



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

Written Testimony of Kathy Miller,  
President of the Texas Freedom Network  
Senate Education Committee  
August 24, 2012

I'm Kathy Miller, president of the Texas Freedom Network. I represent more than 55,000 mainstream Texans who believe in our mission to support religious freedom, individual liberties and strong public schools. Those members care deeply about public education and the hundreds of neighborhood schools that exist in communities all around this state. And we believe that if you support public schools in Texas, you simply cannot support vouchers.

Frankly, it's shocking and embarrassing that as students and teachers all over this state are preparing to head back to school, this committee convened a hearing NOT to discuss ways to improve education for the almost 5 million students in Texas public schools – but rather to brainstorm ways to drain critical resources away from those students and schools. After enacting such deep and painful cuts to public education during the last legislative session, the focus of state education leaders should be on finding ways to uphold its promise of providing a quality public education for all Texas children.

But beyond the financial betrayal of public schools represented by a voucher program, the list of reasons why vouchers are a terrible idea for Texas is well-known:

**Private schools are unaccountable to taxpayers.** Vouchers channel tax dollars into private schools that do not face state-approved academic standards, standards on teacher certification, curriculum, free-and reduced meals, transportation or special education programs, to just name a few vital areas.

For a timely example, earlier this month the Louisiana State Superintendent of Education announced that “accountability” rules adopted for the state’s new voucher program will only result in “roughly one fourth of participating schools [coming] under the consequences of the test scores.”<sup>1</sup>

**Vouchers do not improve student achievement for all students.** A 2011 review of a decade's worth of research into vouchers and school choice by the Center on Education Policy found "no clear positive impact" on student academic achievement. The bottom line:

"Since 2000, more evidence has accumulated about the impact of vouchers on student test scores, particularly from longer-term studies of the publicly funded voucher programs in Milwaukee, Cleveland, and D.C...these studies have generally found no clear advantage in academic achievement for students attending private schools with vouchers."<sup>ii</sup>

**Spending public tax dollars for religious schools violates the state and federal constitutional separation of church and state.** Attached here is a preliminary report on the Louisiana voucher experiment. That report demonstrates conclusively that state dollars are being used to fund schools in Louisiana that promote one religion over others and, moreover, maintain policies that discriminate in admissions on the basis of religion or other factors.

Here is the bottom line. This state faces real and growing education issues — rapid enrollment growth while education budgets are slashed, a testing system that has lost the confidence of parents and many educators, and difficult questions about Texas students' college readiness. Yet in this hearing room, those critical issues must once again take a back seat to a political experiment that has failed to deliver on any of its promises. The promise this committee should make to the students of Texas is that until we address these real problems facing our state, no time will be wasted on vouchers or other politically motivated education experiments.

---

<sup>i</sup> "White: Some voucher schools will have to meet state standards." *The Advocate*. August 3, 2012. <http://theadvocate.com/news/3422272-123/white-some-voucher-schools-will>.

<sup>ii</sup> "Keeping Informed about School Vouchers: A Review of Major Developments and Research." Center on Education Policy. July, 2011. [http://www.cep-dc.org/cfcontent\\_file.cfm?Attachment=Usher%5FVoucher%5F072711%2Epdf](http://www.cep-dc.org/cfcontent_file.cfm?Attachment=Usher%5FVoucher%5F072711%2Epdf).

**Problems of Course Content and Discriminatory Policies  
at Religious Schools Receiving State Funds through  
the Louisiana K-12 Scholarship Program**

**By  
Jim Dugan  
Version 2  
22 Aug 2012**

Permission is granted to duplicate and distribute this document without restrictions. This document contains brief excerpts from sources that have their own copyright restrictions.

# Problems of Course Content and Discriminatory Policies

---

## 1. Problem Definition

One outcome of the Louisiana K-12 Scholarship Program, referred to here as the “voucher program,” is the payment of public funds to some non-public schools, including schools with religious affiliations. Some (not all) of the religious schools participating in the voucher program maintain practices and policies that violate the kinds of requirements that are usually attached to public education funds. In particular, some religious schools 1) use textbooks that inject religious dogma into core subjects, 2) use textbooks that fail to meet state content standards, and 3) maintain policies that discriminate in admissions on the basis of religion or other factors.

When most parents or taxpayers think about a private, religious school, they imagine a school that uses standard, secular materials when teaching core subjects such as math, science, or social studies. They imagine that religious instruction is limited to specifically religious courses that are added over and above the core curriculum. In addition, religious schools are often believed to admit students without regard to religious background or other factors that might be considered discriminatory.

There is no doubt that some religious schools conform to these expectations. Many others, however, do not. Some religious schools teach core subjects using textbooks designed to support a particular religious perspective, and thereby bring religion into the entire curriculum, not just into specifically religious courses. Some use textbooks that deliberately misrepresent or omit historical or scientific facts that a particular religious group finds objectionable, and so fail to meet state standards for educational content. Some religious schools have policies that deny admission to students whose religion, lack of religion, or sexual orientation is considered objectionable by the school. Significant examples of these problems have been identified at [www.repealcreationism.com](http://www.repealcreationism.com).

The distribution of public funds to private schools is controversial even when the private school operates in much the same manner as a public school. That controversy is not addressed here. Right, wrong, or indifferent, this document takes it as given that Louisiana’s voucher program will continue in some form. The focus here is on the inappropriateness of one aspect of the voucher program, that of distributing public funds to private, religious school that:

1. Teach religious doctrine throughout the curriculum, rather than just in specific courses on religion.
2. Weaken or omit core subject content normally covered in public schools.
3. Have admissions policies that discriminate in ways that public schools would not permit.

# Problems of Course Content and Discriminatory Policies

---

## 2. Overview of the Voucher Program

The Louisiana K-12 Scholarship Program<sup>1</sup> seeks to expand parental choice with regard to which schools their children attend. Students enrolled in poorly performing schools, and who meet income requirements, can apply through the voucher program to attend a better public school or an approved non-public school. If the student attends a non-public school, the state pays that school directly for standard tuition and fees, up to a pre-determined amount.

Some of the general rules that apply are:

- The student must have been enrolled in a public school with a state performance rating of C, D, or F (unless entering kindergarten).
- The student's family income may not exceed 250% of the federal poverty guidelines (for example, the eligibility cutoff is \$57,625 per year for a household of four)<sup>2</sup>.
- If the student wishes to attend a public school, the school must have an A or B rating from the Department of Education.
- If the student wishes to attend a non-public school, the school must be approved by the Department of Education.
- "As prescribed by state law, only nonpublic schools that meet and maintain a sustained curriculum or specialized course of study of quality that is at least equal to that prescribed for similar public schools are eligible for state approval, and thus for state funding"<sup>3</sup>.
- The state will pay a non-public school only for tuition and allowable fees<sup>4</sup>.
- Payment is made by the state directly to the school the student is attending.
- The maximum amount the state will pay to a non-public school for a single student is the MFP Allocation, a dollar amount that varies from school system to school system, mostly along parish lines. For Orleans parish schools, for example, the MFP Allocation is \$8,520<sup>5</sup>.
- "Students who graduate from a state-approved nonpublic school may receive a school diploma, which signifies they have met the state's minimum graduation requirements, and shall carry the same privileges as one issued by a public school"<sup>6</sup>.

---

<sup>1</sup> The voucher program is described in detail on the website of the Louisiana Department of Education, especially at <http://www.lak12sp.com> and [http://www.louisianaschools.net/topics/scholarships\\_for\\_excellence.html](http://www.louisianaschools.net/topics/scholarships_for_excellence.html)

<sup>2</sup> [http://www.louisianaschools.net/topics/scholarships\\_income\\_verification.html](http://www.louisianaschools.net/topics/scholarships_income_verification.html)

<sup>3</sup> [www.doe.state.la.us/curriculum/nonpublic\\_schools.html](http://www.doe.state.la.us/curriculum/nonpublic_schools.html)

<sup>4</sup> [http://www.louisianaschools.net/topics/scholarship\\_fags.html](http://www.louisianaschools.net/topics/scholarship_fags.html)

<sup>5</sup> <http://www.louisianaschools.net/lde/uploads/19614.xlsx>

<sup>6</sup> [http://www.louisianaschools.net/curriculum/nonpublic\\_schools.html](http://www.louisianaschools.net/curriculum/nonpublic_schools.html)

## Problems of Course Content and Discriminatory Policies

---

### 3. Religious Content in Core Curricula

Some non-public schools use textbooks that are specifically designed for use in Christian schools. These textbooks are designed to work Protestant Christian doctrine into all parts of a school's curriculum. Some of the more popular<sup>7</sup> publishers of such materials include:

A Beka Book

"...reflect the very best in traditional education, comprehensive curriculum, and eternal truths."

<http://www.abeka.com>

Accelerated Christian Education (ACE)

"Reaching the World for Christ . . . One Child at a Time<sup>SM</sup>."

<http://www.aceministries.com>

Bob Jones University Press

"...materials seamlessly integrate biblical truth with academic excellence."

<http://bjupress.com>

A brief inspection of textbooks from these publishers indicates the pervasiveness of explicit religious sentiment throughout the curriculum. For example, a sixth grade science book from Bob Jones University Press includes a chapter titled "Miracles" and warns young readers in the first chapter (p. 7):

"Science, however, cannot give mankind all of the answers. It is not Absolute Truth. Only God's Word is absolutely true. The study of science must be done in the light of God's Word"<sup>8</sup>.

The Teacher Guide for A Beka Book's Biology textbook clarifies in the introduction (p. vi) that:

"...students will learn that science clearly supports the belief that the universe has a divine creator".

And:

"...the text closes with a look at the complexity of the cell, the basis of all life, emphasizing the hand of the Creator in its design"<sup>9</sup>.

---

<sup>7</sup> See Rachel Tabachnick's "Vouchers/Tax Credits Funding Creationism, Revisionist History, Hostility Toward Other Religions," at <http://www.talk2action.org/story/2011/5/25/84149/9275>.

<sup>8</sup> J. Henson, G. Mulfinger, & Emmett Williams (1977). *Science for Christian Schools: Grade 6*. Greenville, SC: Bob Jones University Press.

<sup>9</sup> *Biology: God's Living Creation: Teacher Guide*. Pensacola, FL: A Beka Book (1998).

## Problems of Course Content and Discriminatory Policies

---

The subordination of the entire field of science to religious dogma is, perhaps, best exemplified in one of Bob Jones University's textbooks for the Life Sciences (p. 22):

"Since the Bible is always accurate, we can use it to judge scientific observations and any conclusions based on observations. Any observation will fit into one of three categories. It will

- contradict the Bible and be wrong,
- agree with the Bible and be accurate, or
- not be discussed in the Bible and may or may not be accurate"<sup>10</sup>.

The inclusion of religious perspectives in subjects other than science has been documented by Rachel Tabachnick<sup>11</sup> and Deanna Pan<sup>12</sup>. One example would be *The American Republic for Christian Schools*<sup>13</sup>, a history textbook that contains a number of culturally, politically, and religiously insensitive statements, including the following:

"Luther's actions turned men's attention back to the Bible as the source of authority and exposed the accepted, but false, teachings of Rome" (p. 8).

"A second un-Biblical philosophy that originated during this time was Unitarianism" (p. 62).

"One of the Indians' greatest needs in both centuries has been their need for the gospel" (p. 422).

"Because many Americans of the 1920s wanted fortune and pleasure without moral restrictions, they attacked the authority of Scripture. They did not want to be accountable to God and the standards set forth in His Word. Instead they followed the ideas of men that gave them excuses for rejecting the truth of the Bible. The theory of evolution, popularized by Darwin, told men that God had not created them. They reasoned that if God was not their Creator, then they did not need His salvation" (p. 495).

"Even so, the women's rights movement has not died out. It continues to press for the acceptance of its more radical ideas" (p. 609).

---

<sup>10</sup> W. Pinkston and D. R. Anderson (1997). *Life Science for Christian Schools, 2<sup>nd</sup> Ed.* Greenville, SC: Bob Jones University Press.

<sup>11</sup> "Vouchers/Tax Credits Funding Creationism, Revisionist History, Hostility Toward Other Religions," at <http://www.talk2action.org/story/2011/5/25/84149/9275>.

<sup>12</sup> "14 Wacky 'Facts' Kids Will Learn in Louisiana's Voucher Schools," at <http://www.motherjones.com/blue-marble/2012/07/photos-evangelical-curricula-louisiana-tax-dollars>.

<sup>13</sup> *The American Republic For Christian Schools*, by R. C. Larson and P. B. Creason. Bob Jones University Press (1989)



## Problems of Course Content and Discriminatory Policies

---

“Along with such good causes appear despicable movements such as that for ‘gay rights’ for homosexuals. These immoral Americans not only try to excuse their sin as simply another choice of lifestyle but also try to demand special recognition and privilege. Such a situation serves to illustrate man’s sinful condition and his great need for the Saviour” (p. 609).

It should be emphasized that just using secular materials does not guarantee that students get the full benefit of those materials. Some schools choose to omit portions of secular texts on religious grounds. For example, this policy statement comes from Claiborne Christian School’s student handbook:

“CCS has chosen to use a secular-based reading textbook in grades 2 - 5 because of the quality of the academic content. Any stories that go against a Biblical view of life in this series of books are skipped and are not read aloud in the class. Teachers may discuss the reasons we have chosen to skip these particular stories with their students. Regardless of the publisher, the goal of each subject area is to establish a foundation that is centered upon the Truth of God’s Word”<sup>14</sup>.

---

<sup>14</sup> [http://www.claibornechristian.org/files/student\\_handbook.pdf](http://www.claibornechristian.org/files/student_handbook.pdf), retrieved 15 August 2012.

## Problems of Course Content and Discriminatory Policies

---

### 4. Weakening the Science Curriculum

It is no surprise that Young-Earth Creationism works its way into science textbooks published by fundamentalist Christian organizations. It is important to understand, however, that some of these textbooks are not “teaching the controversy,” nor presenting both sides of the debate. They are, in fact, teaching creationism *instead of* the scientific theory of Evolution. They accomplish this by selectively omitting key facts and by presenting a straw-man version of Evolution, a falsified and deliberately weakened version of the theory that is easier for Creationists to undermine.

Details vary from book to book, but typical misrepresentations of Evolution include the following:

Straw-Man Version Of Evolution	Scientific Theory Of Evolution
Evolution is a “molecules-to-man” or “particles-to-people” theory that covers the appearance of matter, the development of solar systems and galaxies, on up to the appearance of human-kind.	Evolution is a process by which populations of living things change over time as a result of genetic change and differences in reproductive success.
Evolution requires that life always becomes “better” or at least more complex.	There is no “better” or “worse,” only what is more reproductively successful in a given place and time. Evolution can result in life-forms that become more complex over time or less complex over time.
Evolution teaches that the earth is billions of years old.	The idea that the earth is billions of years old is INPUT to the theory of Evolution, not OUTPUT from it. The evidence that the earth is billions of years old comes from astronomy, geology, and nuclear physics, regardless of whether or not Evolution is true.
Evolution predicts that a special category of “transitional forms” should be found in the fossil record, and this cannot be found.	Every life-form, living or fossilized, is transitional between its ancestral forms and descendant forms (if any). Transitional forms appear throughout the fossil record.
Evolution predicts that we should be able to observe “nascent” or “partially evolved” organs or forms, but we can’t.	Evolution never posits that evolutionary change works forward to any future goal. There are no nascent or partially evolved organs or forms
We can see micro-evolution, but not macro-evolution, and these are two different processes.	Micro-evolution <u>is</u> evolution. Macro-evolution is just the same process seen over a longer period of time. There is one process, not two.

## Problems of Course Content and Discriminatory Policies

---

The theory of Evolution is central to the comprehension of the entire field of Biology<sup>15</sup>. Replacing it with a straw-man version jeopardizes students' preparation for college-level study in that field. Note that Evolution is part of the state-recommended high-school curriculum. The Louisiana Department of Education's Grade-Level Expectations for Biology recommend that students be able to:

"Analyze evidence on biological evolution, utilizing descriptions of existing investigations, computer models, and fossil records."

And:

"Explain how DNA evidence and fossil records support Darwin's theory of evolution"<sup>16</sup>.

Students educated using Creationist textbooks are unable to meet these standards.

Some quotes from selected textbooks illustrate the full depth of the deception regarding the theory of Evolution:

"Some scientists interpret data to support their view that the physical universe somehow structured itself out of self-existing matter and that its parts continue to organize themselves into more complex structures as time progresses. This outlook is called **evolution**"<sup>17</sup>.

"An evolutionary view of the physical universe assumes that modern-day observers would see continued evolving, or improving, of our world. However, rather than improvement and increased organization, we observe decay, degeneration, and general disordering processes in nature. Well-established scientific principles indicate that nature is running down, not building itself into more ordered and complex forms"<sup>18</sup>.

"Satan wants people to believe in evolution. This is probably the main reason that evolution is so popular. Satan is a deceiver (John 8:44), and he wants people to believe that God's Word is not true. He keeps the belief in evolution popular so he can use it to lead people away from God"<sup>19</sup>.

---

<sup>15</sup> T. Dobzhansky (1973). Nothing in Biology Makes Sense Except in the Light of Evolution, in *The American Biology Teacher*, March 1973 (35:125-129). Available at: [http://www.pbs.org/wgbh/evolution/library/10/2/l\\_102\\_01.html](http://www.pbs.org/wgbh/evolution/library/10/2/l_102_01.html).

<sup>16</sup> <http://www.louisianaschools.net/ide/uploads/3924.pdf>.

<sup>17</sup> D. Hadaway *et al.* (2000). *The Physical World: An Introduction to Physical Science for Christian Schools*. Greenville, SC: Bob Jones University Press, p. 9.

<sup>18</sup> D. Hadaway *et al.*, p 10.

<sup>19</sup> W. Pinkston and D. R. Anderson (1997). *Life Science for Christian Schools., 2<sup>nd</sup> Ed.* Greenville, SC: Bob Jones University Press, p. 161.

## Problems of Course Content and Discriminatory Policies

---

“The theory of biological evolution is not true because it contradicts the Bible. The Bible tells us that God created the plants, animals, and man by direct acts (Gen. 1-2; John 1:1-3; I Cor. 8:6; Col. 1:16-17). He did not create by using or allowing evolution. To say that God did not create by direct acts is to say that Scripture is not true and that God is a liar. Christians must be careful to make sure that their beliefs agree with the Bible”<sup>20</sup>.

More scientifically minded observers think of Evolution as belonging in a textbook in Biology, and may be surprised to find active denigration of the theory in textbooks on Earth Science, Geology, Physics or Astronomy. It is the expanded, straw-man version of Evolution that overlaps these other fields of science, not the scientific theory of Evolution. In many ways, Evolution stands as a symbol for the entire scientific worldview, from the Creationist perspective.

Another very noticeable casualty of the straw-man version of Evolution is the Geological Column<sup>21</sup>. A standard part of any secular textbook in Geology or Earth Science, the Geological Column summarizes earth’s developmental history, giving us widely-recognized terms such as *Jurassic*, *Cretaceous*, and *Pre-Cambrian*. It describes earth’s history in terms of billions of years, and so is omitted or falsified by publishers who support Young Earth Creationism, which claims the earth’s age can be measured in thousands of years rather than millions or billions.

---

<sup>20</sup> W. Pinkston and D. R. Anderson (1997). *Life Science for Christian Schools*, 2<sup>nd</sup> Ed. Greenville, SC: Bob Jones University Press, p. 146.

<sup>21</sup> See: [http://en.wikipedia.org/wiki/Geologic\\_time\\_scale](http://en.wikipedia.org/wiki/Geologic_time_scale)

## Problems of Course Content and Discriminatory Policies

---

### 5. Discriminatory Admissions Policies

Some of the religious schools currently approved for participation in the voucher program maintain discriminatory admissions policies that would not be acceptable in the public sector. Some schools will expel or refuse to admit a student who is not of a religious faith acceptable to the school, is gay or lesbian, or is pregnant. The following excerpts come from the policies of some of the approved schools, as documented on their own websites:

“Students that profess a sexual orientation contrary to God’s Word will not be accepted and may be un-enrolled from NBS upon discovery”<sup>22</sup>.

“I understand that my family must faithfully attend a local Bible believing church. I understand that from time to time, LCA will contact a family’s church pastor to verify their membership and attendance”<sup>23</sup>.

“NCS reserves the right to refuse admission or hire on the basis of religious belief and/or lifestyle choices contrary to the school Mission Statement or Biblical standards. Families, for example, who deny the deity of Christ will be denied admission as the NCS Mission Statement asserts that the mission of the school is "to assist the Christian community" and Article #3 of the school Doctrinal Statement affirms the deity of Christ. In the same way, families or students who choose to pursue or promote a homosexual lifestyle will be refused admission or hire because of the Biblical standards set forth in Lev. 18:20; Lev. 20:13; 1 Kings 14:24; Romans 1:24, 26-27; and 1 Cor. 6:9”<sup>24</sup>.

“As soon as such pregnancy is confirmed, the student shall be expelled from the school. If a male student has impregnated, he will be subject to the same discipline as a female”<sup>25</sup>.

---

<sup>22</sup> Student Handbook, Northeast Baptist School, West Monroe.

[http://mynbs.org/images/stories/admissions/Policies\\_Procedures/Handbook-General.pdf](http://mynbs.org/images/stories/admissions/Policies_Procedures/Handbook-General.pdf). Retrieved 15 August 2012.

<sup>23</sup> Admission application, Lafayette Christian Academy.

<http://www.lafayettechristianacademy.com/page2.html>. Retrieved 15 August 2012.

<sup>24</sup> Student handbook, Northlake Christian School, Covington.

[http://www.northlakechristian.org/parents/forms/secondary/NCS\\_12-13\\_Handbook.pdf](http://www.northlakechristian.org/parents/forms/secondary/NCS_12-13_Handbook.pdf). Retrieved 15 August 2012.

<sup>25</sup> Student handbook, Claiborne Christian School, West Monroe.

[http://claibornechristian.org/files/student\\_handbook.pdf](http://claibornechristian.org/files/student_handbook.pdf). Retrieved 15 August 2012.

## Problems of Course Content and Discriminatory Policies

---

### 6. Recommendations

The summary presented in this document is the result of a partial analysis, based on information from news sources and those schools that make their practices and policies available online. The information needed to form a complete description of the problem and measurement of its scope is not presently available, leaving both the public and government officials in the dark. The recommendations below are designed to ensure that parents are fully informed as to the practices and policies of the schools they are sending their children to, that taxpayers understand exactly what they are underwriting, and that the Board of Elementary and Secondary Education (BESE) and the Louisiana Department of Education (LDOE) can measure and manage the problem.

#### Short Term Recommendations:

1. As part of the process of applying for approval to participate in the voucher program, each school should be required to file a standardized form identifying exactly which textbooks are used in which grades and subjects.
2. As part of the process for applying for approval to participate in the voucher program, each school should be required to file a standardized form stating whether their admissions and/or expulsion policies discriminate on the basis of religion or lack of religion, discriminate against gays or lesbians, or discriminate against pregnant students.
3. Schools should not be approved if they fail to file these forms, file incomplete forms, or file fraudulent forms.
4. The forms filed by approved school should be posted to the BESE/LDOE website so they are available for public inspection at all times.

#### Longer Term Recommendations:

Once more complete measurement of the problem has been accumulated, and textbooks actually in use have been reviewed, it will likely be necessary to develop policies that place some restrictions on which schools may or may not participate in the voucher program. Based on the information currently available, policies will need to prohibit schools from participating in the voucher program if:

- They use explicitly religious textbooks in core (non-religious) curricula.
- They weaken or omit significant portions of the LDOE Grade-Level Expectations, including the scientific theory of Evolution and the Geological Column.
- They maintain discriminatory policies that are inappropriate for institutions making use of public educational funds.

It must be emphasized that these policies would in no way restrict what a private school may teach, what textbooks they might use, or their admissions or expulsion policies. These policies place restrictions only on the expenditure of public funds.