By:  Toth, et al. (Senate Sponsor - Creighton) H.B. No. 3979

(In the Senate - Received from the House May 12, 2021; May 14, 2021, read first time and referred to Committee on State Affairs; May 19, 2021, reported adversely, with favorable Committee Substitute by the following vote: Yeas 6, Nays 2; May 19, 2021, sent to printer.)

COMMITTEE VOTE

               Yea Nay Absent  PNV

Hughes          X

Birdwell        X

Campbell        X

Hall            X

Lucio               X

Nelson          X

Powell              X

Schwertner      X

Zaffirini                 X

COMMITTEE SUBSTITUTE FOR H.B. No. 3979 By:  Hughes

A BILL TO BE ENTITLED

AN ACT

relating to the social studies curriculum in public schools.

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

SECTION 1.  Section 28.002, Education Code, is amended by adding Subsections (h-2), (h-3), and (h-4) to read as follows:

(h-2)  In adopting the essential knowledge and skills for the social studies curriculum, the State Board of Education shall 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 Declaration of Independence;

(B)  the United States Constitution;

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

(D)  excerpts from Alexis de Tocqueville's Democracy in America;

(E)  the transcript of the first Lincoln-Douglas debate; and

(F)  the writings of the founding fathers of the United States.

(h-3)  For courses in the social studies curriculum in Texas history, United States history, world history, government, civics, social studies, or other similar subjects:

(1)  a teacher may not be compelled to discuss current events or widely debated and currently controversial issues of public policy or social affairs;

(2)  a teacher who chooses to discuss topics described by Subdivision (1) shall, to the best of the teacher's ability, strive to explore those topics from diverse and contending perspectives without giving deference to any one perspective;

(3)  a school district, open-enrollment charter school, or teacher may not require, make part of a course, or award a grade or course credit, including extra credit, for a student's:

(A)  work for, affiliation with, or service learning in association with any organization engaged in:

(i)  lobbying for legislation at the federal, state, or local level; or

(ii)  social or public policy advocacy;

(B)  political activism, lobbying, or efforts to persuade members of the legislative or executive branch at the federal, state, or local level to take specific actions by direct communication; or

(C)  participation in any practicum or similar activity involving social or public policy advocacy; and

(4)  a teacher, administrator, or other employee of a state agency, school district, or open-enrollment charter school may not:

(A)  be required to engage in training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex; and

(B)  require or make part of a course the concept that:

(i)  one race or sex is inherently superior to another race or sex;

(ii)  an individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(iii)  an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race or sex;

(iv)  members of one race or sex cannot and should not attempt to treat others without respect to race or sex;

(v)  an individual's moral character is necessarily determined by the individual's race or sex;

(vi)  an individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;

(vii)  an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of the individual's race or sex; or

(viii)  meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race.

(h-4)  A state agency, school district, or open-enrollment charter school may not accept private funding for the purpose of developing a curriculum, purchasing or selecting curriculum materials, or providing teacher training or professional development for a course described by Subsection (h-3).

SECTION 2.  (a)  Except as provided by Subsection (b) of this section, this Act applies beginning with the 2021-2022 school year.

(b)  Section 28.002(h-2), Education Code, as added by this Act, applies beginning with the 2022-2023 school year.

SECTION 3.  Not later than December 31, 2022, the State Board of Education shall review and revise, as needed, the essential knowledge and skills of the social studies curriculum as required by Section 28.002(h-2), Education Code, as added by this Act.

SECTION 4.  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, 2021.

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