

Testimony

Testimony to the Texas State Board of Education

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Our Texas Constitution

A general diffusion of *knowledge being essential to the preservation of the liberties and rights of the people*, [emphasis added] it shall be the duty of the Legislature of the State to establish and make suitable provision for the support and maintenance of an efficient system of public free schools. ([Texas Constitution, Article VII, Section 1](#))

Under the Texas Constitution, the purpose of our “public free schools” is to diffuse generally that “knowledge” necessary to the “preservation of the liberties and rights of the people.” This “people,” as explained in the Texas Constitution, is a community of free people who, while “humbly invoking the blessings of Almighty God,” and duly subject to the Constitution and perpetual Union of these United States, did “ordain and establish this Constitution of Texas” ([Preamble](#); [Article I, Section 1](#)).

This “people” have, first and foremost, authority to establish good government, to operate that government via the “republican” form, and to alter, reform, or even abolish that government, as they may think expedient ([Article I, Sections 1–2](#)).

Therefore, as set forth in our Texas Constitution, the chief “liberties and rights” of this people are those of self-government. And the knowledge contemplated in Article VII is chiefly that knowledge necessary to such popular self-government.

The Knowledge We Need

Of Success, for Mutual Affection and Confidence

What *knowledge* is necessary to the *preservation* of the rights of popular self-government? *At the outset is the knowledge necessary for mutual affection and confidence*, which we draw from three sources: first, knowledge of past good deeds, accomplished by We the People. Second, knowledge that is favorable and comparative. Of the latter, citizens should know the rarity of stable popular self-government and the great value of it. As Lincoln declared:

Upon the subject of education ... I can only say that I view it as the most important subject which we as a people can be engaged in. That every man may receive at least, a moderate education, and thereby be enabled to read the histories of his own and other countries, *by which he may duly appreciate the value of our free institutions* [emphasis added], appears to be an object of vital importance. ([Lincoln, 1832/2001](#))

The third source of mutual affection and confidence is inclusive knowledge—that “We the People” exist—and as such have done well. In a multistate, multiracial, and multireligious republic, it is important to emphasize those facts, like the principles of the Declaration of Independence and the Constitution, that establish both universal human rights and broad citizenship, and to emphasize those achievements to which a broad diversity of Americans have contributed, including the American Revolution, victory in world wars, and the Cold War; and the Civil Rights movement.

Of Failure, for Courage and Moderation

The knowledge needed for mutual affection and confidence will allow our children to marvel at the fact that the United States is the first and most successful example of a political order based on a written Constitution. They will understand how wonderful it is that they live in the oldest polity in existence—having preserved essentially the same political institutions since the time of George III of England, Louis XVI of France, and Catherine the Great of Russia. It is remarkable how things have changed in the world and how, in a fundamental sense, unchanged the United States has been.

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But the wonder must be sober. For this reason, *our children must know the failures of their political ancestors*, and their setbacks. If our ancestors were perfect, or moral giants, then we cannot profit from their example, for we are not giants. But if our ancestors, like us, failed, sometimes badly, then they are like us—we too fail, sometimes egregiously. But if we have failed like them, perhaps, with courage, we might succeed like them.

Such knowledge also induces moderation, mutual forbearance, or civility. We should know that many of the same men and women who showed great virtues also showed great vices. For example, the champions of universal human rights often seemed incapable of confronting the monstrous injustice of chattel slavery.

Knowledge for Self-Government

To preserve the rights of popular self-government, we must raise our children with the knowledge of an affectionate and free citizenry. Equipped with this knowledge, the citizen may proceed with courage and moderation, in company with his or her fellow citizens, of all races, colors, and creeds, as to how they are to preserve and exercise their right of self-government.

The Legislature’s Fitting Directive

To secure the end of preserving the rights of popular self-government, the Texas Legislature ([Section 28.002](#), Education Code) has directed the State Board of Education (SBOE) to:

1. treat as *foundational*, “Texas, United States, and world history, government, economics ... and geography;”
2. “require the teaching of *informed American patriotism* [emphasis added],” including certain specified “founding documents of the United States,” beginning with the Declaration of Independence and the Constitution, and
3. develop, in “*each grade level* from kindergarten through grade 12 [emphasis added],” and understanding of these “founding documents,” along with, more broadly:
 - a. The foundations of American popular self-government,
 - b. The “civic engagement” by which citizens have participated in this self-government, and
 - c. The formal “structure, function, and processes” of such popular self-government, at the federal, state, and local levels.

For the same reason—to preserve popular self-government—the Texas Legislature has forbidden the schools from fostering:

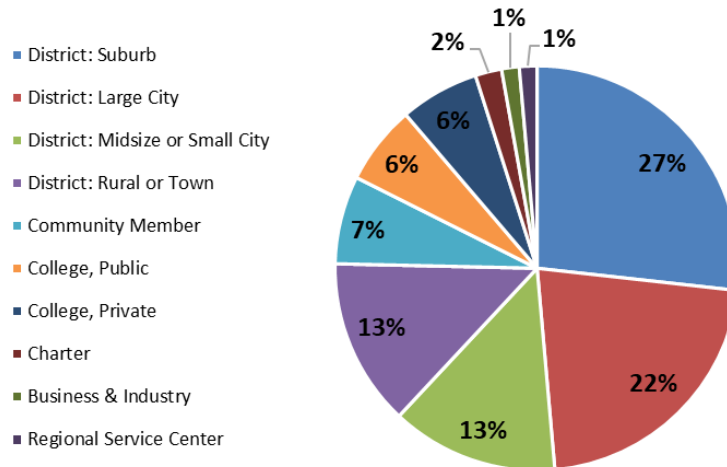
1. mutual animosity among the people on the basis of race and sex, or
2. a general hatred of our entire Republic via the slander that America is fundamentally or essentially racist or pro-slavery, or otherwise wicked ([Section 28.0022](#), Education Code).

Who Writes the TEKS?

With the aim of preserving the rights of popular self-government and firm confidence in our ability to do so, we turn to the matter at hand: The SBOE is currently rewriting the Social Studies Texas Essential Knowledge and Skills (TEKS). TEKS are the state standards for what students should know and be able to do, and they guide what is taught in public schools to over 5 million students ([Section 28.001](#), Education Code). *The SBOE delegates the drafting to several work groups before they vote to establish the drafts through administrative rulemaking* ([Section 28.002\(c\)](#), Education Code).

State law requires that SBOE work groups include educators, parents, business and industry representatives, and employers ([Section 28.002\(c\)](#), Education Code). When individuals apply to the Texas Education Agency (TEA) to serve on a work group, their application is considered by the SBOE member in whose district they live. If the member with jurisdiction approves, the applicant is vetted by TEA staff before their service is approved. **Graph 1** illustrates the backgrounds of the work group members serving on work groups A–E. Three fourths of the members work in school districts, with almost half working in suburban or large city districts. The background of all members is summarized in **Table 1**.

Graph 1
Background of Social Studies Work Group Membership (June 2022)



Note. Data from public record request, Texas Education Agency, 2022; and 2019-20 District Type Data Search, Texas Education Agency, n.d. (<https://tea.texas.gov/reports-and-data/school-data/campus-and-district-type-data-search>).

Table 1
Social Studies Work Group Membership (June 2022)

Organization Type	Work Group Members		Work Groups	Members' Background
	Number	Percent		
School District	107	75%	Serve on all work groups.	Median ISD size represented: 24,267 students.*
Community Member	10	7%	Serve only high school work groups: 6 on Ethnic Studies (E), 3 in Special Topics or U.S. Govt. (C).	Anti-Defamation League; Asian Texans for Justice; Indigenous Educator; former teacher & 26-year US Army veteran; Organization of Chinese Americans: Houston; Potawatomi Nation; Teach For America.
College, Public	9	6%	Four serve on K-8 (D); 5 in high school (A, C, E).	A&M Univ., A&M San Antonio (2), UT Austin (2), UT RGV (2), UT San Antonio, UT Tyler.
College, Private	9	6%	Six serve on high school Ethnic Studies (E), 1 in high school U.S. Hist. (D), 2 in Grade 3-8 social studies (C).	Baylor Univ. (2), Concordia Univ., Wylie College, New York Univ., Abilene Christian Univ., Our Lady of the Lake Univ., Southwestern Univ., Texas Christian Univ.
Charter	3	2%	One each on Psychology, U.S. Hist., World History (C).	Uplift, IDEA, KIPP.
Business & Industry	2	1%	General high school social studies (A).	Financial counseling & literacy.
Regional Service Center	2	1%	One serves on high school U.S. Hist. (C), 1 in Ethnic Studies (E).	ESC 4 (Houston) and 19 (El Paso).

*Districts with work group members: Boys Ranch, Sabine Pass, Cross Roads, Hempstead, Brock, Gilmer, Nacogdoches, Red Oak, Barbers Hill, Aledo, Port Arthur, Hutto, Montgomery, Boerne, Canyon, Frenship, Del Valle, Dickinson, Duncanville, Donna, Magnolia, College Station, Crowley, Harlingen, New Caney, Wylie, Tomball, Hays CISD, Allen, Prosper, Birdville, Hurst-Eules-Bedford, Lubbock, Grand Prairie, Amarillo, Ector County, Denton, Edinburg CISD, Spring, Spring Branch, Ysleta, Richardson, Alief, Clear Creek, Killeen, San Antonio, Round Rock, Humble, Lewisville, Pasadena, Plano, Klein, Garland, Arlington, North East, Aldine, Frisco, Austin, Fort Worth, Fort Bend, Katy, Northside, Dallas, and Houston.

Note. Data from public record request, Texas Education Agency, 2022.

Work Group Scope

By August 2022, six work groups had been established by the TEA, lettered A–F. The groups work consecutively. For example, when group A completes its work, TEA creates group B and defines its scope; when B is finished, TEA creates group C and defines its scope (TEA, 2018). The scope of each 2022 TEKS Social Studies work groups is:

Group A focused on grade 9–12 courses, consisting of:

- Personal Financial Literacy and Economics,
- Economics with Emphasis on the Free Enterprise System and its Benefits,
- Personal Financial Literacy, and
- Advanced Economics Studies.

Group B focused on the grade-level expectations for each grade, K–12. These are incorporated into the beginning of the TEKS for each grade level and course.

Group C focused on grades 8–12 courses, consisting of:

- U.S. History Studies Since 1877,
- World History Studies,
- World Geography Studies,
- U.S. Government,
- Psychology and Sociology, and
- Special Topics in Social Studies.

Group D focused on grades K–8, including Texas history.

Group E focused on high school ethnic studies, consisting of:

- revisions to African American Studies and Mexican American Studies, and
- the creation of Asian American Studies and American Indian Studies.

Group F focused on grades K–8, including Texas history. Group F revised the work of Group D.

The subsequent table serves as a course-specific commentary on the high school work group drafts. As we evaluated the TEKS defined in each course, we recommended improvements based on the following categories:

1. general recommendations;
2. harmful, false, or misleading statements;
3. harmful omissions; and
4. other errors.

We offer these recommendations to the SBOE and to state lawmakers, with the aim of improving both the currently drafted TEKS and the drafting process as a whole to avoid the need for such substantial revisions in future years.★

References

- Lincoln, A. (2001). To the people of Sangamo County, March 9, 1832. In *Collected works of Abraham Lincoln. Volume 1*. University of Michigan Digital Library Production Services. <https://quod.lib.umich.edu/l/lincoln/lincoln1/1:8?rgn=div1;singlegenre=All;sort=occur;subview=detail;type=simple;view=fulltext;q1=upon+the+subject+of+education> (Original work published 1832)
- Texas Education Agency. (2018). *TEKS review and revision process*. <https://tea.texas.gov/sites/default/files/TEKS%20Review%20Process%20111618.pdf>

Appendix: Summary of Recommended Edits to High School Social Studies TEKS Drafted by Work Groups A and C						
Course	Pages	TEKS	Work Group Draft	Deficiency	Recommended Text	Further Explanation
U.S. History, World History	3, 6	(1)(F), (3)(A); (9)(E), (12)(E)	Refers to American Indians as "indigenous."	2. Harmful False or Misleading	Use "Indian" or "American Indian."	Avoids the false statement of hereditary or racial superiority, which violates TEC 28.0022(a)(4)(A).
U.S. History	3	(1)(D)	"Identify reasons for continued U.S. expansion, including religious motives, economic opportunities, and geopolitical power, resulting in the ideology of Manifest Destiny."	2. Harmful False or Misleading	"Identify reasons for continued U.S. expansion, including the widespread aspiration to spread democratic government, promote Christianity, and to provide economic opportunities for an American population that was both highly enterprising and increasingly numerous due to fertility and immigration."	The phrase "ideology of Manifest Destiny" is a pejorative falsehood.
U.S. History	6	(3)(B)	"Evaluate the extent to which the reservation system, the Dawes Act of 1887, and the Wounded Knee Massacre contributed to assimilation."	2. Harmful False or Misleading	"Identify the postbellum American policies toward the American Indians, including the policy of separation (chiefly the reservations system) and assimilation (including the Dawes Act, and Indian Naturalization Act) and evaluate, in light of our founding principles, these policies' motives, successes, and failures, including the massacre at Wounded Knee."	The work group draft not only conflates two policies—separation and assimilation—but also suggests that murder was part of America's assimilation policies.
U.S. History	17	(15)(A)	"Investigate primary sources to compare diverse approaches in the Civil Rights Movement in the U.S., including 'Letter from Birmingham Jail,' 'I Have a Dream,' 'The Ballot or the Black Panther Party's Ten-Point Program, the Brown Beret's Ten-Point Program'"	2. Harmful False or Misleading	"Investigate primary sources to contrast the Civil Rights Movement's embrace of peaceful persuasion, the hallmark of popular self-government, with others' embrace of violence or the threat thereof, including 'Letter from Birmingham Jail,' 'I Have a Dream,' LULAC's founding code, and 'The Ballot or the Bullet,' the Black Panther Party's Ten-Point Program, and the Brown Beret's Ten-Point Program."	Informed patriotism requires our children learn that, in response to real injustices, some African Americans and Hispanic Americans sought justice through racial separation, defended by force, while others who were far more numerous, advanced the cause of justice through peaceful persuasion, which is the hallmark of popular self-

Course	Pages	TEKS	Work Group Draft	Deficiency	Recommended Text	Further Explanation
U.S. History	3	(1)(G)	"Explain the failure of the U.S. government to settle the issue of slavery, including the Compromise of 1850 and Dred Scott v. Sandford."	3. Harmful Omissions	"Explain the partial successes and failures of the American people to protect the liberty of all by combating slavery, including successes such as the federal and states' abolition of slave importation, the abolition of slavery from some of the original colonies, and the exclusion of slavery in most of the western territories and future states; and including failures such as the Fugitive Slave Clause and Act, and slavery's expansion to some new territories and states, and the rapid expansion promoted by the Kansas-Nebraska Act and the Dred Scott decision. Explain how these failures led to the Civil War."	The work group draft has three significant omissions because: (1) it attributes solely to the "U.S. government" what was truly a failure of the whole American polity, (2) it omits the partial successes of antebellum Americans, (3) it fails to show that the disintegrating effect upon "We the People" was caused by neglecting our common foundations: the equal liberty set forth in the Declaration.
U.S. History	3	(1)(F)	"Identify the impact of expansion on Indigenous populations including displacement, war, and the spread of disease."	3. Harmful Omissions	In the case of all migrations, we recommend: "Explain the reasons for _____ migration, the benefits and burdens to the earlier inhabitants, and the adverse reactions of those populations, including exclusionary policies and even violence."	By notable omissions, the work groups strongly suggest the false and divisive notion that Americans of northwest European origin engaged in both uniquely noxious migration and uniquely unjust resistance to others' praiseworthy migration; migration from other locations is apparently harmless.
U.S. History	18	(15)(B) and (E)	Click for full text To the SBOE's work groups, progressive "social movements" and their still-active organizations are honorably named and ranked with the pre-1965, unifying patriotic work of the Civil Rights Movement, while conservative movements are simply ignored and impliedly shunned.	3. Harmful Omissions	"Identify the prominent ways in which Americans peacefully pursued justice in diverse and often-opposing ways through controversies over such matters as affirmative action, abortion, sex and marriage, freedom of speech, and economic rights."	The TEKS should not mandate that teachers mention any still-existing political organization, so as to avoid public schools becoming fundraising and recruitment tools for partisan organizations.
U.S. History	3	(1)(E)	"Explain how the Second Great Awakening contributed to... universal white male suffrage."	4. Other Error	Strike white male suffrage: "Explain how the Second Great Awakening contributed to social reforms, including abolitionism, women's rights, and the temperance movement."	White male suffrage was largely accomplished before the Second Great Awakening and was a feature of Jacksonian democracy.

Course	Pages	TEKS	Work Group Draft	Deficiency	Recommended Text	Further Explanation
U.S. History	4	(2)(A)	"analyze the effects of 'the New South' on diverse populations, including sharecropping, convict leasing, Black Codes, white supremacy, and the creation of the Ku Klux Klan"	4. Other Error	"Analyze the ways in which African Americans experienced racial marginalization and subordination because of Jim Crow laws, sharecropping, convict leasing, and lawless violence by the Ku Klux Klan and others."	Factual errors regarding the phenomena referred to by "the New South," the era in which the KKK was formed, the conflation of Jim Crow with the "Black Codes." Does not identify "African Americans."
World History			<i>In the name of "inclusivity," and with the aim of diminishing "Eurocentric content," the work groups begin the study of World History in 1200 C.E., thereby omitting any study of Greco-Roman political history.</i>	3. Harmful Omissions	<i>Begin the study of World History with Greco-Roman political history.</i>	No other peoples, save those of ancient Greece and Rome, made so many efforts at maintaining democratic republics, and no other peoples left such a candid record of their own failures. As indicated in <i>The Federalist Papers</i> , the Framers of our Constitution relied heavily on the knowledge of Greco-Roman democratic failure to craft a more stable form of democratic self-government.
World History			<i>Omits the 11th and 12th Century Europe, thereby excluding the Renaissance.</i>	3. Harmful Omissions	Do not omit the Renaissance. Such knowledge is essential to education for American popular self-government and must include (1) the distinctive political development of England well before 1200, including constitutional Anglo-American principles like limited government, representative legislatures, and due process of law; and (2) the origin of the university in Christian Europe, and thus, indirectly, the origin of our universities and schools.	Texas students have a right to know the origin of their freedom and their schools.
World History			<i>The work group drafts gravely omit any positive contribution of Christianity.</i>	3. Harmful Omissions	Work group drafts should include the benefits Christianity provided in Byzantium, Russia, and Western Europe, similar to their current celebration of the cultural achievements of the Abbasid Caliphates. (and see p. 28, (7)(C))	
World History			<i>Work groups omit both John Calvin and William Blackstone</i>	3. Harmful Omissions	Recommend adding both Calvin and Blackstone.	Both of these political thinkers proved enormously influential to our nation's founding.

Course	Pages	TEKS	Work Group Draft	Deficiency	Recommended Text	Further Explanation
World History			<i>The work groups egregiously omit all discussion of slavery before the trans-Atlantic slave trade.</i>	3. Harmful Omissions	Students should know: 1. the persistence, but continued decline, of slavery in Europe after 1200, 2. the persistence of mutual enslavement by war between Christian and Islamic peoples, 3. the widespread existence of slavery throughout the world, including Asia and the Americas—well before the transatlantic slave trade, and 4. the abolition of slavery by the western powers in the 19th century.	Our self-governing citizenry should know that human exploitation, via slavery or otherwise, is a perennial human problem and is not some evil peculiar to Christianity or western civilization.
U.S. Government	74	(B)(1)	"[s]tudents will deepen their appreciation for and commitment to the United States."	2. Harmful False or Misleading	Use the text provided by statute. Two options available: 1. "Students will deepen their 'appreciation of (A) the importance and responsibility of participating in civic life; (B) a commitment to the United States and its form of government; and (C) a commitment to free speech and civil discourse;" or 2. "Students will deepen their appreciation of the duties of civic responsibility, including free and civil discourse and a commitment to the United States and	A free people must freely commit to their government. Our schools can provide the knowledge needed for the commitment, but only the students freely make the commitment.
U.S. Government	84	(2)(H)	"compare the ideology and platforms or agendas of political parties and contemporary interest groups."	2. Harmful False or Misleading	"Compare the opinions of political parties and contemporary interest groups on important current issues."	A free people, at their best, do not endorse an "ideology," which is a supreme idea to which they subordinate facts. Rather, free citizens form reasoned, though fallible, opinions that they offer for others' consideration.
U.S. Government	87	(3)(B)	"evaluate the impact of different methods of filling public offices, including primary elections and caucuses, general elections, and appointments"	2. Harmful False or Misleading	"Evaluate the differing modes by which the people (1) directly or indirectly vest authority in public officials, and (2) hold them accountable via different terms of office or via the standard of 'good behavior.'"	As drafted, the standard omits that the people are the font of all political authority, and that all those in authority are accountable to the people.

Course	Pages	TEKS	Work Group Draft	Deficiency	Recommended Text	Further Explanation
U.S. Government	90	(4)	"The student understands that the rights of individuals, including those defined by the U.S. Constitution, laws, and court cases are central to the success of our constitutional democracy."	2. Harmful False or Misleading	"The student understands the rights of individuals, including those that the people have secured and established by our federal Constitution and other fundamental laws."	As a free and self-governing people, we do not invest our judges with the power to define rights.
U.S. Government	77	(1)(B)	"describe the impact of major influences on the foundation of the United States Constitution, including Judeo-Christian legal tradition (the Ten Commandments), the Iroquois Confederacy, English common law, the Enlightenment, the Declaration of Independence, and the Articles of Confederation."	3. Harmful Omissions	Add to the draft: ...the Enlightenment, the Declaration of Independence, <u>the first state constitutions</u> , and the Articles of Confederation."	In reviewing the primary antecedents to the federal Constitution, the first state constitutions were immensely important.
U.S. Government	89	(3)(J)	"explain the interactions between the branches of the U.S. government, in a constitutional system of checks and balances and separation of"	3. Harmful Omissions	"Explain how provisions of the U.S. Constitution provide for the interactions between the branches of the U.S. government, and between the federal and state governments, in a constitutional system of checks and balances and separation of powers."	Federalism is a critical form of the separation of powers. The work groups omit this.
U.S. Government	89	(1)(A)	"explain major political ideas that influenced the development of U.S. government, including the laws of nature and nature's God, the rule of law, unalienable rights, separation of church and state, and social contract theory."	3. Harmful Omissions	"...the rule of law, <u>separation of powers</u> , unalienable rights..."	The separation of powers is a defining feature of the U.S. Government.

Course	Pages	TEKS	Work Group Draft	Deficiency	Recommended Text	Further Explanation
Sociology	146	(5)(H)	"define sex, gender, and sexual orientation and differentiate among their distinguishing characteristics"	2. Harmful False or Misleading	"Know the etymology of the terms 'sex,' 'sexuality,' 'gender,' 'sexual orientation,' and 'marriage,' and be familiar with the diverse definitions of these terms, including those adopted by (1) the state of Texas, (2) various other states of our Union, (3) the U.S. Supreme Court, (4) various other jurisdictions around the world (including Africa and Asia), (5) prominent religions, and (6) American professional associations."	The work group's text: 1. presents partisan and contested definitions as if they were simply true as a matter of "social science," when in fact they remain under debate by medical professional in both the U.S. and Europe, and 2. is inconsistent with Texas law.
Sociology	146	(5)(I)	"Explain how socialization of gender influences gender roles and norms which result in inequalities within ownership, power, social control, prestige, and social rewards."	2. Harmful False or Misleading	"Explain how nature and socialization inform gender roles and norms, and the ways in which such roles and norms foster various equalities and inequalities, including economic and political."	The text suggests that all gender roles and norms result in unjust inequalities, which would tend to foster the suggestion that the privileged group deserves to receive "adverse treatment" because of its status.
Economics	108	(12)(C)	"explain how the actions of the Federal Reserve System affect the nation's money supply"	1. General Recommendation	"Explain the costs and benefits of how the Federal Reserve System can provide price stability over time with the money supply."	Monetary policy may have substantial beneficial and detrimental effects on Americans' daily lives; the costs and benefits
Economics	109	(16)(D)	"Identify the characteristics and dangers of predatory lending practices"	1. General Recommendation	"Identify the characteristics and dangers of lending practices supported by private and government entities, including how government action influences lending practices."	Offer students an understanding of how government action influences lending practices.
Economics	106	(4)(A-C)	Omits the names of competing economic systems and removes Friedrich Hayek.	3. Harmful Omissions	For (4) and (4)(B), list the competing systems as follows: "free enterprise, capitalism, socialism, and communism" For (4)(C), do not remove Hayek.	Students should be able to appreciate free enterprise and capitalism and understand its primary alternatives.
Economics	109	(16)	<i>The section on personal financial planning does not introduce a path to prosperity.</i>	3. Harmful Omissions	<i>Add the Success Sequence to this section: (1) get at least a high school education. (2) work full time, and (3) marry before having children.</i>	97% of individuals who follow these three steps in order are not poor when they reach adulthood. Such instruction will show students how best to provide for themselves and their family.
Economics	108	(13)(A)	"analyze how the government's fiscal policy tools can be used to achieve full employment, price stability, and economic	4. Other Error	<i>Remove.</i>	Fiscal policy cannot achieve price stability; this is a function of monetary policy.

About Texas Public Policy Foundation

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