



What Texas' Classroom Censorship Law Means for Students & Schools



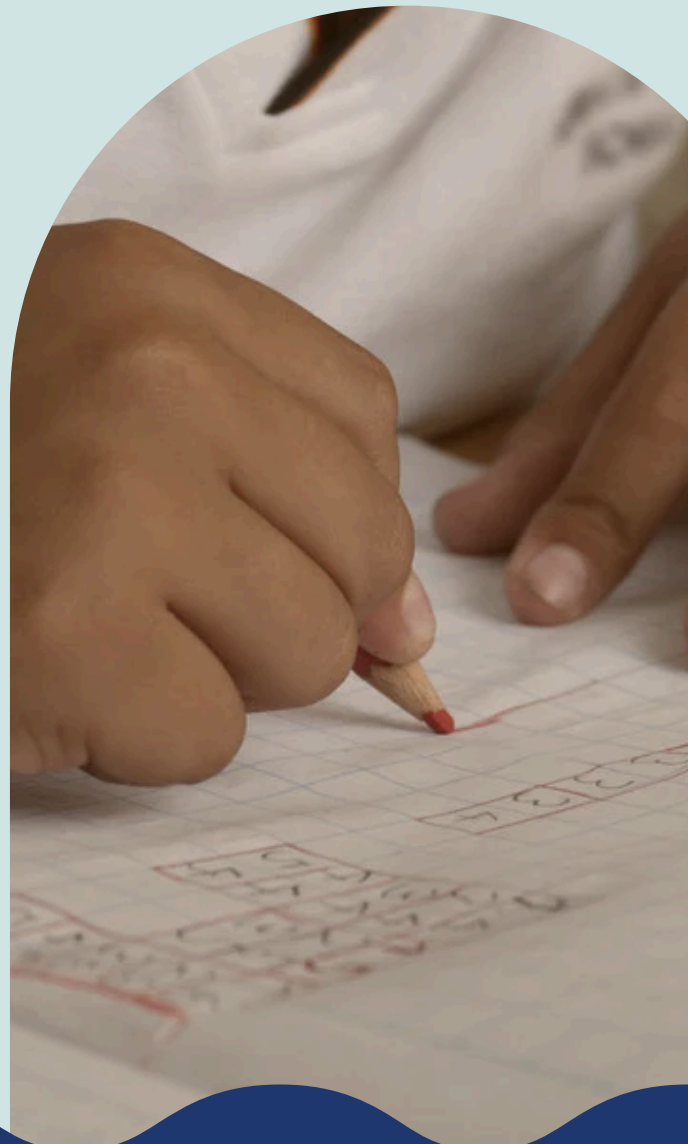
Texas SB 3 Guide

Texas' classroom censorship law, Senate Bill 3 (SB 3), censors classroom instruction and certain school conversations about race, gender and systemic oppression. It limits the teaching of accurate, comprehensive and truthful accounts of U.S. history, current events and society. SB3 went into effect on December 2, 2021, replacing HB 3979 that was only law for three months.

Classroom censorship hurts all students, especially Black, Latino, Indigenous, and LGBTQ+ students. It compromises the representation of historical and modern figures and events, narrows permissible instructional materials, and jeopardizes students' learning through false reflections of U.S. history and society by limiting truthful instruction and conversation.

This guide provides an overview of the main components of SB 3 and how they might affect teaching and learning in classrooms. Educators, students and families can still make sure that truthful history and events are taught in their classrooms. This guide explains components in plain language and offers suggestions for how to keep teaching the truth.

Note: Features of this bill might be interpreted differently by local school districts and charter schools. Practitioners should check their local school guidance and policies. This analysis is not intended as legal advice.





SB3 requires revised social studies standards to censor depictions of history

The State Board of Education (SBOE) must add K-12 civics components to the social studies learning standards (TEKS) no later than December 31, 2022, that include an emphasis on U.S. exceptionalism, patriotism, free markets and entrepreneurialism, and founding principles.

New standards will also include teaching students to engage in civil discourse and articulate reasoned positions using reliable sources, as well as promote an appreciation for free speech and the importance of democratic participation in civic life, including by voting.

These TEKS changes are not meant to limit teaching or instruction of other TEKS in the social studies standards.

TEA is authorized to create enforcement rules to make sure the new TEKS are taught in social studies curriculum.



SB3 restricts classroom conversations on current events

In any K-12 class, a Texas public or charter school may not require teachers to discuss a “widely debated and currently controversial issue of public policy or social affairs.”

If teachers choose to approach controversial issues, they should teach them with objectivity and without political bias.

IDRA analysis: Learning about current events is an important part of civics education for students to understand the world they live in. Many current events may include important issues about race and gender, and this component of the bill creates a chilling effect on teachers including these current issues in classroom conversations. This restricts students’ abilities to learn about true events happening around them and censors conversations about issues that affect students, like racial injustice. This law does not define what constitutes a current or controversial event.



SB3 regulates teaching about systemic racism and oppression

Teachers, administrators, or other employees in K-12 public schools and charter schools may not “require or make part of a course incultation” regarding specific concepts related to race, sex and oppression. The following table includes the specific concept and IDRA’s analysis of how the new law presents challenges to truthful conversations about history, systemic inequities and current events. This analysis is not intended as legal advice.

Concepts that SB 3 Prohibits and How Good Teaching Can Still Uphold the Truth

What the bill says

Educators cannot require or make part of a course incultation that...

one race or sex is inherently superior to another race or sex;

an individual, by virtue of the individual’s race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;

an individual should be discriminated against or receive adverse treatment solely or partly because of the individual’s race or sex;

an individual’s moral character is necessarily determined by the individual’s race or sex;

IDRA analysis of how teaching the truth helps to combat classroom censorship

Comprehensive lessons of the United States’ racial history, including anti-racist movements and events, help students understand the structures that have created and maintained false notions of racial superiority. These lessons are different than teaching students that they, themselves, should believe that one race or sex is superior to others, as is prohibited by the law. Thoughtful, well-prepared teachers should be able to guide their students through truthful discussions of the history and current state of different forms of oppression, the role of systemic and individual biases, and white supremacy without inculcating the concept that one race or sex is inherently superior to another.

All students should be free from discrimination and adverse treatment, especially as it pertains to protected characteristics of race/ethnicity, sex and gender, national origin, and religion.

Relating moral character to racial or sex-based characteristics is a feature of racism, misogyny, homophobia and transphobia. Affirmatively and thoughtfully guiding students through lessons on the history of these types of oppression with an anti-racist view can help students combat this misconception.

Concepts that SB 3 Prohibits and How Good Teaching Can Still Uphold the Truth

What the bill says

Educators cannot require or make part of a course inculcation that...

an individual, by virtue of the individual's race or sex, bears responsibility, blame or guilt for actions committed by other members of the same race or sex;

meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race;

the advent of slavery in the territory that is now the United States constituted the true founding of the United States; or

with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality;

require an understanding of the 1619 Project.

IDRA analysis of how teaching the truth helps to combat classroom censorship

Lessons that teach an accurate and comprehensive understanding of U.S. history through the diverse lenses of people across races, ethnicities, genders, and sexual orientations helps to avoid placing blame on individuals by illustrating systemic social issues.

Lessons that examine social facts with reliable sources, such as data, statistics and a variety of texts, can offer tools to assess how assumptions like meritocracy and hard work ethic affect different populations in society.

Lessons that teach about imperialism, colonialism, and global trade can examine how slavery was a part of early U.S. history and how enslavement continues to impact modern society. Slavery and racism were not consistent with the purported founding principles of liberty and equality. Despite these inconsistencies, these systems of oppression were intentionally maintained and codified in many of the founding documents of this country and remain historical legacies of the United States' founding. Lessons that contrast true historical events with the purported founding values contribute to critical thinking about U.S. history.

The 1619 Project may still serve as a resource to students interested in understanding slavery's history and how it affects modern society.

Teachers can cover topics involving race, gender and oppression that do not place individual blame on students. The law does not ban any specific texts, books or instructional materials.

SB3 encourages instructing on founding documents with primary sources

Teachers should share primary documents with students when teaching about U.S. founding documents. These include but are not limited to those already in the TEKS.

IDRA analysis: Using primary documents is important for developing critical thinking and research skills. Secondary documents that provide context, analysis, and interpretations of primary documents also are integral to developing critical thinking and research skills. The emphasis on primary documents should not be used to censor the use of secondary materials in instruction.

[See IDRA's analysis of how SB 3 impacts state learning standards.](#)



SB3 forbids most course credit for civic engagement

School districts and teachers are not allowed to require, make part of a class, or give any kind of grade, credit or extra credit to students for their work, affiliation, internship, service learning or lobbying with organizations that engage in social policy advocacy or public policy advocacy.

Limited exceptions apply to the prohibition on school credit:

- Students can still receive credit for participating in community charitable projects, like community gardens or local food banks, career and technology education programs, the P-TECH program, and internships and practica that do not involve lobbying, social policy advocacy, or public policy advocacy
- Students can receive credit for “a program that prepares the student for participation and leadership in this country’s democratic process at the federal, state or local level through the simulation of a government process, including the development of public policy.”
- Students can contact local officials as part of a classroom activity (rather than through an organization) as “long as the teacher does not influence the content of a student’s communication.”

This section, as written, does not apply to any extracurricular activities, outside student group activities, or other non-credit bearing school related activities.

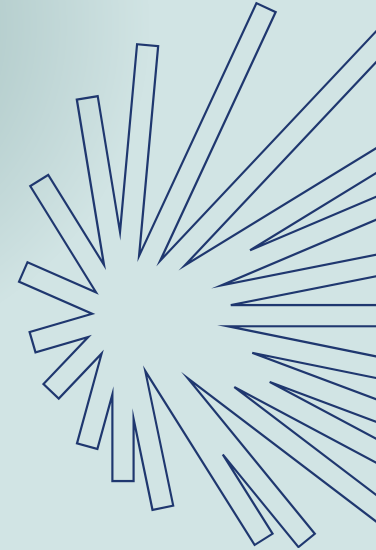


SB3 restricts educator peer training about systemic racism and oppression

SB 3 prohibits educators and education personnel from teaching, training or instructing other staff members to adopt the above concepts.

IDRA analysis: Educator training that focuses on accurate academic information, historical facts, and the systemic nature of complex social issues, such as racism and other forms of oppression helps to avoid the prohibited focus on individual blame and provide a comprehensive understanding of society.

This section is specifically about staff-to-staff training and does not explicitly prohibit training from external organizations or individuals.



SB3 prohibits student punishment for discussing prohibited concepts

Students cannot be punished for “reasonably” discussing the prohibited concepts, including in school or during school-sponsored activities. Additionally, schools may not do anything that would chill, or discourage, “reasonable” student speech related to the topics listed above.

IDRA analysis: SB 3 does not define what type of discussions are “reasonable,” which could result in inconsistent protections for students. School communities must be vigilant to ensure students, particularly students of color and LGBTQ+ students who are often disproportionately punished in their schools, are not targeted and punished for their speech.

SB3 mandates a civics educator training program and advisory board

The Texas Commissioner of Education must create a civics educator training program for certain grade levels and require at least one teacher and principal from districts or campuses with those grade levels to attend. Participants will receive an unspecified stipend.

The program will be developed by an advisory board appointed by the Texas Commissioner of Education, and it will be approved and reviewed by the State Board of Education (SBOE) each year. The Texas Education Agency (TEA) will provide guidance to districts about compliance.

The civics training program is not allowed to limit the state's learning standards in the Texas Essential Knowledge and Skills (TEKS). The program will include training on social studies standards, civics education, guided classroom discussions of current events, simulations of government and democratic processes, instruction on media literacy, and strategies for incorporating civics instruction into areas beyond social studies.

The civics training program must be developed by the 2025-26 school year.



SB3 blocks private right of action

Individual people expressly do not have the right to sue school district employees for non-compliance with elements of SB 3. However, a school district can take action involving the employment of staff and compliance with SB 3, in accordance with district policies and state and federal laws.

IDRA analysis: School districts should protect their teachers and students and encourage accurate and truthful lessons that prepare students for the world. District guidance on the implementation of SB 3 should stress this position and should clearly discourage abusive language or behavior toward teachers and other members of the school community. Teachers, students and families should familiarize themselves with school district policies related to the implementation of SB 3.

SB3 restates parent online access to review instructional materials

School districts that have an online portal or learning management system to distribute instructional materials to students also must share the log-in information with parents.



SB3 prohibits private funding for training and teaching on race and sex

No state agency or school district can accept private funding to develop or select curriculum and materials or train educators on the list of “prohibited” concepts and topics (see section on Limits Teaching on Systemic Racism and Oppression).

IDRA analysis: This prohibition on private funding likely includes grants from private foundations or donations from private individuals. Fundraising from a PTA or booster club may qualify as public funds depending on local district policies.

SB3 repeals HB 3979 list of diverse figures, texts and events but does not ban them

Texas’ first classroom censorship bill, HB 3979, included a requirement that the SBOE add to the social studies TEKS a long list of specific historical figures, texts, and events important to this country’s racial history, including major contributions by women and Black, Indigenous, and Latino people. SB 3 repeals the inclusion of this list in the updated TEKS but stipulates that these figures and related texts can still be taught in the scope of the social studies learning standards.

[See IDRA’s full analysis of the repealed figures and texts.](#)





IDRA offers resources and technical assistance to schools and school districts committed in teaching the truth in our classrooms. More information can be found on our [end censorship website](#) and by subscribing to our school censorship resource digest, [Knowledge is Power](#).

IDRA is an independent, non-profit organization. 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.

Developed by Michelle Castillo, Ed.M., Morgan Craven, J.D., Irene Gómez, Ed.M., & Chloe Latham Sikes, Ph.D.

For more information, contact chloe.sikes@idra.org.

Note: This analysis is not intended as legal advice.