

By: Hughes, et al. (Senate Sponsor - Nelson) H.B. No. 1776
(In the Senate - Received from the House April 28, 2003;
May 1, 2003, read first time and referred to Committee on
Education; May 19, 2003, reported favorably by the following vote:
Yeas 5, Nays 0; May 19, 2003, sent to printer.)

A BILL TO BE ENTITLED
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 renamed 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
of Independence to include the study of the relationship of the
ideas expressed in that document to subsequent American history,
including 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.

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

(1) to require that, during Celebrate Freedom Week or other week of instruction prescribed under Subsection (a) of this section, students in grade levels 3 through 12 study and recite 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."; and

(2) to excuse from the recitation a student:

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

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

(C) who is the child of a representative of a foreign government to whom the United States government extends diplomatic immunity.

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

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