

Model Legislation, American History Act

The Civics Alliance

National Association of Scholars

College Graduates Should Know American History and Government

Public Universities Don't Voluntarily Require American History or American Government

American college students need to take undergraduate courses in American History or American Government to deepen the knowledge they acquire in high school.

Almost no public university requires students to study American History or American Government unless they are required to by a state law.¹ They instead provide Social Sciences requirements, where American History or Government are only one of many options. Many universities now also impose a Diversity, Global Perspectives, or Social Justice requirement—and since those frequently also count to fulfil a Social Sciences requirement, the universities' General Education Requirements steer students away from taking American History or Government. Unless state legislatures require such courses, most public university students will not take basic survey courses in American History or American Government.

Nine States Model Successful American History or American Government Requirements

Eight states requires undergraduates at public universities to take one course (3 credits) in American History and/or American Government: Arkansas, California, Florida, Georgia, Missouri, Nevada, Utah, and Wyoming. Wyoming passed its statute requirement as far back as 1925, Florida as recently as 2017.

One state, Texas, requires undergraduates at public universities to take two courses (6 credits) in American History and another two courses (6 credits) in American Government. Texas demonstrates that it is practicable to require a substantial quantity of American History and American Government as a condition for receiving a baccalaureate degree.

Model Legislation: The American History Act

We provide two versions of the American History Act (AHA). The first requires only one course (3 credits) in American History and American Government, while the second, on the Texas model, requires four courses (12 credits). Our model legislation largely copies its language from the existing laws on the statute books in the nine states that already require American History or American Government. We also have added several modifications, to fit current political circumstances.

Survey Course

¹ To our knowledge, the [State University of New York](#) is the only public university system voluntarily to adopt an American History General Education Requirement.

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We have added the word “survey” to our model language, since many public universities recently have tried to evade the spirit of the law by offering specialized courses to meet statute requirements.²

Curricular Details

A legislature cannot provide an entire curriculum, but it can provide enough details to suggest legislative intent. Our model language therefore provides a skeleton of curricular details to embody that legislative intent. We have included most of these details in our **DEFINITIONS**. We believe our Definitions provide a good sense of what an American History and American Government curriculum should include, but we provide them as suggestions to policymakers. We expect that each state would provide its own Definitions, with its own list of precise items to be studied.

Devotion

A legislature cannot prescribe in detail how a class should be taught, but it can suggest legislative intent as to the general spirit. Our model language therefore includes the phrases “study of and devotion to American institutions and ideals” and “study of and devotion to America’s exceptional and praiseworthy history.”

Transparency and Oversight

State policymakers, the public, and students all should have the ability to see how well individual classes fulfill the legal requirement to teach American History and American Government. Our model language therefore includes provisions, modeled on existing statutory requirements in Texas,³ to require universities to publish the syllabi of their American History and American Government classes.

Cost /Fulfilling the Social Sciences General Education Requirement

Each university General Education Requirement is also a financial burden on students. Our model language therefore specifies that these courses will also satisfy Social Sciences General Education Requirements, which are required by virtually every public university. This specification minimizes or eliminates the potential financial burden of this law.

2 Course (6 Credit) Version: A Note

We provide model language for a 1 course (3 credit) requirement and a 4 course (12 credit) requirement, to mirror existing state requirements. We would also welcome a 2 course (6 credit) requirement.

Teaching Licensure: A Note

State legislatures could modify this model legislation to add new teaching licensure requirements. For example, a state could require undergraduates to pass 1 course (3 credits) of

² [San Diego State University](#) allows students to satisfy California’s American Institution requirements with courses in Africana Studies, American Indian Studies, or Chicana and Chicano Studies.

³ [Texas Education Code, Sec. 51.974 Internet Access to Course Information.](#)

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American History and American Government as a condition of graduation, but require teachers to pass 4 courses (12 credits) as a condition of licensure.

AHA Text: Standard Model

WHEREAS, high school students should acquire the knowledge that will help them to comprehend the workings of American republic to enable them to contribute to their country as informed, self-reliant, and patriotic citizens; now therefore,

BE IT ENACTED:

SECTION A:

(1) Beginning in the 20XX-20XX school year, no college and university receiving state support or state aid from public funds shall grant to any student any baccalaureate degree unless he or she has passed a survey course in American history and civil government.

(2) This course shall instruct students in, at a minimum,

- (A) the study of and devotion to American institutions and ideals;
- (B) the basic principles of the United States' republican form of government;
- (C) the historical development of the United States' republican form of government;
- (D) an understanding of the United States Constitution and the Constitution of [state name];
- (E) knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-governance; and
- (F) an understanding of landmark Supreme Court cases and their effects on law and society.

(3) This course shall have a credit value of not less than three semester hours or its equivalent.

SECTION B:

(1) Each college and university receiving state support or state aid from public funds shall make available to the public on the institution's Internet website a syllabus for each course offered by the institution to fulfil the requirements of Section A that:

- (A) provides a brief description of each major course requirement, including each major assignment and examination;
- (B) lists any required or recommended reading; and
- (C) provides a general description of the subject matter of each lecture or discussion;

(2) The information required by Subsection (1) must be:

- (A) accessible from the institution's Internet website home page by use of not more than three links;
- (B) searchable by keywords and phrases; and

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(C) accessible to the public without requiring registration or use of a user name, a password, or another use identification.

(3) The institution shall make the information required by Subsection (1) available not later than the seventh day before the first day of classes for the semester or other academic term during which the course is offered. The institution shall continue to make the information available on the institution's Internet website until at least the second anniversary of the date on which the institution initially posted the information.

(4) The institution shall update the information required by Subsection (1) as soon as practicable after the information changes.

(5) Institutions of higher education included in this section shall conduct end-of-course student evaluations of each course offered by the institution to fulfil the requirements of Section A and develop a plan to make evaluations available on the institution's website.

SECTION C:

This course will also fulfil any social science general education requirement required as a condition of graduation from a college or university.

SECTION D:

A student of a college or university, who, after having completed the course of instruction prescribed in Section A, transfers to another college or university, is not required to complete another such course as a condition precedent to his or her graduation from the college or university.

SECTION E:

If any provision of this chapter, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this chapter and the application of its provisions to any other person or circumstance shall not be affected thereby.

DEFINITIONS:

1) "Founding documents" means texts including the Mayflower Compact, Thomas Paine's *Common Sense*, Declaration of Independence, the Articles of Confederation, the Pennsylvania Act for the Gradual Abolition of Slavery, the Virginia Statute of Religious Freedom, the Northwest Ordinance, the United States Constitution, the Federalist Papers (including but not limited to Essays 10 and 51), George Washington's Farewell Address, excerpts from Alexis de Tocqueville's *Democracy in America*, the first Lincoln-Douglas debate, the Emancipation Proclamation, and the writings of the Founding Fathers of the United States.

2) "Basic principles of the United States' republican form of government" means institutions and principles including balance of power, consent of the governed, the Electoral College, federalism, individual liberties, popular sovereignty, representative government, rule of law, and separation of powers.

3) "Historical development of the United States' republican form of government" means events including the federalist and antifederalist debates, the rise of Jacksonian democracy, the causes and the constitutional consequences of the Civil War, the thirteen, fourteenth, and fifteenth Amendments, the rise of the New Deal administrative state, and supreme court cases including

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Marbury v. Madison, McCulloch v. Maryland, Dred Scott v. Sandford, Pembina Consolidated Silver Mining Co. v. Pennsylvania, Plessy v. Ferguson, and Brown v. Board of Education.

AHA Text: Texas Model

WHEREAS, high school students should acquire the knowledge that will help them to comprehend the workings of American republic to enable them to contribute to their country as informed, self-reliant, and patriotic citizens; now therefore,

BE IT ENACTED:

SECTION A:

(1) Beginning in the 20XX-20XX school year, no college and university receiving state support or state aid from public funds shall grant to any student any baccalaureate degree unless he or she has passed a survey course in American history, from the foundations of Jamestown and Plymouth to the present.

(2) This course shall instruct students in, at a minimum,

- (A) the study of and devotion to America's exceptional and praiseworthy history;
- (B) the basic political, diplomatic, and military history of America;
- (C) the basic history of business and technology in America; and
- (D) the basic history of the religious and secular aspects of America's common culture.

(2) This course shall have a credit value of not less than six semester hours or its equivalent.

(3) A student is entitled to submit as much as three semester hours of credit or its equivalent in a survey course on [state name] History in partial satisfaction of this requirement.

SECTION B:

(1) Beginning in the 20XX-20XX school year, no college and university receiving state support or state aid from public funds shall grant to any student any baccalaureate degree unless he or she has passed a survey course in American civil government.

(2) This course shall instruct students in, at a minimum,

- (A) the study of and devotion to American institutions and ideals;
- (B) the basic principles of the United States' republican form of government;
- (C) the historical development of the United States' republican form of government;
- (D) an understanding of the United States Constitution and the Constitution of [state name];
- (E) knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-governance; and
- (F) an understanding of landmark Supreme Court cases and their effects on law and society.

(3) This course shall have a credit value of not less than six semester hours or its equivalent.

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SECTION C:

(1) Each college and university receiving state support or state aid from public funds shall make available to the public on the institution's Internet website a syllabus for each course offered by the institution to fulfil the requirements of Section A or Section B that:

(A) provides a brief description of each major course requirement, including each major assignment and examination;

(B) lists any required or recommended reading; and

(C) provides a general description of the subject matter of each lecture or discussion;

(2) The information required by Subsection (1) must be:

(A) accessible from the institution's Internet website home page by use of not more than three links;

(B) searchable by keywords and phrases; and

(C) accessible to the public without requiring registration or use of a user name, a password, or another use identification.

(3) The institution shall make the information required by Subsection (1) available not later than the seventh day before the first day of classes for the semester or other academic term during which the course is offered. The institution shall continue to make the information available on the institution's Internet website until at least the second anniversary of the date on which the institution initially posted the information.

(4) The institution shall update the information required by Subsection (1) as soon as practicable after the information changes.

(5) Institutions of higher education included in this section shall conduct end-of-course student evaluations of each course offered by the institution to fulfil the requirements of Section A or Section B and develop a plan to make evaluations available on the institution's website.

SECTION D:

Each course offered to fulfil the requirements of Section A or Section B will also fulfil any social science general education requirement required as a condition of graduation from a college or university.

SECTION E:

A student of a college or university, who, after having completed the course of instruction prescribed in Section A or Section B, transfers to another college or university, is not required to complete another such course as a condition precedent to his or her graduation from the college or university.

SECTION F:

If any provision of this chapter, or the application of any provision to any person or circumstance, is held to be invalid, the remainder of this chapter and the application of its provisions to any other person or circumstance shall not be affected thereby.

DEFINITIONS:

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- 2) “Basic principles of the United States’ republican form of government” means institutions and principles including balance of power, consent of the governed, the Electoral College, federalism, individual liberties, popular sovereignty, representative government, rule of law, and separation of powers.
- 3) “Historical development of the United States’ republican form of government” means events including the federalist and antifederalist debates, the rise of Jacksonian democracy, the causes and the constitutional consequences of the Civil War, the thirteen, fourteenth, and fifteenth Amendments, the rise of the New Deal administrative state, and supreme court cases including *Marbury v. Madison*, *McCulloch v. Maryland*, *Dred Scott v. Sandford*, *Pembina Consolidated Silver Mining Co. v. Pennsylvania*, *Plessy v. Ferguson*, and *Brown v. Board of Education*.

AHA: Legislative Progress

Statutes

Require 4 American History and Government Courses

Texas: [Texas Education Code § 51.301. Government or Political Science](#); [Texas Education Code - EDUC § 51.302. American or Texas History](#)

Require 1 American History and Government Course

Arkansas: [Arkansas Code § 6-61-105 \(2012\)](#)

California: [5 CCR § 40404. Requirements in United States History, Constitution and American Ideals.](#)

Florida: [Florida Statutes Title XLVIII. K-20 Education Code § 1007.25. General education courses; common prerequisites; other degree requirements](#)

Georgia: [Georgia Code Title 20. Education § 20-3-68](#)

Missouri: [MO Rev Stat § 170.011 \(2013\)](#)

Nevada: [NV Rev Stat § 396.500 \(2013\)](#)

Utah: [Utah Code 53B-16-103. Granting of degrees, diplomas, or certifications](#)

Wyoming: [Wyoming Stat § 21-9-102 \(1997 through Reg Sess\)](#)

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