

AN ACT

relating to Celebrate Freedom Week and to certain instruction in social studies classes in public schools.

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

SECTION 1. Section 29.903, Education Code, as added by Chapter 451, Acts of the 77th Legislature, Regular Session, 2001, is renumbered as Section 29.907, Education Code, and amended to read as follows:

Sec. 29.907 [~~29.903~~]. CELEBRATE FREEDOM WEEK. (a) To educate students about the sacrifices made for freedom in the founding of this country and the values on which this country was founded, the [last full] week [of classes] in which November 11 falls [September] is designated as Celebrate Freedom Week in public schools. For purposes of this subsection, Sunday is considered the first day of the week.

(b) [~~Celebrate Freedom Week may include appropriate instruction, as determined by each school district, in each social studies class. Instruction should include study of the intent, meaning, and importance of the Declaration of Independence and the United States Constitution, including the Bill of Rights, in their historical context. The study of the Declaration of Independence should include the relationship of the ideas expressed in that document to subsequent American history, including but not limited to the relationship of its ideas to the rich diversity of our people~~]

~~as a nation of immigrants, the American Revolution, the formulation of the United States Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement. During Celebrate Freedom Week, a school district may require students in grade levels 3 through 12 to study the text quoted below:~~

~~[WE hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed]~~

The agency, in cooperation with other state agencies who voluntarily participate, may promote Celebrate Freedom Week through a coordinated program. Nothing in this subsection ~~[subchapter]~~ shall give any other state agency the authority to develop a program that provides instruction unless funds are specifically appropriated to that agency for that purpose.

SECTION 2. (a) Not later than December 31, 2003, the State Board of Education shall adopt rules requiring each social studies class to include, during Celebrate Freedom Week as provided under Section 29.907, Education Code, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the United States Constitution, including the Bill of Rights, in their historical contexts. The rules must provide for the study of the Declaration

1 of Independence to include the study of the relationship of the
2 ideas expressed in that document to subsequent American history,
3 including the relationship of its ideas to the rich diversity of our
4 people as a nation of immigrants, the American Revolution, the
5 formulation of the United States Constitution, and the abolitionist
6 movement, which led to the Emancipation Proclamation and the
7 women's suffrage movement.

8 (b) In adopting rules under Subsection (a) of this section,
9 the State Board of Education shall provide for each school
10 district:

11 (1) to require that, during Celebrate Freedom Week or
12 other week of instruction prescribed under Subsection (a) of this
13 section, students in grade levels 3 through 12 study and recite the
14 text quoted below:

15 "WE hold these Truths to be self-evident, that all Men
16 are created equal, that they are endowed by their Creator with
17 certain unalienable Rights, that among these are Life, Liberty and
18 the Pursuit of Happiness--That to secure these Rights, Governments
19 are instituted among Men, deriving their just Powers from the
20 Consent of the Governed."; and

21 (2) to excuse from the recitation a student:

22 (A) whose parent or guardian submits to the
23 district a written request that the student be excused;

24 (B) who, as determined by the district, has a
25 conscientious objection to the recitation; or

26 (C) who is the child of a representative of a
27 foreign government to whom the United States government extends

1 diplomatic immunity.

2 SECTION 3. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2003.

H.B. No. 1776

President of the Senate

Speaker of the House

I certify that H.B. No. 1776 was passed by the House on April 25, 2003, by the following vote: Yeas 146, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1776 was passed by the Senate on May 27, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor