AMENDED

April 22, 2015

**H. 3539**

Introduced by Reps. J.E. Smith, Bannister, Simrill, Bernstein, King, Govan, McKnight, Williams, Norrell, Tinkler, Henegan, Bales, Jefferson, Hicks, Newton, Funderburk, Huggins, Ridgeway, Collins, Pitts and White

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Read the first time February 5, 2015.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59‑29‑240 SO AS TO ENACT THE “JAMES B. EDWARDS CIVICS EDUCATION INITIATIVE” TO REQUIRE ALL STUDENTS OF PUBLIC OR CHARTER SCHOOLS OR PERSONS PURSUING A GENERAL EDUCATIONAL DEVELOPMENT CERTIFICATE IN THIS STATE TO TAKE THE UNITED STATES CITIZENSHIP CIVICS TEST PRODUCED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES, TO DIRECT SCHOOL DISTRICTS TO AWARD A CERTIFICATE OF ACHIEVEMENT TO ALL STUDENTS WHO RECEIVE A GRADE OF 60 OR BETTER ON THE TEST, AND TO DIRECT THE RESPECTIVE SCHOOLS TO REPORT RESULTS TO THE SOUTH CAROLINA EDUCATION OVERSIGHT COMMITTEE FOR INCLUSION IN THE REPORT CARD FOR EACH SCHOOL, AS APPLICABLE.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be cited as the “James B. Edwards Civics Education Initiative”.

SECTION 2. Article 1, Chapter 29, Title 59 of the 1976 Code is amended by adding:

“Section 59‑29‑240. (A) For purposes of this section, ‘civics test’ means the one hundred questions that, as of January 1, 2015, and updated accordingly, officers of the United States Citizenship and Immigration Services use in order that the applicants can demonstrate a knowledge and understanding of the fundamentals of United States history and the principles and form of United States government, as required by 8 U.S.C. 1423.

(B) As part of the high school curriculum regarding the United States government required credit, students are required to take the civics test, as defined in subsection (A), provided there is no cost to a school or school district for obtaining and giving the test, but are not required to obtain a minimum score. However, a student who receives a passing grade, as determined by the United States Citizenship and Immigration Services, or better, may be recognized by the school district. This requirement applies to each student enrolled in a public or charter school in this State. This requirement does not apply to a student who is exempted in accordance with the student’s individualized education program plan.

(C) Each public school, including charter schools, must report the percentage of students at or above the designated passing score on the test to the South Carolina Education Oversight Committee which must then include such on the school report card.

(D) No school or school district of this State may impose or collect any fees or charges in connection with this section.

(E) This section must be applied to any student entering ninth grade beginning in the 2016‑2017 school year.”

SECTION 3. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 4. This act takes effect upon approval by the Governor.

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