Dear Chair Creighton and Members of the Subcommittee:

The Texas Legislative Education Equity Coalition (TLEEC) is a collaborative of over 30 organizations and individuals with the mission to improve the quality of public education for all children, with a focus on racial equity. We advocate at the local, state, and national levels for high-quality teaching, curriculum and instructional practices and bilingual education for emergent bilingual students, as well as fair funding and enhanced college access and success.

TLEEC opposes SB 16, because it restricts intellectual freedom in higher education institutions across Texas. This compromises the quality of possible research, scholarship and student learning opportunities at the postsecondary level.

Section 1 of the bill affirms that the purpose of higher education is to respect and educate all students across diverse backgrounds and beliefs. However, Section 2 contradicts that purpose with vague and concerning prohibitions on faculty’s ability to teach and conduct research that is intellectually diverse. Section 2 (b) reads:

A faculty member of an institution of higher education may not compel or attempt to compel a student enrolled at the institution to adopt a belief that any race, sex, or ethnicity or social, political, or religious belief is inherently superior to any other race, sex, ethnicity, or belief.

TLEEC takes issue with Section 2(b) in two ways:

1. The phrase “may compel or attempt to compel” is undefined and unclear. Faculty in higher education are tasked with teaching and encouraging critical inquiry skills and ensuring students understand advanced concepts. There is a compulsion to encourage student learning, comprehension and mastery of advanced skills and concepts at the postsecondary level. This language located in a prohibition is confusing as it applies to teaching, research and learning.

2. The second portion of this subsection, “to adopt a belief that any race, sex, or ethnicity or social, political, or religious belief is inherently superior to any other race, sex, ethnicity, or belief” is likewise vague and leads to broad-based censorship of discussions and study of race, gender, sex, and ethnicity. In addition, the inclusion of social and political beliefs in the prohibition is concerning in how it could be applied to squelch open inquiry and intellectual diversity.

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Under this prohibition, an instructor encouraging students to understand a social theory, framework or line of inquiry – across academic fields – could come under fire.

For instance, would educational research on racial disparities in student achievement be prohibited under the bill? Would a faculty member’s scholarly work on the impact of white settler colonialism on Native people in the Americas and social and political implications for today cause concern? Would a faculty member inviting students to attend a guest lecture on the Black Lives Matter movement and impacts on current social policy be considered prohibited?

TLEEC supports open intellectual inquiry in higher education, and this bill contains confusing and vague language with potentially sweeping implications for academic departments, centers, research and teaching initiatives. Our coalition has seen how confusing prohibitions lead to widespread censorship in K-12 schools since last year’s passage of HB 3979 (87R) and SB 3 (87, 2). We urge you to vote against SB 16, and support rigorous, high-quality teaching and learning in our state’s institutions of higher education.

For questions, please contact TLEEC either through Dr. Chloe Latham Sikes at IDRA (chloe.sikes@idra.org), or Jaime Puente at Every Texan (puente@everytexan.org).

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TLEEC Member Organizations

ARISE Adelante
Austin Justice Coalition
Breakthrough Central Texas
Coalition of Texans with Disabilities (CTD)
Children at Risk
Dr. Hector P. García G.I. Forum
Easterseals Central Texas
Educators in Solidarity
Ethnic Studies Network of Texas (ESNTX)
Every Texan
Houston Community Voices for Public Education
IDRA (Intercultural Development Research Association)
McNeil Educational Foundation for Ecumenical Leadership
Mexican American Civil Rights Institute (MACRI)
Mexican American Legal Defense and Educational Fund (MALDEF)

Mexican American School Boards Association (MASBA)
National Association for Chicana and Chicano Studies (NACCS)
– Tejas Foco
San Antonio Hispanic Chamber of Commerce
Texas American Federation of Teachers
Texas Association for Bilingual Education (TABE)
Texas Association for Chicano in Higher Education (TACHE)
Texas Association of Diversity Officers in Higher Education (TADOHE)
Texas Association of Mexican American Chambers of Commerce (TAMACC)
Texas Center for Education Policy, University of Texas – Austin
Texas Hispanics Organized for Political Education (HOPE)
Texas League of United Latin American Citizens (LULAC)
Texas NAACP
The Arc of Texas
UnidosUS (formerly known as NCLR)