

SUBJECT: State Board of Education oversight of CSCOPE

COMMITTEE: Public Education — favorable, without amendment

VOTE: 7 ayes — Aycock, J. Davis, Deshotel, Farney, Huberty, K. King, Ratliff
4 nays — Allen, Dutton, J. Rodriguez, Villarreal

SENATE VOTE: On final passage, April 15 — 29-1 (Zaffirini)

WITNESSES: *(Public hearing, April 30:)*
For — Dorothy Dundas; Neal Frey; Barry Haenisch, Texas Association of Community Schools; Bob Hall; Stanley Hartzler; Ann Hettinger, Concerned Women for America; Jonathan Saenz, Texas Values; Peggy Venable, Americans for Prosperity-Texas; *(Registered, but did not testify: Gary Bennett and Lukas Moffett, Center for the Preservation of American Ideals; MerryLynn Gerstenschlager, Texas Eagle Forum; Dustin Matocha, Texans for Fiscal Responsibility; Kia Mutranowski, Michelle Smith, and Cecilia Wood, Concerned Women for America; Sharon Russell, ICaucus; and 33 individuals)*

Against — Katherine Miller, Texas Freedom Network; Randy Willis, Granger ISD; *(Registered, but did not testify: David D. Anderson, Texas School Alliance; Yannis Banks, Texas NAACP; Harley Eckhart, Texas Elementary Principals and Supervisors Association; Kay Forth, American Civil Liberties Union)*

On — Monty Exter, The Association of Texas Professional Educators; *(Registered, but did not testify: David Anderson, Texas Education Agency; Jerry Maze, ESC 12/CSCOPE; Mike Motheral, Sundown ISD; Terry Smith, Education Service Centers)*

BACKGROUND: CSCOPE is an online curriculum management system developed and owned by the Texas Education Service Center Curriculum Collaborative, a consortium of the 20 Education Service Centers (ESC) in the state organized as a 501(c) (3). The CSCOPE system includes a curriculum framework for grades K-12 in all foundational academic subject areas aligned to the Texas Essential Knowledge and Skills (TEKS), the state's

public education curriculum.

Initial CSCOPE development began during the 2005-06 school year, with the 2006-07 school year designated as the first year of implementation. In 2006-07, there were 182 active CSCOPE districts in Texas. As of September 25, 2012, there are 875 active CSCOPE districts. This equates to about 70 percent of districts in Texas and about 35 percent of students.

Education Code, sec. 31.022, requires the State Board of Education (SBOE) to adopt a review-and-adoption cycle for instructional materials for each subject in the required curriculum for elementary grade levels, including prekindergarten, and secondary grade levels.

DIGEST: SB 1406 would require instructional materials developed by a regional ESC, acting alone or in collaboration with other ESCs, to be subject to the review-and-adoption process for instructional materials outlined in Education Code, sec. 31.022.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2013.

SUPPORTERS SAY: SB 1406 would bring much-needed SBOE review of CSCOPE, an online system of lesson plans that was developed by the regional ESCs with no oversight, transparency, or accountability. The bill would not remove CSCOPE from districts that are using it but simply would bring the lesson plans under the same vetting process that the elected SBOE uses for textbooks and instructional materials.

CSCOPE content was developed without parental input. In fact, parents have had to fight to learn the content of CSCOPE because teachers had been required to sign a contract not to disclose the content. This conflicts with Education Code, sec. 26.006, which assures parents the right to review teaching materials, instructional materials, and other teaching aids.

If local districts need online lesson plans, they could use the services of the Texas Virtual School Network or other online curriculum approved by the Texas Education Agency, rather than CSCOPE.

CSCOPE has supplied lesson plans that are flawed, incorrect, and raise concerns about promoting socialist, anti-American, and anti-Christian

values. Some teachers say it limits their flexibility and creativity. CSCOPE is supposed to be customizable by local districts, but some teachers say they are required to use it verbatim.

Another concern is that the ESC collaborative used public funds to develop a product, then turned around and sold it to Texas schools. This means Texans' tax dollars are being spent twice for CSCOPE.

Although CSCOPE officials recently have made a good faith effort to make their work more transparent, the requirement for SBOE review needs to be codified. CSCOPE officials have revised a user agreement to reassure teachers that they may share instructional materials with parents and in late March began a joint review of the social studies materials with the SBOE. However, this bill would ensure the transparency and public hearings provided by the SBOE's review process. In the past, the SBOE process has prevented textbook publishers from removing lessons about religious holidays such as Christmas and Rosh Hashanah and about famous Americans such as Neil Armstrong and General Patton.

CSCOPE should remove itself from supplying lesson plans to school districts and return to its original mission of supplying a management tool for teachers to keep on pace to teach the TEKS as required.

**OPPONENTS
SAY:**

SB 1406 could remove an important tool that helps school districts meet the expectations of ever-changing TEKS, of a more rigorous state testing and accountability system, and of efforts to improve student performance, all while faced with shrinking financial resources.

CSCOPE was developed by teachers and retired teachers to meet the needs of many school districts that cannot afford their own curriculum development staff. One superintendent testified that it would cost his small school district more than \$950,000 to develop lesson plans to cover 1,342 TEKS standards for grades 3-11.

The bill would be a gross infringement on local authority. Parents have every right to raise issues about the way lessons are being taught, but those matters should be brought before local school boards and district officials. The bill would establish two classes of school districts, allowing those that can afford to develop their own lesson plans to be free from SBOE review.

An advantage of CSCOPE is that it can be updated every year in response

to feedback from districts. That adaptability would be difficult to achieve under the cumbersome and lengthy SBOE textbook review process. Provisions in Education Code, sec. 31.022 state that the SBOE is not required to review and adopt instructional materials for all grade levels in a single year; they require the SBOE to organize a cycle for reviewing not more than one-quarter of the instructional materials for subjects in the foundation curriculum each biennium.

It is inappropriate to review CSCAPE to see whether it supports or conflicts with specific political ideologies or religious beliefs. Students should receive the tools to evaluate the vast array of information and viewpoints they will encounter in life. Some supporters of SB 1406 have criticized CSCAPE as pro-Islam, but state education standards require students to study the central ideas of the world's major religions. And the SBOE has come under scrutiny in the past for its partisan debates over textbook language on topics such as evolution, environmental regulation, social studies, and sex education.

The SBOE has appointed a committee to review the curriculum, beginning with social studies content. That process should be allowed to work before it is codified.

OTHER
OPPONENTS
SAY:

SB 1406 would fail to address the fundamental problem of the TEKS. They are far too voluminous and require the sort of framework provided by CSCAPE. For a typical core subject in high school, more than 60 standards must be taught in fewer than 148 days.

The SBOE should be reviewing the TEKS and reducing the massive amount of material that students are expected to learn.