

By: Hughes, et al.

S.B. No. 3

A BILL TO BE ENTITLED

AN ACT

1
2 relating to civics training programs for certain public school
3 social studies teachers and principals, parental access to certain
4 learning management systems, and certain curriculum in public
5 schools, including certain instructional requirements and
6 prohibitions.

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

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

10 Sec. 21.4555. CIVICS TRAINING PROGRAM. (a) To facilitate
11 the teaching of curriculum consistent with Sections 28.002(h-2) and
12 28.0022, the commissioner shall develop and make available civics
13 training programs for teachers and administrators.

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

16 (1) the essential knowledge and skills for the social
17 studies curriculum related to civic knowledge adopted under Section
18 28.002(h-2);

19 (2) guided classroom discussion of current events, as
20 appropriate for the grade level and consistent with the
21 restrictions under Section 28.0022;

22 (3) classroom simulations and models of governmental
23 and democratic processes consistent with the requirements and
24 restrictions of Sections 28.002(h-2) and 28.0022;

1 (4) media literacy, including instruction on
2 verifying information and sources, identifying and responding to
3 logical fallacies, and identifying propaganda, as appropriate for
4 the grade level and consistent with the restrictions under Section
5 28.0022; and

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

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

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

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

25 (f) From funds available for that purpose, a teacher who
26 attends a civics training program may receive a stipend in an amount
27 determined by the commissioner. A stipend received under this

1 section is not included in determining whether a district is paying
2 the teacher the minimum monthly salary under Section 21.402.

3 (g) The commissioner may delay implementation of Subsection
4 (e) to a school year not later than the 2025-2026 school year if the
5 revision of the essential knowledge and skills for the social
6 studies curriculum under Section 28.002(h-2) or the availability of
7 civics training programs does not occur in a manner that reasonably
8 affords public schools the ability to comply with that subsection
9 by an earlier school year. This subsection expires September 1,
10 2026.

11 (h) Nothing in this section may be construed as limiting the
12 teaching of or instruction in the essential knowledge and skills
13 adopted under Subchapter A, Chapter 28.

14 SECTION 2. Section 26.006, Education Code, is amended by
15 adding Subsection (e) to read as follows:

16 (e) Each school district and open-enrollment charter school
17 that uses a learning management system or any online learning
18 portal to assign, distribute, present, or make available
19 instructional materials as defined by Section 31.002 to students
20 shall provide login credentials to the system or portal to each
21 student's parent.

22 SECTION 3. Section 28.002, Education Code, as effective
23 September 1, 2021, is amended by adding Subsections (h-2), (h-7),
24 and (h-8) to read as follows:

25 (h-2) In adopting the essential knowledge and skills for the
26 social studies curriculum for each grade level from kindergarten
27 through grade 12, the State Board of Education shall adopt

1 essential knowledge and skills that develop each student's civic
2 knowledge, including:

3 (1) an understanding of:

4 (A) the fundamental moral, political,
5 entrepreneurial, and intellectual foundations of the American
6 experiment in self-government;

7 (B) the history, qualities, traditions, and
8 features of civic engagement in the United States;

9 (C) the structure, function, and processes of
10 government institutions at the federal, state, and local levels;
11 and

12 (D) the founding documents of the United States;

13 (2) the ability to:

14 (A) analyze and determine the reliability of
15 information sources;

16 (B) formulate and articulate reasoned positions;

17 (C) understand the manner in which local, state,
18 and federal government works and operates through the use of
19 simulations and models of governmental and democratic processes;

20 (D) actively listen and engage in civil
21 discourse, including discourse with those with different
22 viewpoints; and

23 (E) participate as a citizen in a constitutional
24 democracy by voting; and

25 (3) an appreciation of:

26 (A) the importance and responsibility of
27 participating in civic life;

1 (B) a commitment to the United States and its
2 form of government; and

3 (C) a commitment to free speech and civil
4 discourse.

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

10 (h-8) Nothing in Subsection (h-2) or (h-7) may be construed
11 as limiting the teaching of or instruction in the essential
12 knowledge and skills adopted under this subchapter.

13 SECTION 4. Section 28.002(h-2), Education Code, as added by
14 H.B. 4509, Acts of the 87th Legislature, Regular Session, 2021, is
15 redesignated as Section 28.002(h-6), Education Code, to read as
16 follows:

17 (h-6) [~~(h-2)~~] In providing instruction regarding the
18 founding documents of the United States as described by Subsection
19 (h-1)(4), a school district or open-enrollment charter school shall
20 use those documents as part of the instructional materials for the
21 instruction.

22 SECTION 5. Subchapter A, Chapter 28, Education Code, is
23 amended by adding Section 28.0022 to read as follows:

24 Sec. 28.0022. CERTAIN INSTRUCTIONAL REQUIREMENTS AND
25 PROHIBITIONS. (a) For any course or subject, including an
26 innovative course, for a grade level from kindergarten through
27 grade 12:

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

4 (2) a teacher who chooses to discuss a topic described
5 by Subdivision (1) shall, to the best of the teacher's ability,
6 strive to explore that topic from diverse and contending
7 perspectives without giving deference to any one perspective;

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

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

13 (i) lobbying for legislation at the
14 federal, state, or local level; or

15 (ii) social policy advocacy or public
16 policy advocacy;

17 (B) political activism, lobbying, or efforts to
18 persuade members of the legislative or executive branch at the
19 federal, state, or local level to take specific actions by direct
20 communication; or

21 (C) participation in any internship, practicum,
22 or similar activity involving social policy advocacy or public
23 policy advocacy; and

24 (4) a teacher, administrator, or other employee of a
25 state agency, school district, or open-enrollment charter school
26 may not:

27 (A) require or make part of a course inculcation

1 in the concept that:

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

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

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

10 (iv) an individual's moral character,
11 standing, or worth is necessarily determined by the individual's
12 race or sex;

13 (v) an individual, by virtue of the
14 individual's race or sex, bears responsibility for actions
15 committed in the past by other members of the same race or sex;

16 (vi) an individual should feel discomfort,
17 guilt, anguish, or any other form of psychological distress on
18 account of the individual's race or sex;

19 (vii) meritocracy or traits such as a hard
20 work ethic are racist or sexist or were created by members of a
21 particular race to oppress members of another race;

22 (viii) the advent of slavery in the
23 territory that is now the United States constituted the true
24 founding of the United States; or

25 (ix) with respect to their relationship to
26 American values, slavery and racism are anything other than
27 deviations from, betrayals of, or failures to live up to the

1 authentic founding principles of the United States, which include
2 liberty and equality;

3 (B) teach, instruct, or train any administrator,
4 teacher, or staff member of a state agency, school district, or
5 open-enrollment charter school to adopt a concept listed under
6 Paragraph (A); or

7 (C) require an understanding of the 1619 Project.

8 (b) Subsection (a)(3) does not apply to a student's
9 participation in:

10 (1) community charitable projects, such as building
11 community gardens, volunteering at local food banks, or other
12 service projects; or

13 (2) an internship or practicum:

14 (A) for which the student receives course credit
15 under the P-TECH program established under Section 29.553; and

16 (B) that does not involve the student directly
17 engaging in lobbying, social policy advocacy, or public policy
18 advocacy.

19 (c) A state agency, school district, or open-enrollment
20 charter school may not accept private funding for the purpose of
21 developing a curriculum, purchasing or selecting curriculum
22 materials, or providing teacher training or professional
23 development related to a concept listed in Subsection (a)(4)(A).

24 (d) A school district or open-enrollment charter school may
25 not implement, interpret, or enforce any rule in a manner that would
26 result in the punishment of a student for discussing the concepts
27 described by Subsection (a)(4) or have a chilling effect on student

1 discussions involving those concepts.

2 (e) Nothing in this section may be construed as limiting the
3 teaching of or instruction in the essential knowledge and skills
4 adopted under this subchapter.

5 SECTION 6. Sections 28.002(h-2), (h-3), (h-4), and (h-5),
6 as added by H.B. 3979, Acts of the 87th Legislature, Regular
7 Session, 2021, and effective September 1, 2021, are repealed.

8 SECTION 7. Section 28.002(h-2), Education Code, as added by
9 this Act, applies beginning with the 2022-2023 school year.

10 SECTION 8. Not later than December 31, 2022, the State Board
11 of Education shall review and revise, as needed, the essential
12 knowledge and skills of the social studies curriculum as required
13 by Section 28.002(h-2), Education Code, as added by this Act.

14 SECTION 9. If any provision of this Act or its application
15 to any person or circumstance is held invalid, the invalidity does
16 not affect other provisions or applications of this Act that can be
17 given effect without the invalid provision or application, and to
18 this end the provisions of this Act are declared to be severable.

19 SECTION 10. If this Act receives a vote of two-thirds of all
20 the members elected to each house, as provided by Section 39,
21 Article III, Texas Constitution, this Act takes effect on the first
22 day that occurs after August 31, 2021, and is on or after the
23 earliest date on which this Act may take effect. If this Act does
24 not receive the vote necessary for effect on that date, this Act
25 takes effect on the 91st day after the last day of the legislative
26 session.