

RESTORATION OF AMERICAN HERITAGE CURRICULUM

ACT

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen E. Sandstrom

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends Title 53A, Chapter 13, Curriculum in the Public Schools, by creating an advisory board under the State Board of Education to design a constitutional studies curriculum for students kindergarten through 12th grade, and by prescribing concepts and guidelines that shall be included in the constitutional studies curriculum.

Highlighted Provisions:

This bill:

- ▶ creates a seven-member advisory board under the State Board of Education to prepare a constitutional studies curriculum for use in public schools;
- ▶ outlines required topics to be included in the constitutional studies curriculum described in the previous paragraph;
- ▶ creates guidelines for teaching the constitutional studies curriculum created by the seven-member advisory board; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



28 AMENDS:

29 **53A-13-101.4**, as last amended by Laws of Utah 2002, Chapter 124

30 ENACTS:

31 **53A-13-101.7**, Utah Code Annotated 1953

32 **53A-13-101.8**, Utah Code Annotated 1953



34 *Be it enacted by the Legislature of the state of Utah:*

35 Section 1. Section **53A-13-101.4** is amended to read:

36 **53A-13-101.4. Study and posting of American heritage documents.**

37 (1) The Legislature recognizes that a proper understanding of American history and
38 government is essential to good citizenship, and that the public schools are the primary public
39 institutions charged with responsibility for assisting children and youth in gaining that
40 understanding.

41 (2) (a) The governor shall appoint seven members of the public, based on
42 recommendations from the interim education committee, to an advisory board under the State
43 Board of Education to prepare a curriculum for use in public schools that:

44 (i) provides the information and complies with the goals described in Section
45 53A-13-101.7; and

46 (ii) follows the guidelines described in Section 53A-13-101.8.

47 (b) The members of the advisory board shall be appointed for a four-year term.

48 (c) A majority of the members of the advisory board constitutes a quorum.

49 (d) An action taken by a majority of a quorum constitutes action taken by the advisory
50 board.

51 ~~[(2)(a)]~~ (e) The State Board of Education ~~[and]~~, local school boards, and the advisory
52 board described in Subsection (2)(a) shall periodically review school curricula and activities to
53 ensure that effective instruction in American history and government is taking place in the
54 public schools.

55 ~~[(b)]~~ (f) The boards shall solicit public input as part of the review process.

56 (3) School curricula and activities shall include the appropriate study of historical
57 documents such as:

58 (a) the Declaration of Independence;

- 59 (b) the United States Constitution;
 - 60 (c) the national motto;
 - 61 (d) the pledge of allegiance;
 - 62 (e) the national anthem;
 - 63 (f) the Mayflower Compact;
 - 64 (g) the writings, speeches, documents, and proclamations of the Founders and the
 - 65 Presidents of the United States;
 - 66 (h) organic documents from the pre-Colonial, Colonial, Revolutionary, Federalist, and
 - 67 post Federalist eras;
 - 68 (i) United States Supreme Court decisions;
 - 69 (j) Acts of the United States Congress, including the published text of the
 - 70 Congressional Record; and
 - 71 (k) United States treaties.
- 72 (4) To increase student understanding of, and familiarity with, American historical
- 73 documents, public schools may display historically important excerpts from, or copies of, those
- 74 documents in school classrooms and common areas as appropriate.
- 75 (5) There shall be no content-based censorship of American history and heritage
- 76 documents referred to in this section due to their religious or cultural nature.
- 77 (6) Public schools shall display "In God we trust," which is declared in 36 U.S.C. 302
- 78 to be the national motto of the United States, in one or more prominent places within each
- 79 school building.

80 Section 2. Section **53A-13-101.7** is enacted to read:

81 **53A-13-101.7. American heritage curriculum.**

82 The following principles and concepts are essential for perpetuating the American

83 Republic and, subject to the guidelines described in Section 53A-3-101.8, shall be taught

84 annually to students in all grade levels of Utah public schools:

85 (1) individual rights and responsibilities, including:

86 (a) the origin, importance, and existence of natural or inalienable rights, including life,

87 liberty, and the pursuit of happiness;

88 (b) the origin, importance, and existence of the right to own property;

89 (c) the origin, importance, and existence of legal rights;

- 90 (d) the potential to lose rights;
- 91 (e) personal responsibility and accountability;
- 92 (f) individualism, which emphasizes the moral worth of the individual; and
- 93 (g) collectivism, which emphasizes the interdependence of individuals in a collective
- 94 group and the priority of group goals over individual goals;
- 95 (2) the discovery of America, including:
- 96 (a) the role of Christopher Columbus;
- 97 (b) the motivation behind the settlement of Jamestown contrasted with the motivation
- 98 of the pilgrims; and
- 99 (c) the history behind the settlement and geographic location of the 13 original
- 100 colonies;
- 101 (3) the role of religion in founding America, including:
- 102 (a) the history of the pilgrims and the language of the Mayflower Compact;
- 103 (b) the puritan migration from 1630 to 1640;
- 104 (c) the text of speeches by founding fathers invoking divine assistance in the cause of
- 105 liberty;
- 106 (d) the Declaration of Independence's references to divinity;
- 107 (e) congressional resolutions calling upon Americans to fast and pray for God's
- 108 intervention during the Revolutionary War;
- 109 (f) that General George Washington believed that God had intervened for American
- 110 forces over 60 times during the Revolutionary War;
- 111 (g) that the Northwest Ordinance of 1787 notes the importance of religion, morality,
- 112 and knowledge to preserve good government;
- 113 (h) President George Washington's proclamation for a national day of thanksgiving and
- 114 prayer after the passing of the First Amendment; and
- 115 (i) that many people came to America for religious freedom;
- 116 (4) government's role in society, including:
- 117 (a) that government should protect freedoms and equal rights, not provide equal things;
- 118 (b) that too much government equals tyranny and no government equals anarchy, and
- 119 that a balanced government is the ideal;
- 120 (c) the necessity of a Constitution, including lessons about;

- 121 (i) the danger of abuse of power by government; and
- 122 (ii) comparisons of governments without constitutions;
- 123 (d) that the purpose of law is to ensure public safety and correct injustice, not create
- 124 justice;
- 125 (e) the different levels of government operation, including:
- 126 (i) federal;
- 127 (ii) state;
- 128 (iii) county or parish; and
- 129 (iv) district government;
- 130 (5) American citizenship, including:
- 131 (a) the concept of American citizenship as compared with other nation-states;
- 132 (b) the background and symbolism of the United States flag, official seal, motto, bald
- 133 eagle, National Anthem, Pledge of Allegiance, and Statue of Liberty;
- 134 (c) the importance of obeying and honoring laws, voting, and understanding political
- 135 platforms and issues;
- 136 (d) the importance of national sovereignty, as contrasted with the European Union and
- 137 United Nations;
- 138 (e) the requirements of good citizenship, including community involvement and
- 139 volunteering;
- 140 (f) the importance of holding leaders accountable for their actions;
- 141 (g) how American citizenship can be lost;
- 142 (h) the requirements and importance of the oath of office, oath of citizenship, the
- 143 judicial oath of office, and the oath of enlistment;
- 144 (i) the significance of federal holidays;
- 145 (j) the importance of serving in government, the military, and supporting the troops;
- 146 (k) the importance of being a good, responsible parent;
- 147 (l) that the core of American government is the Declaration of Independence and the
- 148 Constitution; and
- 149 (m) the importance of understanding and respecting different political viewpoints,
- 150 including:
- 151 (i) Republican;

- 152 (ii) Democrat;
- 153 (iii) Independent;
- 154 (iv) Constitutionalist;
- 155 (v) Conservative;
- 156 (vi) Liberal;
- 157 (vii) Progressive; and
- 158 (viii) Libertarian;
- 159 (6) the American economic system, including:
- 160 (a) the role of free enterprise and capitalism, as contrasted with socialism and
- 161 communism;
- 162 (b) the importance of entrepreneurship;
- 163 (c) the importance of fundamental economic freedoms, including:
- 164 (i) the freedom to try;
- 165 (ii) the freedom to buy;
- 166 (iii) the freedom to sell; and
- 167 (iv) the freedom to fail;
- 168 (d) the role of government regulation in a capitalist system;
- 169 (e) the role of the Federal Reserve, as contrasted with the requirements of Article I,
- 170 Section 10, of the United States Constitution; and
- 171 (f) the importance of major American inventions and innovations;
- 172 (7) the American Revolution, including:
- 173 (a) the role of the Magna Carta, Mayflower Compact, and English Bill of Rights
- 174 leading up to the revolution;
- 175 (b) key individuals and events leading to war between Britain and the colonies;
- 176 (c) the role of General George Washington;
- 177 (d) the drafting of the Declaration of Independence, including committee members,
- 178 signatories, and enumerated principles of the first two paragraphs; and
- 179 (e) the respective military abilities of Great Britain and the colonial forces;
- 180 (8) the following founding fathers and war heroes:
- 181 (a) Samuel Adams;
- 182 (b) Thomas Jefferson;

- 183 (c) John Adams;
- 184 (d) George Washington;
- 185 (e) Alexander Hamilton;
- 186 (f) George Wythe;
- 187 (g) James Madison;
- 188 (h) John Jay;
- 189 (i) James Wilson;
- 190 (j) Paul Revere;
- 191 (k) Henry Knox;
- 192 (l) Patrick Henry;
- 193 (m) John Rutledge;
- 194 (n) Benjamin Franklin;
- 195 (o) George Mason;
- 196 (p) Robert Morris;
- 197 (q) Gouverneur Morris;
- 198 (r) Roger Sherman;
- 199 (s) John Dickinson;
- 200 (t) John Hancock;
- 201 (u) Edmund Randolph;
- 202 (v) Charles C. Pinckney;
- 203 (w) Charles Pinckney;
- 204 (x) John Quincy Adams;
- 205 (y) Nathaniel Green;
- 206 (z) James Monroe;
- 207 (aa) Nathan Hale; and
- 208 (bb) Thomas Paine;
- 209 (9) the drafting of the U.S. Constitution, including:
- 210 (a) the weakness of the Articles of Confederation;
- 211 (b) the goals and original intent of the founders, including:
- 212 (i) freedom, prosperity, and peace;
- 213 (ii) protection against abuse of power and tyranny;

- 214 (iii) protection of equal rights; and
- 215 (iv) limited federal power and strong local government;
- 216 (c) the background and political philosophy of the delegates to the Constitutional
- 217 Convention;
- 218 (d) the main debates and committees at the Constitutional Convention;
- 219 (e) the language and legal significance of the language of the Constitution; and
- 220 (f) the ratification debates, including the Federalist and Anti-Federalist papers;
- 221 (10) the operation of American government, including:
- 222 (a) government is a servant to the people, not a ruler of the people;
- 223 (b) the operational and philosophical differences between constitutional republicanism,
- 224 communism, socialism, democracy, dictatorship, and other forms of government;
- 225 (c) the concept of federalism, including how the 14th, 16th, and 17th Amendments
- 226 affected the operation of federalism;
- 227 (d) the role of the three branches of government, including the positions and duties of
- 228 offices in:
- 229 (i) the legislative branch;
- 230 (ii) the executive branch; and
- 231 (iii) the judicial branch;
- 232 (e) the historic origin and geographic location of each of the 50 states and the District
- 233 of Columbia;
- 234 (f) the legislative process of creating a law;
- 235 (g) how the Constitution dictates government operation; and
- 236 (h) how taxes may be levied;
- 237 (11) American exceptionalism;
- 238 (12) the historical progression of American society, including where the country is
- 239 today in relation to the original founding; and
- 240 (13) the major speeches and writings of major American figures, including:
- 241 (a) George Washington's Farewell Address;
- 242 (b) Abraham Lincoln's Gettysburg Address;
- 243 (c) Patrick Henry's "Give Me Liberty or Give Me Death" speech;
- 244 (d) John F. Kennedy's inaugural address;

- 245 (e) Ronald Reagan's "Time of Choosing" speech;
246 (f) Ronald Reagan's Berlin Wall speech;
247 (g) Thomas Jefferson's first inaugural address; and
248 (h) Martin Luther King, Jr.'s "I Have a Dream" speech.
249 Section 3. Section **53A-13-101.8** is enacted to read:
250 **53A-13-101.8. American heritage curriculum guidelines.**
251 (1) The principles and concepts described in Section 53A-13-101.7 shall be taught
252 annually in public schools for students in kindergarten through 12th grade, as appropriate for
253 each age group, with the following mandatory goals:
254 (a) students kindergarten through second grade shall be introduced to limited, basic
255 concepts;
256 (b) constitutional studies shall begin with fifth grade students; and
257 (c) all senior students shall be issued a copy of the Constitution.
258 (2) Principles and concepts shall be illustrated with real stories whenever possible.
259 (3) Each school district shall ensure that before a teacher teaches the curriculum
260 described in Section 53A-13-101.7, the teacher is trained in the curriculum and related
261 concepts as part of in-service training.
262 (4) Parents shall receive a notification of material covered every term.

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Office of Legislative Research and General Counsel