

BILL ANALYSIS

Senate Research Center

S.B. 2026
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Education
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As Filed

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."

S.B. 2026 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.

As proposed, S.B. 2026 amends current law relating to instruction in informed 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, Education Code, as follows:

Sec. 4.001. Public Education Mission and Objectives. (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 patriotism, which consists primarily of leading students through close study of America's and Texas' founding documents. Provides that this objective's purpose is to:

(A) increase students' knowledge of their country's and state's deepest and noblest purposes,

(B) enhance students' intellectual independence, in order that they become thoughtful, effective citizens who have an appreciation for the fundamental moral principles of our state and national heritage, and

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

Deletes existing text providing that educators will 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. Makes nonsubstantive changes.

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

SECTION 2. Amends Section 28.002, Education Code, as follows:

Sec. 28.002. Required Curriculum. (h) Requires the State Board of Education (SBOE) and each school district to require the teaching of informed American patriotism and Texas history and the free enterprise system in the adoption of instructional materials for kindergarten through grade 12. Provides that a primary purpose of the public school curriculum is to prepare thoughtful, effective citizens, rather than to prepare thoughtful, active citizens, who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the basic democratic moral principles, rather than 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.

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

(h-1) Requires SBOE, in adopting the essential knowledge and skills for the social studies curriculum, to 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, as well as the history, qualities, traditions, and features of civics in the United States;

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

(3) the Founding documents of the United States, including the Declaration of Independence, the United States Constitution, the Federalist Papers (including but not limited to Essays 10 and 51), excerpts from Alexis de Tocqueville's Democracy in America, the first Lincoln-Douglas debate, and the writings of the Founding Fathers of the United States.

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

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