

STATE LAWS MANDATING COLLEGE CLASSES ON AMERICAN GOVERNMENT IN PUBLIC HIGHER
EDUCATION: A NATIONAL COMPARATIVE SURVEY

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On April 28, 2021, South Carolina Governor Henry McMaster signed into law the Reinforcing College Education on America’s Constitutional Heritage Act (REACH Act). The SC REACH Act updated a previous 100-year-old South Carolina law. Nationally, at least eight states have similar laws. Presented here is a national survey of these eight states.

National Survey

In addition to South Carolina, at least seven other states have similar laws that require a college class(es) on America’s founding documents or American government.¹ These states are Texas, Nevada, Wyoming, Georgia, Utah, Arkansas, and Missouri.² Further, as is detailed in Table 1, the public colleges in all eight states comply with their states’ respective laws. The various state laws vary in the length of instruction required. The Texas law, for example, requires the longest amount of study out of any state law. That law requires twelve college credit hours total—six credit hours required in the study of the U.S. and Texas Constitutions and six credit hours of study in American history.³ The Texas law applies to both associate’s and bachelor’s degrees. The length of instruction required by the Wyoming and Nevada laws is “one year” of instruction.⁴ The Georgia law requires that a student complete a class *or* pass an exam on the

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¹ Texas, Nevada, Wyoming, Georgia, Utah, Arkansas, Missouri: TEX. EDUC. CODE § 51.301; TEX. EDUC. CODE § 51.302; NEV. REV. STAT. § 396.500; WYO. STAT. § 21-9-102; GA. CODE ANN. § 20-3-68; UTAH CODE ANN. § 53B-16-103; ARK CODE ANN. § 6-61-105; MO. REV. STAT. § 170-011 and MO. REV. STAT. § 170.013.

² *Id.*

³ TEX. EDUC. CODE § 51.301; TEX. EDUC. CODE § 51.302.

⁴ WYO. STAT. § 21-9-102; NEV. REV. STAT. § 396.500.

U.S. and Georgia Constitutions.⁵ The Utah, Arkansas, and Missouri laws leave the length of instruction unspecified,⁶ but the colleges in these three states then interpret this unstated length as a three-credit-hour minimum.⁷

Table 1 describes the requirements of the eight state laws and then explains how their respective public colleges comply with those laws.

Table 1		
State	What Law Requires:	How Colleges Comply:
TX	Twelve credit hours <ul style="list-style-type: none"> • six hours in American government • six hours in American history. 	The Texas Higher Education Coordinating Board is the state agency which designs a 42-semester credit hour core curriculum for all Texas public four year and community colleges. The Coordinating Board core curriculum requires: ⁸ <ul style="list-style-type: none"> • Six hours in American government • Six hours in American history.
WY	“one year” <ul style="list-style-type: none"> • US Constitution; • WY Constitution; and • including the study of and devotion to American institutions and ideals. 	There is one public four-year college in Wyoming. ⁹ <ul style="list-style-type: none"> • University of Wyoming: <ul style="list-style-type: none"> ○ Requires three credit hours on the US and WY Constitutions.¹⁰

⁵ GA. CODE ANN. § 20-3-68.

⁶ UTAH CODE ANN. § 53B-16-103; ARK CODE ANN. § 6-61-105; MO. REV. STAT. § 170.013.

⁷ Utah’s statute requires colleges students to have a “reasonable understanding,” of the principles in American government. The Utah state agency—the Utah System of Higher Education—interprets this statute for all state colleges through regulation R470-3.2.3. This Utah state regulation requires a minimum of three credit hours, and then the public colleges accordingly follow that regulation. The Arkansas statute requires a “course” covering the U.S. Constitution, and then prescribes that the Department of Higher Education “shall see to the strict carrying out” of this provision. The Department, in turn, mandates a three-credit hour course on all Arkansas public colleges, and the public colleges comply with this requirement. Code Ark. R. 008.03.2. The Missouri statute does not specify the length of instruction, rather it states the length shall be “determined by the state commissioner of higher education.” The Missouri Coordinating Board of Higher Education oversees the Department of Higher Education.⁷ The Board appoints the Commissioner for the Department.⁷ While the statute prescribes the Commissioner to determine the length of instruction in the U.S. Constitution, the Board itself (the entity that appoints the Commissioner) has directly prescribed a core curriculum for all Missouri public colleges which includes a required three credit hour course on American civics.

⁸ TEXAS HIGHER EDUCATION COORDINATING BOARD, Texas General Education Core Curriculum WebCenter, <http://board.theccb.state.tx.us/apps/TCC/> (last visited Feb 25, 2023); Texas Higher Education Coordinating Board, Texas Core Curriculum April 2018, <https://reportcenter.highered.texas.gov/agency-publication/miscellaneous/elements-of-the-texas-core-curriculum/> (last visited Feb 25, 2023).

⁹ N.B. Wyoming also has eight public community colleges. The community colleges also require all students to complete three-credit-hours in the U.S. and WY constitutions.

¹⁰ UNIVERSITY OF WYOMING, University Studies Checklist University of Wyoming University Studies Program (General Education requirements), https://wyoleg.gov/InterimCommittee/2022/02-2022060205-02_UW_USP_5-17-2022FinalDraftforJAC_Combined.pdf (last visited Feb 25, 2023)

NV	<p>“one year”</p> <ul style="list-style-type: none"> • US Constitution; • NV Constitution; and • “including the origin and history of the Constitutions and the study of and devotion to American institutions and ideals.” • 	<p>The Board of Regents for the Nevada System of Higher Education governs all Nevada four year and community colleges.¹¹</p> <p>In its policy manual, the Board of Regents mandates that all baccalaureate and associate degree students complete three-credit-hours in the US and NV Constitutions.¹²</p>
GA	<p>“course work;” <i>or</i> satisfactorily passing an exemption exam on:</p> <ul style="list-style-type: none"> • US Constitution • GA Constitution • American history • Georgia history. 	<p>The public colleges of Georgia follow the law by requiring students to complete at least three credit hours on the US Constitution, GA Constitution, American history, and Georgia history <i>or</i> pass an exemption exam.¹³</p> <p>The state public colleges are within University System of Georgia and are governed by the state Board of Regents.¹⁴ The Board of Regents mandates the course or placement exam in its policy manual. The Policy Manual uses the same language as the GA founding documents statute.¹⁵</p>
UT	<p>“reasonable understanding” of the principles of American government.</p>	<p>The state agency—the Utah System of Higher Education—interprets “reasonable understanding” by its regulation as three credits and requires this on all public colleges in the state system.¹⁶</p>
AR	<p>A “course” on the US Constitution</p> <ul style="list-style-type: none"> • Prescribes the Department of Higher Education “shall see to the strict carrying out” of the statute. 	<p>The Arkansas Department of Higher Education is the agency that implements the policies of the Arkansas Higher Education Coordinating Board.¹⁷ The Coordinating Board governs all Arkansas public colleges. The Board, through its policy manual, creates a core curriculum for all public colleges. This core curriculum complies with the Arkansas statute by requiring all students to complete at least three credit hours in U.S. government or history.¹⁸</p>

¹¹ NEVADA SYSTEM OF HIGHER EDUCATION, Bylaws of the Board of Regents Revised Dec 2022, <https://nshe.nevada.edu/wp-content/uploads/file/BoardOfRegents/Handbook/COMPLETEHANDBOOKREV302.pdf> (last visited Feb 25, 2023).

¹² *Id.* at 472, 512.

¹³ UNIVERSITY OF GEORGIA, General Education Core Curriculum, <http://www.bulletin.uga.edu/GenEdCoreBulletin> (last visited Feb 25, 2023); GEORGIA TECH, 2022-23 Core Curriculum: Constitution and History: US and Georgia <https://catalog.gatech.edu/academics/undergraduate/core-curriculum/constitution-history/> (last visited Feb 25, 2023).

¹⁴ GA. CODE ANN. § 20-3-50 and GA. CODE ANN. § 20-3-21.

¹⁵ UNIVERSITY SYSTEM OF GEORGIA, Board of Regents Policy Manual: 3.3.4 United States and Georgia History and Constitutions, <https://www.usg.edu/policymanual>, (last visited Feb 25, 2023); Curriculum Academic Affairs Division: Georgia Legislative Requirements, https://www.usg.edu/curriculum/georgia_legislative_requirements (last visited Feb 25, 2023).

¹⁶ UTAH SYSTEM OF HIGHER EDUCATION, General Education, Section R470-3.2.3

¹⁷ ARKANSAS DEPARTMENT OF HIGHER EDUCATION, About the Agency, <https://www.adhe.edu/about-adhe/about-the-agency/> (last visited Dec. 16, 2018).

¹⁸ ARKANSAS HIGHER EDUCATION COORDINATING BOARD, Policy Manual: 3.10.25 Appendix C – Minimum General Education and Technical Cores, [https://adhe.edu/File/ADHE_Policy_-_8-14-18_for_WEB_\(2\).pdf](https://adhe.edu/File/ADHE_Policy_-_8-14-18_for_WEB_(2).pdf) (last visited Feb 25, 2023).

SC	<p>Three-credit-hour course:</p> <ul style="list-style-type: none"> • US Constitution • Declaration of Independence • Federalist Papers • Emancipation Proclamation <p>One document “foundational to the African American Freedom Struggle”</p>	<p>Each SC college requires a three-credit-hour class on American government, American history, or “equivalent course of instruction that provides a comprehensive overview of the major events and turning points of American history and government.”</p> <p>Annually, each college submits all syllabi from covered courses to the state Commission on Higher Education (CHE) for compliance verification. The CHE then submits an annual compliance report to the General Assembly’s House and Senate Education Committees.¹⁹</p>
MO	<p>“Regular courses of instruction” to an “extent determined by the by the state commissioner of higher education.”</p> <ul style="list-style-type: none"> • US Constitution • MO Constitution • American history • American institutions. 	<p>The Missouri Coordinating Board of Higher Education oversees the Department of Higher Education.²⁰ The Board appoints the Commissioner for the Department.²¹ While the statute prescribes the Commissioner to determine the length of instruction in the U.S. Constitution, the Board itself (the entity that appoints the Commissioner) has directly prescribed a core curriculum for all Missouri public colleges which includes a required three credit hour course on American civics.²²</p>

¹⁹ SOUTH CAROLINA COMMISSION ON HIGHER EDUCATION, Final AY 2021-22 REACH Act Compliance Report, April 29, 2022, https://a23b82b6-2f67-4e55-88e0-2bcc71cc3e83.filesusr.com/ugd/38ca6e_d1b8a45e74e24a1394226701399cba63.pdf

²⁰ MISSOURI DEPARTMENT OF HIGHER EDUCATION, Home Coordinating Board for Higher Education Members, <https://dhewd.mo.gov/cbhe/members.php> (last visited Feb 25, 2023).

²¹ MISSOURI DEPARTMENT OF HIGHER EDUCATION, Commissioner of Higher Education, <https://dhewd.mo.gov/cbhe/commissioner.php> (last visited Feb 25, 2023).

²² MISSOURI DEPARTMENT OF HIGHER EDUCATION, CORE 42: The Higher Education Core Transfer Curriculum, <https://dhewd.mo.gov/core42.php> (last visited Feb 25, 2023).