

LEGISLATURE OF THE STATE OF IDAHO
Sixty-third Legislature First Regular Session - 2015

IN THE SENATE

SENATE BILL NO. 1071

BY EDUCATION COMMITTEE

AN ACT

RELATING TO COURSES OF INSTRUCTION; AMENDING SECTION 33-1602, IDAHO CODE,
TO PROVIDE THAT CERTAIN PUPILS MUST PASS A CERTAIN CIVICS TEST IN ORDER
TO QUALIFY FOR GRADUATION FROM A SECONDARY SCHOOL AND TO PROVIDE RELATED
PROVISIONS.

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

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

33-1602. UNITED STATES CONSTITUTION -- NATIONAL FLAG AND COLORS -- NA-
TIONAL ANTHEM -- "AMERICA" -- CITIZENSHIP -- SECONDARY SCHOOL GRADUATION RE-
QUIREMENT. (1) Instruction in the Constitution of the United States shall be
given in all elementary and secondary schools. The state board of education
shall adopt such materials as may be deemed necessary for said purpose, and
shall also determine the grades in which such instruction shall be given.

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

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

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

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

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

(7) Pupils enrolled in the grade 12 during the 2016-2017 school year
must correctly answer at least sixty percent (60%) of the questions listed on
the civics test in order to qualify for graduation from a secondary school.
Thereafter, all other pupils must correctly answer at least seventy percent
(70%) of the questions on the civics test in order to qualify for graduation
from a secondary school. A school district or public charter school shall
document on the pupil's transcript that the pupil has passed the civics test
pursuant to this subsection. The school district or governing body of the

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