

Warren Chisum
STATE REPRESENTATIVE

COMMITTEES:
Appropriations, Chair
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House of Representatives

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July 16, 2008

Chairman Don McLeroy
c/o Texas Education Agency
1701 N. Congress Ave.
Austin, Texas 78701-1494

Dear Chairman McLeroy,

I submit this letter to you today to ask you to vote for final adoption of the current TEKS initially approved by this board on March 27, 2008 for elective courses on the Hebrew Scriptures and the New Testament (HB 1287 of the 80th Legislature). I am aware that other members and opposition to this logical outcome have urged board members to develop new TEKS. I absolutely oppose such an effort as it is unnecessary.

I am the primary author of HB 1287 and it was the intent of this legislation that the Attorney General review the TEKS identified by this board for elective courses on the Bible. The new law does not require, and it was not the intent of the law that new TEKS must be developed. The law specifically says:

"Before adopting rules identifying the essential knowledge and skills of a course offered under this section, the State Board of Education shall submit the proposed essential knowledge and skills to the attorney general. The attorney general shall review the proposed essential knowledge and skills to ensure that the course complies with the First Amendment to the United States Constitution, and the board may not adopt rules identifying the essential knowledge and skills of a course offered under this section without the attorney general's approval under this subsection. Texas Education Code, Sec. 28.011(b)(2)(B).

This is the clear language of the bill, and the language of the bill controls. There is no language that states new TEKS must be developed. Per the new law, the Texas Attorney General has reviewed the TEKS for elective courses on the Bible and has now concluded in his July 9, 2008 letter that the current TEKS proposed by this board for such courses, TEKS which are currently being used by school districts in Texas, meet constitutional requirements.

Accordingly, I ask this board to complete their valuable work on this issue by voting for final adoption of the current TEKS in the proposed rule submitted to and now approved by the Attorney General.

Sincerely,



Representative Warren Chisum

cc:

The Honorable Rob Eissler
The Honorable Diane Patrick
The Honorable Scott Hochberg
David Bradley
Rick Agosto
Lawrence Allen, Jr.
Mary Helen Berlanga
Barbara Cargill
Bob Craig
Cynthia Dunbar
Patricia Hardy
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