

By: Harris

H.B. No. 2548

A BILL TO BE ENTITLED

AN ACT

relating to a prohibition on public institutions of higher education requiring students to enroll in certain courses to complete a certificate or degree program, using such courses to satisfy general education requirements, funding such courses using state appropriations, or requiring related faculty practices, and to freshman student orientation at those institutions.

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

SECTION 1. Subchapter F, Chapter 51, Education Code, is amended by adding Section 51.311 to read as follows:

Sec. 51.311. PROHIBITION ON REQUIRING CERTAIN COURSES. (a)
In this section:

(1) "governing board" and "institution of higher education" have the meanings assigned by Section 61.003.

(2) "general education curriculum" means "core curriculum" as assigned by Section 61.821(1) and any content-based academic course requirement or guideline applicable to all students of a college within a university.

(3) "constrain" means:

(A) establishing required curricular course classifications based upon, or

(B) failing during any semester to provide sufficient open seats in alternative courses for a student to complete or progress toward completion of a degree or program

1 requirements.

2 **(b) Except as provided by Subsections (d) and (e), the**
3 **governing board of an institution of higher education shall**
4 **prescribe courses and programs at the institution in a manner that**
5 **does not require or constrain students enrolled at the institution**
6 **to complete, as part of any program or degree requirement, a course**
7 **whose course description, course overview, course objectives,**
8 **proposed student learning outcomes, written examinations, or**
9 **written or oral assignments for which the student will receive a**
10 **grade do any of the following:**

11 **(1) relate to contemporary American society the topic**
12 **of critical theory, whiteness, systemic racism, institutional**
13 **racism, anti-racism, microaggressions, systemic or structural**
14 **bias, implicit bias, unconscious bias, intersectionality, gender**
15 **identity, social justice, cultural competence, decolonization,**
16 **allyship, race-based reparations, race- or gender-based privilege,**
17 **race- or gender-based diversity, race- or gender-based equity,**
18 **race- or gender-based inclusion, race- or gender-based**
19 **stratification, race- or gender-based power, or race- or**
20 **gender-based marginalization;**

21 **(2) promote the idea that racially neutral or**
22 **colorblind laws, policies, or institutions perpetuate oppression,**
23 **injustice, race-based privilege, including white supremacy or**
24 **white privilege, or inequity by failing to actively differentiate**
25 **on the basis of race, sex, or gender;**

26 **(3) promote the differential treatment of any**
27 **individual or group of individuals based on race or ethnicity in**

1 contemporary American society;

2 (4) promote the idea that a student is biased on
3 account of the student's race or sex.

4 (c) Except as provided by Subsections (d) and (e), an
5 institution of higher education or the institution's employee may
6 not require, solicit, or incentivize the institution's faculty
7 members to, as a condition of approving a course, certificate, or
8 degree program or as a factor in the faculty member's performance
9 assessment or a decision regarding the faculty member's promotion,
10 tenure, salary, or any other incentive:

11 (1) include in a course content described by
12 Subsection (b);

13 (2) include or curate instructional materials on the
14 basis of the race, sex, or gender identity of the author or authors;

15 (3) participate in a workshop, training, seminar or
16 professional development on content described by Subsection (b).

17 (d) The governing board of an institution of higher
18 education may exempt in writing from the prohibitions under
19 Subsections (b) and (c) courses required for a certificate or
20 degree program whose title clearly establishes the program's course
21 of study as primarily focused on racial, ethnic, or gender studies,
22 provided that each of the following applies:

23 (1) a student enrolled at the institution is not
24 required or constrained to enroll in such a course to satisfy the
25 requirements of any other certificate or degree program.

26 (2) courses offered or listed under such programs
27 shall satisfy the academic degree program requirements of those

1 respective programs only and shall not be used to satisfy the degree
2 or program requirements for general education or other major,
3 minor, or certificate requirements beyond satisfying overall
4 university credit hour graduation requirements.

5 (3) the title of any currently established department
6 or degree or certificate program is not altered or replaced to
7 establish an emphasis on racial, ethnic, or gender studies.

8 (e) Subsections (b) and (c) shall not be construed to
9 prohibit:

10 (1) identifying and discussing historical movements,
11 ideologies or instances of racial hatred or discrimination,
12 including, but not limited to slavery, Indian removal, the
13 Holocaust, or Japanese-American internment.

14 (2) identifying genetic predispositions,
15 epidemiology, or physiology in medical education or biological
16 sciences that does not posit race-based injustice, discrimination,
17 or oppression.

18 (3) the identification of differences between, or bona
19 fide qualifications based on, biological sex that are reasonably
20 necessary to the normal operation of public institutions.

21 (f) The governing board of an institution of higher
22 education shall prescribe general education curricula in a manner
23 that does not include courses that distort significant historical
24 events or include curriculum that teaches identity politics or is
25 based on theories that systemic racism, sexism, oppression, and
26 privilege are inherent in the institutions of the United States and
27 were created to maintain social, political, and economic

1 inequities.

2 (g) Nothing in this section may be construed to limit any
3 programming explicitly required by, and limited to, the institution
4 of higher education's obligations to comply with state or federal
5 anti-discrimination law or an applicable court order.

6 (h) A public institution of higher education may not require
7 a student to complete an additional course to meet a course
8 requirement that was completed by the student with a course that has
9 since been removed as meeting a general education or program
10 requirement.

11 (i) Beginning with the fiscal year beginning September 1,
12 2026, each public institution of higher education shall include as
13 part of its annual report to the Texas Higher Education
14 Coordinating Board as provided by Section 51.3525, Subsection (e)
15 certification of its compliance with this section. Violations of
16 this section shall be subject to the procedures provided by Section
17 51.3525, Subsections (g) through (i).

18 SECTION 2. Subchapter F, Chapter 51, Education Code, is
19 amended by adding Section 51.312 to read as follows:

20 Sec. 51.312. REQUIRED SOURCES OF FUNDING FOR CERTAIN
21 COURSES. (a) Instructional expenses associated with courses
22 specified in Section 51.311(b) shall not be funded by state
23 appropriations.

24 SECTION 3. SEVERABILITY. If any provision of this Act or
25 its application to any person or circumstance is held invalid, the
26 invalidity does not affect other provisions or applications of this
27 Act that can be given effect without the invalid provision or

1 application, and to this end the provisions of this Act are declared
2 to be severable.

3 SECTION 4. This Act applies beginning with the 2025-2026
4 academic year.

5 SECTION 5. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2025.