

TEXAS FOUNDERS' EDUCATION VISION: A FAR CRY FROM FED LED ED

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by [MERRILL HOPE \(/COLUMNISTS/MERRILL-HOPE\)](#) | 8 Jul 2014 | [POST A COMMENT \(/BREITBART-TEXAS/2014/07/07/TEXAS-FOUNDERS-EDUCATION-VISION-A-FAR-CRY-FROM-FED-LED-ED#COMMENTS\)](#)

DALLAS, Texas--What the founders of Texas really intended for the state's public education system was not at all what it became, according to a new report by the Texas Public Policy Foundation (TPPF), Center for Education Freedom. Released on July 2, "[Texas Education: Original Intent of the Texas Constitution \(http://www.texaspolicy.com/sites/default/files/documents/2014-06-PP24-TexasEducationOriginalIntent-CEP-KentGrusendorf.pdf\)](http://www.texaspolicy.com/sites/default/files/documents/2014-06-PP24-TexasEducationOriginalIntent-CEP-KentGrusendorf.pdf)," chronicles Lone Star education over the 1836, 1845, and 1876 incarnations of the Texas Constitution.

Penned by a TPPF Senior Fellow, the Honorable Kent Grusendorf, the reports takes a surprising look into the Texas founders' ideals and education values that were intended to empower parents and communities to make education decision for their children, not the state.

Some of early Texas education policies were even ahead of their time. For example, Grusendorf wrote, "although most people think the first Texas charter schools came after the reform bill in 1995, charter schools were common in Texas long before what we now call 'public' schools even came into existence." That year was 1836.

Historically, the state has grappled with definitions of "public" and "free," vacillating over the years but originally, this was never intended to mean or become a bloated state bureaucracy or part of any Fed Led Ed as it is now, according to the report.

"Although today, Texans have no private options within the 'public free school' system, Texans did have such options before and after the current Texas Constitution was adopted," the report stated. That's right, private schools were a part of the public free school system for years. It wasn't until the early 20th Century that town schools improved

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and the wealthy began sending their children to these instead of private schools. This may have foreshadowed the emergence of the more centralized direction of the public education system.

It's important to remember that public and free schools did not have the same meaning as it did in 1845, according to Grusendorf. "Public" did not mean government-operated schools as the term means now. It only meant "'open to the public' like a restaurant or store which is open to the public. And 'free' meant that poor students were entitled to attend regardless of ability to pay."

In the 1845 Texas Constitution, the state legislature took on the role of making "suitable provision for the support and maintenance of public school." Two million out of \$10 million Texas received for relinquishing its claim to land north and west of its present boundaries in the Compromise of 1850 was set aside to fund public education, [according to \(http://www.texasalmanac.com/topics/education/brief-history-public-education\)](http://www.texasalmanac.com/topics/education/brief-history-public-education) the *Texas Almanac* in data unrelated to the TPPF report.

The almanac also pointed out that during 1854, legislation provided for state apportionment of funds based upon an annual census. Also, railroads receiving grants were required to survey alternate sections to be set aside for public-school financing. The first school census that year showed 65,463 students; state fund apportionment was 62 cents per student.

Still, even with the slowly emerging changes to Texas education, these developments still maintained different connotations. For example, the Texas founders described three types of education - public, private, and pauper -- the third, public school as "free" only to those who were admittedly destitute.

Then, there was something called common schools. The Community School System emerged by 1854 and, according to Grusendorf, they were like charter schools only with less regulation. According to Billy Walker, a past director of the Texas Association of School Boards (TASB) quoted in the TPPF report, the community school system "maximized liberty by granting state support to almost unlimited parental choice and control. Modern programs for expanded educational choice, such as voucher systems, reflect a similar desire for individual or family choice unfettered by governmental control."

Under this version of the constitution, parents could form a school "secure a teacher and receive the state apportionment for their children. Those wishing to patronize one of the existing private schools were permitted the same privilege," the report noted. Grusendorf emphasized this is something few Texans know.

By definition, a public school system and a free school system could be private schools, or community schools under the total control of parents but it seemed that, like today, no one could agree on anything, including on taxes to pay for education. However, "only a small minority seemed supportive of actually allowing government to control and run schools," according to the report.

Grusendorf pointed out that by 1875 centralized public education was a contentious topic in Austin. The carpetbaggers brought big education into Texas after the Civil War and it created a lot of tension although a compromise was struck for the 1876 rewrite of the Texas Constitution. This blended the concepts of "efficient" education into the reworked phrase "public free schools," explained in greater detail in the TPPF report.

It also defined that the state legislature would establish and provide "provision" for the support and maintenance of the system. According to Grusendorf, neither term required government-owned and operated schools as we think of public schools. In reading the constitutional language, it can be confusing to understand the context in which these terms were used yet it is important to be mindful of them, the report emphasizes.

Interestingly, Walker pointed out in the report that more newfangled "public education floundered in chaos for half a century after the (Civil) war." Yet the 1876 Constitution was "as simple and as loose as it could possibly be...(1) It gave to parents the greatest latitude in determining for themselves the kind of education they desired for their children and the character of teacher they wished to employ. (2) There was no restriction to the number of children necessary to constitute a school community...(3) The parents could enjoy the use of the state school fund, together with the minimum of state interference. Moreover, it lodged the responsibility of educating the children upon the parents, where, as they believed, it belonged. Additionally, students were not restricted by geographic boundaries."

TPPF Vice President of Policy and *Breitbart Texas* contributor Chuck DeVore suggested in the report that Texas education was structured based on an overall philosophy of prized freedoms and liberties where parents held the power. Additionally, he pointed out that "Texans were suspicious of powerful central government."

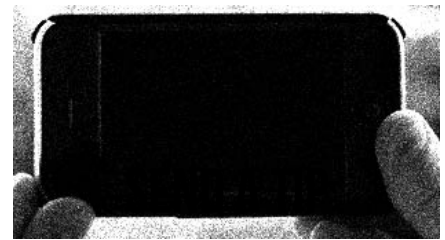
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Certainly, 19th Century Texans were less than thrilled with proponents of the Reconstruction era top-down, government-run system. Reciprocally, the Fed Led Ed pushers of their day were less than thrilled with the free-range language in the 1876 Texas constitution. Nor were they happy about the community school system that lasted in the state for decades either.

Unfortunately, 21st Century public education would have stunned the Texas founders because of its centralized, bureaucratic mechanisms that are all held accountable to federal mandates. Fed Led Ed acronyms like FAPE (Free Appropriate Public Education) hold very different meanings than what the founders would have understood "free" and "public" to mean. No doubt, Grusendorf's report is historically fascinating and an eye-opening look into what Texas wanted and what Texas got in the classroom.

Follow Merrill Hope, an original member of the Breitbart Texas team, on Twitter @OutOfTheBoxMom (<https://twitter.com/outoftheboxmom>).

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