

LEGISLATIVE BILL 399

Approved by the Governor March 27, 2019

Introduced by Slama, 1; Albrecht, 17; Arch, 14; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Clements, 2; Dorn, 30; Erdman, 47; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33; Hansen, B., 16; Hilgers, 21; Lindstrom, 18; Linehan, 39; Lowe, 37; McDonnell, 5; Moser, 22; Murman, 38.

A BILL FOR AN ACT relating to schools; to amend sections 79-724 and 79-727, Reissue Revised Statutes of Nebraska; to change the name of and provisions relating to the committee on Americanism; to eliminate a penalty; to provide duties for the State Board of Education and the State Department of Education; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 79-724, Reissue Revised Statutes of Nebraska, is amended to read:

79-724 It is the responsibility of society to ensure that youth are given the opportunity to become competent, responsible, patriotic, and civil citizens to ensure an informed, loyal, just, and patriotic citizenry is necessary to a strong, stable, just, and prosperous America. Such a citizenry necessitates that every member thereof be knowledgeable of our fully acquainted with the nation's history, government, geography, and economic system. The youth in our state should be committed to the ideals and values of our country's democracy and the constitutional republic established by the people. Schools should help prepare our youth to make informed and reasoned decisions for the public good. Civic competence is necessary to sustain and improve our democratic way of life and must be taught in all public, private, denominational, and parochial schools. A central role of schools is to impart civic knowledge and skills that help our youth to see the relevance of a civic dimension for their lives. Students should be made and that he or she be in full accord with our form of government and fully aware of the liberties, opportunities, and advantages we possess of which we are possessed and the sacrifices and struggles of those through whose efforts these benefits were gained. Since young people are youth is the time most susceptible to the acceptance of principles and doctrines that will influence them men and women throughout their lives, it is one of the first duties of our educational system to conduct its activities, choose its textbooks, and arrange its curriculum in such a way that the youth of our state have the opportunity to become competent, responsible, patriotic, and civil American citizens love of liberty, justice, democracy, and America will be instilled in the hearts and minds of the youth of the state.

(1) The Every school board of each school district shall, at the beginning of each calendar school year, appoint from its members a committee of three, to be known as the committee on American civics, which Americanism. The committee on Americanism shall:

(a) Hold no fewer than two public meetings annually, at least one when public testimony is accepted;

(b) Keep minutes of each meeting showing the time and place of the meeting, which members were present or absent, and the substance and details of all matters discussed;

(c) Examine and ensure that the social studies curriculum used in the district is aligned with the social studies standards adopted pursuant to section 79-760.01 and teaches foundational knowledge in civics, history, economics, financial literacy, and geography;

(d) Review and approve the social studies curriculum to ensure that it stresses (a) Carefully examine, inspect, and approve all textbooks used in the teaching of American history and civil government in the school. Such textbooks shall adequately stress the services of the men and women who played a crucial role in the achievement of achieved our national independence, establishment of established our constitutional government, and preservation of the preserved our union and includes the incorporation of multicultural education as set forth in sections 79-719 to 79-723 in order shall be so written to include contributions by ethnic groups as to instill develop a pride and respect for the nation's our institutions and not be merely a mere recital of events and dates;

(e) Ensure that any curriculum recommended or approved by the committee on American civics is made readily accessible to the public and contains a reference to this section;

(f) Ensure that the district develops and utilizes formative, interim, and summative assessments to measure student mastery of the social studies standards adopted pursuant to section 79-760.01;

(g) Ensure that the social studies curriculum in the district incorporates one or more of the following for each student:

(i) Administration of a written test that is identical to the entire civics portion of the naturalization test used by United States Citizenship and Immigration Services prior to the completion of eighth grade and again prior to

the completion of twelfth grade with the individual score from each test for each student made available to a parent or guardian of such student; or

(ii) Attendance or participation between the commencement of eighth grade and completion of twelfth grade in a meeting of a public body as defined by section 84-1409 followed by the completion of a project or paper in which each student demonstrates or discusses the personal learning experience of such student related to such attendance or participation; or

(iii) Completion of a project or paper and a class presentation between the commencement of eighth grade and the completion of twelfth grade on a person or persons or an event commemorated by a holiday listed in subdivision (6) of this section or on a topic related to such person or persons or event; and

(b) Assure themselves as to the character of all teachers employed and their knowledge and acceptance of the American form of government; and

(h) (e) Take all such other steps as will assure the carrying out of the provisions of this section and provide a report to the school board regarding the committee's findings and recommendations.

(2) All social studies American history courses approved for grade levels as provided by this section shall include and adequately stress contributions of all ethnic groups to (a) the development and growth of America into a great nation, (b) to art, music, education, medicine, literature, science, politics, and government, and (c) the military in all of this nation's wars to the war services in all wars of this nation.

(3) All grades of all public, private, denominational, and parochial schools, below the sixth grade, shall devote at least one hour per week to exercises or teaching periods for the following purpose:

(a) The discussion recital of noteworthy events pertaining to American history or the exceptional acts of individuals and groups of Americans stories having to do with American history or the deeds and exploits of American heroes;

(b) The historical background, memorization, and singing of patriotic songs such as and the insistence that every pupil memorize the Star-Spangled Banner and America the Beautiful; and

(c) The development of respect reverence for the American flag as a symbol of freedom and the sacrifices of those who secured that freedom; and

(d) Instruction instruction as to proper conduct in the its presentation of the American flag.

(4) In at least two of the three grades from the fifth grade to the eighth grade in all public, private, denominational, and parochial schools, time at least three periods per week shall be set aside for to be devoted to the teaching of American history from the social studies curriculum approved textbooks, which shall be taught in such a manner that all students are given the opportunity to (a) become competent, responsible, patriotic, and civil citizens who possess a deep understanding of and respect for both the Constitution of the United States and the Constitution of Nebraska and (b) prepare to preserve, protect, and defend freedom and democracy in our nation and our world way as to make the course interesting and attractive and to develop a love of country.

(5) In at least two courses in grades of every high school, time at least three periods per week shall be devoted to the teaching of civics and American history as outlined in the social studies standards adopted pursuant to section 79-760.01, during which courses specific attention shall be given to the following matters:

(a) The Declaration of Independence, the United States Constitution, and the Constitution of Nebraska, and the structure and function of local government in this state;

(b) The benefits and advantages of representative our form of government, and the rights and responsibilities of citizenship in our government, and the dangers and fallacies of forms of government that restrict individual freedoms or possess antidemocratic ideals such as, but not limited to, Nazism and communism; dangers and fallacies of Nazism, Communism, and similar ideologies; and

(c) The duties of citizenship, which include including active participation in the improvement of a citizen's community, state, country, and world and the value and practice of civil discourse between opposing interests; and

(d) The application of knowledge in civics, history, economics, financial literacy, and geography to address societal issues.

(6) Appropriate patriotic exercises suitable to the occasion shall be held under the direction of the superintendent in every public, private, denominational, and parochial school on George Washington's birthday, Abraham Lincoln's birthday, Dr. Martin Luther King, Jr.'s birthday, Native American Heritage Day, Constitution Day, Memorial Day, Veterans Day, and Thanksgiving Day, or on the day or week Lincoln's birthday, Washington's birthday, Flag Day, Memorial Day, and Veterans Day, or on the day preceding or following such holiday, if the school is in session.

(7) Every school board, the State Board of Education, and the superintendent of each school district in the state shall be held directly responsible in the order named for carrying out this section, Neglect thereof by any employee may be considered a cause for dismissal, and neglect thereof by any employee or appointed official shall be considered a dereliction of duty and cause for dismissal.

Sec. 2. Section 79-727, Reissue Revised Statutes of Nebraska, is amended

to read:

79-727 The State Board of Education shall adopt and promulgate rules and regulations to carry out the provisions of sections 79-724 through 79-726. The State Department of Education shall ensure that all requirements of such sections and such rules and regulations are carried out by each school district
Any person violating the provisions of sections 79-724 to 79-726 is guilty of a Class III misdemeanor.

Sec. 3. Original sections 79-724 and 79-727, Reissue Revised Statutes of Nebraska, are repealed.