

Ronald Wetherington testimony

Testimony Before Texas Senate confirmation hearings, 4-22-09, R. K. Wetherington

I speak today in opposition to the confirmation of Don McLeroy as chairman of the SBOE. I do so not on personal grounds, but on ethical and professional grounds.

Dr. McLeroy has always treated me fairly, I find him congenial as a person, and he has by and large been fair ~~in the allocation of time~~ among all sides during public testimony.

in conducting public testimony

What I find objectionable is the conflict between his ethical responsibility to foster the letter and spirit of the law in TEA science mandates, and his personal conviction, as a young-earth Creationist, that evolution has never happened and the belief in evolution is atheistic. He has repeated this publicly on more than one occasion. He has also stated ~~that it is his purpose to introduce Intelligent Design into the public science curriculum.~~

in the past

~2002; 2006 proposed to redefine science to include supernatural

It is, in my view, contradictory for board members to hold these beliefs, as many of them do, but it is not a violation. They were duly elected by their constituents, and are free to believe whatever they wish. But for the chair of the Board of Education, appointed by the governor, to foster such beliefs and to inject them into public discussion, is ethically egregious and just plain wrong.

It is clear that he views science experts who testified in favor of good science and accurate evolutionary instruction to be misguided. "I disagree with the experts," he recently said. "Somebody has got to stand up to them. Evolution is all about ideology." Dr. McLeroy, in the days preceding the March review of the science TEKS, publicly supported the central conclusions of a creationist book entitled "Sowing Atheism", calling it "unique" and "insightful". The author of the book writes that "The hierarchy of the NAS has stolen true science; they are sacrificing our children to atheism and destroying our children's faith in God." (p.27) The more than 11,000 Christian pastors who signed on to the pro-science "Clergy Letter Project", he called "morons." Such an endorsement by McLeroy is unethical and irresponsible.

Finally, during the Boards' consideration of new amendments to the TEKS never before discussed, Chairman McLeroy would not permit Board members to hear from the science experts in attendance, thus denying them the advice of those who specialize in this knowledge. Why were we appointed in the first place, one wonders?

Senators, it is an embarrassment to have such partisan ~~religious~~ bias, fundamentally anti-scientific, promoted by an appointed Chair of the SBOE, and I urge you not to confirm this appointment.

Testimony of John Kingman
Senate Nominations Committee
April 22, 2009

I am opposed to the reappointment of Dr. Don McLeroy as Chairman of the State Board of Education (SBOE) and here's why.

According to a Houston Chronicle article from May 21, 2008[1], Mrs. Mary Helen Berlanga, who has been a member of the board since 1984, sent a letter to Governor Perry in which she said Dr. McLeroy is a "master of deceit" and should be replaced.

Mrs. Berlanga also criticized Dr. McLeroy for not including Hispanic experts in the development of the ELAR TEKS. "Any intelligent, logical person would have named an expert who had dealt with Hispanic children and language minority children since more than 47 percent of the 4.5 million students in our public schools are Hispanic."

In the July 16, 2008, hearing of the House Public Education Committee, legislators learned from testimony that the new ELAR TEKS don't completely align to college readiness standards. The last Legislature passed a law mandating that TEKS align with those standards. They broke the law.

The legislators also learned that in November, 2007, the board, under Dr. McLeroy, had rejected a math textbook without reason. Board members who voted to reject that textbook refused to give reasons for doing so. Yet under a law passed by the Legislature in 1995, Senate Bill 1, the state board may reject a textbook only if it fails to cover the state's curriculum standards, has factual errors, or fails to meet manufacturing requirements. Subsequent opinions from two state attorneys general -- a Democrat and a Republican -- have upheld those limits on the board's ability to control textbook content. Again, they broke the law.

In July of 2008, the board, under McLeroy, adopted vague, very general guidelines for Bible classes that public schools may teach as electives throughout the state. The board refused to give school districts and teachers the guidance they need to create courses that are respectful of the Bible, protect the religious freedom of students and keep our neighborhood schools out of court.

The board ignored the clear intent of the Legislature -- expressed explicitly in statute and in communications between legislators and board members -- that these classes be based on clear, specific content standards or TEKS.

Using public schools to promote some religious views over others is not religious freedom. And it's not constitutional.

Just this year, we saw the result of Dr. McLeroy's most recent fiasco, the high school science TEKS. In this case Dr. McLeroy consistently fought the consensus of the scientific community regarding high school biology exclaiming at one point, "I disagree with all these experts! Somebody has to stand up to these experts!"[2] This from the man who is charged with the responsibility of educating our future experts!

The upshot is that the science TEKS were altered ways that encourage the presentation of creationist claims about the complexity of the cell, the completeness of the fossil record, and the age of the universe. This, in turn, opens the door to the possibility of

costly litigation over the constitutionality of the TEKS and/or the textbooks that result. This is Dr. McLeroy's legacy for the next ten years.

I urge you to NOT approve Dr. McLeroy's nomination, and send a strong message to the State Board of Education that playing politics with our children's education is not acceptable.

Thank you.

John Kingman
307 S. Tumbleweed Trail
Austin, TX

Notes

1. Scharrer, Gary, "Board member wants education chief replaced," Houston Chronicle, May 21, 2008. <http://www.chron.com/CDA/archives/archive.mpl?id=2008_4571200>
2. Nichols, Lee, "SBOE: Out With the Old Weaknesses, In With the New," Austin Chronicle, April 3, 2009. <<http://www.austinchronicle.com/gyrobase/Issue/story?oid=oid%3A762536>>

PUBLIC TESTIMONY

Arturo De Lozanne, Ph.D.

University of Texas at Austin

April 22, 2009

My name is Arturo De Lozanne. I am a Biology Professor and a member of the Academy of Distinguished Teachers at UT. Thank you for giving me the opportunity to speak to you today, as an individual, about the negative influence that I think Dr. Don McLeroy has had as chairman of the Board of Education.

Being myself an educator and having children in our public schools I have been very interested in following the adoption of textbooks and curriculum standards. I have attended multiple meetings of the Board and testified before the Board on several occasions. I offered comments on the last science standards and offered my services to formally evaluate the science standards.

From his experience, it is my opinion that since Dr. McLeroy became chair, the Board has become more polarized and is no longer working as a cohesive unit. Most disturbingly however, is the fact that Dr. McLeroy has fomented an environment that disregards the advice of experts in a variety of fields and inserts his own personal views in areas he is not qualified to do so. Lets remember that the members of the Board have been elected to their posts not because they are knowledgeable in all areas of education, but because we entrust them to gather and implement the advice of experts in specific areas of education. The chairman of the Board should lead by example in this endeavor and it is my opinion that Dr. McLeroy has failed to do so.

A good example of his attitude is the way in which the Language Arts curriculum standards were adopted last year. Along with other members of the Board, Dr. McLeroy completely disregarded the advice of many education experts and rewrote the standards to his liking. They did this at the last minute not allowing the experts or other members of the Board to respond to the changes.

Most painfully for me as a scientist, this happened again few weeks ago when Dr. McLeroy once again disregarded the advice of many scientists and science educators and inserted amendments to the science curriculum; amendments that go against well established facts of Biology, Geology and other areas.

It is simply astonishing, and embarrassing to the State of Texas, to hear the Chairman of the Board of Education say that he has to stand against the expert advise of the top scientists from Texas and the Nation, including many Nobel Laureates and many Scientific and Educational Organizations. This is not only bad Science, but also bad educational policy and the wrong role model to our future generations. I am honestly afraid that, if Dr. McLeroy continues to lead the Board of Education, severe damage will be done to our educational system in Texas. This would have severe consequences for our future generation of Texans to compete in the global economy. I strongly encourage you to look carefully at all of his actions and those of any other candidate to this position to make sure we have the best person in that leadership position.

TO: The Members of the Senate Nominations Committee
FROM: Laura Ewing/Retired Educator
DATE: April 22, 2009
RE: Nomination of the SBOE Chair

Mr. Chairman and members:

My name is Laura Ewing. I am a retired career educator who spent most of my 24 years in the classroom teaching students about the political process and the free enterprise system and 10 years supervising kindergarten through 12th grade social studies teachers. I am extremely concerned that the utter disregard for appropriate processes as set forth by the legislature and the SBOE's rules are now jeopardizing the subject area to which I have devoted my career - social studies. The process of refining of the social studies TEKS has just begun. In fact, I have just come from a meeting of the SBOE's Committee on Instruction this morning, and I bring a disturbing report that after the debacle with language arts and science, the social studies revision seems to be heading down a similar path. Let me explain some problems that have already arisen in the process. First of all, all SBOE members were to appoint people to the social studies TEKS refinement writing teams. Out of all of the school districts and communities in the greater Houston metropolitan area, only one SBOE member appointed team members – all of them from Conroe. None of the representatives appointed anyone from Houston ISD or any other school district in the most populous area in the state. School districts in the Austin and San Antonio areas likewise have no representation in this process. Think about that: social studies teachers in many of the largest school districts in the state will have no representation during this important revision process. I know that there were educators and parents whose names were submitted from these areas because I saw the list. Yet the board under Chairman McLeroy rushed ahead with this process without any voice for perhaps half of the public school children in the state.

The TEKS refinement teams held one session in Austin in January and were to return April 1. However, that process was hijacked when Mr. McLeroy provided an outside political pressure group an early draft of the suggested TEKS. Based on that unofficial draft, a spokesperson for that group testified in March that the writing teams were off base and unpatriotic. The SBOE used this unconfirmed information to halt the entire review process and cancel the scheduled meeting of the writing team. Our wasted tax dollars paid for cancelled travel expenses rather than time for revising the TEKS.

Second, the SBOE did not follow legislatively mandated processes in providing the TEKS for the Bible elective course. I was present in July for the House Committee on Public Education's hearing on the SBOE process of adopting the ELAR TEKS. The representatives expressed

concern that the board threw out three years of work by experts, hastily writing and adopting their own version of the ELAR TEKS, leaving out almost all references to reading comprehension. During that hearing, Representative Hochberg held up a letter from the House Committee on Public Education that was sent to the members of the SBOE stating that they MUST write specific TEKS for the Bible course. He even came to the SBOE Committee on Instruction meeting the next day and reiterated the same thing. The board, instead, thumbed their noses at the legislature, using very generic social studies and ELAR TEKS that the House committee had specifically stated would not be acceptable.

I have watched the SBOE hastily rewrite and approve the ELAR and science TEKS, and the same problems are already evident in the social studies TEKS refinement process. These are costly games that jeopardize our students' learning and ability to be successful in the 21st century.

The SBOE, under Chairman McLeroy's leadership, has a demonstrated history of inconsistent and inappropriate processes. Educators from science, language arts, mathematics, and now social studies will attest to this fact. This board needs leadership that will ensure a consistent, open process that is respectful of teachers and experts with experience in their respective subject areas. You would be hard pressed to find educators who have participated in any of the curriculum or textbook revisions overseen by Chairman McLeroy that would speak positively of their experience. That is the biggest indictment of the current leadership that I can think of. I urge you to reject his nomination for another term as chair of this board. Our children and the future of this state depend on your making the right decision in this matter.

SBOE TEKS Review Committees
Social Studies
9-12

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<u>World Geography</u>	<u>SBOE Member</u>	<u>Position</u>	<u>District/Organization</u>
Geiger, Kay	Craig	Teacher	Lubbock H.S., Lubbock ISD
Hulett, Dave	Nunez	Teacher/Department Chair	Uvalde CISD
Rafferty, Donna	Hardy	Social Studies Lead Teacher	Carroll H.S., Carroll ISD
Reese, Suzanne	Knight/Lowe	Teacher	Creekview H.S., Carrollton-Farmers Branch ISD
Stephens, Elizabeth	Berlanga	Teacher	Rivera H.S., Brownsville ISD
Sweeney, Jason	Cargill	Teacher	Woodlands College Park H.S., Conroe ISD
Vickerman, Nicole	McLeroy/Miller	Teacher/Team Leader	Clark H.S., Plano ISD

<u>World History</u>	<u>SBOE Member</u>	<u>Position</u>	<u>District/Organization</u>
Adams, Patrick	Craig	Teacher/Department Chair	Coleman H.S., Coleman ISD
David, John	Knight	Social Studies Coordinator	Carrollton-Farmers Branch ISD
Keeling, John	Cargill	Teacher/Department Chair	Whitehouse H.S., Whitehouse ISD
Noyola, Sonia	Berlanga	Teacher	Moody H.S., Corpus Christi ISD
Ozuna, Barbara	Hardy	Teacher	Paschal H.S., Fort Worth ISD
Terry, Annette	McLeroy	Teacher/Team Leader	Allen H.S., Allen ISD
Torres, Veronica	Nunez	Teacher	Ysleta H.S., Ysleta ISD

<u>U.S. History</u>	<u>SBOE Member</u>	<u>Position</u>	<u>District/Organization</u>
Berger, Dennis	Craig	Teacher	Meadow School, Meadow ISD
Burton, Britine	Knight	Teacher	South Grand Prairie H.S., Grand Prairie ISD
Choate, Bronwen	Lowe	Teacher	Graham H.S., Graham ISD
Howard, Michael	Miller	Teacher	Midway H.S., Midway ISD
Muñoz, Laura	Berlanga	Assistant Professor	Texas A&M - Corpus Christi
Noboa, Julio	Nunez	Assistant Professor	University of Texas at El Paso
Pennington, Deborah	Cargill	Social Studies Coordinator	Conroe ISD
Telford, Margaret	Hardy	Teacher/Department Chair	Grapevine H.S., Grapevine-Colleyville ISD
Ames, Bill			Dallas Texas

<u>U.S. Government</u>	<u>SBOE Member</u>	<u>Position</u>	<u>District/Organization</u>
Goheen, Debra	Miller	Teacher	North Garland H.S., Garland ISD
Hobratsch, Ben	Knight	Teacher	The Academy of Irving, Irving ISD
Kasper, Dodie	McLeroy	Instructional Coach	Liberty H.S., Frisco ISD
MacFarlane, Robert	Cargill	Teacher	Woodlands College Park H.S., Conroe ISD
Morrison, Peter	Bradley	Self-Employed	Lumberton ISD MOVED TO 5 th
O' Rear, Mary Jo	Berlanga	Retired Teacher	Corpus Christi ISD
Swinnea, Matthew	Craig	Teacher/Department Chair	Seminole H.S., Seminole ISD
Uhlich, Kathy	Hardy/Lowe	Secondary Instruction	Lewisville ISD

SBOE TEKS Review Committees
Social Studies
9-12

<u>Economics</u>	<u>SBOE Member</u>	<u>Position</u>	<u>District/Organization</u>
Adamson, Sally	Knight	Teacher/Department Chair	Duncanville H.S., Duncanville ISD
de Waal, Diane	Miller	Teacher/Department Chair	Coppell M.S. West, Coppell ISD
Garza, Holly	Nunez	Instructional Specialist	Ysleta ISD
Haley, Judy	Cargill	Teacher	Pine Tree H.S., Pine Tree ISD
			Plano West H.S., Plano ISD;
			sally.meek@pisd.edu ; 5601 West Parker Road;
			Plano, TX 75093
Meek, Sally	Hardy/McLeroy	Teacher	Dumas H.S., Dumas ISD
Tyler, Karen	Craig	Teacher/Department Chair	Texas A&M University
Wolken, Larry	McLeroy	Professor	
<u>Psychology</u>	<u>SBOE Member</u>	<u>Position</u>	<u>District/Organization</u>
Belford, Lietzle	Nunez	Teacher/Department Chair	Coronado H.S., El Paso ISD; 100 CHAMPIONS PLACE; EL PASO, TX 79912
Denton, Courtney	McLeroy	Teacher	Plano H.S., Plano ISD
Hataway, Dennis	Lowe	Teacher	La Vega ISD
Millis, Amy	Craig	Social Studies Coordinator	Wylie ISD
Villarreal, Robin	Miller/Knight	Teacher	South Grand Prairie H.S., Grand Prairie ISD
<u>Sociology</u>	<u>SBOE Member</u>	<u>Position</u>	<u>District/Organization</u>
Chapman, Sally	Hardy	Teacher/Department Chair	Grandview H.S., Grandview ISD US History, Concurrent US History - Junior Class Sponsor: schapman@gvisd.org
Flores, Maryvel	Nunez	Teacher/Department Chair	Del Rio M.S., San Felipe-Del Rio ISD
Garcia, Conrado	Berlanga	Principal	Moody H.S., Corpus Christi ISD
Robinson, Reginold	Knight	Instructional Coach	Dallas ISD
<u>Sp. Topics/Research</u>	<u>SBOE Member</u>	<u>Position</u>	<u>District/Organization</u>
Greenberg, Terry	Knight	Parent	Richardson ISD
Guszak, Mark	Lowe	Teacher	Lampasas H.S., Lampasas ISD
Lozano, Oscar	Nunez	Teacher	Bowie H.S., El Paso ISD
			Weatherford ISD Weatherford HS; 2121 Bethel Road; Weatherford, TX 76087
Shoemaker, Rebecca	Hardy	Teacher/Department Chair	Stephen F. Austin State University
Williams, Rhonda	Cargill	Education Coordinator	



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

April 22, 2009

Testimony of Kathy Miller, President, Texas Freedom Network
Senate Committee on Nominations

Good afternoon.

Under the leadership of Dr. McLeroy, State Board decisions have been plagued by controversy. He has led the Board in ignoring the expressed intent of the legislature and disregarding the input given by classroom teachers and experts from our colleges and universities.

In 2007 Dr. McLeroy led the board in rejecting a third-grade math textbook (*Everyday Mathematics*, Wright Group/McGraw Hill) that met all of the requirements set out by statute. Contrary to state law and subsequent opinions from two state attorneys general (AG Opinions included in your packets), which clearly limit the Board's authority in rejecting textbooks, Dr. McLeroy and the board majority simply refused to provide any reason for rejecting the book.

Several Board members argued that the decision to reject the textbook violated statute. Chairman McLeroy didn't heed their warnings and even denied their requests to have their objections placed into the Board meeting minutes.

Last year, members of the House Public Education Committee, including the Chairman, sent a strongly worded letter to the board regarding content standards for the newly created courses about the Bible. The letter stated:

We urge the State Board of Education to reject the vague TEKS that have been proposed for the elective courses on the Hebrew Scriptures and New Testament... and to develop the rigorous curriculum that this important area of study merits. We ... speak authoritatively regarding the intent of the legislation as amended. The Committee fully intended for the Board to adopt detailed, content-specific curricula for courses taught under the authority of this bill. The proposed rule unequivocally does not meet the intent of the legislation as passed...

Nevertheless, Dr. McLeroy led the Board in defying the Legislature by adopting the vague guidelines that those legislators urged the Board to reject. (Full letter included in your packets.)

Both curriculum adoptions overseen by Dr. McLeroy have demonstrated his willingness to disregard input from educators and experts.



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

The English/Language Arts/Reading (ELAR) TEKS adoption was simply a mess. Dr McLeroy and a few other Board members -- no one knows exactly who -- threw out nearly three years of work from educators and experts and rewrote the curriculum standards the night before the final vote. Some board members found the rewritten TEKS slid under their hotel room doors when they awoke the morning of the vote. Chairman McLeroy was undisturbed that this made Texas education policy-making look ridiculous and opposed requests by Board members for more time to look over these revisions before voting!

In the science curriculum adoption, experts from the University of Texas, Southern Methodist University and Texas Tech repeatedly offered to provide comments to the full board on proposed amendments to the curriculum to ensure they were scientifically accurate. They were repeatedly denied that opportunity by Dr. McLeroy.

Every meeting of the SBOE since Dr. McLeroy became acting Chair has disintegrated into controversy and hurt the reputation of our state regarding the manner in which education policy is made. The legislature has noted this dysfunction and has filed at least 15 bills to rein in the authority of the Board as a result of the chaos that has ensued under Dr. McLeroy's tenure as Chair.

Texas students deserve a Board chair who presides over a fair and consistent policy making process that respects classroom teachers and subject matter experts, and gives Texas public schools the best curricula and textbooks in the country. That isn't happening under the leadership of Dr. McLeroy and I urge you to reject his nomination.

Thank you.