

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 588
Committee Substitute Favorable 6/7/11
Senate Education/Higher Education Committee Substitute Adopted 6/14/11
Fourth Edition Engrossed 6/15/11

Short Title: The Founding Principles Act. (Public)

Sponsors:

Referred to:

April 5, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO ENACT THE FOUNDING PRINCIPLES ACT.

3 Whereas, the survival of the Republic requires that our nation's children, the future
4 guardians of its heritage and participants in its governance, have a clear understanding of the
5 Founding Philosophy and the Founding Principles of a government for a free people, which are
6 found in the Declaration of Independence, the United States Constitution, the Federalist Papers,
7 and the writings of the Founders, and an understanding of their preservation; Now, therefore,
8 The General Assembly of North Carolina enacts:

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

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

11 "(g) Civic Literacy. –

12 (1) Local boards of education shall require during the high school years the
13 teaching of the nation's founding and related documents, which shall include
14 at least the major principles in the Declaration of Independence, the United
15 States Constitution and its amendments, and the most important of the
16 Federalist ~~Papers~~.Papers and specifically a semester course that focuses on
17 the following:

18 a. America's Founding Philosophy, to include at least the following:

19 1. The Creator-endowed inalienable rights of the people.

20 2. The purpose of government is to protect the inalienable rights
21 of the people and to protect people from violence and fraud.

22 3. Structure of government, separation of powers, checks and
23 balances.

24 4. Rule of law with frequent and free elections in a
25 representative government.

26 b. America's Founding Principles, to include at least the following:

27 1. Federalism, government as close to the people as possible.

28 2. Bill of Rights guaranteed freedoms of speech, press, religion,
29 and peaceful assembly.

30 3. Private property rights and freedom of individual enterprise.

31 4. Innocent of any crime until proven guilty with rights of
32 habeas corpus, no unreasonable searches or seizures, no cruel
33 or unusual punishment, and right to a speedy trial by a jury of
34 peers.



- 1 5. A virtuous and moral people educated in the philosophy and
2 principles of government for a free people.
- 3 6. Constitutional limitations on government power to tax and
4 spend and prompt payment of public debt.
- 5 7. Right of people to keep and bear arms, strong defense
6 capability, supremacy of civil authority over military.
- 7 8. Peace, commerce, and honest friendship with all nations.
- 8 9. Eternal vigilance by "We the People."
- 9 A passing grade in the course shall be required for graduation from high
10 school.
- 11 ~~(2) Local boards of education shall require that high school students~~
12 ~~demonstrate knowledge and understanding of the nation's founding and~~
13 ~~related documents in order to receive a certificate or diploma of graduation~~
14 ~~from high school.~~
- 15 ~~(3) Local boards of education shall include among the requirements for~~
16 ~~graduation from high school a passing grade in all courses that include~~
17 ~~primary instruction in the Declaration of Independence, the United States~~
18 ~~Constitution and its amendments, and the most important of the Federalist~~
19 ~~Papers.~~
- 20 (3a) Local boards of education shall allow and may encourage any public school
21 teacher or administrator to read or post in a public school building,
22 classroom, or event, excerpts or portions of writings, documents, and records
23 that reflect the history of the United States, including, but not limited to, (i)
24 the preamble to the North Carolina Constitution, (ii) the Declaration of
25 Independence, (iii) the United States Constitution, (iv) the Mayflower
26 Compact, (v) the national motto, (vi) the National Anthem, (vii) the Pledge
27 of Allegiance, (viii) the writings, speeches, documents, and proclamations of
28 the founding fathers and Presidents of the United States, (ix) decisions of the
29 Supreme Court of the United States, and (x) acts of the Congress of the
30 United States, including the published text of the Congressional Record.
31 Local boards, superintendents, principals, and supervisors shall not allow
32 content-based censorship of American history in the public schools of this
33 State, including religious references in these writings, documents, and
34 records. Local boards and professional school personnel may develop
35 curricula and use materials that are limited to specified topics provided the
36 curricula and materials are aligned with the standard course of study or are
37 grade level appropriate.
- 38 (3b) A local school administrative unit may display on real property controlled by
39 that local school administrative unit documents and objects of historical
40 significance that have formed and influenced the United States legal or
41 governmental system and that exemplify the development of the rule of law,
42 such as the Magna Carta, the Mecklenburg Declaration, the Ten
43 Commandments, the Justinian Code, and documents set out in subdivision
44 (3a) of this subsection. This display may include, but shall not be limited to,
45 documents that contain words associated with a religion; provided however,
46 no display shall seek to establish or promote religion or to persuade any
47 person to embrace a particular religion, denomination of a religion, or other
48 philosophy. The display of a document containing words associated with a
49 religion shall be in the same manner and appearance generally as other
50 documents and objects displayed and shall not be presented or displayed in
51 any fashion that results in calling attention to it apart from the other

1 displayed documents and objects. The display also shall be accompanied by
2 a prominent sign quoting the First Amendment of the United States
3 Constitution as follows: "Congress shall make no law respecting an
4 establishment of religion, or prohibiting the free exercise thereof; or
5 abridging the freedom of speech, or of the press; or the right of the people
6 peaceably to assemble, and to petition the government for a redress of
7 grievances."

8 (4) The State Board of Education shall require that any high school level
9 curriculum-based tests developed and administered statewide beginning with
10 the 2014-2015 academic year ~~1990-91~~ include questions related to the
11 philosophical foundations of our form of government and the principles
12 underlying the Declaration of Independence, the United States Constitution
13 and its amendments, and the most important of the Federalist Papers.

14 (5) The ~~State~~ Department of Public Instruction and the local boards of
15 education, as appropriate, shall ~~establish~~ provide or cause to be provided
16 curriculum content for the semester course required in subdivision (1) of this
17 subsection and ~~provide for~~ teacher training to ensure that the intent and
18 provisions of this subsection are carried out. The curriculum content
19 established shall include a review of the contributions made by Americans of
20 all races.

21 (6) The Department of Public Instruction shall submit a biennial report by
22 October 15 of each odd-numbered year to the Joint Legislative Education
23 Oversight Committee covering the implementation of this subsection."

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