

**Testimony of Scott Benson
President of W.S. Benson & Company, Inc.**

**Presented to the Senate Committee on Education
October 18, 2006**

Regarding Committee's Interim Charge # 3

Chairman Shapiro and committee members, I am Scott Benson, President of W. S. Benson & Company, Inc. of Austin, Texas. Thank you for inviting me to visit with you today. Before I continue, I would also like to thank all of you for your dedication and perseverance in obtaining the funding for Proclamation 2002. As I will discuss in a moment, that was an awfully stressful time for this small publisher. So thank you.

W.S. Benson & Co., Inc. is a local, family owned publishing house located here in Texas since 1917. I have personally published instructional materials for the Texas adoption process many times in the 29 years I have worked in this business. Further, I have at one time or another worked in all of the states that have state adoption processes, including 7 in the last 12 months of which four are Texas, California, Florida and North Carolina . As part my work I have been an independent representative, a president of a publishing company, an editor and have put together numerous joint ventures for educational products.

The issue of textbooks, specifically the process by which they are created and funded is obviously one in which I am uniquely experienced. While I understand that fairly regular reviews of government and business practices are necessary, I also know that the current textbook process in the State of Texas is one of if not the best in the nation. Tweaks can certainly be made to any system, and I would be proud to assist you if you see fit. However wholesale changes must be carefully thought out in order to avert potential unforeseen consequences.

THE CURRENT TEXAS ADOPTION SYSTEM IS CONSIDERED THE BEST IN THE UNITED STATES

1. All students are treated equally, because the State of Texas is constitutionally required to purchase textbooks or instructional materials for each student no matter their financial situation.
2. Students are guaranteed to receive instructional materials in all subject areas, no matter the financial situation of the student or school district.
3. Parents can rest assured their children have instructional materials that are free of factual errors, have been thoroughly reviewed, and have met curriculum standards set by the state. Conforming materials used in the Texas' classrooms are the backbone of our accountability system and ensure our students are being taught the information for which they will ultimately be tested through the TAKs tests.
4. With the passage of SB1 several years ago, small publishers can now assume that if their traditional or digital instructional materials meet the criteria of the TEKS, the materials will be placed on the list of adopted conforming and non-conforming materials. If materials do not meet the criteria then the publishers have the option of adding content or correcting factual errors to meet the criteria to be included on the conforming or non-conforming list. This means the small or large publisher has recourse to work within the

adoption process to make changes and meet the standards and not be subject to subjective evaluation.

5. Dedicated funding from the Permanent School Fund adds certainty to the system so publishers can make upfront capital investments years in advance to bring new and creative traditional and digital products to the Texas market.

Potential Changes

I have a few ideas by which we could make the current system more efficient, and possibly more cost effective while ensuring that our children are getting the most out of their public education.

1. Paying for and shipping instructional in a more timely fashion.
2. Allowing subject area categories with no conforming listings to be opened up for adoption every two years after the original adoption year has passed without submissions and reviewed by the SBOE.

Conclusion

In my various roles in the textbook industry, I have seen the best and worst adoption systems this nation has to offer. Texas, with its uniform adoption process and guaranteed state procurement is the best. Each of our students receive quality materials for every subject they are required to take.

Some other states simply allocate or allot funds to districts with no requirements that the funds be used to purchase proper materials. Other states utilize flex-funds, or discretionary funds as part of their dedicated appropriations. Many times, instead of purchasing appropriate learning materials, these funds are allocated far from the classroom, simply robbing the children of the tools they require to be adequately educated.

These stories while anecdotal, and in a sense extreme, are none the less potential consequences to changing the system by which the State of Texas adopts and procures instructional materials. As you progress with this interim charge, I would sincerely like to offer my help and experience in order to avoid such outcomes.

Again, thank you for the opportunity to work with you.

Scott Benson