

Committee on American Civics
Monday, July 10, 2023 7:15 PM

BOARDROOM @ LCC MIDDLE SCHOOL
203 S Main
Coleridge, NE 68727

Agenda

- I. CALL COMMITTEE MEETING TO ORDER
- II. The purpose of the Committee on American Civics meeting is to review, discuss, consider, receive input, and hear support, opposition, criticism, suggestions or observations of district patrons relating to the school district's implementation of the American Civics Education Act.
- III. ADJOURN COMMITTEE MEETING



American Civics Education Bill, LB 399

Signed into Law

In 1949 the Nebraska Legislature passed legislation to incorporate curriculum relating to patriotism and Americanism within our public schools. School boards were required to have a committee on Americanism to ensure compliance with the curriculum requirement. The Legislature even included a penalty provision for any person violating this law (a Class III misdemeanor).

In recent years, one legislative proposal after another was introduced to modify the Americanism law and reinforce the original intent. Former Senators Lautenbaugh, Larson, and Brasch, among others, were strong proponents of this legislative effort. Senator Brasch succeeded in advancing her version of the bill in 2018 through a floor motion to “pull” the bill from committee. The bill received one hour of discussion and advanced no further.

The Education Committee itself never advanced any of these proposals until 2019 when Senator Julie Slama introduced LB 399. The bill received an early hearing date and ultimately advanced from committee by a unanimous 8-0 vote. LB 399 withstood hours of filibuster through each stage of debate but ultimately survived motions for cloture and, in fact, advanced by wide margins of support. The bill passed on March 21st by a 44-2 vote.

Governor Ricketts signed the bill into law on March 27th. LB 399 did not contain a specific operative date nor did it contain an emergency (“E”) clause nor did it specify for the school year for which the new provisions were to be implemented. Legislation with no operative date and no emergency clause are considered operative 90 days after the Legislature adjourns Sine Die. If the Legislature adjourns as scheduled, on June 6th, then the operative date of LB 399 would be September 7th. However, if the Legislature adjourns earlier than June 6th, then the operative date would correspondingly adjust. *The school year for public schools begins in August.*

LB 399 is applicable to all schools in Nebraska, public and private, presumably beginning with the 2019-20 school year.

Objectives and Intent

Under LB 399, as passed and signed into law, the objectives and intent of the legislation are as follows:

- It is the responsibility of society to ensure that youth are given the opportunity to become competent, responsible, patriotic, and civil citizens to ensure a strong, stable, just, and prosperous America;

- Such a citizenry necessitates that every member thereof be knowledgeable of our fully acquainted with the nation’s history, government, geography, and economic system;
- The youth in our state should be committed to the ideals and values of our country’s democracy and the constitutional republic established by the people;
- Schools should help prepare our youth to make informed and reasoned decisions for the public good;
- Civic competence is necessary to sustain and improve our democratic way of life and must be taught in all public and private schools;
- A central role of schools is to impart civic knowledge and skills that help our youth to see the relevance of a civic dimension for their lives;
- Students should be made fully aware of the liberties, opportunities, and advantages we possess and the sacrifices and struggles of those through whose efforts these benefits were gained; and
- Since young people are most susceptible to the acceptance of principles and doctrines that will influence them throughout their lives, it is one of the first duties of our educational system to conduct its activities, choose its textbooks, and arrange its curriculum in such a way that the youth of our state have the opportunity to become competent, responsible, patriotic, and civil American citizens.

Committee on American Civics

Under LB 399, each school board must, at the beginning of each calendar year, appoint from its members a committee of three, to be known as the committee on American civics. The committee on American civics must:

- (a) Hold no fewer than two public meetings annually, at least one where public testimony is accepted;
- (b) Keep minutes of each meeting showing the time and place of the meeting, which members were present or absent, and the substance and details of all matters discussed;
- (c) Carefully examine and ensure that the social studies curriculum used in the district is aligned to the social studies standards and teaches foundational knowledge in civics, history, economics, financial literacy, and geography;
- (d) Review and approve the social studies curriculum to ensure that it stresses the services of the men and women who achieved our national independence, established our constitutional government, and preserved our union and is so written to include the incorporation of multicultural education so as to develop a pride and respect for our institutions and not be a mere recital of events and dates;
- (e) Ensure that any curriculum recommended or approved by the committee on American civics is made readily accessible to the public and contains a reference to “section 79-724”;
- (f) Ensure that the district develops and utilizes formative, interim, and summative assessments to measure student mastery of the social studies standards;

- **** (g) Ensure that the social studies curriculum in the district incorporates one or more of the following for each student:
- (i) Administration of a written test that is identical to the entire civics portion of the naturalization test used by U.S. Citizenship and Immigration Services prior to the completion of 8th grade and again prior to the completion of 12th grade with the individual score from each test for each student made available to a parent or guardian of the student; or
 - (ii) Attendance or participation between the commencement of 8th grade and completion of 12th grade in a meeting of a public body as defined by section 84-1409 (*see below, page 5*) followed by the completion of a project or paper in which each student demonstrates or discusses the personal learning experience of such student related to such attendance or participation; or
 - (iii) Completion of a project or paper and a class presentation between the commencement of 8th grade and the completion of 12th grade on a person or persons or an event commemorated by a holiday (*see below, page 4*) or on a topic related to such person or persons or event; and
- (h) Take all such other steps as will assure the carrying out of the provisions contained in LB 399 and provide a report to the school board regarding the committee's findings and recommendations.

Curriculum

LB 399 requires that all social studies courses approved for grade levels as noted below must include and adequately stress contributions of all ethnic groups:

- (1) to the development and growth of America into a great nation,
- (2) to art, music, education, medicine, literature, science, politics, and government, and
- (3) to the war services in all wars of this nation.

All grades of all public and private schools, below the 6th grade, must devote at least one hour per week to exercises or teaching periods for the following purpose:

- (a) The discussion of stories having to do with American history or the deeds and exploits of American heroes;
- (b) The historical background, memorization, and singing of patriotic songs such as the Star-Spangled Banner and America the Beautiful;
- (c) The development of respect for the American flag as a symbol of freedom and the sacrifices of those who secured that freedom; and
- (d) Instruction as to proper conduct in the presentation of the American flag.

In at least two of the three grades from the 5th grade to the 8th grade in all public and private schools, time must be set aside for the teaching of American history from the social studies curriculum, which must be taught in such a way that all students are given the opportunity to:

- (a) become competent, responsible, patriotic, and civil citizens who possess a deep understanding of and respect for the U.S. Constitution and the Constitution of Nebraska and
- (b) prepare to preserve, protect, and defend freedom and democracy in our nation and our world.

In at least two courses in every high school, time must be devoted to the teaching of civics and American history as outlined in the social studies standards during which specific attention must be given to the following matters:

- (a) The Declaration of Independence, the U.S. Constitution, the Constitution of Nebraska, and the structure and function of local government in this state;
- (b) The benefits and advantages of our form of government, the rights and responsibilities of citizenship in our government, and the dangers and fallacies of forms of government that restrict individual freedoms or possess antidemocratic ideals such as, but not limited to, Nazism and communism;
- (c) The duties of citizenship, including active participation in the improvement of a citizen's community, state, country, and world and the value and practice of civil discourse between opposing interests; and
- (d) The application of knowledge in civics, history, economics, financial literacy, and geography in order to address meaningful issues within our society.

Appropriate patriotic exercises suitable to the occasion must be held under the direction of the superintendent in every public and private school on:

George Washington's birthday,
Abraham Lincoln's birthday,
Dr. Martin Luther King, Jr.'s birthday,
Native American Heritage Day,
Constitution Day,
Memorial Day,
Veterans Day, and
Thanksgiving Day.

...or on the day or week preceding or following such holiday, if the school is in session.

Responsible Parties / Employee Dismissal

- ** Every school board, the State Board of Education, and the superintendent of each school district will be held *directly responsible* in the order named for carrying out the new law. *Neglect by any employee may be considered a cause for dismissal.*

Rules and Regulations

LB 399 also amends existing law (section 79-727) requiring the State Board of Education to adopt and promulgate rules and regulations to carry out the provisions of LB 399. The State Department of Education must ensure that all requirements of the legislation and such rules and regulations are carried out by each school district. The penalty provision (Class III misdemeanor) was removed.

Open Meetings Act

§ 84-1409. Terms, defined.

“Public body” means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to above, and (vi) instrumentalities exercising essentially public functions.

Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, ..., and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

“Meeting” means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body.

American Civics Education (LB 399)

Operative Date - September 7, 2019

Objectives and Intent of American Civics Education

- It is the responsibility of society to ensure that youth are given the opportunity to become competent, responsible, patriotic, and civil citizens to ensure a strong, stable, just, and prosperous America;
- Such a citizenry necessitates that every member thereof be knowledgeable of our fully acquainted with the nation's history, government, geography, and economic system;
- The youth in our state should be committed to the ideals and values of our country's democracy and the constitutional republic established by the people;
- Schools should help prepare our youth to make informed and reasoned decisions for the public good;
- Civic competence is necessary to sustain and improve our democratic way of life and must be taught in all public and private schools;
- A central role of schools is to impart civic knowledge and skills that help our youth to see the relevance of a civic dimension for their lives;
- Students should be made fully aware of the liberties, opportunities, and advantages we possess and the sacrifices and struggles of those through whose efforts these benefits were gained; and
- Since young people are most susceptible to the acceptance of principles and doctrines that will influence them throughout their lives, it is one of the first duties of our educational system to conduct its activities, choose its textbooks, and arrange its curriculum in such a way that the youth of our state have the opportunity to become competent, responsible, patriotic, and civil American citizens.

Committee on American Civics

- At the beginning of each calendar year, the Board must appoint from its members a committee of three (3) to be known as the Committee on American Civics. The committee must:
 - Hold no fewer than two public meetings annually, at least one where public testimony is accepted;
 - LCC School - Annual hearing accepting public testimony held in July; second meeting held in March/April for selection of Student Member of School Board.
 - Keep minutes of each meeting showing the time and place of the meeting, which members were present or absent, and the substance and details of all matters discussed;
 - Carefully examine and ensure that the social studies curriculum used in the district is aligned to the social studies standards and teaches foundational knowledge in civics, history, economics, financial literacy, and geography;

- Review and approve the social studies curriculum to ensure that it stresses the services of the men and women who achieved our national independence, established our constitutional government, and preserved our union and is so written to include the incorporation of multicultural education so as to develop a pride and respect for our institutions and not be a mere recital of events and dates;
- Ensure that any curriculum recommended or approved by the committee on American civics is made readily accessible to the public and contains a reference to “section 79-724”;
- Ensure that the district develops and utilizes formative, interim, and summative assessments to measure student mastery of the social studies standards;
- Ensure that the social studies curriculum in the district incorporates one or more of the following for each student:
 - Administration of a written test that is identical to the entire civics portion of the naturalization test used by the U.S. Citizenship and Immigration Services prior to the completion of 8th grade and again prior to the completion of 12th grade with the individual score from each test for each student made available to a parent or guardian of the student; or
 - LCC School - MS and HS Social Studies teachers provided a copy of the civics portion of the naturalization test for integration into instruction.
 - Attendance or participation between the commencement of 8th grade and completion of 12th grade in a meeting of a public body as defined by section 84-1409 followed by the completion of a project or paper in which each student demonstrates or discusses the personal learning experience of such student related to such attendance or participation; or
 - LCC School - Required for all high school students during 11th or 12th grade.
 - Completion of a project or paper and a class presentation between the commencement of 8th grade and the completion of 12th grade on a person or persons or an event commemorated by a holiday (see below, page 4) or on a topic related to such person or persons or event; and
 - LCC School - Required for all MS students in 8th grade.
- Take all such other steps as will assure the carrying out of the provisions contained in LB 399 and provide a report to the school board regarding the committee’s findings and recommendations.

Curriculum

- LB 399 requires that all social studies courses approved for grade levels as noted below must include and adequately stress contributions of all ethnic groups:
 - to the development and growth of America into a great nation;
 - to art, music, education, medicine, literature, science, politics, and government, and

- to the war services in all wars of this nation.
- All grades of all public and private schools, below the 6th grade, must devote at least one hour per week to exercises or teaching periods for the following purpose:
 - The discussion of stories having to do with American history or the deeds and exploits of American heroes;
 - The historical background, memorization, and singing of patriotic songs such as the Star-Spangled Banner and America the Beautiful;
 - The development of respect for the American flag as a symbol of freedom and the sacrifices of those who secured that freedom; and
 - Instruction as to proper conduct in the presentation of the American flag.
 - LCC School (Grades K-5) - Implemented in all grades at appropriate developmental levels.
- In at least two of the three grades from the 5th grade to the 8th grade in all public and private schools, time must be set aside for the teaching of American history from the social studies curriculum, which must be taught in such a way that all students are given the opportunity to:
 - become competent, responsible, patriotic, and civil citizens who possess a deep understanding of and respect for the U.S. Constitution and the Constitution of Nebraska and
 - prepare to preserve, protect, and defend freedom and democracy in our nation and our world.
 - LCC School (Grades 4-8) - Integrated into Elementary (Nebraska History - 4th) and MS Social Studies curriculum
- In at least two courses in every high school, time must be devoted to the teaching of civics and American history as outlined in the social studies standards during which specific attention must be given to the following matters:
 - The Declaration of Independence, the U.S. Constitution, the Constitution of Nebraska, and the structure and function of local government in this state;
 - The benefits and advantages of our form of government, the rights and responsibilities of citizenship in our government, and the dangers and fallacies of forms of government that restrict individual freedoms or possess antidemocratic ideals such as, but not limited to, Nazism and communism;
 - The duties of citizenship, including active participation in the improvement of a citizen's community, state, country, and world and the value and practice of civil discourse between opposing interests; and
 - The application of knowledge in civics, history, economics, financial literacy, and geography in order to address meaningful issues within our society.
 - LCC School (Grades 9-12) - Courses taught include World History, American History, American Government, Economics and Modern Problems.
- Appropriate patriotic exercises suitable to the occasion must be held under the direction of the superintendent in every public and private school on:
 - George Washington's birthday,
 - Abraham Lincoln's birthday,

- Dr. Martin Luther King, Jr.'s birthday,
- Native American Heritage Day,
- Constitution Day,
- Memorial Day,
- Veterans Day, and
- Thanksgiving Day.

...or on the day or week preceding or following such holiday, if the school is in session.

- LCC School - Combination of school-based and public observance and recognition activities and ceremonies held.

Responsible Parties/Employee Dismissal

- Every school board, the State Board of Education, and the superintendent of each school district will be held directly responsible in the order named for carrying out the new law. Neglect by any employee may be considered a cause for dismissal.