

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

**SESSION LAW 2011-273
HOUSE BILL 588**

AN ACT TO ENACT THE FOUNDING PRINCIPLES ACT.

Whereas, 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; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1. This act shall be known as "The Founding Principles Act."

SECTION 2. G.S. 115C-81(g) reads as rewritten:

"(g) Civic Literacy. –

- (1) Local boards of education shall require during the high school years the teaching of ~~the nation's founding and related documents, which shall include at least the major principles in the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.~~ a semester course "American History I – The Founding Principles," to include at least the following:
 - a. The Creator-endowed inalienable rights of the people.
 - b. Structure of government, separation of powers with checks and balances.
 - c. Frequent and free elections in a representative government.
 - d. Rule of law.
 - e. Equal justice under the law.
 - f. Private property rights.
 - g. Federalism.
 - h. Due process.
 - i. Individual rights as set forth in the Bill of Rights.
 - j. Individual responsibility.A passing grade in the course shall be required for graduation from high school.
- (2) ~~Local boards of education shall require that high school students demonstrate knowledge and understanding of the nation's founding and related documents in order to receive a certificate or diploma of graduation from high school.~~
- (3) ~~Local boards of education shall include among the requirements for graduation from high school a passing grade in all courses that include primary instruction in the Declaration of Independence, the United States Constitution and its amendments, and the most important of the Federalist Papers.~~
- (3a) Local boards of education 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, (i) the preamble to the North Carolina Constitution, (ii) the Declaration of Independence, (iii) the United States Constitution, (iv) the Mayflower Compact, (v) the national motto, (vi) the National Anthem, (vii) the Pledge of Allegiance, (viii) the writings, speeches, documents, and proclamations of



the founding fathers and Presidents of the United States, (ix) decisions of the Supreme Court of the United States, and (x) acts of the Congress of the United States, including the published text of the Congressional Record. Local boards, superintendents, principals, and supervisors shall not allow content-based censorship of American history in the public schools of this State, including religious references in these writings, documents, and records. Local boards and professional school personnel may develop curricula and use materials that are limited to specified topics provided the curricula and materials are aligned with the standard course of study or are grade level appropriate.

- (3b) A local school administrative unit may display on real property controlled by that local school administrative unit 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 Mecklenburg Declaration, the Ten Commandments, the Justinian Code, and documents set out in subdivision (3a) of this subsection. 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 shall be in the same manner and appearance generally as other documents and objects displayed and shall 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 shall 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 assemble, and to petition the government for a redress of grievances."
- (4) The State Board of Education shall require that any high school level curriculum-based tests developed and administered statewide beginning with the 2014-2015 academic year ~~1990-91~~ 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.
- (5) The ~~State~~ Department of Public Instruction and the local boards of education, as appropriate, shall ~~establish~~ provide or cause to be provided curriculum content for the semester course required in subdivision (1) of this subsection and ~~provide for~~ teacher training to ensure that the intent and provisions of this subsection are carried out. The curriculum content established shall include a review of the contributions made by Americans of all races.
- (6) The Department of Public Instruction shall submit a biennial report by October 15 of each odd-numbered year to the Joint Legislative Education Oversight Committee covering the implementation of this subsection."

SECTION 3. This act is effective when it becomes law and applies beginning with the 2014-2015 school year.

In the General Assembly read three times and ratified this the 18th day of June, 2011.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Beverly E. Perdue
Governor

Approved 5:10 p.m. this 23rd day of June, 2011