

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 399

FINAL READING

Introduced by Slama, 1; Albrecht, 17; Arch, 14; Bostelman, 23; Brandt, 32; Brewer, 43; Briesse, 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: Education

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 of
3 and provisions relating to the committee on Americanism; to
4 eliminate a penalty; to provide duties for the State Board of
5 Education and the State Department of Education; to harmonize
6 provisions; and to 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 knowledgeable
8 of our fully 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 young people are ~~youth is the time~~ most
22 susceptible to the acceptance of principles and doctrines that will
23 influence them ~~men and women~~ throughout their lives, it is one of the
24 first duties of our educational system to conduct its activities, choose
25 its textbooks, and arrange its curriculum in such a way that the youth of
26 our state have the opportunity to become competent, responsible,
27 patriotic, and civil American citizens ~~love of liberty, justice,~~
28 ~~democracy, and America will be instilled in the hearts and minds of the~~
29 ~~youth of the state.~~

30 (1) The Every school board of each school district shall, at the
31 beginning of each calendar school year, appoint from its members a

1 committee of three, to be known as the committee on American civics
2 Americanism. The committee on American civics Americanism shall:

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

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

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

12 (d) Review and approve the social studies curriculum to ensure that
13 it stresses ~~(a) Carefully examine, inspect, and approve all textbooks~~
14 ~~used in the teaching of American history and civil government in the~~
15 ~~school. Such textbooks shall adequately stress the services of the men~~
16 ~~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 to measure student mastery of the
27 social studies standards adopted pursuant to section 79-760.01;

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

30 (i) Administration of a written test that is identical to the entire
31 civics portion of the naturalization test used by United States

1 Citizenship and Immigration Services prior to the completion of eighth
2 grade and again prior to the completion of twelfth grade with the
3 individual score from each test for each student made available to a
4 parent or guardian of such student; or

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

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

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

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

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

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

31 (a) The discussion ~~recital~~ of stories having to do with American

1 history or the deeds and exploits of American heroes;

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

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

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

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

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

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

29 (b) The benefits and advantages of our form of government, and the
30 rights and responsibilities of citizenship in our government, and the
31 dangers and fallacies of forms of government that restrict individual

1 freedoms or possess antidemocratic ideals such as, but not limited to,
2 Nazism and communism; dangers and fallacies of Nazism, Communism, and
3 similar ideologies; and

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

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

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

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

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

27 79-727 The State Board of Education shall adopt and promulgate
28 rules and regulations to carry out the provisions of sections 79-724
29 through 79-726. The State Department of Education shall ensure that all
30 requirements of such sections and such rules and regulations are carried
31 out by each school district Any person violating the provisions of

1 ~~sections 79-724 to 79-726 is guilty of a Class III misdemeanor.~~

2 Sec. 3. Original sections 79-724 and 79-727, Reissue Revised

3 Statutes of Nebraska, are repealed.