



Now that our classrooms have been censored, what does this mean for teachers?

Legislative efforts to micromanage teachers and restrict what can be taught in classrooms are ongoing in Texas. House Bill (HB) 3979, passed by the 87th Texas Legislature, aims to limit discussion about controversial topics in history and current events, specifically those related to race. Senate Bill (SB) 3, a more restrictive version of HB 3979 and passed during the second special session, further expands the provisions of HB 3979 to all courses in K-12 schools, including electives and ethnic studies courses. Both bills purport to do away with lessons that are intentionally aimed at making white students feel shame or guilt for things that happened in the past. In reality, HB 3979 and SB 3 offer “solutions” to a problem that does not actually exist. Nevertheless, because the bill authors have been successful in their false narrative, and because the language of the legislation is so vague as to potentially apply to any situation, educators must understand the new law and know their rights.

WHAT'S NEW

Civics Training Program

To help facilitate the teaching of civics within the bounds of the requirements and restrictions of the new law, the bill requires the Texas Education Agency

(TEA) commissioner of education to create a civics training program for teachers and administrators. Teachers who attend may receive a stipend in an amount determined by the commissioner. Training topics will include:

- guided classroom discussion of current events
- classroom simulations of model governmental and democratic processes
- media literacy, including verifying information and sources, identifying logical fallacies and identifying propaganda
- strategies for incorporating civics instruction into subjects other than social studies

The commissioner of education will appoint a nine-member advisory board to help develop the program. Each member must be a current or former educator with at least 10 years of experience. Civics training programs will be implemented no later than the 2025-2026 school year.

Texas Essential Knowledge and Skills

The legislation specifies items that the State Board of Education (SBOE) must include in the Texas Essential Knowledge and Skills (TEKS), removes items that are no longer required TEKS and explicitly prohibits the

adoption of the 1619 Project as an approved instructional material.

Note: *The items removed were floor amendments to HB 3979 and would have required TEKS to develop student understanding of the histories and contributions of black, indigenous and Latinx communities and women. Although this long list was struck from SB 3, the bill was amended on the floor of the House to include language clarifying that **removing these items from statute was not to suggest the SBOE should remove or omit them in the TEKS.***

Controversial Issues

A teacher may not be compelled to discuss a widely debated and currently controversial issue of public policy or social affairs. Schools cannot create or interpret rules that punish students for “reasonably discussing” topics.

Note: *The language “current events” was removed from this section of the bill, the teaching of which is required in the TEKS. Clarifying language was also successfully added that **protects a teacher for teaching anything in the TEKS.***

Graded Activities or Practicums

SB 3 prohibits schools from giving course credit for a student’s work in the lobbying division of any entity or for political activism. Students may still receive credit for work with an entity that lobbies so long as the student is not directly involved in lobbying or public policy advocacy activities. Activities that are permitted include:

- community charitable or service projects
- internships under a career and technical education program or under Pathways in Tech Early College High school (P-TECH)
- programs that prepare students for participation and leadership through simulation of a governmental process, including the development of public policy

Note: *Clarifying language was added that **protects a teacher for directing students to contact elected officials as a part of a classroom assignment, so long as the teacher does not influence the content of a student’s communication.***

Enforcement

SB 3 prohibits a private cause of action, and individuals cannot sue teachers or other school employees. However, the bill states that a school district “may take appropriate action involving the employment of any teacher, administrator or other employee based on the individual’s compliance with state and federal laws and district policies.”

TEA will be responsible for ensuring that all educators teach civics according to this law, but the bill does not lay out exactly what enforcement might look like.

KNOW YOUR RIGHTS

Board Policies

School districts may update their legal and local policies to reflect the new bill. Leaders should watch for meeting agendas where the school board is considering the adoption of these policies and sign up to speak during the public comment session.

Written Reprimands

A teacher may receive a reprimand or write-up if a parent or student complains to leadership about what is being taught in the class. Teachers will typically have 10 working days to respond to a memorandum, and TSTA advises that they do so. Reprimands can be used in nonrenewal and termination proceedings. Contact the TSTA Help Center for assistance.

Nonrenewal/Termination

A teacher can be non-renewed for failing to follow directives, school district policies etc. If a member receives a proposed notice of nonrenewal or termination, they should contact the TSTA Help Center immediately for assistance.

Code of Ethics Violations

Standard 1.7 of the Educator’s Code of Ethics requires that an “educator comply with state regulations, written local school board policies and other state and federal laws.” Most school districts have adopted these rules in their policies. Members should let us know if they receive any investigative notices from the State Board for Educator Certification regarding alleged violation of HB 3979 or SB 3.