COMMITTEE REPORT

March 17, 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 3/17/15--S.

Read the first time February 10, 2015.

**THE COMMITTEE ON EDUCATION**

To whom was referred a Bill (S. 437) 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”, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass with amendment:

Amend the bill, as and if amended, by deleting all after the enacting words and inserting:

/ 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. 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 4. This act takes effect upon approval by the Governor. /

Renumber sections to conform.

Amend title to conform.

JOHN E. COURSON for Committee.

**STATEMENT OF ESTIMATED FISCAL IMPACT**

**Fiscal Impact Summary**

This bill would have no expenditure impact to general fund, federal funds, or other funds.

**Explanation of Fiscal Impact**

**State Expenditure**

This bill would add Section 59-29-240 to require all students of public or charter schools to take the United States Citizenship Civics Test produced by the United State Citizenship and Immigration Service and to award a Certificate of Achievement to all students who receive a grade of sixty or better on the test.

**State Department of Education.**

The agency indicates this bill would have no expenditure impact on the general fund, federal funds, or other funds. The instruction could be incorporated into the current curriculum and there is currently no cost for the exam referenced in the bill.

Frank A. Rainwater, Executive Director

Revenue and Fiscal Affairs Office

**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), but 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 school district. This requirement applies to each student enrolled in a public or charter school or a person pursuing a general educational development certificate 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 or charter school in the State is directed to report the civics tests results to the South Carolina Education Oversight Committee for inclusion in the report card for each school, as applicable.

(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. 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 4. This act takes effect upon approval by the Governor.

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