RECALLED

May 21, 2015

**S. 437**

Introduced by Senators Campsen, Reese, Gregory, Hutto, Cleary, Campbell, Cromer, Young, Bryant, Williams, Bennett, Johnson, Hembree, O’Dell, Davis, Fair, Hayes and Verdin

S. Printed 5/21/15--H.

Read the first time April 14, 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.

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 district for obtaining and giving the test, but are not required to obtain a minimum score. However, a student who receives a passing grade or better may be recognized by the school district. This requirement applies to each student enrolled in a public school, including charter schools. This requirement does not apply to a student who is exempted in accordance with the school’s individualized program plan.

(C) Each public school, including charter schools, must report the percentage of students at or above the designated passage score on the test to the South Carolina Education Oversight Committee which then must 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. Article 2, Chapter 101, Title 59 of the 1976 Code is amended by adding:

“Section 59‑101‑680. (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) To demonstrate compliance with Section 59‑29‑120, public institutions of higher learning may require students to take the civics test, as defined in subsection (A), but students are not required to obtain a minimum score. However, a student who receives a grade of 60 or better must be awarded a certificate of achievement by the institution. This requirement applies to each student enrolled in a public institution of higher learning 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) Every public institution of higher learning in the State is directed to report the civics tests results to the South Carolina Commission on Higher Education for inclusion in the annual report required by Section 59‑101‑350.

(D) No public institution of higher learning 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 freshman year beginning in the 2016‑2017 school year.”

SECTION 4. 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 5. This act takes effect upon approval by the Governor.

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