

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H

1

HOUSE BILL 588

Short Title: The Founding Principles Act. (Public)

Sponsors: Representative Brubaker (Primary Sponsor).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Education.

April 5, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE FOUNDING PRINCIPLES ACT.

3 Whereas, the adoption of the Declaration of Independence in 1776 and the signing
4 of the United States Constitution in 1787 were seminal events in the history of the United
5 States, the Declaration of Independence providing the philosophical foundation on which the
6 nation rests, and the Constitution of the United States providing its structure of government;
7 and

8 Whereas, the Federalist Papers embody the most eloquent and forceful argument
9 made in support of the adoption of our republican form of government; and

10 Whereas, these documents, along with the writings of the Founders, stand as the
11 foundation of our form of democracy, providing at the same time the touchstone of our national
12 identity and the vehicle for orderly growth and change; and

13 Whereas, these Founding Documents established a set of principles, known as the
14 Founders' Principles, which are the heart and soul of a government for a free society; and

15 Whereas, these principles enabled a group of 13 colonies to become the greatest and
16 most powerful nation on earth in a relatively short period of time; and

17 Whereas, most Americans do not know about nor understand the timely and
18 timeless importance of these principles to our form of government and to their current lives;
19 and

20 Whereas, the survival of the republic requires that our nation's children, the future
21 guardians of its heritage and participants in its governance, have a clear understanding of these
22 principles and the importance of their preservation; Now, therefore,

23 The General Assembly of North Carolina enacts:

24 **SECTION 1.** This act shall be known as "The Founding Principles Act."

25 **SECTION 2.** G.S. 115C-81(g) reads as rewritten:

26 "(g) Civic Literacy. –

27 (1) Local boards of education shall require during the high school years the
28 teaching of ~~the nation's founding and related documents, which shall include~~
29 ~~at least the major principles in the~~ either a semester course or a full-year
30 course that focuses on the following:

31 a. The philosophical foundations of our form of government.

32 b. The principles underlying the Declaration of Independence, the
33 United States Constitution and its amendments, and the most
34 important of the Federalist Papers. Constitution, the Federalist Papers,
35 and the writings of the Founders, which are the principles of



- 1 government for a free people and are known as the "Founders'
2 Principles."
- 3 ~~(2)~~ ~~Local boards of education shall require that high school students~~
4 ~~demonstrate knowledge and understanding of the nation's founding and~~
5 ~~related documents in order to receive a certificate or diploma of graduation~~
6 ~~from high school.~~
- 7 ~~(3)~~(2) Local boards of education shall include among the requirements for
8 graduation from high school a passing grade in ~~all courses that include~~
9 primary instruction in either a semester course or a full-year course focused
10 on the philosophical foundations of our form of government and the
11 principles underlying the Declaration of Independence, the United States
12 Constitution and its amendments, Constitution, and the most important of the
13 Federalist Papers. Papers, and the writings of the Founders.
- 14 (3a) Local boards of education shall allow and may encourage any public school
15 teacher or administrator to read or post in a public school building,
16 classroom, or event, excerpts or portions of writings, documents, and records
17 that reflect the history of the United States, including, but not limited to, (i)
18 the preamble to the North Carolina Constitution, (ii) the Declaration of
19 Independence, (iii) the United States Constitution, (iv) the Mayflower
20 Compact, (v) the national motto, (vi) the National Anthem, (vii) the Pledge
21 of Allegiance, (viii) the writings, speeches, documents, and proclamations of
22 the founding fathers and Presidents of the United States, (ix) decisions of the
23 Supreme Court of the United States, and (x) acts of the Congress of the
24 United States, including the published text of the Congressional Record.
25 Local boards, superintendents, principals, and supervisors shall not allow
26 content-based censorship of American history in the public schools of this
27 State, including religious references in these writings, documents, and
28 records. Local boards and professional school personnel may develop
29 curricula and use materials that are limited to specified topics provided the
30 curricula and materials are aligned with the standard course of study or are
31 grade level appropriate.
- 32 (3b) A local school administrative unit may display on real property controlled by
33 that local school administrative unit documents and objects of historical
34 significance that have formed and influenced the United States legal or
35 governmental system and that exemplify the development of the rule of law,
36 such as the Magna Carta, the Mecklenburg Declaration, the Ten
37 Commandments, the Justinian Code, and documents set out in subdivision
38 (3a) of this subsection. This display may include, but shall not be limited to,
39 documents that contain words associated with a religion; provided however,
40 no display shall seek to establish or promote religion or to persuade any
41 person to embrace a particular religion, denomination of a religion, or other
42 philosophy. The display of a document containing words associated with a
43 religion shall be in the same manner and appearance generally as other
44 documents and objects displayed and shall not be presented or displayed in
45 any fashion that results in calling attention to it apart from the other
46 displayed documents and objects. The display also shall be accompanied by
47 a prominent sign quoting the First Amendment of the United States
48 Constitution as follows: "Congress shall make no law respecting an
49 establishment of religion, or prohibiting the free exercise thereof; or
50 abridging the freedom of speech, or of the press; or the right of the people

- 1 peaceably to assemble, and to petition the government for a redress of
2 grievances."
- 3 (4) The State Board of Education shall require that any high school level
4 curriculum-based tests developed and administered statewide beginning with
5 the 2012-2013 academic year ~~1990-91~~ include questions related to the
6 philosophical foundations of our form of government and the principles
7 underlying the Declaration of Independence, the United States Constitution
8 and its amendments, Constitution, and the most important of the Federalist
9 Papers.
- 10 (5) The State Department of Public Instruction and the local boards of
11 education, as appropriate, shall ~~establish~~ provide or cause to be provided
12 curriculum content for the semester course or a full-year course and ~~provide~~
13 ~~for~~ teacher training to ensure that the intent and provisions of this subsection
14 are carried out. ~~The curriculum content established shall include a review of~~
15 ~~the contributions made by Americans of all races.~~
- 16 (6) The State Department of Public Instruction shall submit a biennial report to
17 the Joint Legislative Education Oversight Committee and to the chairs of the
18 education committees of the Senate and the House of Representatives
19 covering the following:
- 20 a. The implementation of this subsection.
- 21 b. The statewide student results from the State curriculum-based tests
22 administered in accordance with subdivision (3) of this subsection."

23 **SECTION 3.** This act is effective when it becomes law and applies beginning with
24 the 2012-2013 school year.