

BILL ANALYSIS

Senate Research Center

S.B. 2202
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Conversations around race in the United States are contentious and rapidly evolving. Our education system should promote all viewpoints and encourage discussion of diverse ideas and not be driven by the political leanings of an educator or outside organizations who promote advocacy for one viewpoint.

S.B. 2202 promotes the adoption of a curriculum that promotes the understanding of the moral, political, and intellectual foundations of the country, the processes of governance at the local, state, and federal levels, and the founding documents of our nation. However, it discourages the teaching of current controversial issues of public policy or social affairs unless the teacher promotes all diverse viewpoints on the issue. Additionally, no teacher shall require course load in association with an organization who lobbies any level of government or that promotes social or public policy advocacy. Lastly, it prevents teaching that any race or sex is superior to another.

As proposed, S.B. 2202 amends current law relating to civics instruction public school students and instruction policies 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 28.002, Education Code, by adding Subsections (h-1), (h-2), and (h-3), as follows:

(h-1) Requires the State Board of Education, 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 civic engagement 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.

(h-2) Provides that in the instruction of the essential knowledge and skills for the social studies curriculum, in applicable courses of Texas, United States, and world history, government, civics, social studies, or similar subject areas:

(1) a policy of any state agency, school district, campus, open-enrollment charter school, or school administration is prohibited from compelling a teacher to discuss current events or widely debated and currently controversial issues of public policy or social affairs;

(2) teachers who choose to discuss current events or widely debated and currently controversial issues of public policy or social affairs are required, to the best of their ability, to strive to explore such issues from diverse and contending perspectives without giving deference to any one perspective;

(3) a school district or teacher is prohibited from requiring, making part of a course, or awarding course grading or credit including extra credit for, student work for, affiliation with, or service learning in association with any organization engaged in lobbying for legislation at the local, state or federal level, or in social or public policy advocacy; and

(4) a school district or teacher is prohibited from requiring, making part of a course, or awarding course grading or credit including extra credit for, political activism, lobbying, or efforts to persuade members of the legislative or executive branch to take specific actions by direct communication at the local, state or federal level, or any practicum or like activity involving social or public policy advocacy.

(5) a teacher, administrator, or other employee in any state agency, school district, campus, open-enrollment charter school, or school administration is prohibited from being 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.

(6) a teacher, administrator, or other employee in any state agency, school district, campus, open-enrollment charter school, or school administration is prohibited from requiring or making part of a course the following concepts:

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

(2) an individual, by virtue of his or her race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

(3) an individual should be discriminated against or receive adverse treatment solely or partly because of his or her race or sex;

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

(5) an individual's moral character is necessarily determined by his or her race or sex;

(6) an individual, by virtue of his or her race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;

(7) any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his or her race or sex; or

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

(h-3) Prohibits private funding from being accepted by state agencies, school district, campuses, open-enrollment charter schools, or school administrations for the purposes of curriculum development, purchase or choice of curricular materials, teacher training, or

professional development pertaining to courses on Texas, United States, and world history, government, civics, social studies, or similar subject areas.

SECTION 2. Provides that this Act applies beginning with the 2021-2022 school year.

SECTION 3. Effective date: upon passage or September 1, 2021.