

IN THE SENATE

SENATE BILL NO. 1247

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1602, IDAHO CODE, TO PROVIDE AN  
2 EXCEPTION TO A TESTING REQUIREMENT AND TO MAKE TECHNICAL CORRECTIONS;  
3 AND DECLARING AN EMERGENCY.  
4

5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 33-1602, Idaho Code, be, and the same is hereby  
7 amended to read as follows:

8 33-1602. UNITED STATES CONSTITUTION -- NATIONAL FLAG AND COLORS -- NA-  
9 TIONAL ANTHEM -- "AMERICA" -- CITIZENSHIP -- CIVICS TEST. (1) Instruction in  
10 the Constitution of the United States shall be given in all elementary and  
11 secondary schools. The state board of education shall adopt such materi-  
12 als as may be deemed necessary for said purpose, and shall also determine the  
13 grades in which such instruction shall be given.

14 (2) Instruction in the proper use, display and history of and respect  
15 for the American flag and the national colors shall be given in all elemen-  
16 tary and secondary schools. Such instruction shall include the pledge of  
17 allegiance to the flag, the words and music of the national anthem, and of  
18 "America."

19 (3) Every school board of trustees shall cause the United States flag to  
20 be displayed in every classroom during the school hours of each school day.

21 (4) Every public school shall offer the pledge of allegiance or the na-  
22 tional anthem in grades ~~one (1)~~ through ~~twelve (12)~~ at the beginning of each  
23 school day.

24 (5) No pupil shall be compelled, against the pupil's objections or  
25 those of the pupil's parent or guardian, to recite the pledge of allegiance  
26 or to sing the national anthem.

27 (6) Instruction in citizenship shall be given in all elementary and  
28 secondary schools. Citizenship instruction shall include lessons on the  
29 role of a citizen in a constitutional republic, how laws are made, how of-  
30 ficials are elected, and the importance of voting and of participating in  
31 government. Such instruction shall also include the importance of respect-  
32 ing and obeying statutes which are validly and lawfully enacted by the Idaho  
33 legislature and the congress of the United States.

34 (7) Starting with the 2016-2017 school year, except as otherwise pro-  
35 vided in subsection (8) of this section, all secondary pupils must show  
36 they have met the state civics and government standards for such instruc-  
37 tion through the successful completion of the civics test or alternate path  
38 established by the local school district or charter school that shows the  
39 student has met the standards. Assessment of standards shall be included  
40 as part of the course at the secondary level. A school district or public  
41 charter school shall document on the pupil's transcript that the pupil has  
42 passed the civics test pursuant to this subsection. The school district or

1 governing body of the charter school may determine the method and manner in  
2 which to administer the civics test. A pupil may take the civics test, in  
3 whole or in part, at any time after enrolling in grade 7 and may repeat the  
4 test as often as necessary to pass the test. For the purposes of this subsec-  
5 tion, "civics test" means the one hundred (100) questions used by officers  
6 of the United States citizenship and immigration services as a basis for se-  
7 lecting the questions posed to applicants for naturalization, in order that  
8 the applicants can demonstrate a knowledge and understanding of the funda-  
9 mentals of United States history and the principles and form of United States  
10 government, as required by 8 U.S.C. section 1423. The state board of educa-  
11 tion may promulgate rules implementing the provisions of this subsection and  
12 subsection (8) of this section.

13 (8) Any student who receives special education services shall not be  
14 required to successfully complete the civics test or alternate path as pro-  
15 vided in subsection (7) of this section, unless required to do so as speci-  
16 fied in such student's individualized education plan (IEP). Any IEP that re-  
17 quires successful completion of the civics test or alternate path shall al-  
18 low for necessary testing accommodations, which shall be provided at no cost  
19 to the parent or parents of the student.

20 SECTION 2. An emergency existing therefor, which emergency is hereby  
21 declared to exist, this act shall be in full force and effect on and after its  
22 passage and approval.