

TRENDS IN LEGISLATING CURRICULUM

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Reported here are findings in a survey of state laws affecting school curriculum. Diversity of curriculum legislation is still prevalent.

IN THE continuing discussion of schools and the law, the authority of the state legislature over educational matters is universally recognized. One area in particular where state legislatures have been hesitant to act is in curriculum. That this authority is not often exercised, however, does not alter the constitutional right of the legislature to determine educational policy and practices within the state.

To get a general idea of the ways in which state legislatures have exercised their authority and leadership on one portion of American education, Marconnit examined laws affecting school curriculum. In his review of state statutes, Marconnit identified instances of courses, courses of study, courses of instruction, and specific topics mandated by legislatures. The results of this survey were presented as a listing of topics arranged by states. Different tables described both the relative frequency of prescription of

each of the identified subjects and the number of prescriptions per state. The source of the data was not specifically identified but the review described the status of curriculum legislation up to April 1966.¹

In order to get an idea of changes which have occurred since that date, the authors conducted another survey of curriculum legislation. Rather than attempting a summary of the present state of this legislation, attention was directed only to additions since Marconnit's review. The sources were the annotated statutes collection and the individual legislative session summaries for each state maintained by the Law Library of Louisiana. All curriculum legislation representing an addition to the topics summarized for each state in Marconnit's review was recorded. Data were available for all states up to 1973. Since all states do not have yearly legislative sessions and some of the

¹ G. D. Marconnit. "State Legislatures and the School Curriculum." *Phi Delta Kappan* 49: 269-72; 1968.

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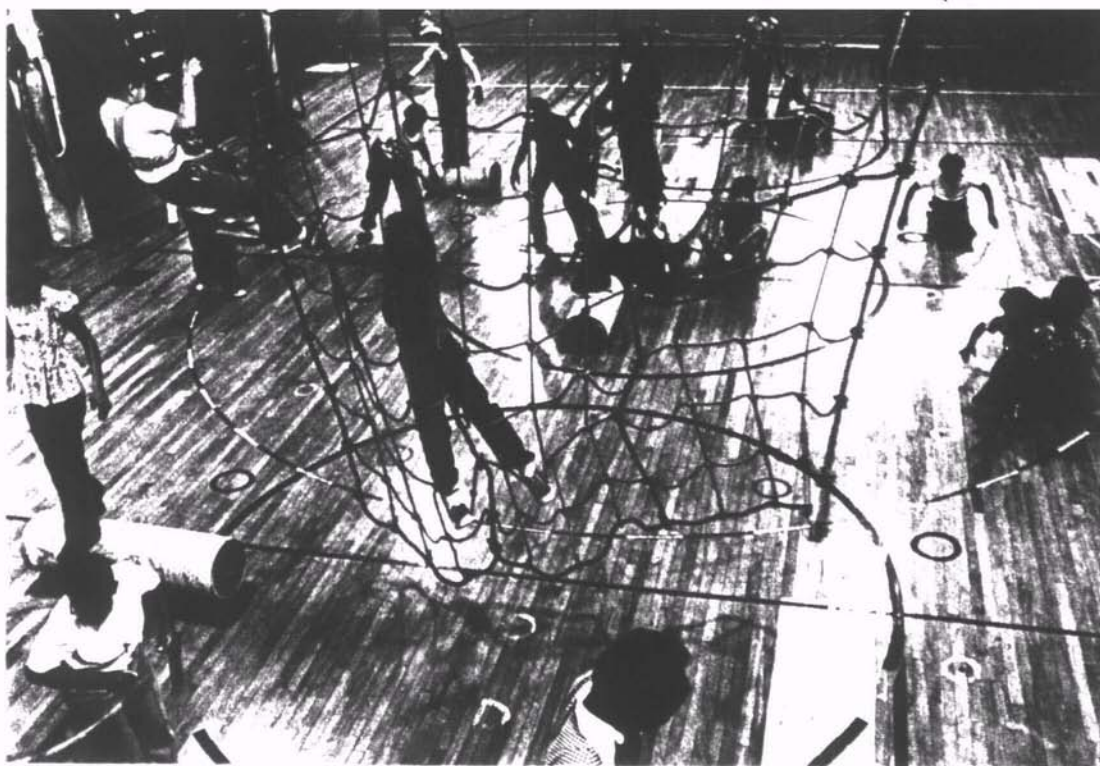
library holdings were incomplete, it was not possible to use a current cutoff date for the survey. In a few cases where legislation enacted after 1973 is included in this review the date is stated.

A list of the states and the additions to their mandated curriculum is presented in Table 1. The number of additions for a given state does not represent the extent of mandated curriculum topics in that state. However, the two states with the largest number of additions, Iowa and California, were also the two states listed in Marconnit's review as having the largest number of curriculum prescriptions. With the exceptions of three other states, Vermont with nine additions, Nebraska with eight additions, and Illinois with six, the number of additions in each state was small. Eighteen states had no additional curriculum topics prescribed during the major time period covered by the present review.

Diversity Is Still the Role

Most of the courses or topics legislated by the states were mandated by other states in earlier legislation and included in Marconnit's review. For example, Marconnit listed a total of 99 topics which he found in state statutes. All of the additions contained in Table 1 could be included under these topics with only five exceptions. Therefore, most of the additions seem to represent a trend toward more interstate uniformity of statutes with respect to curriculum. However, because of the small number of additions this trend is only beginning and diversity of curriculum legislation is still the rule.

The topic reported as most commonly prescribed in 1966 was alcohol and narcotics. Several of the additions were related to this topic and were not included as exceptions since they seemed to represent an



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extension of earlier concerns. These additions were the establishment of drug education programs and the topic of the effects of tobacco on the human body. Thus, it seems that the topics of alcohol, narcotics, drugs, and tobacco are still receiving a lot of attention in state legislatures.

The five new topics among the additions were related to bilingual programs, consumer education, the free enterprise system, contributions and role of minorities and women, and career education. The statutes

mandating bilingual programs were unique in that they included a specified number of students, usually twenty, who had the same language background as a condition for the statute to apply. None of these new topics occurred in more than a few states. As Marconit reported in 1966, there are still only three topics which more than half of the states have in common in their legislated curriculum: alcohol and narcotics (drugs and tobacco), the U.S. Constitution, and physical education. □

State *	Topic	State *	Topic
Alabama	Driver education	Minnesota	Conservation
Alaska	Bilingual programs; Emergency drills	Mississippi	Drug education
Arizona	Oral and silent reading; Free enterprise system	Missouri	No additions
Arkansas	No additions	Montana	No additions
California	Consumer economics (1974); Protection of the environment; American economic system (role of entrepreneur and labor); Ecological systems; Natural resources; Role and contributions of persons of oriental extraction and women; American legal system (1974)	Nebraska	Contributions of ethnic groups; American heroes; Flag education; American history; U.S. and State Constitution; Dangers of Communism and Nazism; Citizenship; Drug education
Colorado	History and civil government of the U.S. including history, culture, and contributions of minorities	Nevada	Environmental education
Connecticut	No additions	New Hampshire	Venereal disease; Nutrition education
Delaware	No additions	New Jersey	History of the Negro in America; Bilingual education
Florida	Positive attitude toward the dignity of work, the dignity and value of all legitimate occupational pursuits	New Mexico	Drug abuse education
Georgia	No additions	New York	Bicycle safety
Hawaii	Oral expression, written composition, and spelling of the English language	North Carolina	No additions
Idaho	No additions	North Dakota	No additions
Illinois	Consumer education; Conservation; Law; Role and contributions of American Negroes and other ethnic groups; Driver education; Bus safety (1974)	Ohio	No additions
Indiana	No additions	Oklahoma	Drug abuse education; Vocational education
Iowa	History of minority groups and women; Environmental awareness; Drugs; Communicable diseases; Traffic safety; Government and cultures of other people and nations; Consumer education; Family law; Family economics; Occupational education; Career education (1974)	Oregon	Speaking, reading, writing of the English language for those unable to profit from instruction in English
Kansas	No additions	Pennsylvania	No additions
Kentucky	Environmental education; Consumer education (1974)	Rhode Island	Voting instruction
Louisiana	No additions	South Carolina	No additions
Maine	No additions	South Dakota	Contributions of minority and ethnic groups; Drug education; Mastery of the English language (oral and written communication)
Maryland	Health; Physical education; Safety; Drug education	Tennessee	Free enterprise system (1974)
Massachusetts	Health; Physical education; Fire safety	Texas	Bilingual program; Free enterprise system (1974)
Michigan	No additions	Utah	Free enterprise system (1975)
		Vermont	Communication skills (reading, writing, and use of numbers); Citizenship; U.S. history; State history; U.S. government; American literature; Driver training; English literature
		Virginia	Virginia Constitution; Drug education
		Washington	No additions
		West Virginia	Driver education
		Wisconsin	Frugality in relation to family and consumer education
		Wyoming	No additions

* For a few states legislation added after 1973 is included and the date indicated.

Table 1. Additions to Curriculum Legislation by State, 1966 to 1973

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