

From the Field: Law-Related Education as a Branch of Civics Education in the United States

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Introduction

Law-related education is “education to equip nonlawyers with knowledge and skills pertaining to the law, the legal process and the legal system, and the fundamental principles and values on which these are based.”² Law-related education is a branch of civics education although there is overlap between law-related topics and civics topics because both areas include the study of the Bill of Rights, the study of the function of government institutions, and the study of one’s rights with respect to voting, jury duty, etc. Often, the terms law-related education and civics education are used interchangeably. However, there is a trend for law-related education to be associated with violence prevention. In this article, I provide an overview of the origin of law-related education, a discussion of a law-related education program that I developed for K-12³ students, my reflections on implementing the program, key resources that I found during

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² Law-Related Education Act of 1978, Pub. L. No. 95-561, 92 Stat. 2216 (1978) *repealed by* 20 U.S.C. § 3863(a)(1) (1982). <https://perma.cc/G75R-AFKD> and <https://perma.cc/8TAQ-M8R6>

³ In the United States, *K-12* refers to the education of students in grades Kindergarten through twelve before these students enter higher education such as college or university. Generally, elementary school consists of grades Kindergarten through five, middle school consists of grades six through eight, and high school consists of grades nine through twelve. See also Macmillan Dictionary. (n.d.). *K-12*. <https://perma.cc/5D7A-SV6S>

my planning, an overview of state laws that address K-12 law-related and civics education requirements, an analysis of North Carolina's civics education requirement, and an overview of civics education programs outside the K-12 classroom.

Origin of Law-Related Education

The late Isidore Starr, social studies teacher and lawyer, is the father of law-related education in the United States.⁴ In the 1950s and 1960s, he prepared case studies of current U.S. Supreme Court cases for use in the classroom.⁵ While Starr is one of the more well-known people in the field of law-related education, with an American Bar Association award being named in his honor,⁶ there are others who were instrumental in the beginnings of law-related education in the United States. Through the work of Minna Post Peyser, the National Assembly on Teaching the Principles of the Bill of Rights became affiliated with Columbia University and Teachers College.⁷

The 1970s were a particularly innovative time for law-related education.⁸ In 1972, law students founded the Street Law program to teach high school students practical legal principles at Georgetown University Law Center in Washington, DC.⁹ In 1975, West

⁴ Feinstein, S., & Wood, R. (1995). *History of law-related education* at 10. (ED401163). ERIC. <https://perma.cc/KCL2-8VFM>

⁵ *Id.*

⁶ American Bar Association Division for Public Education. (n.d.). *Isidore Starr Award for Excellence in Law-Related Education*. <https://perma.cc/4SZ2-47A9>

⁷ Feinstein & Wood, *supra* note 3 at 12.

⁸ I have prepared a Timeline of Juvenile Law and Related Topics at <https://civicsguide.com/chronology/>.

⁹ Arbetman, L. (2018). Street Law, Inc.: context, history and future. *International Journal of Public Legal Education*, 2(1), <https://perma.cc/P8RH-2E4D>

published the textbook, *Street Law: A Course in Practical Law* for schools across the nation.¹⁰

In 1977, the American Bar Association published the first issue of *Update on Law Related Education*.¹¹ In 1978, Congress passed the Law-Related Education Act of 1978.¹²

Practical Life Lessons

Law-related education programs continue to this day. As a member of the Young Lawyers Division of the North Carolina Bar Association, I was invited to speak to a group of high school students regarding the North Carolina Bar Association publication entitled *Life & Laws 101: Citizenship Rights and Responsibilities Over 18*.¹³ I began thinking about how to present rights and responsibilities concepts to high schoolers and my interest in law-related education continued well after the presentation had concluded. I began saving news articles that dealt with issues of civics education.¹⁴ Later, as part of my course work in the Master of Science in Library Science degree program at the University of North Carolina at Chapel Hill, I designed and completed a service-learning project called

¹⁰ National Street Law Institute & District of Columbia Project on Community Legal Assistance. (1975). *Street law: a course in practical law*. West.

¹¹ The American Bar Association replaced *Update on Law Related Education* with *Insights on Law and Society* in 2000.

¹² Law-Related Education Act of 1978, Pub. L. No. 95-561, 92 Stat. 2216 (1978) *repealed by* 20 U.S.C. § 3863(a)(1) (1982). <https://perma.cc/G75R-AFKD> and <https://perma.cc/8TAQ-M8R6>

¹³ North Carolina Bar Association Young Lawyers Division Civic Education Outreach Committee. (2015). *Life & Laws 101: Citizenship Rights and Responsibilities Over 18*.

<http://web.archive.org/web/20150923012636/http://www.ncbar.org/media/95451/Life-and-Laws-101.pdf>

¹⁴ Also, during this time, I read a book entitled *No One Will Listen* by Lois Forer about Forer's work as an attorney for indigent youth in the late 1960s in Philadelphia. While the book focused on access to justice for youth rather than law-related education, it was useful for the insights that Forer provided about youth and the legal system. Forer, L.G. (1971). *"No one will listen": how our legal system brutalizes the youthful poor*. Grosset & Dunlap.

*Practical Life Lessons*¹⁵ at a high school in Durham, North Carolina. My service-learning project included teaching ninth and twelfth graders their rights and responsibilities and allowing time for questions and discussion. Knowing that not all students would speak up during the class discussion, I used exit tickets (end-of-class surveys in which students may write responses to questions I have asked them or write down questions to ask me) to see how the students were apprehending the information presented. For the session entitled “How to Be Safe on Social Media,” I discussed a student who had many Facebook friends. The student told her Facebook friends about her father’s confidential settlement with his employer.¹⁶ At the end of the lesson, students wrote responses on exit tickets such as “Everything you post is linked to some form of personal information,” and “I will change my Facebook privacy settings.” For the lesson, “Never Leave Your Luggage Alone at the Airport,” I discussed Indonesia’s death penalty for smuggling drugs, the Indonesian government’s sentencing to death of people caught drug smuggling,¹⁷ and how one should be vigilant regarding one’s luggage at the airport. One student wrote in an exit ticket, “I learned how to be more cautious with my luggage.” The students were

¹⁵ Ward, L. (2015). *Practical life lessons* [PowerPoint slides]. SlideShare.

<https://www.slideshare.net/practicallifelessons>

¹⁶ Green, T. (2014, February 28). Who Is Dana Snay? College Student’s Facebook Bragging Costs Father \$80,000 Lawsuit Settlement. *International Business Times*. <https://archive.ph/6Q0ga>

¹⁷ Phipps, C. (2015, April 28). Who were the eight people executed by Indonesia? *The Guardian*. <https://perma.cc/9PPQ-E5M6>

interested in the topics presented and they were learning about their rights and responsibilities.

Reflections

I have had opportunities to reflect on the law-related education program that I designed and implemented for high schoolers. The first opportunity came in 2015 when I spoke at the North Carolina School Library Media Association (NCSLMA) 2015 Conference and discussed the Program's content.¹⁸ In spring 2016, I reflected on the Program when I created a version of the program for middle school students. Another opportunity to reflect came when I wrote *Five Key Points for Developing an Informative "Know Your Rights" Seminar* which was published in the fall 2016 issue of the American Bar Association Young Lawyers Division Public Education Committee Newsletter.¹⁹

These opportunities to reflect have led me to the following conclusions about law-related education programs:

1. Providing attendees with information they can review later, even if the information is only a link to a website is key. In 2015, I provided the link to my slides for *Practical Life Lessons* to the students.

¹⁸ Ward, L. (2015, October 24). *A Sea of Information: Navigating the Waters of Digital Citizenship, Rights, and Responsibilities* [Conference Session]. North Carolina School Library Media Association Conference, Winston-Salem, NC, United States.

¹⁹ Ward, L. (2016). Five Key Points for Developing an Informative "Know Your Rights" Seminar. *American Bar Association Young Lawyers Division Public Education Committee Newsletter*, 2(1). <https://perma.cc/9STS-2VTU>

2. Providing content that fits the format of the program and the interests of the attendees is important. I have led law-related education programs in 20-minute and one-hour timeframes. The time-allotted affects the breadth and depth of what I am able to cover. In 20 minutes, I am able to introduce a topic and save the remaining ten minutes for discussion. In one hour, I am able to provide more details about the topic and lead a lengthier group discussion. The topics I selected for the initial iteration were based on students' interests and experience. I selected "How to be Safe on Social Media" because many students have social media accounts. I selected "Never Leave Your Luggage Alone at the Airport" because the students attending the program were at a high school that sponsored travel programs.

Key Resources

In preparing for the law-related education programs that I implemented in spring 2015 and 2016, I came across many resources, however six stand out:

- The original *Street Law* textbook entitled *Street Law: A Course in Practical Law*,
- *Breaking Rank* by Norm Stamper,
- *The Privilege of Silence* by Steven M. Salky,
- *Once Upon a Crime* by Wanda Cassidy and Ruth Yates,

- *Law-Related Education as a Delinquency Prevention Strategy: A Three-Year Evaluation of the Impact of LRE on Students*, by Grant Johnson and Robert Hunter, and
- The Law-Related Education Act of 1978.

The original Street Law textbook was published by West Publishing Company in 1975²⁰ and is the work of former and current law students of Georgetown University Law Center as well as attorneys. It covers practical topics in the field of law such as consumer law, housing law, and criminal law. The book has an outline format and hypothetical problems for class discussion. While I was lesson planning, the book served as a reminder that even from the early days of law-related education programs, law-related education was meant to be practical and applied to everyday life. *Breaking Rank* by Norm Stamper²¹ and *The Privilege of Silence* by Steven M. Salky²² provided useful information such as what happens when average citizens encounter the police and the origin of the Miranda Warnings as I was planning the *Right to Remain Silent* activity²³ in 2015. Wanda Cassidy and Ruth Yates' book *Once Upon a Crime*²⁴ was notable because it supports the notion that

²⁰ National Street Law Institute & District of Columbia Project on Community Legal Assistance, *supra* note 9.

²¹ Stamper, N. (2006). *Breaking rank: a top cop's exposé of the dark side of American policing*. Nation Books.

²² Salky, S.M., et al. (2014). *The privilege of silence: Fifth Amendment protections against self-incrimination*. American Bar Association.

²³ Ward, L. (2015). *Practical life lessons* [PowerPoint slides]. SlideShare. <https://www.slideshare.net/practicallifelessons>

²⁴ Cassidy, W. & Yates, R. (2005). *Once upon a crime: using stories, simulations, and mock trials to explore justice and citizenship in elementary school*. Detselig Enterprises.

even younger youth can be introduced to concepts of rights and responsibilities. In *Once Upon a Crime*, Cassidy and Yates provide guidelines and plans for implementing mock trials in Kindergarten through fifth grade classrooms.

Grant Johnson and Robert Hunter's report entitled *Law-Related Education as a Delinquency Prevention Strategy: A Three-Year Evaluation of the Impact of LRE on Students* prompted me to think about the impact of law-related education on students beyond the classroom. The report is particularly useful for its enumeration and explanation of features necessary for an effective law-related education program. These recommendations include "that the system be depicted neither as infallible nor as a nightmare."²⁵ The discussion of negative realities of the legal system and how people can work within the legal system to advocate for their rights needs to be balanced. From the beginning, law-related education programs have embraced controversial topics,²⁶ however, law-related education was not intended to be a depressing session where people share grievances or engage in never-ending arguments. In the law-related education program that I led in 2015, I spoke of practices students could implement in their daily lives such as not putting one's or one's parents' daily schedule information on social media (and why).

²⁵ Johnson, G. & Hunter, R. (1985). *Law-Related Education as a Delinquency Prevention Strategy: A Three-Year Evaluation of the Impact of LRE on Students* (adapted from *Law-Related Education Project Final Report, Phase II, year 3*) (Publication Number 99991). National Criminal Justice Reference Service. <https://perma.cc/9ZYA-EZQA>

²⁶ Feinstein & Wood, *supra* note 3.

The Law-Related Education Act of 1978 was part of a larger Education Amendments Act, however, sections 346, 347, and 348 dealt specifically with law-related education. In Section 346, Congress stated that it had found that there was a “widespread lack of understanding of how our system of law and legal institutions work.” Furthermore, “such an understanding is essential” for youth to become knowledgeable and responsible citizens and “there is an urgent need for Federal involvement” to develop law-related education programs.²⁷ Section 347 included the definition of law-related education that I stated above and empowered a Commissioner to carry out a program of grants so that local actors could implement law-related education programs at the local level. These programs would be for youth and adults, in community organizations, as well as schools and universities.²⁸ Section 348 authorized \$15 million to implement the provisions of the Act.²⁹ Accounting for inflation, the amount would be approximately \$62 million in 2021.³⁰ The law was repealed in 1982.³¹

²⁷ Law-Related Education Act of 1978, Pub. L. No. 95-561, 92 Stat. 2216 (1978) *repealed by* 20 U.S.C. § 3863(a)(1) (1982). <https://perma.cc/G75R-AFKD> and <https://perma.cc/8TAQ-M8R6>

²⁸ *Id.*

²⁹ *Id.*

³⁰ United States Bureau of Labor Statistics. (n.d.). *CPI Inflation Calculator*. https://www.bls.gov/data/inflation_calculator.htm

³¹ Law-Related Education Act of 1978, Pub. L. No. 95-561, 92 Stat. 2216 (1978) *repealed by* 20 U.S.C. § 3863(a)(1) (1982). <https://perma.cc/G75R-AFKD> and <https://perma.cc/8TAQ-M8R6>

State Laws that Address K-12 Law-Related Education Focus on Violence Prevention

State statutes that address law-related education programs in the K-12 context focus on violence prevention as the goal and not necessarily the goal of educating students to learn the day-to-day rights and responsibilities of citizens. In Alabama, law-related education is "[e]ducation which provides children and youth with the knowledge and skills pertaining to the law, the legal process, school safety, and citizenship responsibilities to promote law-abiding behavior with the purpose to prevent children and youth from engaging in delinquency or violence and enable them to become productive citizens."³²

In Arizona, schools may apply for funding to offset the costs of placing school resource officers, juvenile probation officers, school counselors and school social workers at the school.³³ Schools that apply for the school safety program must have "[a] plan for implementing a law-related education program or a plan that demonstrates the existence of a law-related education program as a school safety prevention strategy."³⁴ In addition, the governing board of schools may "[e]nter into an intergovernmental agreement with a presiding judge of the juvenile court to implement a law-related education program as defined in section 15-154."³⁵ The Colorado Revised Statutes mention "rights and

³² ALA. CODE 1975 § 16-1-24.2(a)(2).

<http://alisondb.legislature.state.al.us/alison/CodeOfAlabama/1975/Coatoc.htm>

³³ ARIZ. REV. STAT. § 15-154(A) and (B)(2) (2021). <https://perma.cc/8JR8-N9Z7>

³⁴ *Id.*

³⁵ ARIZ. REV. STAT. § 15-342(34) (2021). <https://perma.cc/FUW8-ALCV>

responsibilities of citizenship” as a topic within law-related education programs,³⁶ however, these law-related education programs are not mandated but “strongly encourage[d]”³⁷ and their goal is to promote “behavior which will reduce through education the incidence of gang or other antisocial behavior and substance abuse by students in the public school system.”³⁸ In addition, entities such as schools that seek funding for comprehensive health education programs must “include provisions for the implementation of a law-related education program for the purpose of reducing the incidence of gang involvement and substance abuse by students through education” in their applications.³⁹ Iowa requires its department of education to “develop a statewide violence prevention program based on law-related education.”⁴⁰ Effective July 1, 2022, New Mexico will require school resource officers to receive training in “a variety of instructional techniques as well as classroom management tools to provide law-related education to students.”⁴¹ In Ohio, a certified training program for school resource officers must include “Providing assistance on topics such as classroom management tools to provide law-related education to students and methods for managing the behaviors sometimes associated with educating children with special needs.”⁴² New Jersey requires

³⁶ COLO. REV. STAT. ANN. § 22-25-104.5(2)(b)(I) (2022). ([Lexis Advance](#)).

³⁷ COLO. REV. STAT. ANN. § 22-25-104.5(1)(b) (2022). ([Lexis Advance](#)).

³⁸ COLO. REV. STAT. ANN. § 22-25-104.5(1)(a) (2022). ([Lexis Advance](#)).

³⁹ COLO. REV. STAT. ANN. § 22-25-105 (2022). ([Lexis Advance](#)).

⁴⁰ IOWA CODE § 280.9B (2022). <https://perma.cc/EY7Z-DUAB>

⁴¹ N.M. STAT. ANN. § 29-7-14(B)(4) (2021). https://nmonesource.com/nmos/nmsa/en/nav_date.do

⁴² OHIO REV. CODE ANN. § 3313.951(B)(3)(e)(20). <https://perma.cc/6E8N-35C7>

its Police Training Commission to develop a training course for safe school resource officers and public school employees who are liaisons to law enforcement.⁴³ In the legislative findings for the law, the New Jersey Session laws note that “most safe schools resource officers perform many roles, including law enforcement officer, law-related counselor and law-related education teacher.”⁴⁴ Throughout the aforementioned statutes, law-related education is associated with preventing violence in school and the work of school resource officers.

Colorado,⁴⁵ Washington,⁴⁶ and Wyoming⁴⁷ permit participation in a law-related education program as a sentencing option for youth in youth courts. Associating law-related education only with policing and violence-prevention is problematic when there is controversy over whether police should work in schools at all. Schools in Columbus, Ohio removed school resource officers in response to student protests against a police presence in the schools.⁴⁸ Schools in Madison, Wisconsin removed school resource officers to adopt

⁴³ N.J. STAT. § 52:17B-71.8.

<https://lis.njleg.state.nj.us/nxt/gateway.dll?f=templates&fn=default.htm&vid=Publish:10.1048/Enu>

⁴⁴ 2005 N.J. Laws Chapter 276. <https://perma.cc/29A8-T5XM>

⁴⁵ COLO. REV. STAT. ANN. § 19-2.5-1004 (2022) ([Lexis Advance](#)).

⁴⁶ Participation in law-related education is a youth court disposition. WASH. REV. CODE § 13.40.630(1)(a).

<https://perma.cc/GE95-DH42> Participation in law-related education may be part of a youth court agreement. WASH. REV. CODE § 3.72.020(2)(e). <https://perma.cc/E75R-8636>

⁴⁷ WYO. STAT. ANN. § 7-13-1204(a)(viii)(B) (2021) ([Lexis Advance](#)).

⁴⁸ Schwartz, S., Sawchuk, S., Pendharker, E. & Najarro, I. (2021, June 4). *These districts defunded their school police. What happened next?* EducationWeek. <https://perma.cc/5ZN5-ZGBH>

a restorative justice approach and schools in Oakland, California removed school resource officers to fulfill a request from the community.⁴⁹

The origin of law-related education includes instruction on rights, responsibilities, government institutions, and current court cases of interest as topics to be taught during civics lessons in the classroom, therefore, mentions of law-related education in state law should not be confined to the context of violence-prevention and sentences in youth court. Those involved with law-related education programs should advise state legislatures that law-related education is part of civics education and not primarily a sentencing option in youth court or a subject for police officers who work in schools.

Legislation that Addresses Civics Education in the K-12 Context Throughout the United States

Law-related education is a branch of civics and as such may be taught in schools even though the terminology “law-related education” is not used. States that do not mention civics education in their laws as well as states that do mention civics education in their laws may require civics education through curricula approved by their departments of education and therefore, civics may still be taught in their schools.⁵⁰ My research has

⁴⁹ *Id.*

⁵⁰ The report *Strengthening Democracy with a Modern Civics Education* focuses on civics education requirements set by local departments of education and lists all civics education requirements from local departments of education for K-12 curricula for all 50 states and the District of Columbia. Jeffrey, A. & Sargrad, S. (2019). *Strengthening Democracy With a Modern Civics Education*. Center for American Progress. <https://perma.cc/Z7VT-P9FW>

yielded 28 states that address K-12 civics education in their statutes. Alabama requires students to pass a course in government which includes a civics test.⁵¹ Arizona provides for the recognition of K-12 students who excel in civics through a state seal of civics literacy program.⁵² Arkansas' requirements for social studies courses include civics.⁵³ Colorado requires the teaching of history and civil government in schools and requires that the civics portion of social studies complies with the subjects outlined in the law.⁵⁴ In Connecticut, Students are required to take a half-credit course on civics and American government to receive a high school diploma and the civics education requirement continues for classes graduating in 2023 and later.⁵⁵ In Florida, of the three social studies credits required to receive a high school diploma, a half-credit must be in government.⁵⁶ Idaho requires civics education or "instruction in citizenship" in all elementary and secondary schools and secondary students must pass a civics test and take a course in United States Government.⁵⁷ Indiana requires that instruction in the Constitutions of Indiana and the United States must be included as part of a civics course.⁵⁸ Kansas requires instruction in civil government and United States history as well as passing a

⁵¹ ALA. CODE 1975 § 16-40-10. <https://perma.cc/UX52-EJPD>

⁵² ARIZ. REV. STAT. § 15-259 (2021). <https://perma.cc/GCR4-HNZM>

⁵³ ARK. CODE ANN. § 6-16-148 (2022) ([Lexis Advance](#)).

⁵⁴ COLO. REV. STAT. ANN. § 22-1-104(1)(b) and (c) ([Lexis Advance](#)).

⁵⁵ CONN. GEN. STAT. § 10-221a(b) and (c). <https://perma.cc/7CJ6-J99G>

⁵⁶ FLA. STAT. § 1003.4282(d) (2021). <https://perma.cc/PB4L-9AW5>

⁵⁷ IDAHO CODE § 33-1602(6) and (7). <https://perma.cc/BB8C-QV76>

⁵⁸ IND. CODE § 20-30-5-1(b) (2021). <http://iga.in.gov/legislative/laws/2021/ic/titles/001>

course in United States Government to graduate from high school.⁵⁹ Louisiana requires all public high schools to provide instruction in civics.⁶⁰ Maine requires students to receive instruction in civics to receive a high school diploma.⁶¹ Massachusetts requires all public schools to teach civics.⁶² Michigan requires students to take a civics course to receive a high school diploma.⁶³ The civics course “shall include the form and functions of the federal, state, and local governments and shall stress the rights and responsibilities of citizens.”⁶⁴ Minnesota has set academic standards and civics are part of these standards.⁶⁵ Missouri requires students to take courses on the constitutions of the United States and Missouri, American history, institutions, and civics, and to pass a test on the aforementioned subjects to receive a certificate of graduation.⁶⁶ Montana aims for students to “develop a sense of personal and civic responsibility” and for schools to “provide an in-depth understanding of the American political, social, and economic systems and the historical context from which they arose” as two of its goals for public elementary and secondary schools.⁶⁷ Nebraska requires each school board to form a committee on American civics which must ensure that the social studies curriculum is

⁵⁹ KAN. STAT. ANN. § 72-3217 (2020). <https://perma.cc/NFX9-BEAG>

⁶⁰ LA. REV. STAT. § 274.1 (2021). <https://perma.cc/6XEJ-RKCF>

⁶¹ ME. REV. STAT. ANN. tit. 20, § 4722(2)(B) (2021). <https://perma.cc/3QDB-NJLE>

⁶² Massachusetts MASS. GEN. LAWS ch. 71, § 2 (2022). <https://perma.cc/LM38-BPRW>

⁶³ MICH. COMP. LAWS § 380.1278a(1)(a)(i) (2021). <https://perma.cc/T9BW-B3BW>

⁶⁴ MICH. COMP. LAWS § 380.1166 (2021). <https://perma.cc/M4LQ-ALAG>

⁶⁵ MINN. STAT. ANN. § 120B.021(4) (2020). <https://perma.cc/7L8J-GZKH>

⁶⁶ MO. REV. STAT. § 170.011(3) (2021). <https://perma.cc/3HU2-G67R>

⁶⁷ MONT. CODE ANN. § 20-1-102(4) and (5) (2021). <https://perma.cc/L6XG-U3K9>

aligned with standards adopted by the State Board of Education and “teaches foundational knowledge in civics.”⁶⁸ New Hampshire requires students to take a half-credit civics course to graduate from high school.⁶⁹ New Mexico provides for civic engagement experiences for its students. A “civic engagement experience” is one of three options that students may select to complete for “college, career and civic readiness.”⁷⁰ New York requires public day schools to teach civics.⁷¹ North Carolina requires students to pass the course “Founding Principles of the United States of America and North Carolina: Civic Literacy” to graduate from high school.⁷² North Dakota requires students to take one unit of social studies which may include civics to graduate from high school.⁷³ Oklahoma requires students to take three units of history and citizenship skills to graduate from high school.⁷⁴ Oregon requires public schools to teach students civics.⁷⁵ Rhode Island requires middle and high school students to demonstrate proficiency in civics education.⁷⁶ The Tennessee State Board of Education must include civics in the social studies standards and “an understanding of how laws are enacted, and ways citizens shape and influence government and governmental actions.”⁷⁷ Utah has

⁶⁸ NEB. REV. STAT. ANN. § 79-724(1)(c). <https://perma.cc/7JKZ-VX7R>

⁶⁹ N.H. REV. STAT. ANN. § 189:11. <https://perma.cc/963N-97V6>

⁷⁰ N.M. STAT. ANN. § 22-2F-2(C) (2022). https://nmonesource.com/nmos/nmsa/en/nav_date.do

⁷¹ N.Y. EDUC. LAW § 3204 (2022). <https://perma.cc/TFA6-7YJN>

⁷² N.C. Gen. Stat. § 115C-81.45(d)(**Applicable to students entering the ninth grade in the 2021-2022 school year**)(1). <https://perma.cc/A3XG-EZJM>

⁷³ N.D. CENT. CODE § 15.1-21-02.2(1)(d)(3) (effective through July 31, 2025). <https://perma.cc/W9DT-5GPT>

⁷⁴ OKLA. STAT. TIT. 70 § 11-103.6(B)(4). <http://www.oklegislature.gov/osStatuesTitle.aspx>

⁷⁵ OR. REV. STAT. ANN. § 329.025(8) (2019). <https://perma.cc/W4NV-NM5B>

⁷⁶ R.I. GEN. LAWS ANN. § 16-22-2. <https://perma.cc/3ABC-UXG9>

⁷⁷ TENN. CODE ANN. § 49-6-1028(b)(1) (2021) ([Lexis Advance](#)).

implemented a pilot program in which the state board will assess whether it will require students to complete a civics engagement project to receive a high school diploma.⁷⁸ Wyoming includes civics in the definition of a “basic academic educational program.”⁷⁹ Alaska,⁸⁰ Illinois,⁸¹ and Vermont⁸² are states that have bills addressing civics education pending before their legislatures. The Alaska State Legislature’s S.B. 72 requires the board “to develop and periodically review a statewide civics education curriculum that is based on the civics portion of the naturalization examination used by the United States Citizenship and Immigration Services of the Department of Homeland Security and primary source documents. The curriculum must also include systems of government used by Alaska Natives.”⁸³ The Illinois General Assembly’s S.B. 1830 requires two years of social studies and one of these semesters must be civics.⁸⁴ The Vermont General Assembly’s S. 17 requires students to take and pass a course in United States civics to receive a high school diploma.⁸⁵

⁷⁸ UTAH CODE § 53G-10-204(6)(a). <https://perma.cc/KQ7J-R984>

⁷⁹ WYO. STAT. § 21-4-101(a)(6) (2021) ([Lexis Advance](#)).

⁸⁰ S.B. 72, 32d Leg., (Alaska 2021). <https://perma.cc/C6GB-K4YL> and <https://perma.cc/KML2-5EYS>

⁸¹ S.B. 1830, 102d Gen. Assemb., (Ill. 2021). <https://perma.cc/RB7U-B49R>

⁸² S. 17, 2021 Gen. Assemb., (Vt. 2021). <https://perma.cc/R35W-2ZQC> and <https://perma.cc/6LTJ-UQND>

⁸³ S.B. 72, 32d Leg., (Alaska 2021). <https://perma.cc/C6GB-K4YL> and <https://perma.cc/KML2-5EYS>

⁸⁴ S.B. 1830, 102d Gen. Assemb., (Ill. 2021). <https://perma.cc/RB7U-B49R>

⁸⁵ S. 17, 2021 Gen. Assemb., (Vt. 2021). <https://perma.cc/R35W-2ZQC> and <https://perma.cc/6LTJ-UQND>

The United States Citizenship and Immigration Services Civics Test has a role in the assessment of student learning. Alabama,⁸⁶ Arkansas,⁸⁷ Kentucky,⁸⁸ Minnesota,⁸⁹ Montana,⁹⁰ Nevada,⁹¹ Tennessee,⁹² Texas,⁹³ and Wisconsin require students to pass an examination that contains questions from that test.⁹⁴ In addition, the Michigan Legislature has required the Michigan State Board of Education to “revise the state curriculum content standards for high school social studies to ensure that those content standards cover the same content as covered by the 100 questions on the civics portion of the naturalization test used by the United States Citizenship and Immigration Services as of December 1, 2016.”⁹⁵ In, Minnesota, an examination in civics must include questions from the United States Citizenship and Immigration Services Civics Test, however a school district may not prevent a student from graduating for failing to provide accurate answers these questions.⁹⁶ Missouri requires that students pass a test that includes questions similar to those on the United States Citizenship and Immigration Services

⁸⁶ Alabama requires students to pass a course in government which includes a test with questions from the United States Citizenship and Immigration Services Civics Test. ALA. CODE 1975 § 16-40-10(a).

<https://perma.cc/U3EK-CD9Q>

⁸⁷ ARK. CODE ANN. § 6-16-149 (2022) ([Lexis Advance](#)).

⁸⁸ KY. REV. STAT. ANN. § 158.141. <https://apps.legislature.ky.gov/lrcsearch>

⁸⁹ MINN. STAT. § 120B.02 <https://perma.cc/KE8L-5M5E>

⁹⁰ MONT. CODE ANN. § 20-7-119 (2021). <https://perma.cc/5PXD-UTRN>

⁹¹ NEV. REV. STAT. § 389.009. <https://perma.cc/S83S-26X5>

⁹² TENN. CODE ANN. § 49-6-408 (2021) ([Lexis Advance](#)).

⁹³ Texas requires students to pass a course in United States history which includes questions from the United States Citizenship and Immigration Services Civics Test. TEX. EDUC. CODE ANN. § 39.023(C-9). <https://perma.cc/H8J7-HJPS>

⁹⁴ WIS. STAT. § 118.33(1m)(a)1 (2021). <https://perma.cc/GVW4-DQFQ>

⁹⁵ MICH. COMP. LAWS § 380.1166 (2021). <https://perma.cc/M4LQ-ALAG>

⁹⁶ MINN. STAT. ANN. § 120B.02, subdivision 3 (2020). <https://perma.cc/D6X4-2RDV>

Civics Test.⁹⁷ South Carolina requires students to take a test with questions from the United States Citizenship and Immigration Services Civics Test, however, students are not required to pass the test.⁹⁸ Utah requires students to pass a “basic civics test” to receive a high school diploma.⁹⁹

Civics Education and “The Founding Principles” – North Carolina and Other States

North Carolina General Statutes 115C-81.45 addresses civics education.¹⁰⁰ In 2011, the North Carolina General Assembly adopted a version of the “Founding Principles Act,”¹⁰¹ a model statute developed by the American Legislative Exchange Council (ALEC).¹⁰² ALEC describes itself as “America’s largest nonpartisan, voluntary membership organization of state legislators dedicated to the principles of limited government, free markets and federalism.”¹⁰³ North Carolina’s Founding Principles Act took effect with the 2014-2015 school year.¹⁰⁴ The language of the statute may appear neutral, however, the Center for Media and Democracy, a self-described “nationally recognized

⁹⁷ MO. REV. STAT. § 170.345(2) and (3) (2021). <https://perma.cc/GFV6-2B45>

⁹⁸ S.C. CODE ANN. § 59-29-240. <https://perma.cc/T9WC-79HT>

⁹⁹ UTAH CODE ANN. § 53E-4-205 (2021). <https://perma.cc/75KW-DMJL>

¹⁰⁰ N.C. Gen. Stat. § 115C-81.45(d)(**Applicable to students entering the ninth grade in the 2021-2022 school year**)(1). <https://perma.cc/A3XG-EZJM>

¹⁰¹ H.R. 588, Sess. 2011 Gen. Assemb., N.C. SESS. LAWS. <https://perma.cc/X8MH-QYWS>

¹⁰² Ladner, D. & Myslinski, D.J. (2014). *Report Card on American Education: Ranking State K-12 Performance, Progress and Reform* at 113. American Legislative Exchange Council. <https://perma.cc/SQ5H-3JW6> and American Legislative Exchange Council. (2013). *Founding Principles Act*. <https://web.archive.org/web/20130501114024/http://www.alec.org/model-legislation/founding-principles-act/>

¹⁰³ American Legislative Exchange Council. (n.d.). *ABOUT ALEC*. <https://perma.cc/NT7T-67VD>

¹⁰⁴ H.R. 588, Sess. 2011 Gen. Assemb., N.C. SESS. LAWS. <https://perma.cc/X8MH-QYWS>

watchdog,"¹⁰⁵ noted that the Act could lead to teaching students that the President of the United States has "king-like" powers¹⁰⁶ and that the North Carolina Department of Public Instruction recommended that the curriculum for the Act come from the Bill of Rights Institute, an organization with ties to the politically conservative Koch Brothers.¹⁰⁷ These concerns that the Center for Media and Democracy has raised may cause one to question whether students will get an unbiased view of civics if they are taught in alignment with the "Founding Principles Act." A recent search within ALEC's website did not yield the model legislation labelled "Founding Principles Act,"¹⁰⁸ however, the website now contains a "Civic Literacy Act" which has as its stated purpose "[t]o require during the high school years the teaching of the nation's founding and related documents, which shall include the Declaration of Independence, the United States Constitution and the

¹⁰⁵ The Center for Media and Democracy's PRWatch. (n.d.). *What we do*. <https://perma.cc/6ZBL-KQ7N>

¹⁰⁶ "This model legislation would require the teaching of a semester-long course on the "philosophical understandings" of America's founders, as incorporated in the Declaration of Independence, the United States Constitution, and the Federalist Papers. There are, in fact, many scholarly differences of opinion about what weight to accord writings of individuals involved in the drafting and ratification of the Constitution. For example, a controversial Bush Administration attorney embraced what he called a "Hamiltonian" view of virtually unlimited presidential power as a rationale for presidential violation of laws barring torture and warrantless wiretapping. However, Hamilton's views of king-like presidential power were not shared by other leading founding fathers or by the citizens in the states that ratified the Constitution and who insisted upon the addition of an explicit Bill of Rights to guard against claims of virtually unlimited governmental power to search and seize people and compel them to be witnesses against themselves." The Center for Media and Democracy. ALEC EXPOSED. (2017). *Founding Principles Act Exposed*. <https://perma.cc/6ZQD-2PTZ>

¹⁰⁷ The Center for Media and Democracy. SOURCEWATCH. (2021). *Bill of Rights Institute*. <https://perma.cc/2LZW-V9EE>

¹⁰⁸ American Legislative Exchange Council. (2013). *Founding Principles Act*. <https://web.archive.org/web/20130501114024/http://www.alec.org/model-legislation/founding-principles-act/>

Federalist Papers.”¹⁰⁹ It appears that ALEC has replaced the “Founding Principles Act” with the “Civic Literacy Act.”

Other states mention the “founding principles” in their statutes as well. Georgia,¹¹⁰ Louisiana,¹¹¹ North Carolina,¹¹² and South Carolina¹¹³ have statutes which mention the “founding philosophy” or “founding principles” of the United States and address “federalism” or the “Federalist Papers” in the context of K-12 education. Georgia’s statute mentions “limited government”¹¹⁴ and the Utah Code Annotated mentions “founding principles” however, it does not include language regarding federalism and limited government.¹¹⁵ Texas has a founding principles act pending before its legislature.¹¹⁶ If passed, the bill would require “an elective course on the founding principles of the United States” in high school curricula.¹¹⁷

Civics Education Programs Outside the K-12 Classroom

Civics education mandates aside, across the United States, librarians and others offer civics education programs to high school students outside the K-12 classroom, yet the

¹⁰⁹ American Legislative Exchange Council. (n.d.). *Civic Literacy Act*. <https://perma.cc/F56U-VESA>

¹¹⁰ GA. CODE ANN. § 20-2-142.1 (2022). ([Lexis Advance](#)).

¹¹¹ LA. REV. STAT. § 265 (2021). <https://perma.cc/7GCT-DL24>

¹¹² N.C. Gen. Stat. § 115C-81.45(d)(**Applicable to students entering the ninth grade in the 2021-2022 school year**)(1). <https://perma.cc/A3XG-EZJM>

¹¹³ S.C. CODE ANN. § 59-29-155. <https://perma.cc/BYT9-B76S>

¹¹⁴ GA. CODE ANN. § 20-2-142.1(c)(1)(B) (2022). ([Lexis Advance](#)).

¹¹⁵ UTAH CODE § 53G-10-204(5)(b). <https://perma.cc/H8ZM-U25K>

¹¹⁶ S.B. 1776. 87th Leg., Regul. Sess. (Tex. 2021). <https://perma.cc/LS4U-RL2W>

¹¹⁷ S.B. 1776. 87th Leg., Regul. Sess. (Tex. 2021). <https://perma.cc/5A6Y-72WP>

information shared in these programs is valuable. These programs may focus on knowing one's rights or general information about the legal system in the United States. A *Know Your Rights Workshop for Teens* sponsored by ACLU of Massachusetts and the Boston Public Library¹¹⁸ and the *Teen Workshop (Ages 13-17): Know Your Rights* sponsored by the Glendale Human Relations Coalition and Glendale Police Department of California¹¹⁹ are two examples of such programs.

The 2018 Cornell Law Institute for High School Students at Cornell Law School had a civics or law-related education component through the discussion of the Fourth Amendment to the United States Constitution. The 2018 Cornell Law Institute for High School Students was an outreach program sponsored by the Cornell Law Library and did not provide academic credit for the attendees. The overall goal of the Law Institute was to introduce high school students to legal concepts and legal careers.

During the Law Institute, I led a write-around activity¹²⁰ regarding the Fourth Amendment. Before the write-around activity, I discussed definitions of legal terms such as *warrant* and *probable cause* and then gave the students a short news article to read

¹¹⁸ Boston Public Library. (2020). *Know Your Rights Workshop for Teens*. <https://perma.cc/ZKR8-4N6N>

¹¹⁹ City of Glendale. (2019). *Teen Workshop (Ages 13-17): Know Your Rights*. <https://perma.cc/P8M2-FRFQ>

¹²⁰ The write-around activity allows students time to think about answers to a question and make connections between concepts before engaging in a large group discussion. There are many variations of write-arounds (which are discussed in the book entitled *The Best-Kept Teaching Secret: How Written Conversations Engage Kids, Activate Learning, and Grow Fluent Writers, K-12*. Daniels, H. & Daniels, E. (2013). *The best-kept teaching secret: how written conversations engage kids, activate learning, and grow fluent writers, K-12*. Corwin.

regarding the circuit split¹²¹ and a summary of relevant case law. For the write-around activity, students were in small groups of between three and five. I directed them to write their answers to the prompts on the same large paper (each group had its own large piece of paper). I instructed the students not to speak to one another for the 15 minutes of writing. Next, in their small groups, students discussed what they had written. After the small-group discussions, I facilitated a large group discussion based on what the students had written. The writing prompts consisted of the following questions:

1. What do you know about probable cause so far?,
2. What does the article about car searches based on marijuana smoke remind you of in things you have seen on social media or TV?, and
3. What do you think will happen next? Do you think the U.S. Supreme Court will resolve the circuit split? Why or why not?¹²²

The writing portion of the activity gave the students time to think before sharing their ideas with the class. I ended the lesson with a reflection activity during which we discussed the question: "If you were going to explain today's write-around activity to someone who's not in our class, what would you say?"¹²³ The main goal of the activity

¹²¹ "When two or more circuits in the United States court of appeals reach opposite interpretations of federal law. This is sometimes a reason for the Supreme Court to grant certiorari." Wex. (n.d.). *Circuit Split*. <https://perma.cc/693C-WC7Q>

¹²² Ward, L. (2018, June 28). *Where There's Smoke...A Write-Around Activity Regarding the Circuit Split Over Marijuana-Based Car Searches* [Conference Session]. 2018 Cornell Law Institute for High School Students, Ithaca, NY, United States.

¹²³ *Id.*

was to prompt students to think about why different courts have different rationales when making decisions about similar sets of facts.

Conclusion

From the inception of law-related education, organizers of law-related education programs have endeavored to make the programs practical by covering topics that the students would need to know in daily life. Although the federal Law-Related Education Act was repealed in 1982, states continue to address K-12 civics education in their statutes. Recently, state legislatures that have used the term “law-related education” in the K-12 context have focused on law-related education for violence prevention and within the context of youth courts. Law-related education is about knowing one’s rights and responsibilities as a citizen even in situations where one has not been accused of breaking the law and there needs to be a concerted effort to bring the essence of law-related education within the purview of state legislatures. Additional programs aimed toward teenagers that are organized outside the K-12 school context such as “Know Your Rights Workshops” and other programs, for example the Cornell Law Institute for High School Students, are also valuable in educating youth regarding civics and law-related education. Law-related education is more than violence prevention. It is a branch of civics that is a necessary part of K-12 education.