**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4671**

**STATUS INFORMATION**

General Bill

Sponsors: Rep. Huggins

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Introduced in the House on January 25, 2012

Currently residing in the House Committee on **Education and Public Works**

Summary: Founding Principles Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/25/2012 House Introduced and read first time ([House Journal‑page 8](file:///h:\hj%20archive\2012\01-25-12.docx))

1/25/2012 House Referred to Committee on **Education and Public Works** ([House Journal‑page 8](file:///h:\hj%20archive\2012\01-25-12.docx))

**VERSIONS OF THIS BILL**

[1/25/2012](file:///p:\pprever\2011-12\4671_20120125.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “SOUTH CAROLINA FOUNDING PRINCIPLES ACT” BY ADDING SECTION 59‑29‑155 SO AS TO PROVIDE THAT THE LOCAL SCHOOL BOARDS SHALL REQUIRE DURING THE HIGH SCHOOL YEARS THE TEACHING OF A CURRICULUM AS PART OF THE REQUIRED STUDY OF THE UNITED STATES CONSTITUTION CONTAINING SPECIFIED FOUNDING PHILOSOPHY AND PRINCIPLES OF THIS COUNTRY CONTAINED IN VARIOUS DOCUMENTS AND PUBLICATIONS, AND TO PROVIDE FOR THE ADMINISTRATION OF THE PROVISIONS AND REQUIREMENTS OF THIS SECTION.

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

SECTION 1. This act is known and may be cited as the “South Carolina Founding Principles Act”.

SECTION 2. The General Assembly finds that the survival of the republic requires that our nation’s children, the future guardians of its heritage and participants in its governance, have a clear understanding of the founding philosophy and the founding principles of government for a free people, which are found in the Declaration of Independence, the United States Constitution, the Federalist Papers, and the writings of the founders, and an understanding of their preservation.

SECTION 3. Chapter 29, Title 59 of the 1976 Code is amended by adding:

“Section 59‑29‑155. (A) Local school boards shall require during the high school years the teaching of a curriculum entitled ‘The Founding Principles’ which must be integrated into required study of the United States Constitution as provided in Section 59‑29‑120. The Founding Principles curriculum shall include at least the following:

(1) the creator‑endowed inalienable rights of the people;

(2) structure of government, separation of powers with checks and balances;

(3) frequent and free elections in a representative government;

(4) rule of law;

(5) equal justice under the law;

(6) private property rights;

(7) federalism;

(8) due process;

(9) individual rights as set forth in the Bill of Rights; and

(10) individual responsibility.

(B) Local school boards shall allow and may encourage any public school teacher or administrator to read or post in a public school building, classroom, or event excerpts or portions of writings, documents, and records that reflect the history of the United States including, but not limited to:

(1) the South Carolina Constitution;

(2) the Declaration of Independence;

(3) the United States Constitution;

(4) the Mayflower Compact;

(5) the national motto;

(6) the National Anthem;

(7) the Pledge of Allegiance;

(8) the writings, speeches, documents, and proclamations of the founding fathers and Presidents of the United States;

(9) decisions of the Supreme Court of the United States; and

(10) acts of the Congress of the United States, including the published text of the Congressional Record.

Local school boards, superintendents, principals, and supervisors shall not allow content‑based censorship of any documents, writings, or records used under this section, including religious references in these writings, documents, and records. Local school boards and professional school personnel may develop curricula and use materials that are limited to specified topics, provided that the curricula and materials are aligned with the standard course of study or are grade‑level appropriate.

(C) Local school administrators may display on real property owned or controlled by that local school district documents and objects of historical significance that have formed and influenced the United States legal or governmental system and that exemplify the development of the rule of law, such as the Magna Carta, the Ten Commandments, the Justinian Code, and documents set out in subsection (B). This display may include, but shall not be limited to, documents that contain words associated with a religion; provided, however, no display shall seek to establish or promote religion or to persuade any person to embrace a particular religion, denomination of a religion, or other philosophy. The display of a document containing words associated with a religion must be in the same manner and appearance generally as other documents and objects displayed and must not be presented or displayed in any fashion that results in calling attention to it apart from the other displayed documents and objects. The display also must be accompanied by a prominent sign quoting the First Amendment of the United States Constitution as follows: ‘Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assembly, and to petition the government for a redress of grievances’.

(D) The Department of Education shall require that any high school level curriculum‑based tests which include the constitutional principles of our country developed and administered statewide beginning with the 2014‑2015 school year include questions related to the philosophical foundations of our form of government and the principles underlying the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.

(E) The Department of Education and the local school boards, as appropriate, shall provide or cause to be provided curriculum content for the instruction required in subsection (A) to ensure that the intent and provisions of this section are carried out. The curriculum content established must include a review of the contributions made by Americans of all races.

(F) The Department of Education shall submit a biennial report by October fifteenth of each odd‑numbered year to the House Education and Public Works Committee and the Senate Education Committee covering the implementation of this section.”

SECTION 4. This act takes effect upon approval by the Governor and applies beginning with the 2014‑2015 school year.

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