

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 399

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.

Read first time January 17, 2019

Committee:

- 1 A BILL FOR AN ACT relating to schools; to amend sections 79-724 and
- 2 79-727, Reissue Revised Statutes of Nebraska; to change the name and
- 3 provisions relating to the committee on Americanism; to eliminate a
- 4 penalty; to provide duties for the State Board of Education and the
- 5 State Department of Education; to harmonize provisions; and to
- 6 repeal the original sections.
- 7 Be it enacted by the people of the State of Nebraska,

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

3 79-724 It is the responsibility of society to ensure that youth are
4 given the opportunity to become competent, responsible, patriotic, and
5 civil citizens to ensure ~~An informed, loyal, just, and patriotic~~
6 ~~citizenry is necessary to~~ a strong, stable, just, and prosperous America.
7 Such a citizenry necessitates that every member thereof be fully literate
8 about our ~~acquainted with the~~ nation's history, government, geography,
9 and economic system. The youth in our state should be committed to the
10 ideals and values of our country's democracy and the constitutional
11 republic established by the people. Schools should help prepare our youth
12 to make informed and reasoned decisions for the public good. Civic
13 competence is necessary to sustain and improve our democratic way of life
14 and must be taught in all public, private, denominational, and parochial
15 schools. A central role of schools is to impart civic knowledge and
16 skills that help our youth to see the relevance of a civic dimension for
17 their lives. Students should be made ~~and that he or she be in full accord~~
18 ~~with our form of government and~~ fully aware of the liberties,
19 opportunities, and advantages we possess ~~of which we are possessed and~~
20 the sacrifices and struggles of those through whose efforts these
21 benefits were gained. Since youth is the time most susceptible to the
22 acceptance of principles and doctrines that will influence them ~~men and~~
23 ~~women~~ throughout their lives, it is one of the first duties of our
24 educational system to conduct its activities, choose its textbooks, and
25 arrange its curriculum in such a way that the youth of our state have the
26 opportunity to become competent, responsible, patriotic, and civil
27 American citizens ~~love of liberty, justice, democracy, and America will~~
28 ~~be instilled in the hearts and minds of the youth of the state.~~

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

1 committee on American civics ~~Americanism~~ shall:

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

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

7 (c) Carefully examine and ensure that the social studies curriculum
8 used in the district is aligned to the social studies standards adopted
9 pursuant to section 79-760.01 and teaches and assesses foundational
10 knowledge in civics, history, economics, financial literacy, and
11 geography;

12 (d) Review and approve the social studies curriculum to ensure that
13 it adequately stresses ~~(a) Carefully examine, inspect, and approve all~~
14 ~~textbooks used in the teaching of American history and civil government~~
15 ~~in the school. Such textbooks shall adequately stress the services of the~~
16 ~~men and women who achieved our national independence, established our~~
17 ~~constitutional government, and preserved our union and is shall be so~~
18 ~~written to include~~ the incorporation of multicultural education as set
19 forth in sections 79-719 to 79-723 so ~~contributions by ethnic groups as~~
20 ~~to develop a pride and respect for our institutions and not be a mere~~
21 ~~recital of events and dates;~~

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

25 (f) Ensure that the district develops and utilizes formative,
26 interim, and summative assessments, including at a minimum, but not
27 limited to, the civics portion of the naturalization examination
28 administered by United States Citizenship and Immigration Services to
29 measure student mastery of the social studies standards adopted pursuant
30 to section 79-760.01 administered no later than eighth grade and again no
31 later than eleventh grade, with the individual score from such

1 examination for each student made available to the parents or guardians
2 of such student;

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

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

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

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

18 (a) The discussion ~~recital~~ of stories having to do with American
19 history or the deeds and exploits of American heroes;

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

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

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

28 (4) In at least two of the three grades from the fifth grade to the
29 eighth grade in all public, private, denominational, and parochial
30 schools, time ~~at least three periods per week~~ shall be set aside for ~~to~~
31 ~~be devoted to~~ the teaching of American history from the social studies

1 curriculum approved textbooks, which shall be taught in such a way that
2 all students are given the opportunity to become competent, responsible,
3 patriotic, and civil citizens who possess a deep understanding of and
4 respect for the United States Constitution and the Constitution of
5 Nebraska and be prepared to preserve, protect, and defend freedom and
6 democracy in our nation and our world as to make the course interesting
7 and attractive and to develop a love of country.

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

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

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

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

25 (d) The application of knowledge in civics, history, economics,
26 financial literacy, and geography in order to address meaningful issues
27 within our society.

28 (6) Appropriate patriotic exercises suitable to the occasion shall
29 be held under the direction of the superintendent in every public,
30 private, denominational, and parochial school on George Washington's
31 birthday, Abraham Lincoln's birthday, Dr. Martin Luther King, Jr.'s

1 birthday, Native American Day, Constitution Day, Memorial Day, Veterans
2 Day, and Thanksgiving Day, or on the day or week Lincoln's birthday,
3 Washington's birthday, Flag Day, Memorial Day, and Veterans Day, or on
4 the day preceding or following such holiday, if the school is in session.

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

11 Sec. 2. Section 79-727, Reissue Revised Statutes of Nebraska, is
12 amended to read:

13 79-727 The State Board of Education shall adopt and promulgate
14 rules and regulations to carry out the provisions of sections 79-724
15 through 79-726. The State Department of Education shall ensure that all
16 requirements of such sections and such rules and regulations are carried
17 out by each school district Any person violating the provisions of
18 sections 79-724 to 79-726 is guilty of a Class III misdemeanor.

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