

SECOND REGULAR SESSION

HOUSE BILL NO. 1646

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SWAN.

4816H.021

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 170.011, RSMo, and to enact in lieu thereof two new sections relating to civics education.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 170.011, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 170.011 and 170.345, to read as follows:

170.011. 1. Regular courses of instruction in the Constitution of the United States and of the state of Missouri and in American history and institutions shall be given in all public and private schools in the state of Missouri, except privately operated trade schools, and shall begin not later than the seventh grade and continue in high school to an extent determined by the state commissioner of education, and shall continue in college and university courses to an extent determined by the state commissioner of higher education. In the 1990-91 school year and each year thereafter, local school districts maintaining high schools shall comply with the provisions of this section by offering in grade nine, ten, eleven, or twelve a course of instruction in the institutions, branches and functions of the government of the state of Missouri, including local governments, and of the government of the United States, and in the electoral process. A local school district maintaining such a high school shall require that prior to the completion of the twelfth grade each pupil who receives a high school diploma or certificate of graduation on or after January 1, 1994, shall satisfactorily complete such a course of study. Such course shall be of at least one semester in length and may be two semesters in length. The department of elementary and secondary education may provide assistance in developing such a course if the district requests assistance. A school district may elect to waive the requirements of this subsection for any student who transfers from outside the state to a Missouri high school if the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 student can furnish documentation deemed acceptable by the school district of the student's
19 successful completion in any year from the ninth through the twelfth grade of a course of
20 instruction in the institutions, branches, and functions of state government, including local
21 governments, and of the government of the United States, and in the electoral process.

22 **2. A student of a college or university, who, after having earned a passing grade in**
23 **a course of instruction prescribed in this section, transfers to another college or university,**
24 **is not required to earn a passing grade in another such course as a condition precedent to**
25 **his or her graduation from the college or university.**

26 **3.** American history courses at the elementary and secondary levels shall include in their
27 proper time-line sequence specific referrals to the details and events of the racial equality
28 movement that have caused major changes in United States and Missouri laws and attitudes.

29 [3.] **4.** [No pupil shall receive a certificate of graduation from any public or private
30 school other than private trade schools unless he has satisfactorily passed an examination on the
31 provisions and principles of the Constitution of the United States and of the state of Missouri,
32 and in American history and American institutions. A school district may elect to waive the
33 requirements of this subsection for any student who transfers from outside the state to a Missouri
34 high school if the student can furnish documentation deemed acceptable by the school district
35 of the student's successful completion in any year from the ninth through the twelfth grade of a
36 course of instruction in the institutions, branches, and functions of state government, including
37 local governments, and of the government of the United States, and in the electoral process. A
38 student of a college or university, who, after having completed a course of instruction prescribed
39 in this section and successfully passed an examination on the United States Constitution, and in
40 American history and American institutions required hereby, transfers to another college or
41 university, is not required to complete another such course or pass another such examination as
42 a condition precedent to his graduation from the college or university.] **To receive a certificate**
43 **of graduation, public and private schools may require a passing score on an examination**
44 **of the provisions and principles of the Constitution of the United States, the Constitution**
45 **of the state of Missouri, or both the Constitution of the United States and of the state of**
46 **Missouri.**

47 [4.] **5.** In the 1990-91 school year and each year thereafter, each school district
48 maintaining a high school may annually nominate to the state board of education a student who
49 has demonstrated knowledge of the principles of government and citizenship through academic
50 achievement, participation in extracurricular activities, and service to the community. Annually,
51 the state board of education shall select fifteen students from those nominated by the local school
52 districts and shall recognize and award them for their academic achievement, participation and
53 service.

54 [5.] 6. The provisions of this section shall not apply to students from foreign countries
55 who are enrolled in public or private high schools in Missouri, if such students are foreign
56 exchange students sponsored by a national organization recognized by the department of
57 elementary and secondary education.

170.345. 1. This section shall be known as the "Missouri Civics Education Initiative".

2. Any student entering ninth grade after July 1, 2017, who is attending any public, charter, or private school, except private trade schools, or a student seeking to complete a high school equivalency certificate shall, as a condition of high school graduation or its equivalent, take and receive a passing score on a basic civics test similar to the civics portion of the United States Naturalization test, produced by the United States Citizenship and Immigration Services (USCIS).

3. The test required under subsection 2 of this section shall consist of questions similar to the one hundred questions used by the USCIS that are administered to applicants for United States citizenship. The school district shall choose the number of questions for the test for those students attending schools, including charter schools, in its district. A private school shall choose the number of questions for the test for students attending its school. The department of elementary and secondary education shall choose the number of questions for the test for those students seeking to complete a high school equivalency certificate. In order to receive a passing score on the test, a student shall answer at least sixty percent of the questions correctly.

4. Any student may take the test as many times as necessary for passage but shall receive a passing score prior to receiving a high school diploma, a certificate of high school graduation, or a high school equivalency certificate.

5. The department of elementary and secondary education and every public school, charter school, and private school, except private trade schools, shall certify that a student has taken and received a passing score on the test required under subsection 2 of this section.

6. Each school district shall adopt a policy to permit the waiver of the requirements of this section for any student with a disability if recommended by the student's IEP committee. For purposes of this subsection, "IEP" means individualized education program.

7. The department of elementary and secondary education shall promulgate rules to implement the provisions of this section including, but not limited to, the requirements for the content of the questions for the test required under subsection 2 of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under

33 **the authority delegated in this section shall become effective only if it complies with and**
34 **is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**
35 **section and chapter 536 are nonseverable, and if any of the powers vested with the general**
36 **assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove**
37 **and annul a rule are subsequently held unconstitutional, then the grant of rulemaking**
38 **authority and any rule proposed or adopted after August 28, 2016, shall be invalid and**
39 **void.**

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