

By: Hughes

S.B. No. 3

A BILL TO BE ENTITLED

AN ACT

relating to the social studies curriculum in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter J, Chapter 21, Education Code, is amended by adding Section 21.4555 to read as follows:

Sec. 21.4555. CIVICS TRAINING PROGRAM. (a) To facilitate the teaching of curriculum consistent with Sections 28.002(h-2) and (h-3), the commissioner shall develop and make available civics training programs for teachers and administrators.

(b) A civics training program developed under this section must include training in:

(1) the essential knowledge and skills for the social studies curriculum related to civic knowledge adopted under Section 28.002(h-2);

(2) guided classroom discussion of current events, as appropriate for the grade level and consistent with the restrictions under Section 28.002(h-3);

(3) classroom simulations and models of governmental and democratic processes consistent with the requirements and restrictions of Sections 28.002(h-2) and (h-3);

(4) media literacy, including instruction on verifying information and sources and identifying propaganda, as appropriate for the grade level and consistent with the restrictions under Section 28.002(h-3); and

1 (5) strategies for incorporating civics instruction
2 into subject areas other than social studies.

3 (c) The commissioner by rule shall establish the grade
4 levels at which a teacher provides instruction to be eligible to
5 participate in a civics training program. In making the
6 determination, the commissioner shall include grade levels for
7 which the State Board of Education makes significant revisions to
8 the essential knowledge and skills for the social studies
9 curriculum under Section 28.002(h-2).

10 (d) Each civics training program developed under Subsection
11 (a) must be reviewed and approved by the State Board of Education.
12 The board shall annually review each program.

13 (e) Each school district and open-enrollment charter school
14 shall ensure that each district or school campus that offers a grade
15 level described by Subsection (c) has at least one teacher and one
16 principal or campus instructional leader who has attended a civics
17 training program. The agency shall provide assistance to school
18 districts and open-enrollment charter schools in complying with the
19 requirements of this subsection.

20 (f) From funds available for that purpose, a teacher who
21 attends a civics training program may receive a stipend in an amount
22 determined by the commissioner. A stipend received under this
23 section is not included in determining whether a district is paying
24 the teacher the minimum monthly salary under Section 21.402.

25 (g) The commissioner may delay implementation of Subsection
26 (e) to a school year not later than the 2025-2026 school year if the
27 revision of the essential knowledge and skills for the social

1 studies curriculum under Section 28.002(h-2) or the availability of
2 civics training programs does not occur in a manner that reasonably
3 affords public schools the ability to comply with that subsection
4 by an earlier school year. This subsection expires September 1,
5 2026.

6 SECTION 2. Section 28.002(h-2), Education Code, as added by
7 H.B. No. 3979, Acts of the 87th Legislature, Regular Session, 2021,
8 and effective September 1, 2021, is amended to read as follows:

9 (h-2) In adopting the essential knowledge and skills for the
10 social studies curriculum for each grade level from kindergarten
11 through grade 12, the State Board of Education shall adopt
12 essential knowledge and skills that develop each student's civic
13 knowledge, including:

14 (1) an understanding of:

15 (A) [~~1~~] the fundamental moral, political, and
16 intellectual foundations of the American experiment in
17 self-government;

18 (B) [~~2~~] the history, qualities, traditions,
19 and features of civic engagement in the United States;

20 (C) [~~3~~] ~~the history of Native Americans,~~

21 [~~4~~] the structure, function, and processes of
22 government institutions at the federal, state, and local levels;

23 (D) [~~5~~] the founding documents of the United
24 States, including:

25 (i) [~~A~~] the Declaration of Independence;

26 (ii) [~~B~~] the United States Constitution;

27 (iii) [~~C~~] the Federalist Papers,

1 including Essays 10 and 51;
2 (iv) excerpts from Alexis de Tocqueville's
3 Democracy in America;
4 (v) [~~(D)~~] the transcript of the first
5 Lincoln-Douglas debate; and
6 (vi) [~~(E)~~] the writings of [~~and about~~] the
7 founding fathers [~~and mothers and other founding persons~~] of the
8 United States; and
9 (E) the history and importance of:
10 (i) the federal Civil Rights Act of 1964 (42
11 U.S.C. Section 2000a et seq.);
12 (ii) the Thirteenth, Fourteenth, and
13 Nineteenth Amendments to the United States Constitution;
14 (iii) the complexity of the historic
15 relationship between Texas and Mexico; and
16 (iv) the diversity of the Hispanic
17 population in Texas;
18 (2) the ability to:
19 (A) analyze and determine the reliability of
20 information sources;
21 (B) formulate and articulate reasoned positions;
22 (C) understand the manner in which local, state,
23 and federal government works and operates through the use of
24 simulations and models of governmental and democratic processes;
25 (D) actively listen and engage in civil
26 discourse, including discourse with those with different
27 viewpoints;

1 (E) responsibly participate as a citizen in a
2 constitutional democracy; and

3 (F) effectively engage with governmental
4 institutions at the local, state, and federal levels; and

5 (3) an appreciation of:

6 (A) the importance and responsibility of
7 participating in civic life;

8 (B) a commitment to the United States and its
9 form of government; and

10 (C) a commitment to free speech and civil
11 discourse [~~, including the writings of:~~

12 ~~[(i) George Washington;~~

13 ~~[(ii) Ona Judge;~~

14 ~~[(iii) Thomas Jefferson;~~

15 ~~[(iv) Sally Hemings; and~~

16 ~~[(v) any other founding persons of the~~
17 ~~United States;~~

18 ~~[(F) writings from Frederick Douglass's~~
19 ~~newspaper, the North Star;~~

20 ~~[(G) the Book of Negroes;~~

21 ~~[(H) the Fugitive Slave Acts of 1793 and 1850;~~

22 ~~[(I) the Indian Removal Act;~~

23 ~~[(J) Thomas Jefferson's letter to the Danbury~~
24 ~~Baptists; and~~

25 ~~[(K) William Still's Underground Railroad~~
26 ~~Records;~~

27 ~~[(6) historical documents related to the civic~~

1 ~~accomplishments of marginalized populations, including documents~~
2 ~~related to:~~

3 ~~[(A) the Chicano movement,~~

4 ~~[(B) women's suffrage and equal rights,~~

5 ~~[(C) the civil rights movement,~~

6 ~~[(D) the Snyder Act of 1924; and~~

7 ~~[(E) the American labor movement,~~

8 ~~[(7) the history of white supremacy, including but not~~
9 ~~limited to the institution of slavery, the eugenics movement, and~~
10 ~~the Ku Klux Klan, and the ways in which it is morally wrong,~~

11 ~~[(8) the history and importance of the civil rights~~
12 ~~movement, including the following documents:~~

13 ~~[(A) Martin Luther King Jr.'s "Letter from a~~
14 ~~Birmingham Jail" and "I Have a Dream" speech,~~

15 ~~[(B) the federal Civil Rights Act of 1964 (42~~
16 ~~U.S.C. Section 2000a et seq.);~~

17 ~~[(C) the United States Supreme Court's decision~~
18 ~~in *Brown v. Board of Education*;~~

19 ~~[(D) the Emancipation Proclamation;~~

20 ~~[(E) the Universal Declaration of Human Rights;~~

21 ~~[(F) the Thirteenth, Fourteenth, and Fifteenth~~
22 ~~Amendments to the United States Constitution;~~

23 ~~[(G) the United States Court of Appeals for the~~
24 ~~Ninth Circuit decision in *Mendez v. Westminster*;~~

25 ~~[(H) Frederick Douglass's *Narrative of the Life*~~
26 ~~*of Frederick Douglass, an American Slave*;~~

27 ~~[(I) the life and work of Cesar Chavez; and~~

1 ~~[(J) the life and work of Dolores Huerta,~~
2 ~~[(9) the history and importance of the women's~~
3 ~~suffrage movement, including the following documents:~~

4 ~~[(A) the federal Voting Rights Act of 1965 (52~~
5 ~~U.S.C. Section 10101 et seq.);~~

6 ~~[(B) the Fifteenth, Nineteenth, and Twenty-Sixth~~
7 ~~Amendments to the United States Constitution;~~

8 ~~[(C) Abigail Adams's letter "Remember the~~
9 ~~Ladies";~~

10 ~~[(D) the works of Susan B. Anthony; and~~

11 ~~[(E) the Declaration of Sentiments;~~

12 ~~[(10) the life and works of Dr. Hector P. Garcia;~~

13 ~~[(11) the American GI Forum;~~

14 ~~[(12) the League of United Latin American Citizens;~~

15 ~~and~~

16 ~~[(13) *Hernandez v. Texas* (1954)].~~

17 SECTION 3. Section 28.002, Education Code, as effective
18 September 1, 2021, is amended by amending Subsections (h-3) and
19 (h-4) and adding Subsections (h-6) and (h-7) to read as follows:

20 (h-3) For any social studies course or subject, including an
21 innovative course, for a grade level from kindergarten through
22 grade 12 [in the required curriculum]:

23 (1) a teacher may not be compelled to discuss a
24 particular current event or widely debated and currently
25 controversial issue of public policy or social affairs;

26 (2) a teacher who chooses to discuss a topic described
27 by Subdivision (1) shall, to the best of the teacher's ability,

1 strive to explore that [~~the~~] topic from diverse and contending
2 perspectives without giving deference to any one perspective;

3 (3) a school district, open-enrollment charter
4 school, or teacher may not require, make part of a course, or award
5 a grade or course credit, including extra credit, for a student's:

6 (A) work for, affiliation with, or service
7 learning in association with any organization engaged in:

8 (i) lobbying for legislation at the
9 federal, state, or local level; or

10 (ii) social policy advocacy or public
11 policy advocacy;

12 (B) political activism, lobbying, or efforts to
13 persuade members of the legislative or executive branch at the
14 federal, state, or local level to take specific actions by direct
15 communication; or

16 (C) [~~(B)~~] participation in any internship,
17 practicum, or similar activity involving social policy advocacy or
18 public policy advocacy; and

19 (4) a teacher, administrator, or other employee of a
20 state agency, school district, or open-enrollment charter school
21 may not:

22 (A) require, or make part of a course, concepts
23 that serve to inculcate [~~be required to engage in training,~~
24 ~~orientation, or therapy that presents any form of race or sex~~
25 ~~stereotyping or blame on the basis of race or sex];~~

26 (B) teach, instruct, or train any administrator,
27 teacher, or staff member of a state agency, school district, or

1 open-enrollment charter school to adopt [~~require or make part of a~~
2 ~~course~~] the concept that:

3 (i) one race or sex is inherently superior
4 to another race or sex;

5 (ii) an individual, by virtue of the
6 individual's race or sex, is inherently racist, sexist, or
7 oppressive, whether consciously or unconsciously;

8 (iii) an individual should be discriminated
9 against or receive adverse treatment solely or partly because of
10 the individual's race or sex;

11 (iv) [~~members of one race or sex cannot and~~
12 ~~should not attempt to treat others without respect to race or sex~~;

13 [~~v~~] an individual's moral character,
14 standing, or worth is necessarily determined by the individual's
15 race or sex;

16 (v) [~~vi~~] an individual, by virtue of the
17 individual's race or sex, bears responsibility for actions
18 committed in the past by other members of the same race or sex;

19 (vi) [~~vii~~] an individual should feel
20 discomfort, guilt, anguish, or any other form of psychological
21 distress on account of the individual's race or sex;

22 (vii) [~~viii~~] meritocracy or traits such
23 as a hard work ethic are racist or sexist or were created by members
24 of a particular race to oppress members of another race;

25 (viii) [~~ix~~] the advent of slavery in the
26 territory that is now the United States constituted the true
27 founding of the United States; or

1 (ix) [~~(x)~~] with respect to their
2 relationship to American values, slavery and racism are anything
3 other than deviations from, betrayals of, or failures to live up to,
4 the authentic founding principles of the United States, which
5 include liberty and equality; and

6 (C) require an understanding of The 1619 Project.

7 (h-4) A state agency, school district, or open-enrollment
8 charter school may not accept private funding for the purpose of
9 developing a curriculum, purchasing or selecting curriculum
10 materials, or providing teacher training or professional
11 development for a course described by Subsections [~~Subsection~~]
12 (h-3)(3) and (4).

13 (h-6) Subsection (h-3)(3) may not be construed to apply to a
14 student's participation in community charitable projects, such as
15 building community gardens, volunteering at local food banks, or
16 other service projects.

17 (h-7) The agency shall ensure that each school district or
18 open-enrollment charter school teaches civics education as part of
19 the district's social studies curriculum in a manner consistent
20 with the essential knowledge and skills adopted under Subsection
21 (h-2).

22 SECTION 4. Section 28.002(h-2), Education Code, as added by
23 H.B. No. 4509, Acts of the 87th Legislature, 2021, is redesignated
24 as Section 28.002(h-8), Education Code, to read as follows:

25 (h-8) [~~(h-2)~~] In providing instruction regarding the
26 founding documents of the United States as described by Subsection
27 (h-1)(4), a school district or open-enrollment charter school shall

1 use those documents as part of the instructional materials for the
2 instruction.

3 SECTION 5. (a) Except as provided by Subsection (b) of this
4 section, this Act applies beginning with the 2021-2022 school year.

5 (b) Section 28.002(h-2), Education Code, as added by H.B.
6 No. 3979, Acts of the 87th Legislature, Regular Session, 2021,
7 effective September 1, 2021, and as amended by this Act, applies
8 beginning with the 2022-2023 school year.

9 SECTION 6. Not later than December 31, 2022, the State Board
10 of Education shall review and revise, as needed, the essential
11 knowledge and skills of the social studies curriculum as required
12 by Section 28.002(h-2), Education Code, as added by H.B. No. 3979,
13 Acts of the 87th Legislature, Regular Session, 2021, effective
14 September 1, 2021, and as amended by this Act.

15 SECTION 7. If any provision of this Act or its application
16 to any person or circumstance is held invalid, the invalidity does
17 not affect other provisions or applications of this Act that can be
18 given effect without the invalid provision or application, and to
19 this end the provisions of this Act are declared to be severable.

20 SECTION 8. This Act takes effect September 1, 2021, if it
21 receives a vote of two-thirds of all the members elected to each
22 house, as provided by Section 39, Article III, Texas Constitution.
23 If this Act does not receive the vote necessary for effect on that
24 day, this Act takes effect on the 91st day after the last day of the
25 legislative session.