

**House Bill 3979**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

No equivalent provision.

SENATE VERSION (IE)

(Unless otherwise indicated, all SECTIONS below are from FA1)

CONFERENCE

SECTION 1. Subchapter J, Chapter 21, Education Code, is amended by adding Section 21.4555 to read as follows:

Sec. 21.4555. CIVICS TRAINING PROGRAM. (a) To facilitate the teaching of curriculum consistent with Sections 28.002(h-2) and (h-3), the commissioner shall develop and make available civics training programs for teachers and administrators.

(b) A civics training program developed under this section must include training in:

(1) guided classroom discussion of current events, as appropriate for the grade level and consistent with the restrictions under Section 28.002(h-3);

(2) the essential knowledge and skills for the social studies curriculum related to civic knowledge adopted under Section 28.002(h-2);

(3) classroom simulations and models of governmental and democratic processes consistent with the requirements and restrictions of Sections 28.002(h-2) and (h-3);

(4) media literacy, including instruction on verifying information and sources and identifying propaganda, as appropriate for the grade level and consistent with the restrictions under Section 28.002(h-3); and

(5) strategies for incorporating civics instruction into subject areas other than social studies.

(c) The commissioner by rule shall establish the grade levels at which a teacher provides instruction to be eligible to participate in a civics training program. In making the determination, the commissioner shall include grade levels for which the State Board of Education makes significant revisions to the essential knowledge and skills for the social studies curriculum under Section 28.002(h-2).

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(d) Each civics training program developed under Subsection (a) must be reviewed and approved by the State Board of Education. The board shall annually review each program.

(e) Each school district and open-enrollment charter school shall ensure that each district or school campus that offers a grade level described by Subsection (c) has at least one teacher and one principal or campus instructional leader who has attended a civics training program. The agency shall provide assistance to school districts and open-enrollment charter schools in complying with the requirements of this subsection.

(f) From funds available for that purpose, a teacher who attends a civics training program may receive a stipend in an amount determined by the commissioner. A stipend received under this section is not included in determining whether a district is paying the teacher the minimum monthly salary under Section 21.402.

(g) The commissioner may delay implementation of Subsection (e) to a school year not later than the 2025-2026 school year if the revision of the essential knowledge and skills for the social studies curriculum under Section 28.002(h-2) or the availability of civics training programs does not occur in a manner that reasonably affords public schools the ability to comply with that subsection by an earlier school year. This subsection expires September 1, 2026.

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SECTION 1. Section 28.002, Education Code, is amended by adding Subsections (h-2), (h-3), (h-4), and (h-5) 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 history of Native Americans;
- (4) the structure, function, and processes of government institutions at the federal, state, and local levels;
- (5) the founding documents of the United States, including:
  - (A) the Declaration of Independence;
  - (B) the United States Constitution;
  - (C) the Federalist Papers;
- (D) the transcript of the first Lincoln-Douglas debate;
- (E) the writings of and about the founding fathers and mothers and other founding persons of the United States, including the writings of:
  - (i) George Washington;
  - (ii) Ona Judge;
  - (iii) Thomas Jefferson;
  - (iv) Sally Hemings; and
  - (v) any other founding persons of the United States;

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SECTION 2. Section 28.002, Education Code, is amended by adding Subsections (h-2), (h-3), (h-4), (h-5), (h-6), and (h-7) to read as follows:

(h-2) In adopting the essential knowledge and skills for the social studies curriculum for each grade level from kindergarten through grade 12, the State Board of Education shall adopt essential knowledge and skills that develop each student's civic knowledge, including:

(1) an understanding of:

- (A) the fundamental moral, political, and intellectual foundations of the American experiment in self-government;
- (B) the history, qualities, traditions, and features of civic engagement in the United States;
- (C) the structure, function, and processes of government institutions at the federal, state, and local levels; [FA7(1)]
- (D) the founding documents of the United States, including:
  - (i) the Declaration of Independence;
  - (ii) the United States Constitution;
  - (iii) the Federalist Papers, including Essays 10 and 51;
  - (iv) excerpts from Alexis de Tocqueville's Democracy in America;
  - (v) the transcript of the first Lincoln-Douglas debate; and
  - (vi) the writings of the founding fathers of the United States; and

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(F) writings from Frederick Douglass's newspaper, the North Star;  
(G) the Book of Negroes;  
(H) the Fugitive Slave Acts of 1793 and 1850;  
(I) the Indian Removal Act;  
(J) Thomas Jefferson's letter to the Danbury Baptists; and  
(K) William Still's Underground Railroad Records;  
(6) historical documents related to the civic accomplishments of marginalized populations, including documents related to:  
(A) the Chicano movement;  
(B) women's suffrage and equal rights;  
(C) the civil rights movement;  
(D) the Snyder Act of 1924; and  
(E) the American labor movement;  
(7) the history of white supremacy, including but not limited to the institution of slavery, the eugenics movement, and the Ku Klux Klan, and the ways in which it is morally wrong;  
(8) the history and importance of the civil rights movement, including the following documents:  
(A) Martin Luther King Jr.'s "Letter from a Birmingham Jail" and "I Have a Dream" speech;  
(B) the federal Civil Rights Act of 1964 (42 U.S.C. Section 2000a et seq.);  
(C) the United States Supreme Court's decision in Brown v. Board of Education;  
(D) the Emancipation Proclamation;  
(E) the Universal Declaration of Human Rights;  
(F) the Thirteenth, Fourteenth, and Fifteenth Amendments to the United States Constitution;

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( ) the history and importance of events such as:

(i) the federal Civil Rights Act of 1964 42 U.S.C. Section 2000a et seq.;

(ii) the Thirteenth, Fourteenth, and

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(G) the United States Court of Appeals for the Ninth Circuit decision in Mendez v. Westminster;  
(H) Frederick Douglass's Narrative of the Life of Frederick Douglass, an American Slave;  
(I) the life and work of Cesar Chavez; and  
(J) the life and work of Dolores Huerta;  
(9) the history and importance of the women's suffrage movement, including the following documents:  
(A) the federal Voting Rights Act of 1965 (52 U.S.C. Section 10101 et seq.);  
(B) the Fifteenth, Nineteenth, and Twenty-Sixth Amendments to the United States Constitution;  
(C) Abigail Adams's letter "Remember the Ladies";  
(D) the works of Susan B. Anthony; and  
(E) the Declaration of Sentiments;  
(10) the life and works of Dr. Hector P. Garcia;  
(11) the American GI Forum;  
(12) the League of United Latin American Citizens; and  
(13) Hernandez v. Texas (1954).

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Nineteenth Amendments to the United States Constitution;

(iii) the complexity of the historic relationship between Texas and Mexico, and the diversity of the Hispanic population; [FA7(2)]  
(2) the ability to:  
(A) analyze and determine the reliability of information sources;  
(B) formulate and articulate reasoned positions;  
(C) understand the manner in which local, state, and federal government works and operates through the use of simulations and models of governmental and democratic processes;

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(h-3) For any social studies course in the required curriculum:

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

(2) a teacher who chooses to discuss a topic described by Subdivision (1) shall, to the best of the teacher's ability, strive to explore the topic 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:

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(D) actively listen and engage in civil discourse, including discourse with those with different viewpoints;

(E) responsibly participate as a citizen in a constitutional democracy; and

(F) effectively engage with governmental institutions at the local, state, and federal levels; and

(3) an appreciation of:

(A) the importance and responsibility of participating in civic life;

(B) a commitment to the United States and its form of government; and

(C) a commitment to free speech and civil discourse.

(h-3) For any course or subject, including an innovative course, for a grade level from kindergarten through grade 12:

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

(2) a teacher who chooses to discuss a topic described by Subdivision (1) shall, to the best of the teacher's ability, strive to explore that topic 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 policy advocacy or public policy advocacy;

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(A) 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

(B) participation in any internship, 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;

(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;

(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, standing, or worth is necessarily determined by the individual's race or sex;

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(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 policy advocacy or public policy advocacy; and [FA2]

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

(A) require, or make part of a course, concepts that serve to inculcate;

(B) teach, instruct, or train any administrator, teacher, or staff member of a state agency, school district, or open-enrollment charter school to adopt 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) an individual's moral character is necessarily determined by the individual's race or sex;

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(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;

(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;

(ix) the advent of slavery in the territory that is now the United States constituted the true founding of the United States; or

(x) with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality; and

(C) require an understanding of The 1619 Project.

(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)(3).

(h-5) A school district or open-enrollment charter school may not implement, interpret, or enforce any rules or student code of conduct in a manner that would result in the

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(v) 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;

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

(vii) 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;

(viii) the advent of slavery in the territory that is now the United States constituted the true founding of the United States; or

(ix) with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality; and

(C) require an understanding of The 1619 Project.

(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 Subsections (h-3)(3) and (4).

(h-5) Subsection (h-3)(3) may not be construed to apply to a student's participation in community charitable projects, such as building community gardens, volunteering at local food banks, or other service projects.

(h-6) A school district or open-enrollment charter school may not implement, interpret, or enforce any rules or student code of conduct in a manner that would result in the

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punishment of a student for discussing, or have a chilling effect on student discussion of, the concepts described by Subsection (h-3)(4).

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. If any provision of this Act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this Act that can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

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punishment of a student for discussing, or have a chilling effect on student discussion of, the concepts described by Subsection (h-3)(4).

(h-7) The agency shall ensure that each school district or open-enrollment charter school teaches civics education as part of the district's social studies curriculum in a manner consistent with the essential knowledge and skills adopted under Subsection (h-2).

SECTION 3. Same as House version.

SECTION 4. Same as House version.

SECTION 5. Same as House version.

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SECTION 5. 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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SECTION 6. Same as House version.

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