

By: Madden

H.B. No. 973

A BILL TO BE ENTITLED

AN ACT

relating to instruction and testing in social studies in public schools.

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

SECTION 1. Subchapter A, Chapter 28, Education Code, is amended by adding Section 28.0021 to read as follows:

Sec. 28.0021. SOCIAL STUDIES CURRICULUM. (a) Not later than January 1, 2006, the State Board of Education, with the direct participation of the persons described by Subsection (b), shall by rule identify the essential knowledge and skills of the social studies required curriculum that all students should be able to demonstrate and that will be used in evaluating textbooks under Chapter 31 and addressed on the assessment instruments required under Subchapter B, Chapter 39. As a condition of accreditation, the board shall require each district to provide instruction in the essential knowledge and skills at appropriate grade levels.

(b) As prescribed by Subsection (a), the State Board of Education shall request the participation and consider recommendations from:

(1) interested state residents, including parents of school-age children;

(2) teachers certified to teach and providing instruction in social studies in this state;

(3) secondary school principals serving public school

1 campuses in this state;

2 (4) members of school district boards of trustees
3 serving in this state;

4 (5) representatives of institutions of higher
5 education in this state;

6 (6) persons with nationally recognized expertise in
7 developing rigorous core academic standards with statewide
8 application;

9 (7) business and industry representatives in this
10 state; and

11 (8) other persons the board considers appropriate.

12 (c) The social studies curriculum adopted under Subsection
13 (a):

14 (1) must:

15 (A) be presented in a consistent, standardized
16 format that prescribes what teachers must teach and what students
17 should learn;

18 (B) be grade-level appropriate and increase in
19 complexity from one grade level to the next;

20 (C) be strictly academic and based on objective,
21 verifiable knowledge in all social studies subjects;

22 (D) be consistent with fundamental American
23 principles, including:

24 (i) patriotism, democratic values, and free
25 enterprise; and

26 (ii) the principles stated in the
27 Declaration of Independence and the United States Constitution,

1 including equality, national sovereignty, natural law,
2 self-evident truths, and unalienable rights;

3 (E) be consistent with the American system of
4 government as stated in the Declaration of Independence and the
5 United States Constitution;

6 (F) emphasize America's achievements; and

7 (G) include all significant historical events;
8 and

9 (2) may not:

10 (A) be ideological or partisan or promote a
11 particular set of personal or religious values, attitudes, or
12 beliefs or a political bias;

13 (B) focus in an unreasonably negative manner on
14 American values, culture, or history;

15 (C) present an unreasonably superficial view of a
16 racial or ethnic group; or

17 (D) be based primarily on national social studies
18 curriculum content standards, including the National Standards for
19 Civics and Government, Curriculum Standards for Social Studies, or
20 National Standards for History.

21 (d) The State Board of Education shall identify the college
22 board advanced placement and international baccalaureate courses
23 that are consistent with the requirements in the social studies
24 curriculum adopted under this section.

25 (e) This section expires September 1, 2013.

26 SECTION 2. Section 39.023, Education Code, is amended by
27 amending Subsections (e) and (h) and adding Subsection (h-1) to

1 read as follows:

2 (e) Under rules adopted by the State Board of Education,
3 every other year, the agency shall release the questions and answer
4 keys to each assessment instrument administered under Subsection
5 (a)(1), (2), (3), (4), (6), or (7) [~~(a)~~], (b), (c), (d), or (l)
6 after the last time the instrument is administered for that school
7 year. Under rules adopted by the State Board of Education, every
8 year the agency shall release the questions and answer keys to each
9 assessment instrument administered under Subsection (a)(5) after
10 the last time the instrument is administered for that school year.
11 To ensure a valid bank of questions for use each year, the agency is
12 not required to release a question that is being field-tested and
13 was not used to compute the student's score on the instrument. The
14 agency shall also release, under board rule, each question that is
15 no longer being field-tested and that was not used to compute a
16 student's score.

17 (h) The agency shall notify school districts and campuses of
18 the results of assessment instruments administered under this
19 section at the earliest possible date determined by the State Board
20 of Education but:

21 (1) for a social studies assessment instrument, not
22 later than the end of the school year in which the assessment
23 instrument was administered; and

24 (2) for all other assessment instruments, not later
25 than the beginning of the subsequent school year.

26 (h-1) At the same time school districts and campuses are
27 notified under Subsection (h)(1), the agency shall notify the

1 public of the results of the social studies assessment instruments
2 in a manner that protects the privacy of the individual student
3 tested but that allows comparisons between campuses and school
4 districts.

5 SECTION 3. Subchapter B, Chapter 39, Education Code, is
6 amended by adding Section 39.0232 to read as follows:

7 Sec. 39.0232. ADOPTION AND ADMINISTRATION OF SOCIAL STUDIES
8 ASSESSMENT INSTRUMENTS. (a) In addition to any requirements
9 imposed by Section 39.023, a social studies assessment instrument
10 adopted by the agency:

11 (1) must contain only questions that are:

12 (A) grade-level appropriate and increase in
13 complexity from one grade level to the next;

14 (B) strictly academic and based on objective,
15 verifiable knowledge in all social studies subjects;

16 (C) consistent with fundamental American
17 principles, including:

18 (i) patriotism, democratic values, and free
19 enterprise; and

20 (ii) the principles stated in the
21 Declaration of Independence and the United States Constitution,
22 including equality, national sovereignty, natural law,
23 self-evident truths, and unalienable rights; and

24 (D) consistent with the American system of
25 government as stated in the Declaration of Independence and the
26 United States Constitution; and

27 (2) may not contain questions that:

1 (A) are ideological or partisan or request an
2 assessment of personal or religious values, attitudes, or beliefs,
3 or a political bias, including:

4 (i) political affiliations or beliefs of
5 the student or the student's parents;

6 (ii) religious practices, affiliations, or
7 beliefs of the student or the student's parents;

8 (iii) mental or psychological problems
9 experienced by the student or in the student's family;

10 (iv) critical appraisals of other
11 individuals with whom the student has close family relationships;

12 (v) sexual behavior or attitudes; or

13 (vi) illegal, antisocial,
14 self-incriminating, or demeaning behavior; or

15 (B) are based primarily on national social
16 studies curriculum content standards, including the National
17 Standards for Civics and Government, Curriculum Standards for
18 Social Studies, or National Standards for History.

19 (b) Except as provided by this subsection, a social studies
20 assessment instrument may provide only one correct answer to each
21 question in order that the instrument may be scored by machine.
22 Essay questions may be used on the assessment instrument to test
23 academic concepts, but may not be used to assess personal or
24 religious values, attitudes, or beliefs.

25 (c) This section expires September 1, 2013.

26 SECTION 4. Section 39.024, Education Code, is amended by
27 adding Subsection (f) to read as follows:

1 (f) In the assessment of essential knowledge and skills in
2 social studies, the State Board of Education shall use the
3 percentage of students who perform satisfactorily on the assessment
4 instruments each year to determine the adequate yearly progress
5 made by students at each campus and in each school district. The
6 goal of the State Board of Education is to have all students
7 assessed perform satisfactorily on the assessment instruments by
8 the 2012-2013 school year.

9 SECTION 5. The essential knowledge and skills of the social
10 studies required curriculum adopted by the State Board of Education
11 under Section 28.0021, Education Code, as added by this Act, and the
12 requirements for the administration of the social studies
13 assessment instruments as prescribed by Section 39.0232, Education
14 Code, as added by this Act, apply beginning the 2007-2008 school
15 year.

16 SECTION 6. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2005.