

# BETTER V I A TEXTBOOKS THE FIRST AMENDMENT

## – the right –

To upgrade textbook **CONTENT**, first stop textbook approval **PROCESSES** from *restricting public access to submitted samples*. Process-reform dwarfs all else, for only free access to such items allows real mastery of their content. The First Amendment protects the right to petition. Its effective exercise on new textbooks demands reasonable time – ideally about 180 days – for full examination far enough ahead of faculty textbook selection committee votes to prepare knowledgeable comments concerning them. To petitioners with normal workdays that means after-hours home-study in evenings and/or on weekends.

## – the wrong –

Approval processes must be **DEMOCRATIC** and **OPEN**, very unlike the contrived scarcity of opportunity to analyze new textbooks that parents often face when school administrators exhibit them in campus offices only. This compels absence from one's job to view samples made *artificially and arbitrarily remote* by bureaucratic hoarding. It unduly burdens strict scrutiny by interested persons prior to closure, unjustifiably complicates deep taxpayer study before purchase, subtly muzzles popular involvement. That de facto abridgment of the right to petition constitutes an **UNDEMOCRATIC** and **CLOSED** approval process.

## – the cure –

Educrats must disgorge this their *functional veto throttling informed citizen testimony* on textbook approvals. In our transparent age it is unconscionable that anyone anywhere enjoy any less than Texans their vested constitutional right to thoroughly vet submissions and thus meaningfully petition. **TEXAS' RULES** (see below) model enlightened policy here. Publishers who balk at posting **TEACHER'S EDITIONS** online for all to see during approval processes elsewhere, already so display some of them for Texas under these mandates now. Other states and/or individual school districts deserve equal disclosure.

## – the regs –

"(c) Two sample copies of the student and teacher components of each instructional materials submission shall be filed with each of the 20 regional education service centers (ESCs) .... *These samples shall be available for public review. Publishers of Internet-based instructional content submitted for review shall provide the ESCs with appropriate information, such as locator and login information and passwords, required to ensure public access to their programs throughout the review period.*"

19 Texas Administrative Code, Chapter 66, Subchapter B, §66.54(c) [italics added]

"(b) Public access to samples.

(1) One sample of all instructional materials under consideration for adoption shall be retained in each ESC for review by interested persons .... *Any additional samples shall be made available to be checked out according to rules established by each ESC based on demand. Appropriate information, such as locator and login information and passwords, shall be made available by the ESCs to ensure public access to Internet-based instructional content throughout the review period.*

(2) *Regional ESCs shall ensure reasonable public access to sample instructional materials, including access outside of normal working hours that shall be scheduled by appointment.*"

19 Texas Administrative Code, Chapter 66, Subchapter B, §66.57(b)(1)&(2) [italics added]