

**Civics in American Public Schools:
State Constitutions and the Right to an Education**

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ABSTRACT

A literal reading of the United States Constitution finds no mention of education. Because no fundamental federal mandate exists to provide public education for citizens, the Tenth Amendment gives states the authority for public education policy. Because states have different constitutional standards for education, civics requirements have little national consistency. This thesis explores the connections between state constitutional provisions for public education and graduation requirements for civics in each state. The research examined how state constitutions address education policy and whether states with language specifically connecting education to the maintenance of democracy required more stringent civics requirements for students to graduate from secondary school. Further investigation explored whether and how state constitutions in Minnesota and Wisconsin appeared to influence the development of graduation requirements. Indeed, Minnesota, whose constitution connects education to the maintenance of democracy, had a curriculum policy process far more rooted in its constitutional traditions than did Wisconsin, which had no such constitutional language or curriculum process.

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Chapter 1: Introduction

The idea of a connection between universal public education in the United States and the maintenance of democracy emerged even before the U.S. Constitution was written. Thomas Jefferson (1779) believed tyranny could not be prevented unless the country provided for the illumination of “the minds of the people at large, and more especially ... knowledge of those facts which history exhibiteth [sic], that, possessed thereby of the experience of other ages and countries, they may be enabled to know ambition under all its shapes, and prompt to exert their natural powers to defeat its purposes...” (in *A Bill for the General Diffusion of Knowledge*, 1779). Other Founders agreed. Benjamin Rush, for example, suggested that “developing republican citizenship formed the foundational purpose of public education” and that schooling should create a “national identity” (as quoted by O’Brien, 2000-01, p. 142). However, when the Constitution was ratified in 1787, it included no explicit guarantee of a right to an education.¹ Subsequently, there have been no federal mandates to standardize or maintain any particular level of national civic education. Most modern democratic constitutions with bills of rights include education as a basic right, including European democracies and countries like Kenya and Grenada (Law and Versteeg, 2012, p. 770). In the United States, however, further amendments to the U.S. Constitution have not directly or explicitly addressed education.

Education standards have existed at the local level since the colonial era. When the Massachusetts Bay Colony set in place its social and governing structure, it included an education mandate (Greene, 1975, p. 118). The founding rules of the colony in 1649 adopted a common school standard requiring that as soon as a township reached 50 people, a teacher must

¹ Although the Constitution does not explicitly mention education, other provisions may be seen to provide for it, including the Commerce Clause and the 9th, 10th and 14th Amendments.

be assigned to teach children to “write & reade [sic], whose wages shall be paid either by parents or masters of such children, or by the inhabitants in generall [sic]” (*Records of the Governor and Company of the Massachusetts Bay*, as quoted in Greene, p. 119). Two hundred years later, Massachusetts once again led the way in laying the groundwork for a standardized and formal system of common schools. Education reformer Horace Mann (1846) vociferously argued that a right to an education indeed did exist, despite its absence as an explicit Constitutional guarantee.

I believe in the existence of a great, immortal, immutable principle of natural law, or natural ethics, --a principle antecedent to all human institutions and incapable of being abrogated by any ordinance of man, ... which proves the absolute right to an education of every human being that comes into the world, and which, of course, proves the correlative duty of every government to see that the means of that education are provided for. (Mann, in *Bullock*, p.111)

Mann further contended that the reason education should be an inalienable right was its connection to the broader democratic ideal: “[U]nder our republican government, it seems clear that the minimum of this education can never be less than such as is sufficient to qualify each citizen for the civil and social duties he will be called to discharge” (p. 112).

Twentieth century reformer W.W. Carpenter (1931) also believed that the point of a common education was to seek “expression in furnishing to the youth of our land nobler temples in which their hearts, minds, and bodies may better adjust themselves to the demands of a practical civic brotherhood” (as quoted by Tyack and Cuban, 1995, p. 12). However, these ideas connecting education and maintenance of a representative democracy never were expressly written into the national constitution.

According to Charles N. Quigley, Director of the Center for Civic Education, “Democracy Education” should include “civic knowledge, civic skills...and community service” (Quigley, 1999). This more modern view of civics education as a curricular idea has not changed much since John Dewey argued that it is the “responsibility of American schools to teach the facts and principles of American democracy to the largest group of new and emerging citizens—high school students” (Niemi, 1998, p.2). Building on this foundation, the United States has placed basic civic knowledge standards into the Naturalization Test required for citizenship (“Study Materials for the Naturalization Test,” USCIS). Yet, there is no such national test for graduating high school seniors who are already citizens by virtue of *jus soli*.

Without a federal mandate to protect a right to an education, education policy remained the responsibility of local and state governments until Congress began to take a broader interest in universal education following World War II. Left to the states, civics education has fallen victim to education “reform” movements, standardized testing pressures, and lack of funding. State civics graduation requirements range from “2 units of social studies” (MT. Admin. R. 10.55.905) to "Local boards of education shall require that high school students demonstrate knowledge and understanding of the nation's founding and related documents in order to receive a certificate or diploma of graduation from high school" (N.C. Gen. Stat. §115C-81.g.2).

The National Alliance for Civic Education (NACE), which tracks state mandates on civics education, noted in 2010 that while nearly every state had integrated some civic ideas into its general requirements, only 29 states required students to take a course in government or civics (Wichowsky and Levine, 2010). Without an explicit federal right to an education, not only can states alter or eliminate their civics education standards, they also can cut funding to schools,

forcing districts to choose between subjects that must be taught and the number of teachers they can afford.

The federal government intervened in 2002 to require Reading, Writing and Math assessment standards with the No Child Left Behind legislation. The standards, however, were skills-based, rather than focused on particular curriculum (NCLB). Prior to that, presidents and Congress promoted what is now called STEM (Science, Technology, Engineering, and Mathematics) education as part of the Cold War competition with the Soviet Union. However, these curricular efforts were not fully realized at the school level because the federal government has no clear constitutional mandate to control or provide for public education policy. When federal mandates are left up to the state and local governments, various (and often inequitable) methods of approaching, funding, and assessing them emerge.

The inequities in school resources, a lack of national civics standards that schools can follow, and the complexities of explaining lack of participation leave, at best, murky connections between civics education and participation in representative democracy. One attempt to measure the level of civic knowledge in American students is the National Assessment of Educational Progress (NAEP), a civics exam given to students across the country. The most recent longitudinal report, issued in 2011, finds that “in comparison to earlier civics assessments in 1998 and 2006, the average score across the country [for high school students] was lower than the score in 2006 but not significantly different from the score in 1998” (NAEP, 2011). The high school level test is given in grade 12. In raw scoring, 64% of 12th graders scored at or above the “basic” level, but there was no statistically significant change in the percentages from the previous assessments.

Most improvement centered in elementary grades, not in secondary school. The research here specifically investigates high school graduation requirements. The skills NAEP assessed for grade 12 include being able to “interpret a political cartoon” for the “basic” level, “define the term ‘melting pot’ and argue if it applies to the U.S.” for the “proficient” level, and “compare the citizenship requirements of the U.S. to other countries” for the “advanced” level (NAEP, 2011, summary). Only 4% of 12th grade students scored at the advanced level. The exam organizes its questions into five main categories:

- I. What are civic life, politics, and government?
- II. What are the foundations of the American political system?
- III. How does the government established by the Constitution embody the purposes, values, and principles of American democracy?
- IV. What is the relationship of the United States to other nations and to world affairs?
- V. What are the roles of citizens in American democracy? (p.1)

The introduction to the 2011 Report describes the basis for the exam: “Responsible citizens of a constitutional democracy such as the United States should have adequate knowledge of the country’s principles and institutions, skills in applying this knowledge to civic life, and dispositions to protect individual rights and promote the common good” (p.1). Despite the exam’s presumption of “national standards,” however, states decide which civics standards they will use, and those that appear in the NAEP exam are not necessarily the guidelines that are applied. This unequal application of civics standards could result in the matriculation of students with differing civic knowledge, most of whom do not reach what the NAEP considers “proficiency.”²

² The NAEP scores are instructive insofar as they are a way to compare select public school students’ retention of information, which does not necessarily reflect their district’s civic education standards, nor the state’s entire student population. In addition, these scores can provide no information on how the

Although the NAEP hopes to conduct testing at regular intervals (every three years), no set survey of civics education standards or overall policy exists that scholarship in this area can examine. In the research that follows, I propose that states whose constitutions explicitly connect education to the maintenance of democracy will have higher graduation requirements for civics education than states without such constitutional provisions. Where I discovered such connections, I further explored how a state with such a provision fashioned its civics requirements, and how consideration of the state constitution might have influenced that process.

Finding a positive association between the existence of state constitutional provisions and more stringent civics education standards for secondary school graduation may help to better understand the disconnect between federal education goals and the variations in civics education standards among the states. Ultimately, the lack of a national constitutional right to an education may be connected to the levels and nature of civic participation, an essential element in a representative democracy. Equity across the states in standards and support programs for civics education could go a long way in the preservation of representative democracy in the United States.

Research Purpose and Significance

Although some scholarship has explored the notion of education as a right and the possible implications of civics education, none has examined possible connections between constitutional rights to education and educational standards. The research here begins such probing. First, it compares state constitutions with each other to see if they include a right to an education. If a state constitution does contain an explicit right to an education, whether that right

students tested (or not tested) go on to exercise civic participation in its various forms. The difficulty in connecting civic education standards to resulting civic actions of students post-graduation leaves open room for a continued discussion about *how* civic education is taught and its lasting impact on students.

is connected to a stated interest in maintaining democracy is examined. The research then compares state high school graduation requirements in order to explore the emphasis on civics. The study addresses whether there is a connection between a state constitutional treatment of education and state standards for civics education, and investigates how such a connection might operate by looking at two states.

Whether there are evident connections between explicitly articulated constitutional rights and educational requirements arguably is significant to discussions about national standards for civics concepts, including basic knowledge of government policymaking and civic participation. Moreover, the examination of Minnesota's process for developing standards illuminates the state's constitutional priority reflected in the civic participation of its citizens and education community during the standards policy development process. A state constitution's reflection of education values appears to be one basis for developing legislative policy.

These concerns are relevant to a broader discussion of civics education and participation, exploring linkages between strong civics standards and the maintenance of a democratic republic. Bergstrom (1992), for example, drew a clear connection between diminishing voter turnout in general elections and disengagement that comes from misunderstanding the system. Because the system can be complicated, a thorough education informing voters how it works and their role in the political process is important:

Americans tend to perceive the Constitution as a self-executing mechanism; its very success has created indifference in many citizens to investing themselves in the political system that sustains their prosperity and well-being. But it is a dangerous illusion to suppose that our American constitutional democracy is like

a self-perpetuating machine. The reality is that the system requires careful attention and assiduous cultivation by knowledgeable, skillful, and virtuous citizens. (Bergstrom, 1992, p.2)

Addressing such concerns involves setting standards that include nurturing “competent and responsible participation” that does more than just influence public policy (Bergstrom, 1992, p. 3). Citizenship as a goal of education is itself a broad idea that is difficult to fully encompass in legislation.

Chapter Summary

The following chapters explore these ideas. Chapter Two provides a literature review in which scholarly and other treatments of education as a right fall into two categories: education as a broader universal right and education as a civil right in the context of American politics. How many other countries treat education as a right contrast with the federal model in the U.S., where states have varying education standards. A third line of investigation involves civic participation as it relates to civics education, highlighting connections between civics education and participation and how civics education is administered. This scholarship seeks to connect the maintenance of democracy and civics education requirements.

Chapter Three examines the background of education policy in the United States. First, it reviews U.S. Supreme Court decisions that addressed education issues, demonstrating evolving federal stances on a variety of education issues. Next is a discussion of how the “new judicial federalism” and state court interventions have impacted education policy, highlighting the increasingly disparate state requirements and resources for public schools. Finally, a survey of major national legislation and other policy initiatives shows how federal intervention in

education policy has served only to create further inequities in public schools and has generally failed to address curriculum standards.

Chapter Four lays out the research design, detailing the approach used to investigate and compare the states' constitutions and civics requirements. This chapter describes the initial research on all 50 state constitutions in order to investigate the language they contained concerning education. The second step of the research required finding each state's graduation requirements for social studies and, more specifically, civics education. Once comparisons were made between state constitutions and graduation requirements, it became evident that further investigation was needed. What influence, if any, the constitutional language might have on the graduation requirements was the focus of a deeper look at how two comparable states developed their graduation requirements, and whether their constitutions had any influence on that process.

Chapter Five contains the results of the research into possible connections between state constitutions and state graduation requirements. It compares constitutional language with regard to education with state civics requirements for graduation.

Chapter Six builds on Chapter Five's results and more deeply investigates two states: Wisconsin and Minnesota. Because the states are similar in many ways, but yielded different results in the 50-state analysis, a further question arose: *how* might the states' constitutions affect the development of the state's civics requirements? This chapter reports findings about the processes of developing the requirements, looking for evidence of connections to the state constitutions.

Chapter Seven concludes the thesis with a discussion of possible implications of disparate civics requirements across the nation and how that may or may not impact civic participation. Possible connections among a standard, civics education and the maintenance of democracy

(through civic participation) point to potential future policy directions for the federal and state governments.

CHAPTER 2: Literature Review

Scholarly literature examining connections between education and political rights is thin at best and is usually addressed in more of an international context (Spring, 2000). Early literature demonstrates an interest in the idea of “democratic schools.” Churchill (1916) exhorts those working in the burgeoning field of high schools to see themselves as “preparers of patriotism” (p. 573). Later, R. Freeman Butts (1998) argues that the morality taught in schools should be the civic virtue envisioned by the Framers of the Constitution. He contemplates how the American public processed the Iran-*contra* and the Judge Robert Bork confirmation hearings without necessary background knowledge of how those processes work:

How are citizens eventually to judge the merits of the policies and the practices arising from these events? Surely not by any simple or easy formulas of moral preachment of role modeling in schools, but in the long run only by careful judgments, informed by a defensible conception of the nature of citizenship and leadership in a democratic republic. And this process should begin early in the schools and continue throughout the educative process—a process one could hope would continue as long as citizenship itself does. (Butts, 1988, p. 165)

He goes on to discuss concepts such as *justice, freedom, equality, diversity, authority, privacy, due process, property rights, participation, truth, patriotism, and human rights*. These civic concepts are essential, according to Butts, to a standard of citizenship that should be standard for every American (p. 186).

This chapter lays a foundation for discussion of civics education issues by exploring three areas of research: education as a universal right, education as a civil right, and civics education.

Education as a Global Universal Right

Despite considerable discussion of civics education and education policy in general, most scholarship on civics does not include the notion of a “right to an education.” The idea of a universal right to education stems from the Universal Declaration of Human Rights (UDHR), promulgated by the United Nations in 1948. Even though its main author and advocate was Eleanor Roosevelt, no U.S. action followed the UDHR because it was a declaration and required no ratification from the Senate.

Joel Spring (2000) argues that the term “education” itself is so broad that a universal justification for it must necessarily include a discussion of human rights (p.3). Because of that, the idea of guaranteeing education to everyone is not so simple as declaring it so. Globalization has created the need for educated workforces in developing countries, which can often conflict with traditions. For example, in many Islamic countries, there is resistance to allowing women access to “western values” (p. 123). This discussion of education as a right is instructive in a broader discussion of human rights, but does not apply specifically to U.S. tradition or law and so is not as useful in finding purchase with the U.S. Constitution.

Moreover, Law and Versteeg (2012) report that use of the United States Constitution as a model for a bill of rights is declining elsewhere in the world (p. 768). A comparison of “Generic Constitutional Rights” and the Constitution, for example, finds that the United States departs from the model that most democratic countries now follow (p. 769). In fact, the U.S. document is not even among the world’s “most mainstream

constitutions,” especially with regard to providing an explicit right to an education (p.779).

Bergstrom (2009) calls a right to an education a “second-generation right.” It was not included in early declarations or constitutions and only appears once “social rights became prominent in the second half of the nineteenth century” (p. 168). Once education became a compulsory part of the fabric of democratic societies, framing it as an individual right comingled with a public duty to participate. “The education of children has direct bearing on citizenship, and, when the state guarantees that all children shall be educated, it has the requirements of and the nature of citizenship in mind. It is trying to stimulate the growth of citizens in the making” (quoting Marshall, 1992, p.175).

Education as a Civil Right

Imani Perry (2010) suggests that education is indeed an implied U.S. Constitutional right, similar to the concept of privacy (p. 35). Couched in terms of civil rights based on the third clause of the Fourteenth Amendment, Perry argues that any consideration of education as a right must be based on equal protection (p. 36). The Ninth Amendment’s protection of non-enumerated rights is part of this formulation as well. Historian Bernard Bailyn argues for Madison’s view of the Ninth Amendment as necessary because “in addition to the rights specified by the states there is a universe of rights possessed by the people -- latent rights, still to be evoked and enacted into law” (Bailyn, quoted in Perry, 2010, p. 41). Perry further contends that “it seems odd that education would not be seen as such a latent right. And, moreover, it seems wrong that it would not be seen as a civil right” (p. 41).

Building on this view of education as a *civil* right, Ernesto Cortes, Jr. (2010) notes that one problem with simply guaranteeing “education” is that it is a complicated idea that does not

occur in isolation from other issues. “If children come to school hungry, sick, homeless, scared, or with uncorrected vision problems or if they come from homes warmed by high-sulfur heating oil or with inadequate sanitation systems, their education is compromised....” (Cortes, 2010, p. 97). Education becomes “not the problem of a single institution or an individual, or even groups of individuals” (Perry, 2000, p. 97). Guaranteeing education as a right, then, involves much more than maintaining a public school system if that school system seeks to include and sustain equal protection rights.

Civics Education

Although scholarly literature is limited on the topic of education as a right in the United States, further exploration of a connection between civics education and its impact on civic participation reveals emerging research. This work generally fits into two main categories: examinations of civic participation (primarily, voter turnout) and studies of students’ experience of their own civics education.

With regard to participation, in 2006, the Tufts University Center for Information & Research on Civic Learning & Engagement (CIRCLE) used a survey to explore the connection between civic engagement and political knowledge. The Center argued that “[p]eople need information in order to participate in civic life. (For example, you have to know that there is an election before you can vote.)” (CIRCLE, 2006, p. 24). However, the survey’s questions were based on topics in the news rather than on foundational questions of history or government. Ultimately, this sort of “political knowledge” relies more on media exposure than on civics education (p. 25).

A clearer measure of one form of civic participation is voter turnout. The 2008 presidential election saw a statistically large increase in young adult voter turnout. While the

2012 election resulted in less, it was still higher than it had been since the voting age was lowered to 18 (Pew Research Center, 2012).³ Yet there is no clear information about voters' civics education; exit polls rarely ask this type of question (McDonald, U.S. Elections Project, 2009). Speaking specifically about younger voters, Wattenberg (2002) notes that education may be key to voter turnout in the United States, because a major challenge for voters is the complexity of the electoral system (p. 2). Although college graduates are more likely to vote, younger people still turnout at relatively low levels (Wattenberg, 2012, p. 63). Among the reasons for this could be that, especially for younger and less experienced voters, it is not simply general education that increases the likelihood of civic participation, but rather *political* education and awareness (Wattenberg, 2012, p.82).

An individual's exposure to that political education, however, also may be an important factor in their likelihood to participate. In a 1965 study of socialization, Jennings and Niemi compared high school students and their parents on their likelihood to mention civic participation as "one of the most important qualities of good citizenship" (as quoted in Wattenberg, 2012, p. 121). "Jennings and Niemi noted this difference and attributed it to years of repetitious schoolroom exhortation to participate that the high school students had received" (p. 122).⁴ This in-depth study re-interviewed the same respondents four times and concluded that the further the students were from high school, the less they lived up to their first participation ideals. "Once the immediate effects of their schooling had worn off, there was relatively little change evident

³ The Pew Research Center for the People and the Press identifies "young voters" as between the ages of 18-29

⁴ The first interviews of the Jennings and Niemi 1965 study were conducted prior to the voting age being lowered to 18 (in 1972).

in the younger generation's responses between the ages of 25 and 50" (Wattenberg, 2012, p. 122).

Most analysis of voter turnout and education is based only on levels of formal education achieved. As Dalton (2009) notes, "duty-based citizenship is higher among the better educated" (p.40). Voter turnout clearly rises among adults with at least some college education (p. 41). How specifically political education affects turnout numbers is not so easily determined. However, despite the trends of lower turnout by young adults, young voters in the 2008 election broke records in political activism and turnout. The Census Bureau reported that youth turnout increased 11% from 2004 to 2008 (Kirby, 2009).⁵ Whether and how their political education may have contributed to this burst of civic activity has not been determined. According to Dalton, although classroom education may have some role in boosting participation compared to other factors (such as how close the electoral race is, voter attention to electoral issues, and voter knowledge about the candidates), "Americans are more assertive and less deferential to authority, and they place more emphasis on participating in the decisions affecting their lives" (p.4). This assertiveness could have significant implications for the way civics is taught in American schools, including more emphasis on volunteerism and community involvement that could impact people's civic participation later in life (Wattenberg, 2012, p. 156).

Another significant area of research on civics education is *how* that education is delivered to students. Although as Wattenberg argues, young people may be more inclined to assert themselves politically, schools' hesitancy to introduce controversial topics for classroom discussion may inhibit the effectiveness of formal civics education. As Chapter Four will

⁵ The U.S. Census Bureau identifies "youth" as those aged 18-24.

discuss, the trend toward standardized test-based education has limited more dynamic, creative approaches to education in the classroom. As Niemi and Junn (1998) note:

The cynicism that adults develop about politics may stem, in part, from the Pollyannaish view of politics that is fostered by the avoidance of references to partisan politics and other differences of opinion...If students can be taught to understand that political parties and interest groups form to promote and protect legitimate differences in points of view...they would be in a much better position to understand, appreciate, and participate in the political process (p. 150).

Indeed, how students are exposed to political knowledge impacts their internalization of their own role as citizens. Simple exposure to information does not necessarily positively impact how much students know about government (p. 55). Creating an education system that exposes students from an early age to controversial topics, including civil liberties and political tolerance, could have more impact than rote coursework (p.71).

In their surveys and focus groups of American high school students, Middaugh and Kahne (2008) find that the way students engaged with political information had impact on their reported likelihood to participate (in Bixby, 2008). When asked what in civics class connected to civic duty in their minds, students at one high school responded that activities such as debates, discussions of current events and thinking through controversial topics were what affected them most (Middaugh and Kahne in Bixby, 2008, p. 181). Another factor that influenced students' perception of a connection between civic participation and democracy was their socioeconomic backgrounds. The participants in this study "did not see the government as representative of them or their needs and did not appear to believe that increased participation would necessarily

lead to a more representative government” (p.185). Indeed, the context in which students learn to engage with government has a tremendous impact on their interest in participating later.

Summary and Conclusion

Most scholarly literature on a right to an education has an international context. Although the U.S. Constitution does not contain an explicit right to an education, most democratic constitutions formed after it do include education as part of their bills of rights. A more specific examination of scholarly work about civics education includes consideration of how it relates to civic participation and voter turnout and what methods are used to teach civics curriculum. This research hoped to add to that discussion with a closer look at how contemporary civics curriculum standards may be influenced by state constitutional protections of education. However, before these standards are considered, it is important to look at how education and curriculum policies have been influenced by the federal government and by federal and by state courts. The next chapter examines that background.

Chapter 3: The Background: U.S. Supreme Court Decisions, New Judicial Federalism, and Federal Education Policy

Any discussion of education policy exists within the context of the sometimes competing interests of federal and state education priorities. Because there is no federal right to an education or any constitutional mandate to protect it, there can be a complex relationship between federal education policies and the states' abilities to fund and carry them out. In order to explore the overall context for how education requirements are affected by the U.S. federal system, this chapter examines the background of public elementary and secondary education policy. This includes how U.S. Supreme Court decisions, state court decisions in the era of "new judicial federalism," and federal involvement through executive and legislative actions has affected the course of education standards.

The U.S. Supreme Court and Education Cases

The Supreme Court's main influence over public K-12 education has been the application of the Fourteenth Amendment's equal protection provision. The landmark case of *Brown v. Board of Education of Topeka* (1954) struck down the practice of legally segregating public elementary and secondary schools by race, overturning the *Plessy v. Ferguson* (1896) precedent of "separate but equal." The Warren Court held that separate was not equal, and the practice in states of not providing equal education to all children, regardless of their race, was unconstitutional. The immediate effect of the Court's *Brown* decisions was to plunge many school districts (especially those in the South) into a decades-long struggle to avoid complying

with the equal protection mandate.⁶ Although *Brown* did not mandate any specific education standards, the Court did address the underlying importance of education itself:

Today, education is perhaps the most important function of state and local governments. Compulsory school attendance laws and the great expenditures for education both demonstrate our recognition of the importance of education to our democratic society. It is required in the performance of our most basic public responsibilities, even service in the armed forces. *It is the very foundation of good citizenship.* (*Brown*, 1954, p.3; emphasis added)

Most subsequent federal challenges regarding equity in schools during the Warren Court continued to expand the Bill of Rights and the Fourteenth Amendment nationally. Landmark cases involving education included *Tinker v. Des Moines* (1969), in which the Court found 7-2 that public school students' First Amendment right to freedom of political expression was protected in the schools.

However, the Supreme Court began to move away from the Warren Court's more liberal view of federal regulation of education policy as the 1970's progressed (Obhof, 2003-4, p. 576). The Court held in 1973 in *San Antonio Independent School District v. Rodriguez* that education is *not* a "fundamental federal right" under the U.S. Constitution. The Court said that it was up to states to figure out how to handle funding differences and sources for that funding in order to ensure equity for students. *San Antonio* set the precedent for the federal government to remove itself from the education conversation, especially with regard to equity in resources for schools.

⁶ *Brown* (1954) was a class action suit that involved school segregation cases from Kansas, South Carolina, Delaware, Washington DC, and Virginia. The Court decided unanimously to overturn *Plessy v. Ferguson*. The next year, the Court issued directives regarding desegregation, known as "*Brown II*," wherein the Court held that desegregation must occur with "all deliberate speed."

As the 1980's and 1990's progressed, cases like *New Jersey v. TLO* (1985) and *Vernonia School District 47J v. Acton* (1995) gave increased authority to local school officials, arguably ignoring students' protections under the Bill of Rights and equal protection precedents set by the Warren Court (Obhof, p. 578). One exception was *Plyler v. Doe* in 1982, where the Court intervened to overturn a Texas law that denied education funding for undocumented immigrant children. The Court ruled that an impermissible burden was placed on children who had "little control" over their designation as "illegal," making it unconstitutional for the state of Texas to deny them an education. The Court was further concerned that the law would create a "permanent subclass of illiterates," which contravened the democratic goals of the United States.

In response to the Court's reluctance to apply Bill of Rights and Fourteenth Amendment protections to school fiscal equity issues in the latter half of the 20th century, Congress enacted federal education legislation under its appropriations power, the Commerce Clause or the elastic clause (see below). The Supreme Court limited some of *that* power in 1994, building on the *San Antonio* precedent in *United States v. Lopez*. In the latter case, the Court held that Congress could not use its commerce powers to create "zero tolerance" gun zones around public schools. *Lopez* effectively limited congressional intervention in some education issues based on the Commerce Clause.

Court responses to education issues were almost completely absent by the 1990's. Where earlier Courts had shown a willingness to actively "set right what its members saw as basically unfair treatment of citizens without a real remedy in the political branches," later more conservative Courts bristled at such federal exercise of power over education policy (Ehrenhaft, 2012, p. 325). Seeing the way the Court was moving, Justice Brennan suggested in 1977 that attorneys turn to state courts and state constitutions to protect rights: he feared "an increasingly

conservative federal judiciary would decline to protect liberty as vigorously as in the past” (Sherry, 1994, quoted in Kincaid, 1994-95, p. 915). Among other dynamics at the time, this led the way to a “new judicial federalism,” in which some state courts became new participants in efforts to equalize access to education.

New Judicial Federalism

Most state constitutions contain sections or articles regarding education, setting either financial obligations or system structure. Although I found that most of these constitutional provisions do not include explicit mentions of education as a constitutional right (see Chapter 5), many state legislatures have followed up on their constitutional obligations through legislation that supports either state or district level school systems, graduation standards, and funding sources. Because the guarantees lie at the state constitutional and statutory level, plaintiffs have turned in recent decades to state judiciaries to ensure equity in education policy.

The best known examples of a state supreme court relying on the new judicial federalism to create greater equity in public school financing are the New Jersey *Abbott* cases (1985-1997). Here, the New Jersey Supreme Court determined that districts throughout the state (now designated as “Abbott Districts”) were unconstitutionally deprived of funding resources. The part of the state constitution that the state Court relied on clearly provided for a school system for which:

The Legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all the children in the State between the ages of five and eighteen years. (NJ Const., Art. VII §4.1)

The New Jersey Supreme Court interpreted the “thorough and efficient” language to mean that districts that have higher poverty rates (based on per capita incomes and weaker tax bases)

should be given state resources adequate to equalize them with the more wealthier districts (Education Law Center, Oct. 17, 2012). It was upon the *Abbott* cases that New Jersey based its School Funding Reform Act (SFRA). The Education Law Center (ELC) argues that it is now “accepted principle that students have needs that require more resources to give them the chance to meet State academic standards” (*Abbott Decisions*, ELC, 2012).

The Vermont Supreme Court similarly demonstrated the increased power of state courts in *Brigham v. State of Vermont* (1997) when it substantially overturned a lower court’s decision that funding disparities should be left up to school districts to solve. The Court did this because “[n]either the remedies the plaintiffs sought, nor the facts surrounding Vermont’s funding system, nor the text of the Vermont Constitution mattered as much as the court’s political will” (Obhoff, p. 592). The effects of the state court’s decision included the state legislature providing more expansive funding for districts, especially when property taxes are uneven due to poverty (p. 593).

New judicial federalism in public education has focused on school finance, though recent years have seen decisions on school choice and standards set by national legislation such as No Child Left Behind. In the finance arena, Obhof (2003-04) notes that a “third wave” of state judicial decisions that began in 1989 has relied primarily on education “adequacy” rather than equity. Newer remedies typically have sought to “bring the worst school districts up to the minimum level mandated by the state constitutions” (p. 582).

How states have handled education policy through the legislative process (which may or may not involve the courts) is a primary piece of the research here. The background in this chapter provides greater context for how states might decide about education policy, including adopting standards that apply across the state.

Federal Education Policy

Although states decide what their high school graduation requirements will entail, federal mandates increasingly affect these requirements. How a state might decide its standards and how it spends its education resources for providing civics curriculum is in part influenced by the federal requirements that must be met in other education areas, including mandated standardized tests and remedial interventions. Beginning in the mid-20th century, the Congress sought to ensure that responsibility for curriculum, graduation standards, and primary funding remained with the states. The consistent pattern of leaving the resourcing of education policy at the doorstep of states created a disconnect between what the federal government insisted upon in its education goals and what states actually accomplished, especially with regard to curriculum standards (Ravitch, 2010, p. 106).

In 1953, President Dwight Eisenhower submitted legislation to Congress to reorganize cabinet-level administrative services under a new department, Health, Education and Welfare Department (HEW). He specifically described the role of the new Office of Education:

The Office of Education collects, analyzes and distributes to school administrators throughout the country information relating to the organization and management of educational systems. Among its other functions is the provision of financial help to school districts burdened by activities of the United States Government.

(Eisenhower, 1953)

This move preceded several unprecedented federal interventions in education policy, including the *Brown v. Board* decision and Eisenhower's later use of National Guard troops to desegregate Arkansas public schools.

After the Soviet Union's launch of the *Sputnik* satellite, Eisenhower proposed and then signed into law the National Defense Education Act (NDEA) in order to direct education resources for national security purposes (NDEA, 1958). Although NDEA invested federal funds in raising standards for science, math, and technology, and for increasing access to higher education, it specifically stated that the law in no way should intrude on state and local control over education:

The Congress reaffirms the principle and declares that *the States and local communities have and must retain control over and primary responsibility for public education...* Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.
(NDAA, 1958, p. 1580; emphasis added)

This qualification to the legislation reconfirmed the tradition of direct education policy remaining at the local level.

As part of the War on Poverty, in 1965 Lyndon Johnson signed the Elementary and Secondary Education Act (ESEA) into law. This sweeping federal legislation provided grants to states with new allocations for students who live in poverty:

...the Congress hereby declares it to be the policy of the United States to provide financial assistance (as set forth in this title) to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means... (ESEA, 1965, §201).

The ESEA was quite popular legislation, especially because it provided badly needed infusions of funding into schools with poorer children nationwide. When, almost 40 years later, the No Child Left Behind legislation mandated assessments and standards, it was the ESEA that was amended to accommodate the new federal involvement in education policy.

Between the passage of ESEA and No Child Left Behind, the federal government pursued several other administrative and legislative education policies. During the Jimmy Carter administration, the education arm of the HEW was spun off into a separate Department of Education. The Department was controversial from the start, with Ronald Reagan declaring he would abolish it if he were elected in 1980 (Reese, W., 2005, p. 249). Eventually, however, the Reagan administration decided to keep the Department because “it became an effective tool of public relations and school reform” (Reese, p. 249).

The next time education policy became a national issue was after the publication of the report to Congress called *A Nation at Risk* in 1983. Although *A Nation at Risk* (*ANAR*) was not legislation or an administrative mandate, it was a widely read and discussed collection of proposals for strengthening curriculum standards across the country. Diane Ravitch (2010), a former assistant secretary of Education under George H.W. Bush, notes that the federal government’s new reform efforts began with the belief that the source of problems in the American education system was “the steady erosion of the content of the curriculum” (p. 26). The study suggested national curriculum alignment, including three years of social studies (*ANAR*, 1983). This was the first time a federal report suggested a nationally aligned civics curriculum, but no laws were enacted following its release.

Presidents George H.W. Bush and Bill Clinton took up curriculum reform in the early 1990’s with the Educate America Act (“Goals 2000”). This 1994 legislation went further than

any previous law in setting federal curriculum standards. Along with mandating a 90% graduation rate by 2000, the Act created the National Education Standards and Improvement Council and the National Skills Standard Board (Goals 2000, Part B). Although Congress appropriated \$105 million in 1994 to support Goals 2000 through competitive grants to states, by 2000 the funding had dried up and none of the specific curriculum or graduation goals were met (Reese, 2005, p. 324). By the time NCLB was passed in 2002, Goals 2000 had died a quiet death.

The major federal education policy initiative of the George W. Bush administration was No Child Left Behind. This law codified the new movement of high-stakes standardized testing that had emerged after *ANAR*, with assessment mandates. Ravitch (2010) sees a contrast between NCLB and previous legislation in its focus on a “technocratic” approach to basic skills using standardized testing (p. 29). Much of the NCLB legislation was based on a previously enacted Texas model of accountability. The problem with the Texas model, however, was that it produced few successes:

The study released yesterday by the nonpartisan Rand group, of Santa Monica, found that the immense test score gains by Texas' black and Latino students appear to be the result of intensive drilling to pass the tests. It said the coaching evidently does not help youngsters become proficient in those subjects and that may in fact degrade learning. Rand also said the high number of Texas school dropouts misleadingly shrinks the test score gap (Mintz, *San Francisco Chronicle*, 2000).

The focus on drilling in preparation for high stakes testing narrowed focus on other subjects, and many states lowered requirements for non-tested curriculum, such as the arts, science, and social studies.

A broader problem created by the testing mandate in NCLB was the schism between the federal government and states. Congress used NCLB to mandate by 2014 100% proficiency in reading, writing and math (for *all* students, including English Language Learners and those with special needs) (NCLB, 2002). Finn and Hess (2007) argue that the result of insisting on this unattainable goal is to undermine states that are trying to improve their education standards. It produces “a compliance-driven regimen that recreates the very pathologies it was intended to solve” (327-328). If states did not meet the NCLB requirements, their school districts could face serious consequences. As 2014 approached, more public schools were forced to close, become charter schools, be privatized, or undergo other major restructuring (often at the expense of the state) (Ravitch, 2010, p.104). Although the Obama administration proposed significant adjustments to NCLB in 2010, Congress has been deadlocked over reauthorization of the bill and official adjustments to its 2014 mandates (Resmovits, 2012).

A major concern of many with the precedent NCLB set is that the program does not fit traditional lines of federalism. Martin (2012) notes that the states have started to accept the federal government “boldly raising its voice in education” through spending power (p.80). The national judicial pattern of a conservative U.S. Supreme Court seeking to limit federal government involvement in education policy was in place when NCLB was signed into law in 2002 (p.83). The law’s challenge to federalism made its mandates difficult to maintain:

It was difficult to account for variations in fifty different school systems and student populations. Some states protested that they would have to use their

own resources to implement the requirements of NCLB since federal funds made up only about 7% of the total education bill. (p. 86)

Martin suggests that involving executive agencies more in the administration of education policy would clear the way for courts to have more judicial oversight of legislation like NCLB (p.104). But this would lead once again to more national control over education policy, which would contravene the trend of new judicial federalism. This is, however, the direction the Congress appears to be taking.⁷

By 2009, it had become clear that NCLB was unsustainable at the national level and President Obama and Secretary of Education Arne Duncan proposed an administrative shift in how the federal government awarded funding to schools. This initiative, “Race to the Top,” used funding the Congress had already set aside to continue the assessment-based accountability, but with new grant requirements for the states (Race to the Top, 2010). This new policy gave the federal government more power over states’ ability to fund their schools. Yet, like NCLB, instead of setting higher curricular standards for states to work with, Race to the Top punishes schools that do not meet standardized performance goals (Ravitch, 2010, p. 247). In addition to the high stakes performance/skills requirements, Race to the Top also requires states to comply with student test-based evaluations for teachers. In 2010, the *Los Angeles Times* used testing data to rate teachers and published teachers’ scores (*Los Angeles Teacher Ratings*). The result was teachers being “browbeaten” to focus more on test scores than their curriculum (Ewing, 2011).

⁷ The concluding chapter will return to this issue and to recent suggestions that federalism may not be the best model for setting curricular standards.

Until NCLB, federal education policy focused more on broad-based issues such as discrimination and poverty. The tradition of leaving curricular standards up to states remained in place until the publication of *A Nation At Risk*. With the help of public outcry over *ANAR*'s findings, Congress intervened through high-stakes testing mandates tied to funding. The designated areas of accountability, however, only cover basic skills testing in Reading, Writing and Math. Federal mandates have ignored other subject areas, such as social studies (or, more specifically, civics), leaving standards to the states to maintain (even as they try to comply with the federal rules).

Summary and Conclusion

This background on U.S. Supreme Court decisions, state court actions, and federal education policy initiatives provides context for the research here into state civics education requirements. Although how state constitutions might influence graduation standards is the central inquiry of this thesis, it is important to acknowledge that court decisions and federal policy lay the groundwork for how the states approach their education requirements. The following two chapters examine the results of the research on state constitutions and graduation requirements.

Chapter 4: Research Design

This chapter describes the two-phase empirical research conducted. The initial phase compared all 50 states' constitutions as well as their graduation requirements for social studies, and more specifically, civics education. Once those findings were compared, the second phase of research further examined two comparable states, Minnesota and Wisconsin, to discover how each developed its graduation requirements and whether and how the state constitution played any role in that process.

Constitutions and State High School Graduation Requirements

Research into possible connections between state constitutions and graduation requirements began with a comparison of all fifty state constitutions. Each state's government website contains information about or a link to its state constitution. Each constitution was obtained either through a web link or as a pdf document and logged into a table. I next examined each constitution for language about education. Appendix 1 lists each state, where its constitution was located (usually a website address), and any specific education language.

Each constitution's treatment of education arguably reflects the state's values regarding education. As Alan Tarr (1998) notes, "state constitutions are as significant for what they reveal as for what they prescribe" (p. 3). The U.S. Constitution does not completely constrain state governments. For instance, the reserved powers designated in the Tenth Amendment give state constitutions leeway to address issues that the U.S. Constitution does not address. One such issue is education. State constitutions with language regarding education primarily designate a system of public schools for the state (Appendix 2). Fourteen states specifically connect education to the maintenance of democracy (Appendix 1). These constitutions generally use

language similar to that found in Minnesota’s Article 13, which designates a system of public schools with this qualification:

The stability of a republican form of government depending mainly upon the intelligence of the people, it is the duty of the legislature to establish a general and uniform system of public schools. The legislature shall make such provisions by taxation or otherwise as will secure a thorough and efficient system of public schools throughout the state (MN Const., Art. 13).

Once I determined which state constitutions explicitly connected education to democracy. I then examined state high school graduation requirements. Most state departments of education place their graduation requirements on their websites. A few states – Colorado for instance – do not have statewide requirements and leave graduation standards up to the school districts. For each state that had statewide requirements, I conducted a detailed examination of the social studies curriculum, paying particular attention to civics, or government, courses. States categorize their graduation requirements by subject area, so this required searching for the social studies requirements and seeing whether they specifically mentioned civics or government courses. Appendix 3 shows the results of this 50-state examination, indicating the amount of course time each state required for high school graduation.

Once data were collected on all 50 states’ constitutions and graduation requirements (Appendices 1-3), I created four maps that showed: 1) states with constitutions that direct legislatures to provide free common schools; 2) states whose constitutions define education as necessary for the preservation of democracy; 3) states requiring at least three years of social studies courses to graduate from secondary school; and 4) states requiring a specific course in

civics or government for high school diplomas. The maps allowed for visual determination of any evidence of connections between constitutional language and graduation requirements.

The main limitation of this part of the research is the inability to reach any causal conclusions. Multiple factors influence a state's adoption of graduation requirements that could include, for example, the legislative process required, public participation in the process, interest groups' influence on the curriculum choices, and state requirements in other subject areas. This initial phase produced data that could be compared, but it did not produce clear evidence about possible connections between constitutional language and graduation requirements. How a state constitution might influence education policy decisions about civics education required a deeper look into such decision processes.

Illustrative State Cases

Based on the relatively limited and ambiguous nature of the initial research findings, I turned to a second question: *how* might state constitutions influence a state's development of civics curriculum requirements? If a state with constitutional language that specifically connects education to the maintenance of democracy is more likely to require stronger civics graduation requirements, attention might focus on *how* those requirements are linked to the constitution. To trace this possible connection, I looked at two comparable states: Minnesota and Wisconsin. These two states are regionally and demographically similar (see Chapter 6 for elaboration), and yet have different constitutional provisions as well as differing civics requirements. Comparing how these states fashioned curricular standards allowed me in effect to "hold constant" or control for demographic and regional influences on the formulation of such standards.

While this part of the study allowed me to concentrate on investigating whether and how state constitutions were involved in developing the requirements, its main limitation is the small

number of states examined. In the future, more extensive research of other comparable states would help to solidify any patterns that may exist between constitutional education language and the process by which the state arrives at its civics graduation requirements.

Conclusion

The findings of the analysis provide a baseline for a discussion about variation in formal civics education and the civics standards around the country. Because the states have primary responsibility for public education they also must find avenues of funding. This aspect of education policy and how it may affect civics education requirements is an important part of the analysis of the results. Future research on how the variations in funding may impact graduation standards could also expand the discussion started by this research. The following chapter shows this study's actual comparisons.

Chapter 5: Comparisons of State Constitutions and State Civics Requirements

As Chapter 4 described, the research for this thesis was conducted in two stages. This chapter discusses the first phase: comparing the 50 state constitutions and graduation requirements.

State Constitutions

I examined each of the 50 state constitutions to determine if it contained an “education article,” or a section about education for the state. None of the 50 state constitutions explicitly defines education as a “right,” although most include provisions for a public education. This might lead one to infer that there is a right to an education, at least for those provided for in the state’s school system. Even so, although it calls for the creation of schools, the constitution of Alabama explicitly *denies* the right: “...nothing in this Constitution shall be construed as creating or recognizing any right to education...” (AL Const., Amendment 111). California qualifies the right to an education in terms of “safe” schools: “All students and staff of public primary, elementary, junior high, and senior high schools...have the inalienable right to attend campuses which are safe, secure and peaceful.” (CA Const., Art.1, §28.B(1)).

Despite not specifying education as an explicit right, most state constitutions do designate the method by which free education will be provided in a distinct article. Figure 1 shows the states that contain education sections in their constitution. Such sections only direct the legislature to provide for public schools.

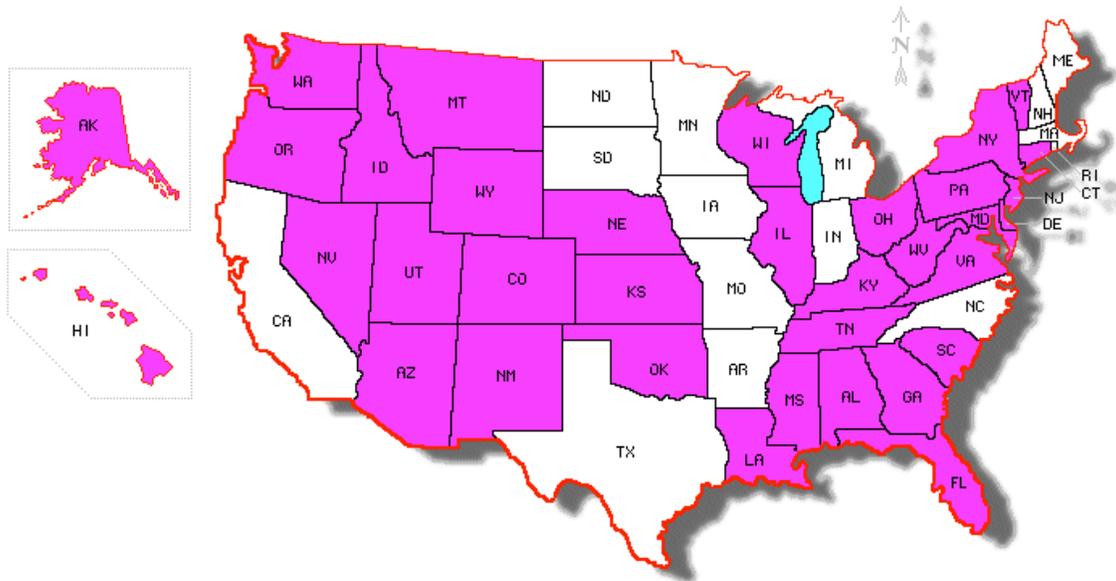


Figure 1: States with constitutions that direct legislatures to provide free common schools

These states see providing education as a state responsibility; yet their constitutions make no specific mention of that education being a protected right.

In 14 additional states, however, the constitutions describe education’s connection to democracy. These constitutions begin their education articles with an explicit statement that education is essential to the maintenance of democracy (see Figure 2). The most common variation of this language can be found in North Dakota’s constitution:

A high degree of intelligence, patriotism, integrity and morality on the part of every voter in a government by the people being necessary in order to insure the continuance of that government and the prosperity and happiness of the people, the legislative assembly shall make provision for the establishment and maintenance of a system of public schools.... (ND Const., Art.8, §1)

local districts to determine what social studies courses, if any, to require for graduation. Other states, such as Utah, demand specific graduation requirements statewide including particular courses in civics, economics, history and other social sciences (Utah Board of Education). As of December 2012, 35 states required at least three years of social studies courses. Figure 3 shows that the states with such requirements are spread throughout the country.

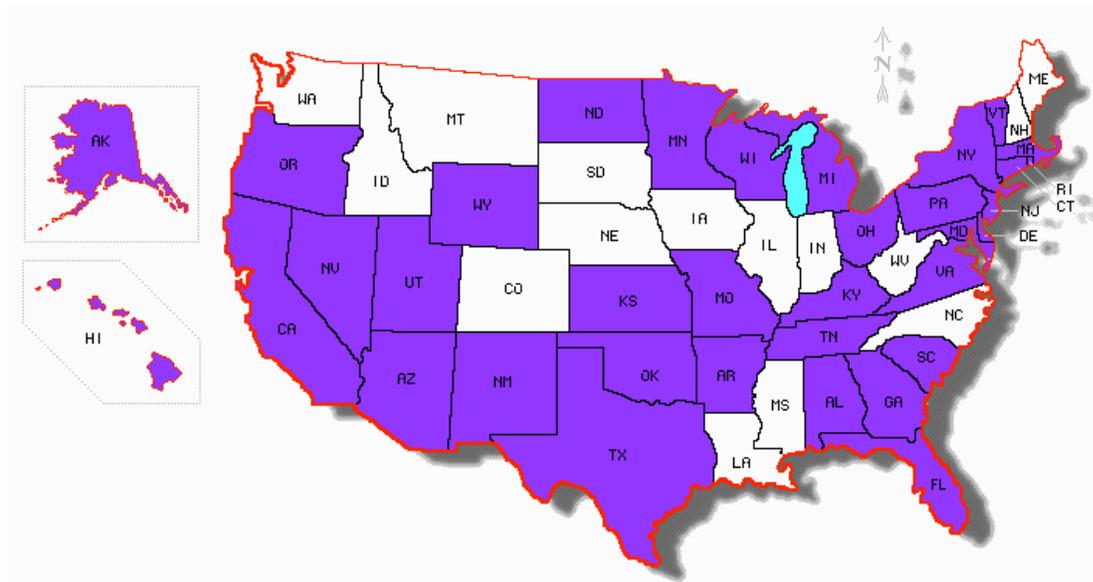


Figure 3: States requiring at least three years of social studies courses to graduate from secondary school

Although the states in Figure 3 have social studies requirements, they do not have standard civics requirements. Figure 4 shows the states that specifically require students to pass a civics or government course in order to earn diplomas.

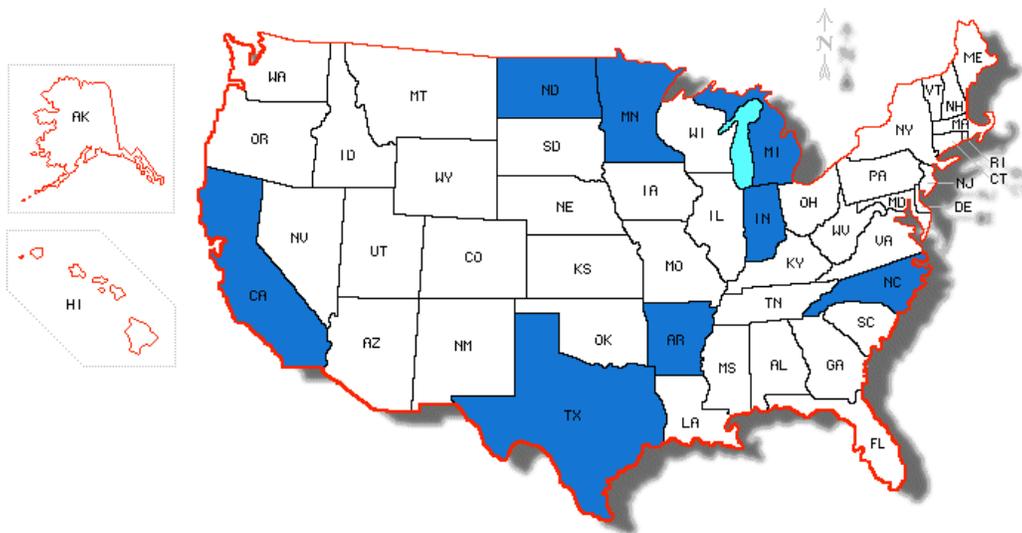


Figure 5: States with constitutions specifically connecting education with democracy that require a specific civics or government course for high school graduation

In addition, no connection appears between state constitutions and social studies requirements in the 35 states that include civics or government in those requirements.

Conclusion

No clear connections between state constitutions and social studies requirements emerged from these 50-state comparisons. The next step was to take a deeper look at selected states in order to explore more fully *how* a state constitution might affect the development of civics curriculum requirements. The next chapter turns to that examination.

Chapter 6: Digging Deeper: How a State Constitution Affects Civics Requirements

Examination of the fifty states' constitutions and high school graduation requirements led me to investigate how constitutions might have affected curriculum requirement choices. By looking more deeply at the processes of developing curricular standards, comparison of selected states might shed further light on possible connections between a state's constitution and its treatment of civics education. This chapter examines the processes of setting standards in two states: Minnesota and Wisconsin.

These states are comparable for a variety of reasons. The two neighboring states were admitted to the union within 10 years of each other: Wisconsin in 1848 and Minnesota in 1858. Their location in the upper Midwest and their names testify to the states' origins as home territories of the native tribes of the Chippewa and Dakota Sioux. Both states share common settlement patterns by those of Nordic and Germanic cultures (Gray, 2013, p. 22). Historically, Wisconsin and Minnesota also share what Elazar (1972) called a "moralistic political culture." In his regional categorization of American political subcultures, both states fell into the designation of dominantly moralistic, in which citizens value the community as being more important than the individual. Although individualism is not shunned, it is less crucial than ensuring the common good through collective political activism. This kind of political culture often results in more broad-based community action than in other types of states (Elazar, 1972, pp. 98-99).

According to public opinion polls, residents of both states respond in similar ways (Phillips, in Gray, et al., 2013, p.441). (See Table 1.)

**Table 1:
Public Opinion Polling on Ideological and Partisan Self-Identification
in Minnesota and Wisconsin**

	Ideological Identification			Partisan Identification		
	Liberal	Moderate	Conservative	Democrat	Independent	Republican
Minnesota	30.9%	31.5	37.6	36.5	33.9	27.2
Wisconsin	28.9	32.5	38.6	34.3	36.0	26.9

(Source: 2008 National Annenberg Election Survey, in in Phillips, in Gray, et al., 2013, p.442).

The United States Election Project at George Mason University reported that Minnesota and Wisconsin had similar percentages of turnout of the voter eligible population (VEP) in 2012: 75% and 73%, respectively (McDonald, 2013).

In addition, the 2010 Census reported that both states spend very similar amounts on public education (Minnesota: \$10,392,420; Wisconsin: \$10,882,451), although these numbers do not indicate how each state prioritizes that funding. The per-pupil expenditures in each state are also close: a 2008 survey from the National Center for Educational Statistics lists Minnesota spending a mean amount of \$12,371 per student and Wisconsin spending \$12,368 per student (Berkman and Plutzer in Gray, 2013, p. 392).

As Chapter 5 indicated, the two states differed in constitutional language regarding education and in high school graduation requirements. Although Minnesota’s constitution clearly connects education to the maintenance of democracy, Wisconsin’s only establishes a state superintendent of public education and directs the legislature to assign the superintendent’s duties. In Wisconsin, the state superintendent is an elected position, while in Minnesota the

commissioner of education is a gubernatorial appointment. To graduate from high school, Minnesota requires 3.5 credits, with one full credit of required government and civics, while Wisconsin requires 3 credits of “social studies” with no specific designation of course requirements.

That these two otherwise similar states had differing constitutional provisions and education requirements prompted a deeper examination of whether and how the two state constitutions may have affected their graduation requirements. This chapter discusses each state’s most recent civic education policy development and any effects the constitutions may have had on those processes.

Minnesota

Minnesota’s constitution clearly states that a functioning democracy depends on a strong public education system:

The stability of a republican form of government depending mainly upon the intelligence of the people, it is the duty of the legislature to establish a general and uniform system of public schools. The legislature shall make such provisions by taxation or otherwise as will secure a thorough and efficient system of public schools throughout the state. (Minn. Const. Art. 13, Sec. 1: Uniform system of public schools).

The state legislature assigns social studies standards for high school students. Minnesota law states that the legislature must commit “to establishing rigorous academic standards for Minnesota’s public school students” (Minn. Stat. § 120B.02(a)). The Commissioner of Education cannot change any standards without legislative approval (Minn. Stat. § 120B.021, subd. 3). As part of the process, the Commissioner is required to consider the advice of parents,

educators and members of the community. The standards that are developed must be “clear, concise, objective, measurable, and grade-level appropriate” (Minn. Stat. § 120B.021, subd. 2(b)). In addition, they must be “consistent with the Constitutions of the United States and the state of Minnesota” (Ibid.). Clearly, the content of the state constitution is expected to play some role in the development of the standards.

During the 2011-2012 school year, Minnesota went through the process of developing new standards for social studies education for the first time since 2004. Minnesota’s process for state agency rulemaking is long established (Minnesota Legislative Reference Library website). The Minnesota Statement of Need and Reasonableness (SONAR), the proposed standards presented to the legislature, noted that the new standards were prompted by the NAEP test that indicated low results for Minnesota students and by a perceived need to meet contemporary skills requirements (SONAR, 2012, p.4). The process concluded at the end of the 2012 calendar year. The Department of Education formed a “Standards Committee” that included educators who are experts in English language learners and special needs education, members of the public, college and university faculty and business leaders (p. 14). The Standards Committee then spent approximately a year reviewing and revising standards based on the latest social science research; it then presented the SONAR to the state legislature. The process also included soliciting comments and suggestions from the general public (pp. 15-16).

This extensive process included a hearing before an administrative law judge (ALJ), which is part of the rulemaking process laid out in the Minnesota Administrative Procedure Act (Neilson, 2013, p.1). The administrative law judge reviews the SONAR and holds a hearing in which lawmakers and the public may comment on proposed rules. The hearing permits public comment to be heard “regarding the impact of the proposed rules and what changes might be

appropriate” (p.1). The ALJ then issues a summary Memorandum, which makes way for the legislature to vote on the proposed rules.

In this case, 25 people requested time to speak at the hearing in order to make comments on the proposed social studies requirements (p. 12). At the public hearing, several state legislators disagreed along partisan lines over the scope of the changes, specifically the realignment of skills meant to match the emerging Common Core State Standards:

State Representatives Kelby Woodard [R-20A] and Sondra Erickson [R-15A] contended that the “rewrite of the current standards goes well beyond making revisions or alignments, but represents not only defining wholly new concepts for students to be taught, but a significant shift in methodology, and thus far exceeds the mandate of the Legislature” (p. 13).

After the public hearing, the Department of Education submitted rebuttals to those statements opposing the proposed rules that the administrative law judge took into account concerning changes in the standards since 2004. These included the “requirement to embed technology and information literacy into the standards,” which accounted for some of the changes to *how* courses would be taught (p. 14); the judge’s findings also included supportive comments from members of the community. Ultimately, the ALJ concluded that “the majority of the comments that were made in opposition to the proposed rules were not focused on individual rule provisions but more broadly on the rules as a whole” (p. 25). In considering the 2011-12 Social Studies standards, the administrative law judge found that “the Department has demonstrated that the proposed academic standards are needed and reasonable, and there are no other problems that preclude their adoption” (Ibid., p. 41). Indeed, one of the first findings of fact in the ruling included the judge’s statement that according to Minnesota statute, “[a]cademic

standards are required to be ... ‘consistent with the Constitutions of the United States and the state of Minnesota’” (Neilson, p.3).

Under the new standards, Minnesota requires students to take a specific course in civics in order to graduate from high school (MN Dept. of Ed.). In justifying this requirement the Standards Committee concluded:

An educated citizenry is necessary to ensure the continuation of a democratic society. Our nation’s fourth president, James Madison, said that “the advancement and diffusion of knowledge ... is the only guardian of true liberty.” We live in a constitutional representative democracy. In other words, we elect fellow citizens to do the work of government, which is limited by the Constitution, and we trust that our elected officials will do their work well. If the nation’s citizens are enlightened, they will know if and when their representatives are not behaving responsibly and ultimately, can vote them in or out of office. An important means for helping students to become enlightened is through their study of civics and government, history, geography and economics (SONAR, p.3).

Although this passage refers broadly to civic participation and underlying civic knowledge, the SONAR statement does not specifically cite Minnesota’s constitutional language. Nonetheless, the first line (“An educated citizenry is necessary to ensure the continuation of a democratic society”) is similar to the Minnesota constitutional language (“The stability of a republican form of government depending mainly upon the intelligence of the people”), reflecting the administrative judge’s finding that the new rules are “consistent with... the constitution of the state of Minnesota” (Neilson, p.3). The process for adopting curriculum requirements in

Minnesota not only requires constitutional consistency, but also highlights a culture of educated civic participation that reflects the language of the state constitution.

Wisconsin

Unlike Minnesota's, Wisconsin's constitution does not refer to democracy or to a right to an education. Instead, it directs the state to establish a superintendent in charge of public instruction and the legislature to assign his or her duties (WI Const., Art. 10, Sec.1). This legislative directive might imply a constitutional recognition of an education right, but neither explicitly guarantees it, nor connects education to the maintenance of democracy. Although no constitutional language connects education to democratic principles, the Wisconsin Department of Public Instruction (DPI) does make that connection on its website for its model Social Studies standards:

In order to ensure our survival as a free nation, students at all grade levels in Wisconsin are required to learn about the principles and ideas upon which the United States is founded and understand the world in which they live (Wisconsin Model Academic Standards for Social Studies Introduction).

Although it does propose model standards, the Wisconsin DPI does not determine graduation requirements. Rather, these are written into state statute, which requires that a student must complete "3 credits of social studies including state and local government" (WI Statutes s.118.33). The DPI includes in its graduation standards a variation on the statute requirements: "Three credits of social studies which incorporate instruction in state and local government" (PI 18.03.2).

There is no distinct state process for establishing graduation requirements outside the general legislative process in Wisconsin (*The Legislative Process in Wisconsin*, 1994). The

relevant Wisconsin statute, passed in 1986, leaves implementation of the graduation requirements to the various school districts, as approved by the Superintendent of Public Instruction (WI Statute 118.33). The DPI does lay out standards for various social studies courses, including “political science” for 12th graders on its Social Studies Performance Standards page on the DPI website. Although standards are curricular guidelines for course curriculum planning; they are not the same as graduation required subject areas.

How Wisconsin districts have applied the general statutory graduation requirement of three social studies credits along with the DPI recommended standards varies. For example, the Burlington Area School District fulfills the state regulation by requiring three year-long courses of Social Studies Foundations, American History and World History, along with a semester financial literacy course (*Burlington High School Course Planning Guide*). There is only one high school in the Burlington district, and it appears from the district website that the high school independently set its standards with the district’s approval. In the larger Milwaukee Public Schools, an administrative code was established for the district’s many different high schools. This code, “Graduation and Promotion Requirements,” last updated in 2010 by the Board of School Directors, requires students to take their three units of social studies in US History, World History (or World Geography), and Urban Citizenship (*Administrative Policy 7.37, Milwaukee Public Schools*).

The variation from district to district allows curriculum decisions to be made at a much more local levels in Wisconsin. Although each district makes decisions differently, they are all guided by the general state graduation requirement of 3 credits in social studies and the DPI’s standard recommendations. Neither Burlington or Milwaukee, however, requires or enforces

completion of any specific course in civics or government, only that curriculum principles be “integrated” into the content of social studies classes (DPI).

Wisconsin recently decided to subscribe to the Common Core State Standards (CCSS) now available to states seeking to align their academic achievement standards with common standards. “Teachers, parents, and community leaders developed the CCSS. Although they are not part of a federal mandate, CCSS provide common academic skills standards that states can use in place of previous non-aligned standards. The CCSS primarily specify English (Reading/Writing) and Math skills levels, which then are meant to be incorporated into other subject areas. Wisconsin issued its CCSS Standards for Literacy in 2011, in which it outlines how basic literacy skills must become part of the general social studies curriculum standards (WI DPI *Common Core State Standards in Literacy in all Subjects*). The newly adopted Common Core Standards affect high school graduation requirements to the extent that they are now the achievement levels required on state standardized exams. Because the CCSS do not specifically focus on civics knowledge skill levels, their application to the Wisconsin education system will not change any graduation expectations with regard to civics courses.

Comparison and Conclusion

Minnesota and Wisconsin, two states from the same region with similar histories and demographics, have different processes for establishing curricular requirements for high school graduation. Minnesota’s specific requirement of a civics course was developed through a legislatively developed process that included public participation and a requirement that the curriculum rules be consistent with the state constitution. Wisconsin’s statutory graduation requirement is much broader, requiring only that students have three credits of social studies into which some government concepts must be integrated. No connection appears between

Wisconsin's constitution and its establishment of subject requirements for graduating from high school because the specific implementation of the three-credit requirement is left to individual districts.

Each district in Wisconsin manages its curriculum requirements differently. Although Wisconsin has no explicit connection between its constitution and its graduation requirements for civics education, the argument cannot be made that those requirements are out of the reach of a democratic process. Indeed, one might contend that allowing the process to devolve to the local level better reflects democratic values than insisting on state uniformity. Each state's different approach to curriculum requirements indicates that the state with a more explicit education mandate in its constitution (Minnesota) has more specific and rigorous civics education graduation requirements. But that does not preclude an individual school district in Wisconsin from implementing the same or more rigorous civics requirements. Whether or not such a policy reflects a constitutional assertion that strong civics education protects democracy, the states suggest different examples of those values in action.

Chapter 7: Conclusions and Implications for Civic Education and Participation

My purpose in pursuing this research was to highlight any possible connection between constitutional language linking education to maintaining a representative democracy and a state's requirements for civics education. This discussion began with a nationwide examination of state constitutional language on education and state high school graduation requirements for civics education. A broader look at other areas of research on education as a right and civics education in particular included available scholarly treatment of these topics as well as an examination of how education policy has been treated by the federal and state courts, Congress, and presidential administrations. Much of the tension in the education policy conversation exists because federal mandates often burden states with requirements that require resources above and beyond what the states are able or prepared to provide.

Whether and how a state's constitution might affect its civics education policy was examined with a deeper look into two states' processes for setting education requirements. Both the broader research and the specific analyses of Minnesota and Wisconsin were designed to add to the conversation about civics education standards. The results of this study were not conclusive about the existence of any causal connection between state constitutions and graduation requirements. Nor did the evidence indicate that because a state's constitution does not explicitly guarantee a right to an education or connect education to the maintenance of democracy that the state does not guarantee a free and public education to its residents. Indeed, every state does provide such an education system, though each state sets different budgetary priorities and academic standards.

Further research in this area might include a deeper examination of how each state education department arrives at guidelines for graduation requirements and what if any impact its

state constitution has on that process. Whether and how the broad adoption of the Common Core State Standards across the country may affect civics education requirements might be a future addition to this discussion as well. Additionally, further research might contribute to the growing discussion about whether or how civics education may affect later civic participation, an important aspect of maintaining representative democracy.

Benjamin Rush (1786) argued that educating young citizens would directly impact the survival of the republic:

While we inculcate these republican duties upon our pupil, we must not neglect, at the same time, to inspire him with republican principles. He must be taught that there can be no durable liberty but in a republic, and that government, like all other sciences, is of a progressive nature (in Greene, 1975, p. 583).

How the United States establishes its civics education policy and whether the standards are consistent and adequately funded for all students could have an impact on the future participation of citizens charged with maintaining this democracy.

Contemporary arguments stress the importance of a nationally standardized curriculum based on the perceived need to be globally competitive (Rebell, 2012, p. 49). Yet, in order to accomplish this goal, education arguably needs to be recognized as a basic national right (p. 50). One suggestion is to include this right explicitly in the re-authorization of ESEA/NCLB, avoiding the difficulty of amending the Constitution itself:

For the national policy of substantially narrowing achievement gaps to succeed, all students from impoverished backgrounds in all states must be provided meaningful access to comprehensive services. Congress, therefore, needs to reassert its historical role as the guarantor of educational equity by requiring the

states to offer students the full range of comprehensive services necessary to provide them a meaningful educational opportunity. (p. 75)

A related argument is that the lack of continuity in state standards creates districts where children receive lesser education (Murphy, 2012, p. 213). In this view, the federal government could take an active role in nationalized curriculum using the Commerce Clause and stressing global competition interests (Murphy, p. 216).

Such contentions focus mostly on general education policy. An emphasis on civics education transforms the conversation into a discussion of the United States' own democratic goals. Because society does not stop advancing, a common cultural and historical literacy is invaluable to a country's collective knowledge (Murphy, p. 219). It is quite possible that although education is not explicitly mentioned in the Constitution, some primary founders did expect the national government to play a significant role. John Adams wrote that it was crucial to "spread the opportunities and advantages of education in the various parts of the country," and that the "whole people must take upon themselves the education of the whole people and must be willing to bear the expenses of it" (quoted in Murphy, p. 230).

Hess (2009) maintains that civics education, which includes engagement with controversial political issues, is crucial to the health of a democracy because "it makes people more politically tolerant and it causes them to learn more about important issues" (p. 12). This idea contemplates civics education as essential for political knowledge because it imparts a basic constitutional foundation for understanding other complexities of how the government works. Currently, the systems of accountability put in place by NCLB and "Race to the Top," with their focus on math and reading, do not include civics education (Johanek and Puckett, 2005). Parker (2005) argues that "democratic education is not a neutral project, but one that tries to pre-dispose

citizens to principled reasoning and just ways of being with one another” (p. xvii). In other words, educating for democracy may be a significant way to affect civic participation.

Specific curriculum needs to be studied in order to determine whether and how standards might impact political efficacy. Dalton (2009) argues that robust American participation may not necessarily rely on specific curricular experience, but may reflect higher levels of education generally (p. 183). An educated electorate does appear to be a key factor in increasing levels of citizenship participation, including volunteering and being politically aware (173). This would seem to add to the argument that an explicit right to education is key to maintaining democracy. Further research into this area might include more extensive studies of graduates of U.S. public schools and their civic participation beliefs and habits. In addition, studies comparing countries with similar political systems but different constitutional treatments of education might lead to more focused examination of the possible democratic benefits of an explicit education right.

Dewey (1916) argued at the beginning of the 20th century that if citizens are not exposed to basic civics education and thus are unable to understand, appreciate and then act on principles of democracy and a representative republic, then the essence of this form of government is in peril (p. 280). That many states do not provide thorough civics education requirements (possibly because of lack of resources or because more focus is placed on curriculum areas subject to high stakes standardized tests) suggests that inconsistency in, and an overall lack of discussion about, education standards will continue. Without an explicit Constitutional motivation to set such standards, it appears the status quo will remain into the foreseeable future.

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WI Constitution. Retrieved from <http://legis.wisconsin.gov/rsb/2wiscon.html>

	http://www.maine.gov/legis/const/		Legislature are authorized, and it shall be their duty to require, the several towns to make suitable provision, at their own expense, for the support and maintenance of public schools
5	<p style="text-align: center;">Massachusetts</p> <p style="text-align: center;">Cite: http://www.malegislature.gov/Laws/Constitution/</p>	Chapter V Section 2	<p>Chapter V, Section II.</p> <p>The Encouragement of Literature, etc.</p> <p>Wisdom, and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties; and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of legislatures and magistrates, in all future periods of this commonwealth, to cherish the interests of literature and the sciences, and all seminaries of them; especially the university at Cambridge, public schools and grammar schools in the towns; to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and a natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings; sincerity, good humor, and all social affections, and generous sentiments among the people.</p>
6	<p style="text-align: center;">Michigan</p> <p style="text-align: center;">Cite: http://www.legislature.mi.gov/%28S%28saqspb2ahrsukhz5vjjedqji%29%29/mileg.aspx?page=GetObject&objectname=mcl-Constitution</p>	Article 8	<p>1 Encouragement of education.</p> <p>Sec. 1. Religion, morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged.</p> <p>Sec. 2. The legislature shall maintain and support a system of free public elementary and secondary schools as defined by law. Every school district shall provide for the education of its pupils without discrimination as to religion, creed, race, color or national origin.</p>
7	<p style="text-align: center;">Minnesota</p> <p style="text-align: center;">Cite: https://www.revisor.leg.state.mn.us/constitution/</p>	Article 13	<p>Section 1. Uniform system of public schools.</p> <p>The stability of a republican form of government depending mainly upon the intelligence of the people, it is the duty of the legislature to establish a general and uniform system of public schools. The legislature shall make such provisions by taxation or otherwise as will secure a thorough and efficient system of public schools throughout the state.</p>
8	<p style="text-align: center;">Missouri</p> <p style="text-align: center;">Cite: http://www.moga.mo.gov/const/moco</p>	Article 9	<p>Section 1(a). A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the general assembly shall establish and maintain free public schools for the gratuitous instruction of all persons in this state within ages not in excess of twenty-one years as prescribed by</p>

	nstrn.htm		law.
9	<p style="text-align: center;">New Hampshire</p> <p style="text-align: center;">Cite: http://www.nh.gov/constitution/constitution.html</p>	Article 83	<p>Knowledge and learning, generally diffused through a community, being essential to the preservation of a free government; and spreading the opportunities and advantages of education through the various parts of the country, being highly conducive to promote this end; it shall be the duty of the legislators and magistrates, in all future periods of this government, to cherish the interest of literature and the sciences, and all seminaries and public schools, to encourage private and public institutions, rewards, and immunities for the promotion of agriculture, arts, sciences, commerce, trades, manufactures, and natural history of the country; to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and economy, honesty and punctuality, sincerity, sobriety, and all social affections, and generous sentiments, among the people</p>
10	<p style="text-align: center;">North Carolina</p> <p style="text-align: center;">Cite: http://www.pacode.com/secure/data/022/chapter4/s4.24.html</p>	Article 9	<p>Section 1. Education encouraged. Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools, libraries, and the means of education shall forever be encouraged.</p> <p>Sec. 2. Uniform system of schools. (1) General and uniform system: term. The General Assembly shall provide by taxation and otherwise for a general and uniform system of free public schools, which shall be maintained at least nine months in every year, and wherein equal opportunities shall be provided for all students.</p>
11	<p style="text-align: center;">North Dakota</p> <p style="text-align: center;">Cite: http://www.legis.nd.gov/information/statutes/const-laws.html</p>	Article 8	<p>Section 1. A high degree of intelligence, patriotism, integrity and morality on the part of every voter in a government by the people being necessary in order to insure the continuance of that government and the prosperity and happiness of the people, the legislative assembly shall make provision for the establishment and maintenance of a system of public schools which shall be open to all children of the state of North Dakota and free from sectarian control. This legislative requirement shall be irrevocable without the consent of the United States and the people of North Dakota.</p>
12	<p style="text-align: center;">Rhode Island</p> <p style="text-align: center;">Cite: http://www.rilin.state.ri.us/RiConstitution/</p>	Article XII	<p>Section 1. Duty of general assembly to promote schools and libraries. -- The diffusion of knowledge, as well as of virtue among the people, being essential to the preservation of their rights and liberties, it shall be the duty of the general assembly to promote public schools and public libraries, and to adopt all means which it may deem necessary and proper to secure to the people the advantages and opportunities of education and public library services.</p>

13	<p style="text-align: center;">South Dakota</p> <p style="text-align: center;">Cite: http://legis.state.sd.us/statutes/Constitution.aspx</p>	Article 8	<p>§ 1. Uniform system of free public schools. The stability of a republican form of government depending on the morality and intelligence of the people, it shall be the duty of the Legislature to establish and maintain a general and uniform system of public schools wherein tuition shall be without charge, and equally open to all; and to adopt all suitable means to secure to the people the advantages and opportunities of education.</p>
14	<p style="text-align: center;">Texas</p> <p style="text-align: center;">Cite: http://tarlton.law.utexas.edu/constitutions/text/1876index.html</p>	Article 7	<p>SECTION 1. A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, it shall be the duty of the Legislature of the State to establish and make suitable provision for the support and maintenance of an efficient system of public free schools.</p>

APPENDIX B

State Constitutions with Education Language Unassociated With Maintenance of Democracy

State	Article/ Section	Language Regarding Education
Alabama Cite: http://alisondb.legislature.state.al.us/acas/ACASLoginFire.asp	Art. 5, Sec. 114 Art. 14, Sec. 256 Amendment 111	Lists “Superintendent of Education” as Constitutional office “Duty of legislature to establish and maintain public school system; apportionment of public school fund; separate schools for white and colored children.” It is the policy of the state of Alabama to foster and promote the education of its citizens in a manner and extent consistent with its available resources, and the willingness and ability of the individual student, but nothing in this Constitution shall be construed as creating or recognizing any right to education or training at public expense , nor as limiting the authority and duty of the legislature, in furthering or providing for education, to require or impose conditions or procedures deemed necessary to the preservation of peace and order.
Alaska Cite: http://www.legis.state.ak.us/basis/folioiproxy.asp?url=http://www.jnu01.legis.state.ak.us/cgi-bin/folioisa.dll/acontxt/query=*doc/{@81}?next	Art. 7 Section 7.1	The legislature shall by general law establish and maintain a system of public schools open to all children of the State, and may provide for other public educational institutions. Schools and institutions so established shall be free from sectarian control. No money shall be paid from public funds for the direct benefit of any religious or other private educational institution.
Arizona Cite: http://www.azleg.gov/Constitution.asp	Art. 11, S. 1	Section 1. A. The legislature shall enact such laws as shall provide for the establishment and maintenance of a general and uniform public school system, which system shall include: <ol style="list-style-type: none"> 1. Kindergarten schools. 2. Common schools. 3. High schools. 4. Normal schools. 5. Industrial schools. 6. Universities, which shall include an agricultural college, a school of mines, and such other technical schools as may be essential, until such time as it may be deemed advisable to establish separate state institutions of such character. B. The legislature shall also enact such laws as shall provide for the education and care of pupils who are hearing and vision impaired.
	Article 9	The general assembly shall, as soon as practicable, provide for the establishment and maintenance of a thorough and uniform system of free

<p>Colorado</p> <p>Cite: http://www.lexisnexis.com/hottopics/colorado/</p>		<p>public schools throughout the state, wherein all residents of the state, between the ages of six and twenty-one years, may be educated gratuitously. One or more public schools shall be maintained in each school district within the state, at least three months in each year; any school district failing to have such school shall not be entitled to receive any portion of the school fund for that year.</p>
<p>Connecticut</p> <p>Cite: http://www.cslib.org/constitutionalamends/constitution.htm</p>	<p>“Article Eight – Of Education”</p>	<p>SEC. 1. There shall always be free public elementary and secondary schools in the state. The general assembly shall implement this principle by appropriate legislation.</p>
<p>Delaware</p> <p>Cite: http://www.state.de.us/facts/constit/welcome.htm</p>	<p>Article 10: Education</p>	<p>Section 1. The General Assembly shall provide for the establishment and maintenance of a general and efficient system of free public schools, and may require by law that every child, not physically or mentally disabled, shall attend the public school, unless educated by other means.</p>
<p>Louisiana</p> <p>Cite: http://senate.legis.state.la.us/documents/constitution/</p>	<p>Article 8: Education</p>	<p>Section 1. The legislature shall provide for the education of the people of the state and shall establish and maintain a public educational system.</p>
<p>Florida</p> <p>Cite: http://www.leg.state.fl.us/statutes/index.cfm?mode=constitution&submenu=3</p>	<p>Article 9 Education</p>	<p>SECTION 1. Public education.— (a) The education of children is a fundamental value of the people of the State of Florida. It is, therefore, a paramount duty of the state to make adequate provision for the education of all children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education and for the establishment, maintenance, and operation of institutions of higher learning and other public education programs that the needs of the people may require. (goes on to limit classroom size to enable equity)</p>
<p>Georgia</p> <p>Cite: http://sos.georgia.gov/elections/constitution.htm</p>	<p>Article 8 Education</p>	<p>Paragraph I. Public education; free public education prior to college or postsecondary level; support by taxation . The provision of an adequate public education for the citizens shall be a primary obligation of the State of Georgia. Public education for the citizens prior to the college or postsecondary level shall be free and shall be provided for by taxation. The expense of other public education shall be provided for in such manner and in such amount as may be provided by law</p>
<p>Hawaii</p> <p>Cite: http://hawaii.gov/lrb/con/</p>	<p>Article 10 Education</p>	<p>Section 1. The State shall provide for the establishment, support and control of a statewide system of public schools free from sectarian control, a state university, public libraries and such other educational institutions as may be deemed desirable, including physical facilities therefor.</p>

<p>Idaho</p> <p>Cite: http://legislature.idaho.gov/idstat/IC/Title003.htm</p>	<p>Article 9 Education and School Lands</p>	<p>Section 1. Legislature to establish system of free schools. The stability of a republican form of government depending mainly upon the intelligence of the people, it shall be the duty of the legislature of Idaho, to establish and maintain a general, uniform and thorough system of public, free common schools.</p>
<p>Illinois</p> <p>Cite: http://www.ilga.gov/committees/lrb/conmain.htm</p>	<p>Article 10 Education</p>	<p>SECTION 1. GOAL - FREE SCHOOLS A fundamental goal of the People of the State is the educational development of all persons to the limits of their capacities. The State shall provide for an efficient system of high quality public educational institutions and services. Education in public schools through the secondary level shall be free. There may be such other free education as the General Assembly provides by law. The State has the primary responsibility for financing the system of public education.</p>
<p>Iowa</p> <p>Cite: http://search.legis.state.ia.us/NXT/gateway.dll/ic/1/2/11?f=templates\$fn=document-frame.htm\$3.0\$g=\$uq=1\$х=\$up=1</p>	<p>Article 9 Education and School Lands</p>	<p>All of the language has been omitted in the codified version of the constitution. There is no constitutional language on education.</p>
<p>Kansas</p> <p>Cite: http://www.kslib.info/government-information/kansas-information/kansas-constitution.html</p>	<p>Article 6 Education</p>	<p>1: Schools and related institutions and activities. The legislature shall provide for intellectual, educational, vocational and scientific improvement by establishing and maintaining public schools, educational institutions and related activities which may be organized and changed in such manner as may be provided by law.</p>
<p>Kentucky</p> <p>Cite: http://www.lrc.ky.gov/legresou/constitu/intro.htm</p>	<p>Part 2</p>	<p>(Section 183) The General Assembly shall, by appropriate legislation, provide for an efficient system of common schools throughout the State.</p>
<p>Louisiana</p> <p>Cite: http://senate.legis.state.la.</p>	<p>Article 8:</p>	<p>Section 1. The legislature shall provide for the education of the people of the state and shall establish and maintain a public educational system.</p>

us/documents/constitution/		
<p>Maryland</p> <p>Cite: http://www.msa.md.gov/msa/mdmanual/43const/html/const.html</p>	Article 8:	SECTION 1. The General Assembly, at its First Session after the adoption of this Constitution, shall by Law establish throughout the State a thorough and efficient System of Free Public Schools; and shall provide by taxation, or otherwise, for their maintenance.
<p>Mississippi</p> <p>Cite: http://www.mscode.com/msconst/</p>	Article 8	Section 201 Free public schools. The Legislature shall, by general law, provide for the establishment, maintenance and support of free public schools upon such conditions and limitations as the Legislature may prescribe.
<p>Montana</p> <p>Cite: http://data.opi.mt.gov/bills/mca_toc/Constitution.htm</p>	Article 10	Section 1. Educational goals and duties. (1) It is the goal of the people to establish a system of education which will develop the full educational potential of each person. Equality of educational opportunity is guaranteed to each person of the state. (2) The state recognizes the distinct and unique cultural heritage of the American Indians and is committed in its educational goals to the preservation of their cultural integrity. (3) The legislature shall provide a basic system of free quality public elementary and secondary schools.
<p>Nebraska</p> <p>Cite: http://nebraskalegislature.gov/laws/browse-constitution.php</p>	Article 7	1. Free instruction In the context of student discipline cases, no fundamental right to education exists in Nebraska. The term "free instruction" is construed in right to education cases as pertinent to the issue of the constitutionality of school financing, including collection of fees, tuition, and taxes. Kolesnick v. Omaha Pub. Sch. Dist., 251 Neb. 575, 558 N.W.2d 807 (1997). Parents of school children occupying federal farmstead project are residents of public school district in which such lands are situated, and such children are entitled to common school privileges without payment of tuition.
<p>Nevada</p> <p>Cite: http://leg.state.nv.us/Const/NVConst.html</p>	Article 11	Section 1. Legislature to encourage education; appointment, term and duties of superintendent of public instruction. The legislature shall encourage by all suitable means the promotion of intellectual, literary, scientific, mining, mechanical, agricultural, and moral improvements, and also provide for a superintendent of public instruction and by law prescribe the manner of appointment, term of office and the duties thereof.
<p>New Jersey</p> <p>Cite: http://www.njleg.state.nj.us/lawsconstitution/constitution.asp</p>	Article VIII, Section 4	1. The Legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of all the children in the State between the ages of five and eighteen years. 2. The fund for the support of free public schools, and all money, stock and other property, which may hereafter be appropriated for that purpose, or received into the treasury under the provisions of any law heretofore passed to augment the said fund, shall be securely invested, and remain a perpetual

		fund; and the income thereof
<p>New Mexico</p> <p>Cite: http://ballotpedia.org/wiki/index.php/New_Mexico_Constitution</p>	Article 12	<p>Section 1 - Free Public Schools</p> <p>A uniform system of free public schools sufficient for the education of, and open to, all the children of school age in the state shall be established and maintained.</p>
<p>New York</p> <p>Cite: http://www.dos.ny.gov/info/constitution.htm</p>	Article 11	<p>[Common schools]</p> <p>Section 1. The legislature shall provide for the maintenance and support of a system of free common schools, wherein all the children of this state may be educated. (Formerly §1 of Art. 9. Renumbered by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938.)</p>
<p>Ohio</p> <p>Cite: http://www.legislature.state.oh.us/constitution.cfm/</p>	Article 6	<p>§ 01 Funds for religious and educational purposes</p> <p>The principal of all funds, arising from the sale, or other disposition of lands, or other property, granted or entrusted to this State for educational and religious purposes, shall be used or disposed of in such manner as the General Assembly shall prescribe by law. (Amended, effective July 1, 1968.)</p>
<p>Oklahoma</p> <p>Cite: http://oklegal.onenet.net/okcon/</p>	Article 13	<p>Section XIII-1: Establishment and maintenance of public schools.</p> <p>The Legislature shall establish and maintain a system of free public schools wherein all the children of the State may be educated</p>
<p>Oregon</p> <p>Cite: http://www.leg.state.or.us/orcons/orcons.html</p>	Art. 8 Sec. 3	<p>Section 3. System of common schools. The Legislative Assembly shall provide by law for the establishment of a uniform, and general system of Common schools.</p>
<p>Pennsylvania</p> <p>Cite: http://www.legis.state.pa.us/wu01/vc/visitor_info/creating/constitution.htm</p>	Article 3 Sec. 14	<p>The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth.</p>
<p>South Carolina</p>	Article 11	<p>SECTION 1. State Board of Education.</p>

<p>Cite: http://www.scstatehouse.gov/scconstitution/sconstitut.php</p>		<p>There shall be a State Board of Education composed of one member from each of the judicial circuits of the State. The members shall be elected by the legislative delegations of the several counties within each circuit for terms and with such powers and duties as may be provided by law and shall be rotated among the several counties. One additional member shall be appointed by the Governor. The members of the Board shall serve such terms and the Board shall have such powers and duties as the General Assembly shall specify by law. (1972 (57) 3193; 1973 (58) 44.)</p>
<p>Tennessee</p> <p>Cite:</p>	<p>Article XI</p>	<p>§ 12. Education; public schools; higher education The State of Tennessee recognizes the inherent value of education and encourages its support. The General Assembly shall provide for the maintenance, support and eligibility standards of a system of free public schools. The General Assembly may establish and support such postsecondary educational institutions, including public institutions of higher learning, as it determines.</p>
<p>Utah</p> <p>Cite: http://www.le.state.ut.us/~code/const/const.htm</p>	<p>Article 10</p>	<p>Article X, Section 1. [Free nonsectarian schools.] The Legislature shall provide for the establishment and maintenance of the state's education systems including: (a) a public education system, which shall be open to all children of the state; and (b) a higher education system. Both systems shall be free from sectarian control.</p>
<p>Vermont</p> <p>Cite: http://www.leg.state.vt.us/statutes/const2.htm</p>	<p>No separate article</p>	<p>§ 68. [LAWS TO ENCOURAGE VIRTUE AND PREVENT VICE; SCHOOLS; RELIGIOUS ACTIVITIES] Laws for the encouragement of virtue and prevention of vice and immorality ought to be constantly kept in force, and duly executed; and a competent number of schools ought to be maintained in each town unless the general assembly permits other provisions for the convenient instruction of youth</p>
<p>Virginia</p> <p>Cite: http://legis.virginia.gov/Laws/search/constitution.htm</p>	<p>Article 8 Education</p>	<p>Section 1. Public schools of high quality to be maintained. The General Assembly shall provide for a system of free public elementary and secondary schools for all children of school age throughout the Commonwealth, and shall seek to ensure that an educational program of high quality is established and continually maintained.</p>
<p>Washington</p> <p>Cite: http://www.leg.wa.gov/lawsandagencyrules/pages/constitution.aspx</p>	<p>Article 9</p>	<p>SECTION 1 PREAMBLE. It is the paramount duty of the state to make ample provision for the education of all children residing within its borders, without distinction or preference on account of race, color, caste, or sex.</p> <p>SECTION 2 PUBLIC SCHOOL SYSTEM. The legislature shall provide for a general and uniform system of public schools.</p>
<p>West Virginia</p> <p>Cite:</p>	<p>Article 12</p>	<p>12-1. Education. The Legislature shall provide, by general law, for a thorough and efficient system of free schools.</p>

http://www.legis.state.wv.us/WVCODE/WV_CON.cfm		
<p style="text-align: center;">Wisconsin</p> <p style="text-align: center;">Cite: http://legis.wisconsin.gov/rsb/2wiscon.html </p>	<p style="text-align: center;">Article 10</p>	<p>Superintendent of public instruction. Section 1. [As amended Nov. 1902 and Nov. 1982] The supervision of public instruction shall be vested in a state superintendent and such other officers as the legislature shall direct; and their qualifications, powers, duties and compensation shall be prescribed by law. The state superintendent shall be chosen by the qualified electors of the state at the same time and in the same manner as members of the supreme court, and shall hold office for 4 years from the succeeding first Monday in July. The term of office, time and manner of electing or appointing all other officers of supervision of public instruction shall be fixed by law.</p>
<p style="text-align: center;">Wyoming</p> <p style="text-align: center;">Cite: http://legisweb.state.wy.us/statutes/constitution.aspx?file=titles/title97/title97.htm </p>	<p style="text-align: center;">Article 7, Section 1.</p>	<p>The legislature shall provide for the establishment and maintenance of a complete and uniform system of public instruction, embracing free elementary schools of every needed kind and grade, a university with such technical and professional departments as the public good may require and the means of the state allow, and such other institutions as may be necessary.</p>

APPENDIX C

State Civics Graduation Requirements

State	Graduation (Social Studies) civics requirement	Requirement website
Alabama	Alabama High School Diploma: requires 4 credits in Social Studies, one credit per year. "All four required credits in Social Studies shall comply with the current Alabama Course of Study." (Ala. Admin. Code r. 290-3-1-.02(08))	http://alex.state.al.us/standardAll.php?ccode=ECN&subject=T1&summary=3
Alaska	<p>"three units in social studies (including one-half credit in Alaska history)"</p> <p>Beginning January 1, 2009, the three units of social studies must include "one-half unit of credit in Alaska history or demonstration that the student meets the Alaska history performance standards." (4 AAC 06.075)</p> <p>Standards include geography, government and history, but are not listed as graduation requirements.</p>	http://www.eed.state.ak.us/faq.html#top
Arizona	<p>Three credits in social studies to include the following:</p> <ul style="list-style-type: none"> i. One credit of American history, including Arizona history; ii. One credit of world history/geography. iii. One-half credit of American government, including Arizona government; and iv. One-half credit of economics. 	http://www.azed.gov/standards-practices/academic-standards/social-studies/
Arkansas	Social Studies - 3 units, including: World History - 1 unit US History - 1 unit Civics or Government - 1/2 unit	http://www.homeedonline.com/po-phsgrad.html
California	Three years of history/social studies, including one year of U.S. history and geography; one year of world history, culture, and geography; one semester of American government and civics, and one semester of economics.	http://www.cde.ca.gov/ci/gS/hs/hsgrtable.asp
Colorado	No state diploma required in California – each district awards diplomas	
Connecticut	Social Studies - 3 Credits (American History, International/World Studies, 1/2 Credit Civics, 1/2 Credit Social Studies Elective)	http://www.sde.ct.gov/sde/cwp/view.asp?a=2702&Q=322264
Delaware	<p>3 Credits in SS:</p> <p>"Social Studies" means those components of civics, economics, geography, and history that are included the State Content Standards for high school social studies as required in 14 DE Admin. Code 501 either through integrated courses or in course titles such as United States History, World History, Geography,</p>	http://regulations.delaware.gov/AdminCode/title14/500/505.shtml#TopOfPage

	Economics, and Civics. 14 DE ADMIN CODE 501: 4.1.4 “The student shall complete a U. S. History course as one of the Social Studies credits”	
Florida	1 credit World History 1 credit United States History .5 credit United States Government .5 credit Economics	http://www.fldoe.org/bii/studentpr/o/grad-require.asp
Georgia	“social studies: 3 credits”	http://secure.gacollege411.org/High_School_Planning/Georgia_Graduation_Requirements.aspx
Hawaii	4.0 credits including Modern History of Hawaii (0.5 credit) and Participation in a Democracy (0.5 credit) or *newly-developed proficiency based equivalents	http://graduation.k12.hi.us/
Idaho	Social Studies (US History, Economics and American Government) – 5 credits (2 ½ yrs)	http://www.sde.idaho.gov/site/hs_grad_requirements/
Illinois	2 years of social studies, of which at least one year must be the history of the United States or a combination of the history of the United States and American government;	http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CFcQFjAA&url=http%3A%2F%2Fwww.isbe.net%2Fnews%2Fpdf%2Fgrad_require.pdf&ei=bfkGULTrN8SkrQH4q8y5CA&usg=AFQjCNGYNlsvNINu90HQnIMP3OT_sTZA
Indiana	Social Studies: 4 credits 2 credits: U.S. History 1 credit: U.S. Government 1 credit: Any social studies course	http://www.doe.in.gov/achievement/curriculum/indianas-diploma-requirements
Iowa	A "Local Control" State While local districts are governed by state and federal laws that set broad parameters regarding coursework requirements, assessments, and teacher qualifications, each has its own locally elected board of directors that sets specific policy, defines academic requirements and approves the local budget.	http://educateiowa.gov/index.php?option=com_docman&task=catview&gid=113&Itemid=55
Kansas	Three credits of history/government (must include US and World History, US Government, economics, geography and Kansas government and history)	http://diplomaguide.com/articles/Earning_Your_High_School_Diploma_-_Kansas.html
Kentucky	Social Studies: 3 Credits to include the content strands of historical perspective, including U.S. History, Geography, Economics, Government and Civics, and Cultures and Societies.	http://www.education.ky.gov/kde/instructional+resources/high+school/refocusing+secondary/high+school+graduation+requirements.htm
Louisiana		

	<p>4 Units:</p> <ul style="list-style-type: none"> • Civics (1 unit) or 1/2 unit of Civics and 1/2 unit of Free Enterprise. Note: Students entering the ninth grade in 2011-2012 and beyond must have one unit of Civics • U.S. History • World History, World Geography, Western Civilization, or AP European History • World History, World Geography, Western Civilization, AP European History, Civics (second semester - 1/2 credit), Law Studies, Psychology, Sociology, or African-American Studies* 	http://www.doe.state.la.us/topics/grad_reqs.html
Maine	<p>Social studies and history, including American history , government and civics--2 years;</p>	http://www.mainelegislature.org/legis/statutes/20-a/title20-asec4722.html
Maryland	<p>3 credits 1 in U.S. history 1 in world history 1 in local, state, national government</p>	http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CGEQFjAB&url=http%3A%2F%2Fwww.bcps.org%2Foffices%2Faccountability_research_testing%2Fpdf%2Fgrad_requirements20091.pdf&ei=Eg0HUPuZD8e5rQGV09ziCA&usg=AFQjCNHJPf7XorRsA6tP6Vrppy6a226TPw
Massachusetts	<p>“three years of history”</p> <p>Most requirements center around the state testing standards</p>	http://www.doe.mass.edu/mcas/gr/duation.html
Michigan	<p>Social Studies – 3 credits .5 credit in Civics U.S. History and Geography .5 credit in Economics World History and Geography</p>	http://www.michigan.gov/mde/0,1607,7-140-38924---,00.html
Minnesota	<p>3.5 credits Social Studies must include courses in: 1) Citizenship and Government (Civics); 2) Economics; 3) Geography; and 4) History (state, U.S. and world).</p>	http://www.getreadyforcollege.org/gpgg.cfm?pageid=1836
Mississippi	<p>Social Studies: 4 credits</p> <p>1 World History 1 U.S. History ••• Geography ••• U.S. Government ••• Economics ••• Mississippi Studies</p>	http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CE8QFjAA&url=http%3A%2F%2Fgearupms.org%2Fdocs%2FGraduationRequirements.pdf&ei=QxMHUOPkJcHTqgHCm neCA&usg=AFQjCNESMNaKFsFRCgTsPdJGnWl8HmrOuA
Missouri	<p>Social Studies: 3 credits (no definition)</p>	http://dese.mo.gov/divimprove/sia/gradindex.htm

Montana	2 units of social studies (no definition)	http://www.mtrules.org/gateway/ruleno.asp?RN=10.55.905
Nebraska	Nebraska allows local school districts to determine graduation requirements for its students, Forty instructional units (10 units = 1 year) are required in the social sciences explains the DOE. These courses may include world and American history, economics, geography, government and civics classes. School districts may also choose to offer courses in areas such as anthropology or psychology as well.	http://journalstar.com/news/local/education/article_6a43042e-012f-11df-b359-001cc4c002e0.html
Nevada	Three credits of social studies, including American Government, American History, and World History or Geography	http://www.doe.nv.gov/Resources_GradRequirements.htm
New Hampshire	US and NH history 1 credit US and NH Government / civics 1/2 credit Economics 1/2 credit World history, global studies, or geography 1/2 credit	http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CGkQFjAA&url=http%3A%2F%2Fwww.education.nh.gov%2Fstandards%2Fdocuments%2Fadvisory6.pdf&ei=0SgHUIjCNG1fYRQGEE8_ySDau8Z4YpeNIMZUQ
New Jersey	Social Studies -- 15 credits including histories and integrated civics, economics, geography, and global content (3 years)	http://www.state.nj.us/education/news/2009/0220req.htm
New Mexico	three units in social science, which shall include United States history and geography, world history and geography and government and economics;	http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CGUQFjAA&url=http%3A%2F%2Fsde.state.nm.us%2Fpress%2F2008%2Faugust%2FgradRequirementsNM.pdf&ei=-ywHUNm7OIi3qAH9nb3aCA&usg=AFQjCNGk5Nk-qzIpdKYtJGNZ-uqs-JVU0A
New York	(credits = 1 per semester) Social Studies 8 credits total: Global History 4 U.S. History 2 Economics 1 Participation in Government 1	http://schools.nyc.gov/RulesPolicies/GraduationRequirements/default.htm
North Carolina	4 Credits Civics and Economics, World History, American History I: Founding Principles and American History II OR AP US History**, additional social studies course**	http://www.ncpublicschools.org/curriculum/graduation/

North Dakota	3 units of social studies, including: 1 unit US history 1/2 unit US government and 1/2 unit economics; <i>or</i> 1 unit of problems of democracy; and 1 unit (or two half units) of any other social studies which may include: civics, civilization, geography and history, multicultural studies, ND studies, psychology, sociology, and world history;	http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CGUQFjAA&url=http%3A%2F%2Fwww.nd.gov%2Fcte%2Fprograms%2Fcareer-dev%2Fdocs%2FND_HS_GraduationRequirements.pdf&ei=7DUHULb3AYbArQGf-dnjCA&usg=AFQjCNG1TbmQR4F-jdyy80KWCL00TJ6e6g
Ohio	3 units (not specified)	http://www.ohiohighschools.org/custom5.php
Oklahoma	3 Units History and Citizenship Skills including one unit of American History, one-half unit of Oklahoma History, one-half unit of United States Government and one unit from the subjects of History, Government, Geography, Economics, Civics, or non-Western culture and approved for college admission requirements;	http://ok.gov/sde/oklahoma-high-school-graduation-requirements
Oregon	To earn a diploma, students must earn three (3) credits in Social Science, which includes history, civics, geography, and economics (including personal finance).	Oregon State Dept of Ed: http://www.ode.state.or.us/search/page/?id=1808
Pennsylvania	Three years Social Studies (including US and World History and civics)	http://www.pacode.com/secure/data/022/chapter4/s4.24.html
Rhode Island	three years of history or social studies: determined at school level	http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CG4QFjAA&url=http%3A%2F%2Fwww.aypf.org%2Fdocuments%2FHSDiplomaPDF.pdf&ei=yTgHUIWKLSjjqG-x-jKCA&usg=AFQjCNEBtZkreKMN_uDWrQGF_5fNGw4CfQ
South Carolina	U.S. History and Constitution 1.0 Economics 0.5 U.S. Government 0.5 other social studies course(s) 1.0	http://teachers.greenville.k12.sc.us/sites/sbeaver/Pages/South%20Carolina%20High%20School%20Graduation%20Requirements.aspx
South Dakota	Three units of Social Studies – must include: a. U.S. History – 1 unit b. U.S. Government – .5 unit c. World History – .5 unit d. Geography – .5 unit	http://doe.sd.gov/octe/gradrequirements.aspx
Tennessee	Social Studies: 3 Credits (not specified)	http://www.tn.gov/education/gradreq.shtml
Texas		

	<p>Social studies--three credits. Two of the credits must consist of United States History Studies Since 1877 (one credit), United States Government (one-half credit), and Economics with Emphasis on the Free Enterprise System and Its Benefits (one-half credit). The final credit may be selected from the following courses:</p> <p>(A) World History Studies; and (B) World Geography Studies.</p>	http://ritter.tea.state.tx.us/rules/tac/chapter074/ch074g.html
Utah	<p>Social Studies (3 Credits)</p> <ul style="list-style-type: none"> • 1 Credit (U.S. History) • 0.5 Credit (Geography) • 0.5 Credit (Civilization) • 0.5 Credit (U.S. Government and Citizenship) • 0.5 Credit (General Financial Literacy) 	http://www.schools.utah.gov/CURR/gradinfo/High-School-Requirements-by-Year.aspx
Vermont	<p>Three years of history, civics, and social sciences (including one year of U.S. history and government)</p>	http://education.vermont.gov/new/html/pubs/framework.html
Virginia	<p>3 credits (years): History and Social Sciences</p> <p>Addition: For students entering the ninth grade for the first time in 2011-2012 and beyond: Courses completed to satisfy this requirement shall include U.S. and Virginia History, U.S. and Virginia Government, and one course in either world history or geography or both.</p>	<p>http://www.doe.virginia.gov/boe/accreditation/index.shtml</p> <p>http://www.doe.virginia.gov/instruction/graduation/standard.shtml#note3</p>
Washington	<p>Social Studies (including U.S. and Washington state history) 2.5 credits</p>	http://www.k12.wa.us/GraduationRequirements/default.aspx
West Virginia	<p>4 credits: World Studies to 1900 United States Studies to 1900 Twentieth and Twenty-First Centuries Studies Civics for the 21st Century</p>	http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CGkQFjAA&url=http%3A%2F%2Fwvde.state.wv.us%2F%2Fcounselors%2Fstudents%2FGraduation-Requirements-2012%2C2013.doc&ei=M0cHUPbNAsjbgGz-PXrCA&usg=AFQjCNGLpu7KhPyfWIIYdDuhA3viUm94Pg
Wisconsin	<p>3 credits of social studies which incorporate instruction in state and local government</p>	http://docs.legis.wisconsin.gov/statutes/statutes/118/33
Wyoming	<p>3 credits Social Studies required: American Government</p>	http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CGUQFjAA&url=http%3A%2F%2Fsoswy.state.wy.us%2F%2FRules%2FRULES%2F5218.pdf&ei=EEkHUKvJCYarqGs86TUCA&usg=AFQjCNFAfPTgQB

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