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Academic Bill of Rights Introduced in Congress

Rep. Jack Kingston (R-GA) and Rep. Walter B. Jones (R-NC) introduced a bill in the U.S. House of Representatives on October 22 calling on colleges to end discrimination against hiring conservative faculty and to bring intellectual diversity to campus.

"These institutions constantly preach the value of diversity in their student body and faculty. This bill only seeks to promote the most important diversity of all – the diversity of ideas," Rep. Kingston said. "At almost every American university, conservative professors are drastically outnumbered. And the number of liberal guest speakers outnumbers the number of conservative guest speakers by a margin greater than 10-1."

The non-binding resolution is based on activist David Horowitz's proposal of the same name, but differs from it in that the bill in Congress has no penalties. The bill recommends that hiring, firing and promoting faculty be based on competence, not politics, and that students' grades be based on their ability to give reasoned answers, not on religious or political beliefs.

Although the number of registered Republicans and Democrats is roughly the same in the United States, a recent study by Horowitz's Center for Study of Popular Culture of 32 colleges and universities disclosed a huge imbalance among faculty and administrators. For example, at the Ivy League Cornell University, 95% of the faculty members who are registered to vote in its county are Democrats. Only one of 23 government department faculty members is a registered Republican. In all Ivy League schools, only three administrators identified themselves as Republicans.

"Most students probably graduate without ever having a class taught by a professor with a conservative viewpoint," observed Kingston.

A week after Kingston's bill was introduced in the House, a Senate committee held a hearing on the issue of liberal bias on campus. Witnesses testified that colleges intimidate students and faculty, forcing them to take "diversity training" and condoning harassment of students who write conservative columns for campus publications.

"Rather than fostering intellectual diversity ... our colleges and universities are increasingly bastions of political cor-

rectness hostile to free exchange of ideas," said Anne Neal, president of the American Council of Trustees and Alumni, at the October 29 hearing of the Senate Committee on Health, Education, Labor and Pensions. (ajc.com, 10-30-03)



Jack Kingston

Committee chairman Judd Gregg (R-NH) said the hearing was one of a series that will focus on academic freedom. Future subjects will include textbooks and the accreditation process in higher education.

The partisan imbalance in college staffing persists even as students become more Republican. A new poll by Harvard's Institute of Politics found that 61% of students give President Bush a positive job approval rating, and 39% said they would vote for Bush against a Democratic contender next year. Only 34% said they would vote for a Democrat. The Bush approval rating for students was about 8 percentage points higher than that of the general public.

Conservative students are increasingly fighting back against campus intolerance of their views. Students have sued Shippensburg University, Texas Tech University and a California community college as part of a campaign to abolish campus speech codes initiated by the Philadelphia-based Foundation for Individual Rights in Education (FIRE). Christian students have gone to court on First Amendment grounds, most recently in a case against the University of Minnesota. Horowitz's new organization Students for Academic Freedom has attracted students on about 90 campuses in just four months, with the goal of demanding that administrations seek a more balanced point of view among faculty and in programs such as lecture series. (usatoday.com, 11-3-03)

A group of conservative students at the University of Texas has begun compiling a "Professor Watch List" to warn students about professors who allegedly use their classes for liberal indoctrination. (CNSNews.com, 11-06-03)

An outraged parent has created a non-profit web site, Noindoctrination.org, where students may anonymously post reports of bias on their campuses and professors are rated.

Officials at Saint Louis University and the University of Alabama, Tuscaloosa recently backed down from policies against flag displays in dormitories. 



Texas Bans Ritalin-Style Drug-Pushing by Schools!

In a major victory for parents' rights, Texas has passed two new laws intended to protect pupils from psychiatric drugging at the behest of school officials.

H.B. 1406 bans school employees from recommending a psychotropic, or mind-altering, drug or suggesting a particular diagnosis. In addition, the law prohibits excluding a child from a school class or activity because the parents refuse consent to administration of a psychotropic drug or a psychiatric evaluation.

H.B. 320 prohibits reporting parents to state officials as neglectful solely because they refuse to place a child on psychiatric drugs, or refuse psychiatric or psychological treatment or testing, subject to certain exceptions. The two laws are believed to be the strongest of their kind in the nation.

The laws, which were backed by Texas Eagle Forum and other parents' rights groups, became effective September 1. In committee hearings, many parents told lawmakers of being pressured by schools to drug their children. Two parents described the deaths of their children following the administration of psychotropic drugs. Others recounted threats of accusations of medical neglect for refusing to consent to a psychiatric evaluation or to administer a psychotropic drug to their child.

In November 2000, the Texas Board of Education passed a resolution expressing concern about the overuse of psychiatric drugs such as Ritalin on schoolchildren. The 2003 acts give teeth to the intent of the board's non-binding resolution. (see relevant portions of the two laws on page 4.) 

Reading Scores Show No Improvement

Public schoolchildren have made no gains in reading, according to NAEP data released November 13. Fourth graders received a score of 218 points on the 500-point scale, compared with 217 in 1992. Eighth graders scored 263, about the same as in 1998 when the 8th-grade state reading test was first given.

As part of the federal No Child Left Behind education reforms, the tests were administered in reading and math for the first time this year in all 50 states. Known as "the nation's report card," the NAEP (National Assessment of Educational Progress) assesses what students know and can accomplish in a variety of subjects.

The national tests measure more than whether scores are going up or down. They also show how students are doing compared

with how they ought to be doing, a level termed "proficient," which means understanding challenging subject matter and applying it to real-world situations.

In reading and math, fewer than one in three students achieved the proficient level.

U.S. Secretary of Education Rod Paige delivered a speech to UNESCO in Paris on October 3, wherein he stated that President Bush's goal is that "every child must learn to read by the third grade." Paige said that Bush has invested historic levels of funding in education, and that his latest budget request boosts education funding to "levels that represent a 25% increase since he took office."

Paige told the UNESCO Round Table of Ministers on Quality Education that "my country has been multicultural since its founding," and that we are "preparing our children to become citizens of the world." 



Fast Food Pitches to Kids Leave Bad Taste

As U.S. childhood obesity rates soar, some critics are blaming fast food partnerships with schools and advertising on children's television shows for pushing junk food on impressionable schoolchildren.

In Knox County, TN, for example, Krispy Kreme offers students a free doughnut for each grade "A". Stano's offers a slice of pizza and a beverage for perfect attendance. McDonald's, Burger King and others give gift certificates and coupons to local schools and allow the schools to decide how to use them. The schools are happy to have help in improving atten-

dance, which translates into more state or federal grant money.

"They may think a slice of pizza is all right, but when a child is already not eating right, it's a problem," said Margo Wootan, director of nutrition policy for the Center of Science in the Public Interest. (knoxnews.com, 10-15-03) The nutrition advocacy group also criticizes the snacks in school vending machines. A recent study by the group found that the worst nutritional offenders are sodas, Hostess snack cakes, Kit Kat Big Kat candy bars, Chips Ahoy and Oreo cookies, and Starburst Fruit Chews. 



EDUCATION BRIEFS

FDA urges caution with use of antidepressants for youngsters. Concerned that antidepressants may lead to suicidal behavior in children and adolescents, the U.S. Food and Drug Administration issued a health advisory October 27 urging doctors to proceed with caution when prescribing such medication. Data in 20 placebo-controlled trials for eight drugs suggested that more suicidal thoughts and actions occurred among young patients who were given antidepressants, such as Prozac. Last summer, the agency warned against prescribing Paxil for children and adolescents because three studies showed possible increased risk of suicidal thinking and actions.

More foreign students are going to college in the U.S. A record 586,323 foreign students came to study during the 2002-03 academic year, continuing two decades of increases, according to a report by the Institute for International Education issued November 3. India, China and Korea send the most students.

Teachers union ex-president pleads guilty to looting union. Former Washington Teachers' Union head Barbara A. Bullock will serve up to ten years in prison for siphoning more than \$2.5 million from teachers' dues, which financed lavish expenditures over seven years. Her extravagances included \$50,000 in custom-made clothing and \$100,000 in season tickets for the Washington Redskins and Wizards with limousine service.

American teens average no more than five hours a week on homework, according to a report by the Brown Center for Education Policy at the Brookings Institution. Only 10% of students do more than two hours of homework a night, estimates a RAND study entitled *A Nation at Rest: The American Way of Homework*. (techcentralstation.com, 10-13-03)

Civil liberties activists charge gender discrimination against boy wearing dress to school. A public high school in New Milford, CT sent 15-

(More *Briefs* on page 4.)

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Are Public School Teachers Qualified?

Just how bad is the current pool of public school teachers? In their new book, Abigail and Stephan Thernstrom argue that improving teacher quality is essential to turning around the racial achievement gap in American schools. It should be no surprise that many pupils perform poorly on tests, because teachers are failing teacher tests in alarming numbers.

A growing number of states mandate basic-skills examinations in teachers' course curricula. Here are some of the shocking results uncovered by Kelly Patricia O'Meara and reported at insightmag.com, 9-30-03:

- In Illinois, 5,243 teachers failed at least one test between 1988 and 2001, while 1,308 failed three or more. On basic-skills tests alone, 2,132 failed at least one, 414 failed three or more, and 868 failed to pass any such test.
- In Virginia, one-third of would-be teachers in 1998 flunked the Praxis I test of general knowledge, professional skills and subject knowledge to teach in a public-school classroom.
- In recent years, more than 50,000 teachers who lack proper training for their jobs have entered teaching annually on emergency or substandard certification.



Abigail and Stephan Thernstrom

- When Pennsylvania evaluated its teacher testing, it discovered that teachers could qualify for positions in hard-to-fill subject areas just by signing their names.
- In Hawaii, one-half of new hires failed either to complete or pass certification exams.
- In Long Island, N.Y., a superintendent who decided to give teaching applicants an English test normally given to 11th-graders discovered that only one in four could pass.

Dr. Abigail Thernstrom is a Senior Fellow at the Manhattan Institute in New York. Dr. Stephan Thernstrom is the Winthrop Professor of History at Harvard University.

UC Berkeley Under Fire for Minority Admissions

End Run Around Prop 209?



New figures on the University of California at Berkeley's minority admissions have raised questions as to whether the university is violating Proposition 209, a ban on affirmative action in admissions approved by California voters in 1996.

Of the 332 students admitted to the state's most prestigious university in fall 2002 with SAT I scores of 1000 or below, 90% were minorities, according to an analysis by the *Oakland Tribune* (oaklandtribune.com, 10-26-03). The average SAT I for the admitted class was 1337 out of 1600. About 3,200 students with scores above 1400 were denied entry in 2002, including more than 600 students with scores above 1500, an analysis by UC Board of Regents chairman John J. Moores revealed. (latimes.com 10-17-03)

Moreover, students admitted in 2002-03 with SAT I scores below 1000 are dropping out at twice the rate of the rest of their class, and their grades average half a point lower, according to a subsequent revision of Moores's report.

(sfgate.com, 11-08-03)

Critics suggest that Berkeley's admissions policy, which considers personal hardship and extracurricular achievement as well as academic qualifications, provides a "camouflage of quotas," in the words of Harold Johnson, an attorney with Pacific Legal Foundation (oaklandtribune.com, 10-26-03).

The controversy has caused the fur to fly between Moores, who owns the San Diego Padres, and Berkeley chancellor Robert M. Berdahl. In a blistering letter, Berdahl accused Moores of behaving irresponsibly and doing "singular damage" to the campus by criticizing its admissions process. Regent Ward Connerly, who led the successful fight for Proposition 209, called Berdahl's letter "impertinent." (latimes.com, 10-17-03)

"I think something is very screwy, so I want somebody to come back and tell me exactly what is going on," Moores responded to the *San Francisco Chronicle* (sfgate.com, 10-10-03).

Book of the Month



No Excuses: Closing the Racial Gap in Learning, Abigail Thernstrom and Stephan Thernstrom, Simon & Schuster, 2003, 274 pps., \$26.00.

Black high school students graduate an average of four years behind white students in academic skills. In other words, they miss out on a high school education. This stark statistic is the starting point for the Thernstroms' latest book on race problems in the United States. This is followed by a host of other depressing statistics showing a persistent achievement gap between African-American and Hispanic students on the one hand, and white and Asian students on the other.

"The mind-numbing data on the racial gap in academic achievement should make all Americans furious," write the authors, who are scholars at the Manhattan Institute and Harvard University, respectively. As they demonstrate, money is *not* the explanation for the gap.

In Cambridge, Mass., despite spending \$17,000 per pupil, black students scored lower on tests than black students in nearby areas with less than half as much spending per pupil. Moreover, schools exist where the students are equally poor and black but have outstanding test scores. Such schools seldom receive more funding than failing schools.

What is the answer to the most pressing civil rights problem of our time? Parents' income, education and place of residence account for only about a third of the gap. The Thernstroms believe we need teachers with higher test scores and academic skills instead of graduate degrees in education; higher pay for the excellence and skills that are in short supply; and a safe and orderly school environment. Because of entrenched resistance to change in the public school system, more educational choice is needed to achieve these goals.

The best inner-city public schools in the authors' estimation are charter schools, which operate free from many regulations and political constraints. They focus on core academic subjects such as multiplication tables, historical facts, spelling, punctuation and grammar. They instill discipline. When they fail, they can be closed down.

"When did you last hear of a regular public school that was closed down because it wasn't teaching its students well enough?" ask the Thernstroms. They conclude that the racial achievement gap will not be closed without more public schools following the charter school model, and that vouchers offer another route to educational choice.

Conservative scholar Thomas Sowell wrote of *No Excuses*, which is dedicated to him, "If you read just one book about American education all year, this should be the book." (townhall.com, 9-24-03)

Visit www.simonsays.com.

FOCUS: Homeschoolers Must Respond to Big Media's 'Guilt-by-Association' Tactics

By Fran Eaton

The "guilt-by-association" smear tactic is the easiest and most common method used by opposing political campaigns to damage the public's perception of a candidate. Even raising the question of an unsavory association, whether real or perceived, can be devastating, and the candidate often never fully recovers. This "guilt-by-association" smear strategy is now being used on home schooling families.

On Nov. 14, 2003, a *New York Times* editorial entitled "Make Home Schooling Safe for Children" suggested that the state of New Jersey establish government supervision of home schooling families because of a tragic child abuse situation that was discovered there.

The *Times* editorial was not the first attack on home schoolers in recent weeks. It followed the CBS television broadcast of a two-part series in mid-October entitled "The Dark Side of Home-schooling." Dan Rather's nightly national news program aired two segments featuring tragic examples of perverted criminal activity covered up by the perpetrators who insisted they were home schooling. In one of these cases, a young girl was killed by her older brother.

The CBS series was so offensive that more than 20 U.S. Congressmen signed a letter of complaint to CBS executives. The impression created by the national exposure is that home schoolers are suspect at best and criminals at worst.

The CBS assault on home schooling preceded an October 20 column entitled "And you thought it couldn't get worse," by *Chicago Tribune* entertainment critic Steve Johnson. The column referred to home schoolers as part of a "pool of dupes": "There will be a third 'Joe Millionaire,' Johnson wrote, "but because it's getting harder to find truly ignorant people, it will be forced to limit its pool of dupes to gay men from repressive regimes or the home-schooled."

For me, the *New York Times* editorial was the last straw. I've bitten my tongue and kept my powder dry while one or two others attempted to defend home schoolers in the media. But home schoolers are too busy home schooling to spend their time writing op-ed articles and letters to the editor. That's a shame, because, as the saying goes, if *they* don't defend themselves, who will?

If I were a paranoid home schooling parent, I would think that these attempts by the major media to disparage home schoolers reflects a concerted effort. But I'm no longer a paranoid home schooling parent — I simply *used* to be one.

Now, I'm the parent of three grown children who were home schooled. I have the advantage of being able to look back at the choices my husband and I made, and know with great confidence that when we decided to teach our children ourselves, we did the right thing.

However, I'm growing weary of the attacks by the fat, lazy big guys who use their clout to defend the status quo at all costs, and attack the tenacious, determined little guys when they begin to pose what is apparently perceived as a threat. That's what is happening right now.



Fran Eaton

During the early years of our home schooling experience, my husband and I spent much of our time defending our educational choice — to our neighbors, in our church, to members of our extended family, and to our larger sphere of acquaintances.

Through the years we became fairly good at putting a positive spin on home education. It was the best way to convince ourselves and others that it is a viable choice. You either had a good reason for doing it or you were deemed eccentric or worse.

When we began home schooling during the mid 1980s, we were convinced that the public school system was using our tax dollars to evangelize to a vulnerable, captive audience the doctrines of secularism, agnosticism and atheism. Even more than the poor academic performance of the government schools, we were concerned about the lack of spiritual training our children would receive outside of Sunday School and our family's Bible discussions. We worried that the government schools would create a climate that would foster our children's rejection of God altogether, a possibility we could not bear.

As parents who view their children as a grave responsibility entrusted to them by God, we had three choices: (1) We could place our children in a God-less environment from 9 a.m. to 3 p.m. every day where they would be taught that God is not an integral part of their lives; or (2) We could enroll them in a religious school, which would have been difficult financially for our then already-stretched budget; or (3) We could teach our children at home.

Because we believed that mothers should bond with their babies through constant interaction and reinforcement, day care was not an option for us. So we made a conscious decision to live simply rather than leave our children with strangers during their formative years. It was a sacrifice albeit one that has reaped bountiful rewards.

Home schooling then became our educational choice. While not our first choice, we are now convinced it was our best choice.

I have provided this personal background to demonstrate why I am provoked to anger by these pathetic guilt-by-association attacks that are putting

home schooling parents on their guard.

It is not easy to swim upstream against a strong current. Home schooling parents focus their energy where it should be focused — on teaching their children, providing meals, clothing and shelter, and nurturing their precious spirits day in and day out.

These parents already face being ostracized by bucking societal norms. They have to fight off government incursions into their homes and private lives. They should not be subjected to scurrilous media attacks that brand all home schooling parents for the misdeeds of a few.

These media efforts to scandalize reveal the tragic, horrific secrets of a few families across the nation who, under the guise of "home schooling," keep their children at home in order to commit criminal acts on them. There is absolutely no defense for such crimes. Believe me, home schooling parents are the very people who would advocate the maximum punishment the law allows for such evil.

Nevertheless, by highlighting these extremely rare examples of parents who do wrong under the banner of "home-schooling" while providing no context, these previously mentioned media outlets are attempting to propagate a negative image of almost one million home-schooled children who are becoming outstanding American citizens and national leaders.

There are home schoolers serving in the Bush White House, staffing the Republican National Convention's upper echelons, running U.S. Senate campaigns, becoming doctors, lawyers, business leaders, and most notably of late, challenging young people from a national platform, including Miss America 2003, Erika Harold of Urbana, Illinois, who was taught at home for several years.

Brian Ray of the Home School Research Institute recently surveyed 5,254 adults who were home schooled for at

least seven years. A whopping 82% of the participants agreed with the statement, "I would homeschool my own children," and 55% of them strongly agreed.

As adults, 71% of these alumni are involved in community service (e.g. coaching a sports team, volunteering at a school, or working with a church or neighborhood association), more than twice the number (37%) of U.S. adults of similar ages who were not home schooled.

A majority (59%) of the subjects reported that, all things considered, they are "very happy" with life, while 27.6% of the general population describe themselves as "very happy" with life. Does it sound as though these home schoolers were victims of abuse?

The Ray study also found that home schoolers are more active politically than their peers in the general population. But perhaps scariest of all to the secular religious fanatics who use the government school system to inculcate their world view, 94% of the home schooled adults surveyed agreed with the statement: "My religious beliefs are basically the same as those of my parents."

Ahh... that makes it all worthwhile, doesn't it? Okay, home schoolers, I challenge you to defend your choice. I challenge you to enter the public forum and tell the world why you chose home education for your children.

But, as you do, I will remind you of Jesus' words (of which an associate recently reminded me) found in Luke 6:26, "Woe be to you when all men speak well of you. . ." In other words, when you are changing the world, don't expect accolades, expect attacks. But remember, the guilt-by-association attacks mean that you are changing the world.

Fran Eaton is the past president of Illinois Eagle Forum. She and her husband Joe taught their three children at home for 14 years. Fran is also managing editor of the *Illinois Leader*; email: letters@illinoisleader.com.



'Zero Tolerance' Follies Continue Unabated

A stick figure drawing of a soldier attacking an enemy, a fictional account of a dream, a loan of an asthma inhaler, a set of violent cartoons, and a Korean pencil sharpener all led to severe sanctions for teenage students in October and November under school "zero-tolerance" policies against violence or drugs.

Scott Switzer, 14, of Colts Neck, NJ was suspended for five days from Tinton Falls Middle School for drawing a stick figure of a U.S. Marine shooting at a Taliban fighter. The boy, whose father and stepfather are in the military, described his picture as "patriotic" and "a war scene." (nypost.com, 11-29-03)

In Montgomery County, TX, Brandon Kivi, 15, let his girlfriend use his inhaler when she forgot to bring her medication to school. The girl had trouble breathing and went to the nurse's office, which lacked asthma remedies. After the boy loaned the girl his inhaler to alleviate her distress, the school nurse reported him to the campus police for violating the district's zero-tolerance drug policy. He was arrested, accused of delivering a dangerous drug, and suspended from school for three days. He could face expulsion and juvenile detention. The teens both used the same type of asthma medicine, Albuterol. (Click2Houston.com,

10-8-03)

In Winona, MN, the school board has refused to make an exception from its zero-tolerance policy to allow middle school students to bring their own unloaded shotguns to school for a state-sponsored Saturday-morning gun-safety course. "It's like teaching a math class without a calculator," said Scott Sabotta, the course instructor. (startribune.com, 10-20-03)

Younger children also got in trouble for bringing a picture of a machete to school and for waving a toy gun.

A small boy brought a picture of a machete to school to fulfill an assignment to find something starting with the letter "M", and was sternly reprimanded by his teacher. According to a column by his grandfather, Roger Aylworth, the child was sent home with a message that the school does not allow weapons of any kind. (*Chicago Enterprise-Record*, 11-2-03)

A middle-school principal in Worthington, OH has recommended expulsion of a seventh grader for drawing violent cartoons. A teacher found the drawings of stick figures being shot, stabbed or blown up in a hand-drawn comic book at Perry Middle School. Under the district's zero-tolerance policy, it doesn't matter whether the 12-year-old meant to harm anyone, a spokesman said.

Police decided not to file charges. (cleveland.com, 11-7-03)

Sumi and Alan Lough have sued the Katy, TX school district for punishing their 13-year-old daughter for using a traditional Korean pencil sharpener. The mother had bought the two-inch folding blade for her daughter's use while visiting her native South Korea. School officials removed the straight-A student as president of the student council and honor society and ordered her to attend a special disciplinary class for seven days, stating that they had no choice but to follow their zero-tolerance policy to the letter. (HoustonChronicle.com, 10-22-03)

Rachel Boim, 14, was expelled from Roswell High School near Atlanta for writing a fictional account of a student who falls asleep in class and dreams of killing a teacher. She wrote the story in her personal journal and showed it to a classmate. A teacher noticed, confiscated the story, and turned it over to officials of the school, which has a zero-tolerance policy. Instead of calling her parents to discuss the situation, the school had an armed guard escort the girl out of her classroom. (CNN.com, 10-31-03)

In a non-school incident, a 9-year-old boy was arrested at gunpoint and handcuffed for waving a toy gun over his head while sitting on a bench outside a store in the Cleveland, Ohio area. (morningjournal.com, 10-28-03)

Texas Laws Banning Drug-Pushing by Schools

H.B. 1406 contains the following relevant provisions:

PSYCHOTROPIC DRUGS AND PSYCHIATRIC EVALUATIONS OR EXAMINATIONS.

- (a) In this section:
- (1) "Parent" includes a guardian or other person standing in parental relation.
 - (2) "Psychotropic drug" means a substance that is:
 - (A) used in the diagnosis, treatment, or prevention of a disease or as a component of a medication; and
 - (B) intended to have an altering effect on perception, emotion, or behavior.
- (b) A school district employee may not:
- (1) recommend that a student use a psychotropic drug; or
 - (2) suggest any particular diagnosis; or
 - (3) use the refusal by a parent to consent to administration of a psychotropic drug to a student or to a psychiatric evaluation or examination of a student as grounds by itself, for prohibiting the child from attending a class or participating in a school-related activity.
- (c) Subsection (b) does not:
- (1) prevent an appropriate referral under the child find system required under 20 U.S.C. Section 1412, as amended; or
 - (2) prohibit a school district employee who is a registered nurse, advanced nurse practitioner, physician, or certified or appropriately creden-

tial mental health professional from recommending that a child be evaluated by an appropriate medical practitioner; or

- (3) prohibit a school employee from discussing any aspect of a child's behavior or academic progress with the child's parent or another school district employee.
- (d) The board of trustees of each school district shall adopt a policy to ensure implementation and enforcement of this section.
- (e) An act in violation of Subsection (b) does not override the immunity from personal liability granted in Section 22.051 or other law or the district's sovereign and governmental immunity.

H.B. 320 contains the following relevant provisions:

REFUSAL OF PSYCHIATRIC OR PSYCHOLOGICAL TREATMENT OF CHILD AS BASIS OF REPORT OF NEGLECT.

An employee of a school district may not use or threaten to use the refusal of a parent, guardian, or managing or possessory conservator of a child to administer or consent to the administration of a psychotropic drug to the child, or to consent to any other psychiatric or psychological testing or treatment of the child, as the sole basis for making a report of neglect of the child under Subchapter B, Chapter 261, Family Code, unless the employee has cause to believe that the refusal: (1) presents a substantial risk of death, or (2) has resulted in an observable and material impairment to the growth, development, or functioning of the child.

Briefs (Continued from page 2)

year-old Kevin Dougherty home to change out of a dress. The Connecticut Civil Liberties Union sent a letter to the school system November 3 demanding that it amend its dress code to allow both girls and boys the option of wearing a dress. (newstimes.com, 11-6-03)

Hillary Clinton attacks Head Start test as "culturally insensitive." In arguing that Congress should stop a nationwide test of Head Start 4-year-olds, the Democratic Senator from New York said that a question requiring disadvantaged children to point to a swamp in a group of pictures is unfair to urban children. A Department of Health and Human Services official responded that more urban children than rural children pick the right picture. (washingtontimes.com, 11-5-03)

Authorities received not one but two warnings about a Columbine attacker, which were never investigated. Jefferson County, CO sheriff Ted Mink disclosed October 29 that in a report dated August 7, 1997 a "concerned citizen" provided law enforcement authorities with seven web pages from student killer Eric Harris boasting of possible criminal activities, including setting off a pipe bomb. This report was in addition to a previously disclosed March 1998 report including more Harris web pages provided by Columbine parents Randy and Judy Brown, who said Harris had threatened to kill their son. Harris and a friend killed 12 students and a teacher and wounded about two dozen people at Columbine High School before

'Huck Finn,' 'Mockingbird' Censored

Conservative parents are often caricatured for objecting to the use of books they find offensive to schools. In two recent incidents, however, an American literary classic was censored in school due to complaints by African-Americans about the use of a racial epithet in the work.

In late September, schools in Renton, Washington temporarily pulled Mark Twain's novel *The Adventures of Huckleberry Finn* from their high school reading list in response to a student's complaint. The district is requiring extra training for teachers before the book is returned to the classroom.

"I can't read a book that degrades me and my culture," senior Calista Phair said (kingcountyjournal.com, 9-22-03). Renton district administrators pointed out that the book has value in the classroom because it contains the representation of one of the first African-American male heroes in literature, and questions from the story sometimes appear on national Advanced Placement exams.

In October, Columbus East High School in Indianapolis canceled a planned staging of the play *To Kill a Mockingbird* following a demand by the National Association for the Advancement of Colored People. Weeks of rehearsal by students went down the drain and the school had to scramble to put on an alternative play.

The NAACP insisted that despite the story's message of racial justice, the use of a racial epithet on stage would be offensive to many in a mixed crowd of high school families. The play's publisher refused permission to edit out the word. (indystar.com, 10-11-03)

killing themselves on April 20, 1999. The sheriff has asked the attorney general to investigate why law enforcement personnel never followed up on either report. (rockymountainnews.com, 10-29-03)

California charter school adopts animal-rights focus. The new Humane Education Learning Charter School in the San Juan school district is based on the four guiding principles of kindness, compassion, respect, and consideration "for all humans, all species and the environment." The school would teach alternatives to violence and focus on teaching compassion toward all sentient beings. (sacbee.com, 10-15-03)

McDonald's corporate-sponsorship message before and after the television show *Sesame Street* has drawn fire from a Ralph Nader-backed organization. In an October 13 letter to PBS, Commercial Alert and a group of health professionals complained that the hamburger chain's message violates a public trust that a public network should safeguard. (AdAge.com, 10-14-03)