

The local schools send us a receipt to show they have been delivered and we pay for them. The local school system sends the books out to the diocesan principal in charge of the parochial school and to the principal of the nonpublic school.

Dr. MATTHEW. Is there any question in Louisiana about the nonpublic schools having access to these materials?

Mr. AVANTS. None whatsoever. We had a suit known as the Borden suit in Cato Parish. Our courts, the local courts, ruled that the service was to the child. The children in the private and parochial schools were entitled to the books because it was a service to the children, not to the schools or to parents.

It was appealed to the U.S. Supreme Court and upheld. I believe this principle was used in the argument of this committee before the Congress.

Mr. RADCLIFFE. That was the now famous *Cochran* case?

Mr. AVANTS. In Louisiana I believe it was the *Borden* case. The same holds true for school lunches and transportation. We have no question about it in Louisiana.

Mr. RADCLIFFE. If I recall *Cochran*, or *Borden* as you refer to it, it was 1935, wasn't it?

Mr. AVANTS. Yes, sir.

Mr. RADCLIFFE. Has there been any change in your procedures in distributing textbooks since then?

Mr. AVANTS. No change whatsoever. I think the late Gov. Huey B. Long set up this program. It was placed in the constitution so it is a constitutional amendment.

Mr. RADCLIFFE. If it had not been for the *Cochran* case, we would not have had title II today.

Mr. AVANTS. I thought it might have been used as the principle in your argument for parochial schools participating.

Mr. BURTON. I read your directions to your committee and I want to read two portions. First, on your form 1, "Memorandum on Textbook Adoptions, General Directions to Committees" put out by the Louisiana State Department of Education, the point No. 11 on page 2 appears to be the only one that makes any reference to the treatment of children, groups, and so forth. Let me read the entire direction.

It says:

11. Before any book is finally recommended by the committee, it must be carefully read to make sure that it does not contain statements which are un-American, subversive, or would in any way be injurious to children and youth of Louisiana. This task may be divided among the members of the committee.

It must be under this section.

Mr. AVANTS. That is correct.

Mr. BURTON. I had so assumed, but then under form 2, "Memorandum on Textbook Adoption for the Specific Evaluation of Textbooks," the third point under authorship, you say, "Is the point of view free from dogmatism, bias, and is it free from material, statements, or illustrations, offensive to our way of life?"

Mr. AVANTS. In both instances that means the American way of life. We think anything intended to embarrass or ridicule a child, would be un-American. The State superintendent has charged the people responsible for these adoptions with that instruction that there shall not be any statement contained in a book that will ridicule, hold