

By: Hughes, et al.  
(Huberty, Toth, Metcalf, White, et al.)

S.B. No. 3

A BILL TO BE ENTITLED

1 AN ACT  
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.