



Public Schools are for All Students and All Families

IDRA Testimony HB 1507, submitted by Paige Duggins-Clay, J.D., to the Texas House Public Education Committee, March 28, 2023

Dear Chair Buckley and Honorable Members of the Committee:

My name is Paige Duggins-Clay, J.D., and I am the chief legal analyst at IDRA, an independent, non-partisan non-profit committed to achieving equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college. Just as schools prepare all students, they should welcome and celebrate all families.

IDRA opposes HB 1507 because it contributes to broader censorship attempts against acknowledging the identities of students and families, against respecting people of diverse backgrounds and to marginalize the LGBTQ+ community and history in schools.

Our concerns are threefold related to the bill's vagueness in its prohibition, its implications for furthering school censorship, and its extreme penalties to educators.

First, HB 1507 prohibits celebrating or hosting a special program that acknowledges "sexual preference." While this appears targeted at events, such as school PRIDE Weeks or related programs, this language is vague and could easily be misconstrued to apply many school activities. For instance, it could be extended to include a district's family day where students' families are invited to attend the school and learn about their child's work and progress. Is celebrating a students' families and their engagement at school a recognition of the child's parent's sexual preference for one another? How might the school choose to celebrate students' families without running afoul of this prohibition? This is just one example of how vague prohibitions can be extrapolated to other aspects of school functions.

Second, and relatedly, HB 1507's prohibition on acknowledging sexuality furthers efforts to censor conversations in schools. Such censorship has led to harmful impacts for students, teachers and families over the past two years (see IDRA, 2023). IDRA's interim testimony to this committee in July of 2022 outlined documented impacts from HB 3979 (87R) and SB 3 (87, 2) including weakened curriculum in schools, infringement on students' free speech rights, creation of a hostile climate for educators, and incidents of unchecked racial and gender discrimination (Latham Sikes, 2022).

Finally, HB 1507 exacts severe penalties on educators who are accused of violating its prohibition, including a hefty fine of up to \$10,000, the potential to lose one's teaching license and "any other sanction" from the State Board of Educator Certification. Penalties such as these I appropriately equate the impact of celebrating student and educators' families with abuse, solicitation and unethical conduct (TEA, 2023). In addition, they run counter the current issue of Texas's

persistent teacher shortage and recommendations to expand and recruit our teacher pipeline to reflect the diverse identities of students across Texas.

We urge you to oppose HB 1507.

IDRA is available for any questions or further resources that we can provide. Thank you for your consideration. For more information, please contact Paige Duggins-Clay, J.D., at paige.duggins-clay@idra.org.

Resources

IDRA. (2023). Knowledge is Power, website. <https://www.idra.org/services/knowledge-is-power/>

Latham Sikes, C. (July 26, 2022). Recent State Policy on Curriculum Leads to Classroom Censorship in Schools.

Interim testimony submitted to the Texas House Public Education Committee. IDRA.

<https://idra.news/TestimonyInterimSB3>

TEA. (2023). Disciplinary Rules and Guidelines. Texas Education Agency. <https://tea.texas.gov/texas-educators/investigations/disciplinary-rules-and-guidelines>

IDRA is an independent, non-profit organization led by Celina Moreno, J.D. Our mission is to achieve equal educational opportunity for every child through strong public schools that prepare all students to access and succeed in college. IDRA strengthens and transforms public education by leading policy analyses and advocacy; dynamic teacher training and principal coaching; useful research, evaluation and frameworks for action; and innovative student, family and community engagement.