



## Opposition to HB 3979

### Placing unnecessary and inequitable restrictions on lesson planning and pedagogy

April 13, 2021

The **Association of Texas Professional Educators (ATPE)** offers the following input in opposition to **House Bill (HB) 3979** by Rep. Steve Toth. ATPE appreciates the Legislature's renewed focus on the importance of civics education and American founding principles in teaching students to become active, informed, and engaged citizens. **ATPE agrees wholeheartedly with Gov. Greg Abbott that all classrooms should be environments in which young Texans learn about the topics that shape the American experience without bias or fear. Unfortunately, HB 3979 would have the opposite effect.**

Public school curriculum standards in Texas are set forth in the Texas Essential Knowledge and Skills (TEKS), which are adopted by the State Board of Education (SBOE) after extensive input from educators and other stakeholders. These standards intentionally mandate instructional content rather than pedagogical approaches based on the foundational principle that professional educators should be entrusted to select the approach that will inspire optimum engagement from each individual student.

The Social Studies TEKS for kindergarten through high school already include multiple specific references to the American founding documents. **Beyond mandating content already included in the TEKS, HB 3979 would mandate how content is delivered, which has not been under the purview of the SBOE or the Legislature.**

To personalize and engage student interest in concepts such as liberty and the American system of government, educators often refer to current, real-world examples. Subsection (h-2) places broad, vague, and ill-defined restrictions on discussion of contemporary issues, which could cause many educators to abandon the pedagogical practice of making content relevant out of fear of violating the law. This subsection would also prohibit educators in traditional ISDs from teaching civic engagement through hands-on activities such as encouraging their students to interact on a personal level with their elected representatives. Although other portions of the bill specifically limit the activities of both ISDs and open enrollment charter schools, subsections (h-2)(3) and (h-2)(4) would allow charter schools to include activities such as advocacy and lobbying in their school programs while banning districts from those same activities.

Subsection (h-3) seeks to ban the state and school districts from accepting private funding for the purchase of curriculum materials pertaining to history, social studies, and "similar subject areas." The state provides funding to districts through the Technology and Instructional Materials Allotment (TIMA), which is deposited into each district's instructional materials and technology account. These funds are not disaggregated by purpose or subject, which means any and all donated funds deposited in these accounts may be used for all allowable purchases—including instructional materials pertaining to history, social studies, and similar subject areas. **The fungible nature of instructional materials funds means subsection (h-3) would have the effect of prohibiting the state and LEAs from accepting any private funding for instructional materials and technology.**

HP 3979 would have a chilling effect on classroom instruction, arbitrarily subject traditional ISDs and charter schools to different pedagogical restrictions, and eliminate an important avenue for public school funding. **We therefore respectfully urge members to OPPOSE HB 3979.** For additional information, contact ATPE Governmental Relations at (800) 777-2873 or [government@atpe.org](mailto:government@atpe.org).

---

*The Association of Texas Professional Educators (ATPE) has been a strong voice for Texas educators since 1980. It is the leading educators' association in Texas with approximately 100,000 members statewide. With its strong collaborative philosophy, ATPE speaks for classroom teachers, administrators, future, retired and para-educators and works to create better opportunities for 5 million public schoolchildren. ATPE is the ally and the voice of Texas public school educators.*