

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 1347

93RD GENERAL ASSEMBLY

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Reported from the Committee on Higher Education April 5, 2006 with recommendation that House Committee Substitute for House Bill No. 1347 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

Reported from the Committee on Rules April 11, 2006 with recommendation that House Committee Substitute for House Bill No. 1347 Do Pass with no time limit for debate.

Taken up for Perfection April 26, 2006. House Committee Substitute for House Bill No. 1347 ordered Perfected and printed, as amended.

STEPHEN S. DAVIS, Chief Clerk

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## AN ACT

To repeal section 170.011, RSMo, and to enact in lieu thereof one new section relating to course requirements at state institutions of higher education.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 170.011, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 170.011, to read as follows:

170.011. 1. Regular courses of instruction in the Constitution of the United States and of the state of Missouri and in American history and institutions shall be given in all public and private schools in the state of Missouri, except privately operated trade schools, and shall begin not later than the seventh grade and continue in high school to an extent determined by the state commissioner of education, and shall continue in college and university courses to an extent determined by the state commissioner of higher education. In the 1990-91 school year and each year thereafter, local school districts maintaining high schools shall comply with the provisions of this section by offering in grade nine, ten, eleven, or twelve a course of instruction in the institutions, branches and functions of the government of the state of Missouri, including local governments, and of the government of the United States, and in the electoral process. A local

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

11 school district maintaining such a high school shall require that prior to the completion of the  
12 twelfth grade each pupil, who receives a high school diploma or certificate of graduation on or  
13 after January 1, 1994, shall satisfactorily complete such a course of study. Such course shall be  
14 of at least one semester in length and may be two semesters in length. The department of  
15 elementary and secondary education may provide assistance in developing such a course if the  
16 district requests assistance.

17 2. American history courses at the elementary and secondary levels shall include in their  
18 proper time-line sequence specific referrals to the details and events of the racial equality  
19 movement that have caused major changes in United States and Missouri laws and attitudes.

20 3. **(1) Beginning with first-time freshmen who enroll on or after August 28, 2007,**  
21 no pupil shall receive a certificate of graduation from any public [or private school other than  
22 private trade schools] **post-secondary educational institution for an associate of arts degree**  
23 **or bachelor's degree** unless [he] **the student** has satisfactorily passed an examination on the  
24 provisions and principles of the Constitution of the United States and of the state of Missouri,  
25 and in American history and American institutions **or has achieved a passing grade in a three-**  
26 **hour course covering the subject matter referred to above.** A student of a college or  
27 university, who, after having completed a course of instruction prescribed in this section [and]  
28 **or** successfully passed an examination on the United States Constitution, and in American  
29 history and American institutions required hereby, transfers to another college or university, is  
30 not required to complete another such course or pass another such examination as a condition  
31 precedent to [his] **the student's** graduation from the college or university.

32 **(2) Each institution that is covered by subdivision (1) of subsection 3 of this section**  
33 **shall report to the coordinating board for higher education no later than September 1,**  
34 **2007, on its procedures for ensuring the fulfillment of this requirement. The coordinating**  
35 **board shall include the information in its annual report to the general assembly pursuant**  
36 **to section 173.040, RSMo.**

37 **(3) The coordinating board may promulgate rules to implement the provisions of**  
38 **this subsection. Any rule or portion of a rule, as that term is defined in section 536.010,**  
39 **RSMo, that is created under the authority delegated in this section shall become effective**  
40 **only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and,**  
41 **if applicable, section 536.028, RSMo. This subsection and chapter 536, RSMo, are**  
42 **nonseverable and if any of the powers vested with the general assembly pursuant to**  
43 **chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule**  
44 **are subsequently held unconstitutional, then the grant of rulemaking authority and any**  
45 **rule proposed or adopted after August 28, 2006, shall be invalid and void.**

46           4. In the 1990-91 school year and each year thereafter, each school district maintaining  
47 a high school may annually nominate to the state board of education a student who has  
48 demonstrated knowledge of the principles of government and citizenship through academic  
49 achievement, participation in extracurricular activities, and service to the community. Annually,  
50 the state board of education shall select fifteen students from those nominated by the local school  
51 districts and shall recognize and award them for their academic achievement, participation and  
52 service.

53           5. The state commissioner of education and the state commissioner of higher education  
54 shall make arrangements for carrying out the provisions of this section [and prescribe a list of  
55 suitable texts adapted to the needs of the school grades and college courses, respectively].

56           6. The willful neglect of any superintendent, principal or teacher to observe and carry  
57 out the requirements of this section is sufficient cause for termination of his contract.

58           7. The provisions of this section shall not apply to students from foreign countries who  
59 are enrolled in public or private high schools in Missouri, if such students are foreign exchange  
60 students sponsored by a national organization recognized by the department of elementary and  
61 secondary education.

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