

IN THE SENATE

SENATE BILL NO. 1336

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1602, IDAHO CODE, TO REVISE PRO-  
2 VISIONS REGARDING CIVICS INSTRUCTION; AMENDING CHAPTER 1, TITLE 33,  
3 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-118C, IDAHO CODE, TO ES-  
4 TABLISH PROVISIONS REGARDING CURRICULAR MATERIALS FOR AMERICAN HISTORY  
5 AND CIVICS INSTRUCTION; AND DECLARING AN EMERGENCY AND PROVIDING AN  
6 EFFECTIVE DATE.  
7

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

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

11 33-1602. UNITED STATES CONSTITUTION -- NATIONAL FLAG AND COLORS -- NA-  
12 TIONAL ANTHEM -- "AMERICA" -- CITIZENSHIP -- CIVICS TEST. (1) The legisla-  
13 ture finds that a somber reflection on the history of mankind shows that no  
14 free government or the blessings of liberty can be preserved by any people  
15 except through an adherence to moral virtue and by frequent recurrence to  
16 fundamental principles. The legislature finds and declares that the pri-  
17 mary purpose of this state's system of public schools is to equip the youth  
18 of the state with the virtue and intelligence necessary for self-government  
19 through a liberal program of education that inspires a love of nation, fellow  
20 countrymen, and common history and culture.

21 (2) Upon high school graduation, every student at an Idaho public  
22 school shall:

23 (a) Exemplify the cardinal virtues necessary for self-government and  
24 human flourishing, including:

25 (i) Prudence;

26 (ii) Justice;

27 (iii) Fortitude;

28 (iv) Moderation; and

29 (v) Patriotism;

30 (b) Understand the fundamental principles of the nation's republican  
31 form of government, including:

32 (i) The supremacy of the natural law over civil institutions;

33 (ii) That virtue or morality is a necessary spring of popular gov-  
34 ernment;

35 (iii) The self-evident truth that all men are created equal and  
36 endowed by their creator with inalienable rights;

37 (iv) That civil society is a social compact, by which the whole  
38 people covenants with each citizen and each citizen with the whole  
39 people, and that all shall be governed by certain laws for the com-  
40 mon good;

41 (v) That as members of the body-politic, every citizen has a duty  
42 to promote the common good of the whole;

1           (vi) That the people are the original fountain of all legitimate  
 2 authority, denoting that just government is contingent upon the  
 3 consent of the governed;

4           (vii) That the first aim of every political constitution is to ob-  
 5 tain for rulers men who possess the most wisdom to discern and most  
 6 virtue to pursue the common good of the society, and that this is  
 7 most effectually accomplished through a system of representation;

8           (viii) The concept of the rule of law and not of men;

9           (ix) Reverence for the constitutional order and the importance  
 10 of the separation of powers as a bulwark against arbitrary and  
 11 despotic government;

12           (x) The security that exists in the liberties provided by the  
 13 system of federalism and by the value of the union as the source of  
 14 national prosperity and independence; and

15           (xi) That the preservation of the republic depends, above all  
 16 else, on the vigilant and manly spirit of the American people; and

17 (c) Understand the content, history, meaning, significance, and effect  
 18 of key historical documents, including:

19           (i) The magna carta;

20           (ii) The mayflower compact;

21           (iii) The Massachusetts body of liberties;

22           (iv) The English bill of rights and act of toleration;

23           (v) The declaration of independence;

24           (vi) The articles of confederation;

25           (vii) The Virginia declaration of rights of 1776;

26           (viii) The Massachusetts constitution of 1780;

27           (ix) The Northwest ordinance;

28           (x) The constitution of the United States and the bill of rights;

29           (xi) The federalist papers;

30           (xii) George Washington's farewell address;

31           (xiii) Thomas Jefferson's first inaugural address;

32           (xiv) The Monroe doctrine;

33           (xv) The emancipation proclamation;

34           (xvi) The Gettysburg address;

35           (xvii) The constitution of the state of Idaho; and

36           (xviii) Other similar documents that are important to the history  
 37 and heritage of the United States and Idaho.

38           (3) All secondary pupils in grades 9 through 12 shall be required to  
 39 complete two (2) credits in American history and two (2) credits in Ameri-  
 40 can government, encompassing a strong emphasis on civics. By the 2030-2031  
 41 school year, all secondary pupils in grade 8 shall be required to take a full  
 42 year course in the history and cultural heritage of Western civilization.

43           (4) Western civilization curricula adopted or developed by school dis-  
 44 tricts and public charter schools shall emphasize instruction on ancient  
 45 Athens and the Greek polis, the Roman republic, the rise and fall of the Roman  
 46 empire, the history and influence of Christianity, the Carolingian empire,  
 47 medieval western Europe, the reformation, the renaissance, the scientific  
 48 revolution, the development of the English constitution and parliamentary  
 49 system, and the enlightenment.

1       (5) United States history curricula adopted or developed by school dis-  
2 tricts and public charter schools shall include instruction on the American  
3 revolution and the American founding, with attention given to the following,  
4 at a minimum:

5       (a) How the American founding was the culmination of the Western tra-  
6 dition, including the influence of Christianity, the enlightenment,  
7 Greek democracy, Roman republicanism, and the English legal tradition;

8       (b) The fundamental principles of the American revolution as articu-  
9 lated in the declaration of independence, including liberty, equality,  
10 natural rights, national sovereignty, republican virtue, and self-gov-  
11 ernment;

12       (c) The contribution of America's original Anglo-American heritage and  
13 colonial experience to the development of the nation's republican in-  
14 stitutions;

15       (d) The political and military narrative of the causes and progress of  
16 the American revolution;

17       (e) The deeds and civic virtues exemplified in the lives of America's  
18 founding fathers;

19       (f) The United States' founding documents and their original intent;

20       (g) Instruction on the symbols associated with America's national  
21 heritage originating from the American revolution, including the min-  
22 uteman, the liberty bell, the liberty tree, lady Columbia, "e pluribus  
23 unum," the pine tree flag, the Gadsden flag, "join or die," the Betsy  
24 Ross flag, and the bald eagle;

25       (h) The historical development of the United States' republican form of  
26 government, including the proceedings of the Philadelphia convention  
27 and ratification debates that led to the adoption of the United States  
28 constitution and the bill of rights, and the significance of the histor-  
29 ical documents outlined in subsection (2) (c) of this section; and

30       (i) The political narrative of the early republic under the founding  
31 presidents.

32       (6) Corresponding with the term in which instruction in the American  
33 revolution and American founding occurs, all school districts and public  
34 charter schools shall develop complimentary English language arts and com-  
35 munications curricula that shall include:

36       (a) Reading of core documents from the American revolution, includ-  
37 ing Patrick Henry's "Give Me Liberty or Give Me Death!," Samuel Adams'  
38 "Speech on American Independence," and Thomas Paine's "Common Sense"  
39 and "The Crisis, No. 1"; and

40       (b) Reading of literature from or about the American founding, includ-  
41 ing Phillis Wheatley's "Liberty and Peace" and "His Excellency General  
42 Washington," Thomas Paine's "Liberty Tree," John Dickinson's "The Lib-  
43 erty Song," and Joseph Hopkinson's "Hail, Columbia."

44       (7) United States history curricula adopted or developed by school dis-  
45 tricts and public charter schools shall include instruction on how totali-  
46 tarian ideologies, such as communism, are antithetical to the fundamental  
47 principles of America's republican form of government, with attention given  
48 to, at a minimum:

49       (a) America's triumph over totalitarian regimes in the second world war  
50 and cold war; and

1        (b) The failures and atrocities of the Soviet Union and People's Republic  
 2        of China, including the red terror, dekulakization, Stalin's great  
 3        purge, the five-year plan, the holodomor, the great leap forward, and  
 4        the cultural revolution.

5        (8) Civics curricula adopted or developed by school districts and public  
 6        charter schools shall ensure that students understand the fundamental  
 7        principles of America's republican form of government outlined in subsec-  
 8        tion (2) (b) of this section, and shall include instruction on:

9        (a) Primary documents articulating the importance of maintaining Amer-  
 10       ica's constitutional republic, including George Washington's farewell  
 11       address and Thomas Jefferson's first inaugural address;

12       (b) The influence of the Western intellectual tradition on the United  
 13       States constitution, including the political philosophy of John Locke  
 14       and Montesquieu, Greek democracy, Roman republicanism, and British  
 15       constitutionalism;

16       (c) Primary documents articulating the fundamental principles of Amer-  
 17       ica's constitutional system of government, including excerpts from the  
 18       declaration of independence, "Brutus II," "Federalist 9," "Federalist  
 19       10," "Federalist 39," "Federalist 51," "Federalist 63," "Federalist  
 20       70," and "Federalist 78;" and

21       (d) How the constitution of the state of Idaho embodies the principles  
 22       of the American founding, including section 1, article I, regarding the  
 23       inalienable rights of man; section 2, article I, regarding the polit-  
 24       ical power inherent in the people; section 3, article I, regarding the  
 25       state as an inseparable part of the union; section 1, article II, re-  
 26       garding the departments of government; section 24, article III, regard-  
 27       ing the promotion of temperance and morality; section 1, article IX, re-  
 28       garding the legislature's duty to establish a system of free schools;  
 29       and section 1, article XIV, regarding persons subject to military duty.

30       (9) Corresponding with the term in which the civics course occurs, all  
 31       school districts and public charter schools shall develop complimentary  
 32       English language arts curricula that includes selections from Alexis de  
 33       Tocqueville's "Democracy in America."

34       ~~(1)~~ (10) Instruction in the United States constitution, the fundamental  
 35       principles of America's republican form of government, and the virtues nec-  
 36       essary for good citizenship shall be given in all elementary and secondary  
 37       schools. The state board of education shall adopt any materials as may be  
 38       deemed necessary for such purpose and shall also determine the grades in  
 39       which such instruction shall be given.

40       ~~(2)~~ (11) Instruction in the proper use, display, and history of and re-  
 41       spect for the American flag and the national colors shall be given in all ele-  
 42       mentary and secondary schools. Such instruction shall include the pledge of  
 43       allegiance to the flag and the words and music of the national anthem and of  
 44       "America."

45       ~~(3)~~ (12) Every school board of trustees shall cause the United States  
 46       flag to be displayed in every classroom during the school hours of each  
 47       school day.

48       (13) Every school board of trustees is encouraged to display histori-  
 49       cal portraits of George Washington in a conspicuous place in each classroom  
 50       that is used for history, civics, or social studies instruction and in each

1 kindergarten through grade 5 classroom. The state superintendent of public  
 2 instruction shall select the portraits.

3 ~~(4)~~ (14) Every public school shall offer the pledge of allegiance or the  
 4 national anthem in grades 1 through 12 at the beginning of each school day.

5 ~~(5)~~ (15) No pupil shall be compelled, against the pupil's objections or  
 6 those of the pupil's parent or guardian, to recite the pledge of allegiance  
 7 or to sing the national anthem.

8 ~~(6)~~ (16) Instruction in citizenship shall be given in all elementary  
 9 and secondary schools. Citizenship instruction shall include lessons on  
 10 the role of a citizen in a constitutional republic, how laws are made, how  
 11 officials are elected, and the importance of voting and of participating in  
 12 government. Such instruction shall also include the importance of respect-  
 13 ing and obeying statutes that are validly and lawfully enacted by the Idaho  
 14 legislature and the congress of the United States.

15 ~~(7)~~ (17) Starting with the 2016-2017 school year, all secondary pupils  
 16 shall show that they have met the state civics and government standards for  
 17 such instruction through the successful completion of the civics test, par-  
 18 ticipation in a course in United States government and politics, and par-  
 19 ticipation in an associated college credit-bearing examination or alternate  
 20 path established by the local school district or charter school that shows  
 21 the student has met the standards. Assessment of standards shall be included  
 22 as part of the course at the secondary level. Students graduating prior to  
 23 January 1, 2029, who have satisfied the requirement outlined in this subsec-  
 24 tion prior to the start of the 2026-2027 school year are exempt from complet-  
 25 ing the requirement provided for in subsection ~~(8)~~ (18) of this section.

26 ~~(8)~~ (18) Beginning with the ~~2026-2027~~ 2027-2028 school year, all sec-  
 27 ondary pupils shall show that they have met the state civics and government  
 28 standards for such instruction through the successful completion of the  
 29 civics test and participation in a course in United States government and  
 30 history, or participation in an associated college credit-bearing course  
 31 or examination. Assessment of standards shall be included as part of the  
 32 course at the secondary level. A school district or public charter school  
 33 shall document on the pupil's transcript that the pupil has passed the civics  
 34 test pursuant to this subsection. ~~The school district or governing body of~~  
 35 ~~the charter school may state~~ superintendent of public instruction or the  
 36 superintendent's designee shall determine the method and manner in which  
 37 to administer the civics test. A pupil may take the civics test at any time  
 38 after enrolling in grade 9 and may repeat the test as often as necessary to  
 39 pass the test. The applicability of this subsection to a pupil who receives  
 40 special education services shall be governed by such pupil's individualized  
 41 education plan. For the purposes of this subsection, "civics test" means  
 42 an assessment developed by the ~~state department of education~~ state super-  
 43 intendent of public instruction or the superintendent's designee with the  
 44 approval of the state board of education that includes but is not limited  
 45 to the following components from the Idaho content standards in American  
 46 government:

47 (a) The influence of the history of Western civilization on the found-  
 48 ing of the American republic, including Greek democracy, Roman republi-  
 49 canism, and the English political and legal tradition;

50 (b) The arguments presented in the declaration of independence;

1 (c) The governing principles at the foundation of the United States  
 2 constitution, including popular sovereignty, rule of law, federalism,  
 3 separation of powers, checks and balances, judicial review, and major-  
 4 ity rule and protection of minority rights;

5 (d) The role of the bill of rights in limiting the powers of government  
 6 and protecting individual rights;

7 (e) The enumerated powers of the United States congress, including ap-  
 8 propriations, declarations of war, commerce, confirmations, necessary  
 9 and proper clauses, and oversight and impeachment;

10 (f) The legislative process of how a bill becomes law;

11 (g) Article II of the United States constitution as it relates to the  
 12 executive branch and the powers of the president, along with the devel-  
 13 opment and growth of administrative agencies;

14 (h) The function and development of the electoral college;

15 (i) The power of the judiciary as conferred by article III of the United  
 16 States constitution and legal precedents that developed these powers;

17 (j) The functions, powers, interactions, and dynamic relationships  
 18 among federal, state, local, and tribal governments, including the  
 19 tenth amendment to the United States constitution and legal precedent;  
 20 and

21 (k) The organization and powers of state and local government as de-  
 22 scribed in the constitution of the state of Idaho, including the leg-  
 23 islative, executive, and judicial branches.

24 ~~(9)~~ (19) Components of the assessment developed pursuant to subsection  
 25 ~~(8)~~ (18) of this section shall be reviewed concurrently with the review of  
 26 the Idaho content standards in American government. The state board of edu-  
 27 cation may promulgate rules, subject to legislative approval, implementing  
 28 the provisions of subsection ~~(8)~~ (18) of this section.

29 ~~(10)~~ (20) Subject to state-appropriated funds, the state department  
 30 of education shall make available funding for high quality professional  
 31 development focused on advanced high school civics ~~or government courses,~~  
 32 ~~including those with college credit-bearing civics or government examina-~~  
 33 ~~tions~~ Western civilization, or United States history courses. Allowable  
 34 expenses include summer institutes offered at different sites throughout  
 35 the state and workshops to help high school teachers prepare students for  
 36 success in college-level courses.

37 SECTION 2. That Chapter 1, Title 33, Idaho Code, be, and the same is  
 38 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
 39 ignated as Section 33-118C, Idaho Code, and to read as follows:

40 33-118C. CURRICULAR MATERIALS -- HISTORY AND CIVICS. (1) Notwith-  
 41 standing the provisions of section 33-118, Idaho Code, the legislature finds  
 42 that to promote the stability of America's republican form of government and  
 43 to establish and maintain a general, uniform, and thorough system of public,  
 44 free common schools, as provided in section 1, article IX of the constitution  
 45 of the state of Idaho, all curricular materials adopted by school districts  
 46 or public charter schools in the subjects of history, American government  
 47 and civics, and social studies shall:

48 (a) Align with the provisions of section 33-1602, Idaho Code;

- 1 (b) Align with state content standards established by the state board  
2 of education;
- 3 (c) Be academically rigorous;
- 4 (d) Be historically and factually accurate;
- 5 (e) Directly utilize or otherwise promote engagement with primary  
6 sources and documents;
- 7 (f) Encourage pupils to believe what is true, love what is good, and ad-  
8 mire what is beautiful;
- 9 (g) Inspire patriotism;
- 10 (h) Contribute to the cultivation of good moral character and the  
11 virtues necessary for self-government and human flourishing;
- 12 (i) Cultivate knowledge and appreciation for the nation's history and  
13 cultural heritage as derived from the tradition of Western civiliza-  
14 tion; and
- 15 (j) Foster an appreciation for and attachment to America's republican  
16 form of government, along with a proper understanding of the pupils'  
17 rights and duties as citizens of the state of Idaho and the United  
18 States.
- 19 (2) School districts and public charter schools shall have the discre-  
20 tion to utilize other supplementary instructional materials, such as pri-  
21 mary sources, documents, maps, or other resources, provided that such ma-  
22 terials align with the requirements provided in subsection (1) of this sec-  
23 tion.

24 SECTION 3. An emergency existing therefor, which emergency is hereby  
25 declared to exist, this act shall be in full force and effect on and after  
26 July 1, 2026.