

BILL ANALYSIS

Senate Research Center

H.B. 4509
By: Bonnen (Taylor)
Education
5/21/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

For nearly 250 years, our great nation has inspired freedom and liberty across the world. Our founding fathers had the foresight and wisdom to declare their grievances of tyrannical rule in writing, making a clear and concise argument for freedom from taxation and oppression. Today, these writings make up the historical truths surrounding America's birth. The Declaration of Independence, the Articles of Confederation, the United States Constitution, and the Bill of Rights—and many, many more writings—preserve the firsthand struggles, triumphs, challenges, and beliefs by which our country was established.

To ensure Texas's students gain access and receive exposure to these founding documents, state law must be passed to ensure these primary historic sources are incorporated into state education curriculum across grade levels.

In his farewell address to the nation in 1989, President Ronald Reagan called for an "informed patriotism." "If we forget what we did," he said, "we won't know who we are." The president, in his final words to America, after eight years in office, warned the country of an "eradication of the American memory that could result, ultimately, in an erosion of the American spirit."

H.B. 4509 amends the Education Code by requiring Texas's public school students to receive an education rooted in informed patriotism or the study of America's and Texas's founding documents. The bill requires the adoption of instructional materials to include these documents for kindergarten through grade 12. In addition, the bill outlines specific social studies curriculum, for purposes of adopting essential knowledge and skills, to develop students' civic knowledge in fundamental areas of American government. The bill would go into effect for the 2021-2022 school year.

H.B. 4509 amends current law relating to instruction on informed American patriotism in public schools.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 4.001(b), Education Code, as follows:

(b) Provides that the objectives of public education are:

OBJECTIVE 1 - OBJECTIVE 4: Makes no changes to these objectives.

OBJECTIVE 5: Requires educators to cultivate in students an informed American patriotism and lead students in a close study of the founding documents of the United States and Texas. Provides that the purpose of this objective is to:

(1) increase students' knowledge of the deepest and noblest purposes of the United States and Texas;

(2) enhance students' intellectual independence so that students may become thoughtful, informed, active citizens who have an appreciation for the fundamental democratic principles and basic values of our state and national heritage; and

(3) guide students toward understanding and productively functioning in a free enterprise society.

Deletes existing text requiring educators to prepare students to be thoughtful, active citizens who have an appreciation for the basic values of our state and national heritage and who can understand and productively function in a free enterprise society.

OBJECTIVE 6 - OBJECTIVE 11: Makes no changes to these objectives.

SECTION 2. Amends Section 5.001, Education Code, by adding Subdivision (10), to define "informed American patriotism." Provides that informed American patriotism is only a conditional pledge of devotion that will be maintained only so long as America adheres to a republican form of government. Provides that if we abandon a representative democracy, our pledge of allegiance will be withdrawn as is stated in the Pledge of Allegiance, which swears devotion to a "republic."

SECTION 3. Amends Section 28.002, Education Code, by amending Subsection (h) and adding Subsections (h-1) and (h-2), as follows:

(h) Requires the State Board of Education (SBOE) and each school district to require the teaching of informed American patriotism, Texas history, and the free enterprise system in the adoption of instructional materials for kindergarten through grade 12, including the founding documents of the United States. Provides that a primary purpose of the public school curriculum is to prepare thoughtful, informed citizens, rather than thoughtful, active citizens, who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the fundamental democratic principles, rather than for the basic democratic values, of our state and national heritage. Deletes existing text requiring SBOE and each school district to foster the continuation of the tradition of teaching United States and Texas history and the free enterprise system in regular subject matter and in reading courses and in the adoption of instructional materials.

(h-1) Requires SBOE, in adopting the essential knowledge and skills for the foundation curriculum under Subsection (a)(1) (relating to required foundation curriculum including certain topics), as appropriate, adopt essential knowledge and skills that develop each student's civic knowledge, including an understanding of:

(1) the fundamental moral, political, and intellectual foundations of the American experiment in self-government;

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

(3) the structure, function, and processes of government institutions at the federal, state, and local levels; and

(4) the founding documents of the United States, including:

(A) the entirety of the Declaration of Independence;

(B) the entirety of the United States Constitution;

(C) the Federalist Papers, including the entirety of Essays 10 and 51;

- (D) excerpts from Alexis de Tocqueville's *Democracy in America*;
- (E) the transcript of the first Lincoln-Douglas debate;
- (F) the writings of the founding fathers of the United States;
- (G) the entirety of Frederick Douglass's speeches "The Meaning of July Fourth for the Negro" and "What the Black Man Wants"; and
- (H) the entirety of Martin Luther King Jr.'s speech "I Have a Dream."

(h-2) Requires a school district or open-enrollment charter school, in providing instruction regarding the founding documents of the United States as described by Subsection (h-1)(4), to use those documents as part of the instructional materials for the instruction.

SECTION 4. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 5. Effective date: upon passage or September 1, 2021.