our Texas public schools.
- Our textbooks are aligned to the TEKS and we believe we have the best textbook adoption process in the country. I know we'll talk more about that later so I'll reserve additional comments on this important area until then.
- Our state test, the TAKS is designed to test students' knowledge of the TEKS. While TEA develops the TAKS and other state tests, it is the state board that establishes the passing standards for the exams.
- The board establishes graduation requirements and we are in the process of approving a rule that implements the 4X4 plan you created in HB1.
- Additionally, our board also authorizes the creation of new charter schools. We currently have about 195 SBOE-authorized charter holders who operate 438 operated sites where about 70,000 students are educated.
- The State Board of Education plays a somewhat unusual role in the area of teacher certification. Rules passed by another board, the State Board for Educator Certification, come to us. We can either reject the rules or take no action, which is tantamount to adopting them. We cannot modify or amend an SBEC rule.
- Because our decisions have such a large impact on our public schools, our board meetings are some of the best attended meetings at the state level. We regularly have an audience of more than 200 for each meeting.
- Because we want to be accessible to the public, our Committee of the Whole and general board meetings are broadcast live over the Internet. Audio archives, as well as written minutes and summaries, are also available to the public.
- I'm proud to have been a member of this board for 22 years. This is a board that truly puts children first and always tries to adopt policies that will benefit our students.