

By: Bernal

H.B. No. 97

A BILL TO BE ENTITLED

1 AN ACT
2 relating to certain public school instructional requirements and
3 prohibitions and the incorporation of certain instructional
4 activities as part of student coursework.

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

6 SECTION 1. Sections 21.4555(a) and (b), Education Code, are
7 amended to read as follows:

8 (a) To facilitate the teaching of curriculum consistent
9 with Section [~~Sections~~] 28.002(h-2) [~~and 28.0022~~], the
10 commissioner shall develop and make available civics training
11 programs for teachers and administrators.

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

14 (1) the essential knowledge and skills for the social
15 studies curriculum related to civic knowledge adopted under Section
16 28.002(h-2);

17 (2) guided classroom discussion of current events, as
18 appropriate for the grade level [~~and consistent with the~~
19 ~~restrictions under Section 28.0022~~];

20 (3) classroom simulations and models of governmental
21 and democratic processes consistent with the requirements [~~and~~
22 ~~restrictions~~] of Section [~~Sections~~] 28.002(h-2) [~~and 28.0022~~];

23 (4) media literacy, including instruction on
24 verifying information and sources, identifying and responding to

1 logical fallacies, and identifying propaganda, as appropriate for
2 the grade level [~~and consistent with the restrictions under Section~~
3 ~~28.0022~~]; and

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

6 SECTION 2. The heading to Section 28.0022, Education Code,
7 is amended to read as follows:

8 Sec. 28.0022. CERTAIN INSTRUCTIONAL ACTIVITIES PERMITTED
9 [~~REQUIREMENTS AND PROHIBITIONS~~].

10 SECTION 3. Section 28.0022(a), Education Code, is amended
11 to read as follows:

12 (a) For any course or subject, including an innovative
13 course, for a grade level from kindergarten through grade 12, [+

14 [~~(1) a teacher may not be compelled to discuss a widely~~
15 ~~debated and currently controversial issue of public policy or~~
16 ~~social affairs,~~

17 [~~(2) a teacher who chooses to discuss a topic~~
18 ~~described by Subdivision (1) shall explore that topic objectively~~
19 ~~and in a manner free from political bias,~~

20 [~~(3)~~] a school district, open-enrollment charter
21 school, or teacher may, as an option for student learning [~~not~~
22 ~~require~~], make part of a course, or award a grade or course credit,
23 including extra credit, for a student's:

24 (1) [~~(A)~~] work for, affiliation with, or service
25 learning in association with any organization engaged in[+

26 [~~(i)~~] lobbying for legislation at the
27 federal, state, or local level[~~, if the student's duties involve~~

1 ~~directly or indirectly attempting to influence social or public~~
2 ~~policy or the outcome of legislation]; or~~

3 (2) ~~[(ii) social policy advocacy or public policy~~
4 ~~advocacy;~~

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

9 ~~[(C)] participation in any internship,~~
10 ~~practicum, or similar activity involving social policy advocacy or~~
11 ~~public policy advocacy[~~and~~~~

12 ~~[(4) a teacher, administrator, or other employee of a~~
13 ~~state agency, school district, or open-enrollment charter school~~
14 ~~may not.~~

15 ~~[(A) require or make part of a course inculcation~~
16 ~~in the concept that:~~

17 ~~[(i) one race or sex is inherently superior~~
18 ~~to another race or sex;~~

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

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

25 ~~[(iv) an individual's moral character,~~
26 ~~standing, or worth is necessarily determined by the individual's~~
27 ~~race or sex;~~

1 ~~[(v) an individual, by virtue of the~~
2 ~~individual's race or sex, bears responsibility, blame, or guilt for~~
3 ~~actions committed by other members of the same race or sex;~~

4 ~~[(vi) meritocracy or traits such as a hard~~
5 ~~work ethic are racist or sexist or were created by members of a~~
6 ~~particular race to oppress members of another race;~~

7 ~~[(vii) the advent of slavery in the~~
8 ~~territory that is now the United States constituted the true~~
9 ~~founding of the United States; or~~

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

15 ~~[(B) teach, instruct, or train any~~
16 ~~administrator, teacher, or staff member of a state agency, school~~
17 ~~district, or open-enrollment charter school to adopt a concept~~
18 ~~listed under Paragraph (A); or~~

19 ~~[(C) require an understanding of the 1619~~
20 ~~Project].~~

21 SECTION 4. Sections [28.0022](#)(b), (c), (d), (e), (f), and
22 (g), Education Code, are repealed.

23 SECTION 5. This Act applies beginning with the 2023-2024
24 school year.

25 SECTION 6. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section [39](#), Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2023.