

Bill as Introduced

HB 159 - AS INTRODUCED

2013 SESSION

13-0550

04/03

HOUSE BILL **159**

AN ACT requiring patriotic exercises in public schools on federal Constitution Day.

SPONSORS: Rep. Cordelli, Carr 4

COMMITTEE: Education

ANALYSIS

This bill requires patriotic exercises in public schools on federal Constitution Day.

Explanation: Matter added to current law appears in *bold italics*.
Matter removed from current law appears ~~[in brackets and struck through]~~
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Thirteen

AN ACT requiring patriotic exercises in public schools on federal Constitution Day.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 School Boards, Transportation, and Instruction of Pupils; Patriotic Exercises. Amend
2 RSA 189:18 to read as follows:

3 189:18 Patriotic Exercises. In all public schools of the state one session, or a portion thereof,
4 during the weeks in which Memorial Day, *federal Constitution Day*, and Veterans Day fall, shall
5 be devoted to exercises of a patriotic nature.

6 2 Effective Date. This act shall take effect 60 days after its passage.

Amendments



Rep. Cordelli, Carr. 4
January 22, 2013
2013-0028h
04/01

Amendment to HB 159

1 Amend the bill by replacing section 1 with the following:

2

3 1 School Boards, Transportation, and Instruction of Pupils; Patriotic Exercises. Amend
4 RSA 189:18 to read as follows:

5 189:18 Patriotic Exercises. In all public schools of the state one session, or a portion thereof,
6 during the weeks in which Memorial Day, *federal Constitution Day*, and Veterans Day fall, shall
7 be devoted to exercises of a patriotic nature *which may include speakers, instruction,*
8 *presentations, and other events as appropriate. Federal Constitution Day exercises may*
9 *include recognition of the New Hampshire constitution as well as exercises related to our*
10 *rights and responsibilities as citizens.*

Speakers

Hearing Minutes

HOUSE COMMITTEE ON EDUCATION

PUBLIC HEARING ON HB 159

BILL TITLE: requiring patriotic exercises in public schools on federal Constitution Day.

DATE: January 17, 2013

LOB ROOM: 207 **Time Public Hearing Called to Order:** 11:05 am

Time Adjourned: 11:30 am

(please circle if present)

Committee Members: Reps. (Gile, Grassie, Frazer, Burke, Arsenault, A. Schmidt, Rokas, Gorman, Myler, Spang, Shaw, Boehm, Greemore, Cordelli, Ladd, Willette, Grenier, Pitre, Bick and Harris.)

Bill Sponsors: Rep. Cordelli, Carr 4

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep. Glenn Cordelli, Sponsor

Celebration on Sept. 17 (week of) to honor the foundation of our country, our Constitution and also our State Constitution.

Recent group established – Constitutionally speaking to be used as a resource for teachers.

* Also submitted written testimony and a packet of information.

Rep. Dan Itse, Supports bill

Attention given to our National & State Constitution will provide a better understanding of the basic principles on which our country & nation were established.

Better understanding, better government.

Constitution day is the beginning as opposed to Veterans Day and Memorial Day as ends in some respect.

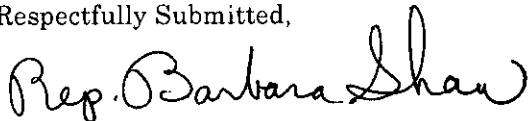
Mark Joyce, NHSAA- supports the bill

Already in laws- 4th & 8th grade instruction.

High school requires civics and US history

Presently NH Bar Assoc. promotes Constitution Day by voluntarily visiting schools during that week.

Respectfully Submitted,



Rep. Barbara Shaw, Clerk

HOUSE COMMITTEE ON EDUCATION

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TESTIMONY

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① Rep. Cordelli - sponsor

- celebration on Sept 17 (week of) to honor the foundation of our country, our Constitution and also our State Constitution
- recent group established - Constitutionally Speaking to be used as a resource for teachers
- * also submitted written testimony and a packet of info

② Rep Itse - Fremont

- supports bill
- attention given to our National & State Constitution will provide a better understanding of the basic principles on which our country & nation were established
- better understanding, better government
- Constitution Day is the beginning as opposed to Veterans Day and Memorial Day as ends in some respect.

③ Mark Joyce - NHSA

- supports the bill
- already in laws - 4th & 8th grade instruction
- high school requires Civics & US History
- presently NH Bar Asso. promotes Constitution Day by voluntarily visiting schools during that week.

Sub-Committee Minutes

HOUSE COMMITTEE ON EDUCATION
SUBCOMMITTEE WORK SESSION ON HB 159

BILL TITLE: requiring patriotic exercises in public schools on federal Constitution Day.

DATE: January 22, 2013

Subcommittee Members: Reps. Beth Arsenault, Chair, Mary Gorman, Andy Schmidt, Rick Ladd and Ralph Boehm

Comments and Recommendations:

Amendments:

Sponsor: Rep. Ralph Boehm	OLS Document #:	161
Sponsor: Rep. Rick Ladd	OLS Document #:	201
Sponsor: Rep. Beth Arsenault	OLS Document #:	

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. Rick Ladd

Seconded by Rep. Adndrew Schmidt

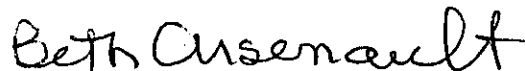
Vote: 5-0 OTP as amended

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.

Seconded by Rep.

Vote:



Respectfully submitted,

Rep. Beth Arsenault
Subcommittee Chairman/Clerk

HOUSE COMMITTEE ON EDUCATION
SUBCOMMITTEE WORK SESSION ON HB 159

BILL TITLE: requiring patriotic exercises in public schools on federal Constitution Day.

DATE:

Subcommittee Members: Reps. *Mary Gorman* *Andy Schmidt*
Rick Ladd

Comments and Recommendations: *Ralph Boehm*

Amendments:

Sponsor: Rep.	<i>Boehm</i>	OLS Document #:	<i>161</i>
Sponsor: Rep.	<i>Ladd</i>	OLS Document #:	<i>201</i>
Sponsor: Rep.	<i>Arsenault</i>	OLS Document #:	

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep. *Ladd*
Seconded by Rep. *Schmidt*
Vote: *5 to 0 OTP as amended*

Motions: OTP, OTP/A, ITL, Retained (Please circle one.)

Moved by Rep.
Seconded by Rep.
Vote:

Respectfully submitted,

Rep.
Subcommittee Chairman/Clerk

Beth R Arsenault

Testimony

Rep. Cordelli

File copy #HB159

Thank you Madam Chair.

And thank you honorable colleagues for your time.

It is an honor to present HB159, which revises RSA 189.18.

The statute currently requires public schools to hold "patriotic exercises" during the weeks of Memorial Day and Veteran's Day. I would add federal Constitution Day which is September 17th – the anniversary of the signing of the U.S. Constitution. Recognition of Constitution Day dates back to 1952. In 2004, legislation was passed which required all educational institutions that receive Federal funds to hold educational programs on Constitution Day.

Constitution Day has previously been recognized by New Hampshire in legislation that requires the Governor to issue a proclamation annually "so that the people may be reminded annually ... of the blessings of liberty which they enjoy by the adoption of the Constitution of the United States..."

Madame Chair, last Thursday after our small group discussions, I believe it was your group that stated that "education is key to a successful democracy." I agree as do many others in our state. In 2010, the Supreme Court Society created a civics education task force whose members included Supreme Court Justice Souter and Education Commissioner Barry. Their work led most recently, to formation of Constitutionally Speaking, whose goal is to provide professional development opportunities for teachers and promote a dialogue about important constitutional issues.

Recent studies have demonstrated the lack of knowledge about our government and our Constitution. A 1998 study found that 41% of teenagers could name the three branches of government vs. 59% of teenagers that could name the Three Stooges. A 2010 national survey found 38% of young Americans believe that the Constitution is no longer effective and think it is time for a new one.

While Federal law requires most of our schools to recognize Constitution Day with educational programs, I believe that this is given minimal attention. Our Department of Education recognizes the need to hold educational programs as stated on their web site but mentions only the NH Judicial Branch Constitution Day Essay Contest. There are no other resources or suggestions available.

In recent years, we have heard more discussion of constitutional issues than I can recall from the past. I see no reason that will change. As stated by President Obama in a Constitution Day proclamation "To succeed, the democracy established in our Constitution requires the active participation of its citizenry. Each of us has a responsibility to learn about our Constitution and teach younger generations about its contents and history".

It is my intent to focus attention on the Constitution. I believe that if we can better educate our children about their constitutional rights and responsibilities, our democracy will be strengthened.

Thank you for your time.

HB159
Exhibits

1. RSA 4:13 – Governor proclamation on Constitution Day + recent Gov Lynch proclamation
2. President Obama proclamation on Constitution (note paragraphs 2&3)
3. U.S. 2004 law requiring education institutions receiving federal funds to hold educational program on Constitution Day & federal employee training ("Byrd amendment) + U.S. Government Personnel Management instructions
4. 2010 Report of N.H. Supreme Court Society Civics Education Task Force
5. 2011 Annenburg Public Policy Center survey
6. 2008 Intercollegiate Studies Institute American Civics Literacy Quiz
7. Constitutionally Speaking – collaboration of N.H. Humanities Council, N.H. Supreme Court Society, UNH School of Law
8. Scholastic Magazine celebration of Constitution Day
9. N.H. Judicial Branch annual Constitution Day Essay Contest

Exhibit 1

TITLE I

THE STATE AND ITS GOVERNMENT

CHAPTER 4

POWERS OF THE GOVERNOR AND COUNCIL IN CERTAIN CASES

Observances Proclaimed by Governor

Section 4:13-c

4:13-c Constitution Days. – The governor shall annually issue on the following dates a proclamation calling for a proper observance of State Constitution Day which is January 5 and September 17 as Federal Constitution Day so that the people may be reminded annually on these dates of the blessings of liberty which they enjoy by the adoption of the Constitution of the United States, the Bill of Rights and the Constitution of the State of New Hampshire.

Source. 1975, 53:1, eff. June 6, 1975.

State of New Hampshire
By His Excellency
John Lynch, Governor

A Proclamation

CONSTITUTION WEEK
September 17-23, 2008

WHEREAS, September 17, 2008 marks the two hundred and twenty-first anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to officially recognize this magnificent document and the anniversary of its creation; and

WHEREAS, We officially recognize the patriotic celebrations that will commemorate the occasion; and

WHEREAS, The Constitution officially came into effect on June 21, 1788 when New Hampshire became the ninth state to ratify the Constitution; and

WHEREAS, Each year the President of the United States of America designates September 17 through 23 as Constitution Week;

NOW, THEREFORE, I, JOHN LYNCH, GOVERNOR of the State of New Hampshire, do hereby proclaim the week of September 17-23 as **CONSTITUTION WEEK** in New Hampshire and celebrate the two hundred and twenty-first anniversary of the drafting of the Constitution.

Given at the Executive Chamber in
Concord, this 8th day of September, in the
year of Our Lord two thousand and eight,
and the independence of the United States of
America, two hundred and thirty-three.

John H. Lynch
Governor

Federal Register

Vol. 74, No. 181

Monday, September 21, 2009

Presidential Documents

Title 3—

Proclamation 8418 of September 16, 2009

The President

Constitution Day And Citizenship Day, Constitution Week,
2009

By the President of the United States of America

A Proclamation

The United States Constitution has withstood the test of time for more than two centuries as our Nation's charter of government and the guarantor of our liberties. Signed in Philadelphia on September 17, 1787, this founding document reflects our core values and enshrines the truths set forth in the Declaration of Independence, that we are each endowed with certain unalienable rights. As the beneficiaries of these rights, all Americans have a solemn obligation to participate in our democracy so that it remains vibrant, strong, and responsive to the needs of our citizens.

To succeed, the democracy established in our Constitution requires the active participation of its citizenry. Each of us has a responsibility to learn about our Constitution and teach younger generations about its contents and history. By fulfilling civic duties, engaging government at the local, State, and Federal level, and volunteering in our communities, individual citizens can better our country and breathe life into the freedoms established in the Constitution.

The right to participate in self-government, and the many other freedoms guaranteed by our Constitution, inspire the dreams and ambitions of many inside and outside our borders. These principles serve as a beacon of hope for Americans and those who seek new lives in the United States. Every day, we welcome new and diverse stories and heritages into the great patchwork of our Nation. United by our devotion to the Constitution and to the civic engagement it inspires, Americans remain committed to the fundamental principles established over two hundred years ago.

In remembrance of the signing of the Constitution and in recognition of the Americans who strive to uphold the duties and responsibilities of citizenship, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 106), designated September 17 as "Constitution Day and Citizenship Day," and by joint resolution of August 2, 1956 (36 U.S.C. 108), requested that the President proclaim the week beginning September 17 and ending September 23 of each year as "Constitution Week."

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, do hereby proclaim September 17, 2009, as Constitution Day and Citizenship Day, and September 17 through September 23, 2009, as Constitution Week. I encourage Federal, State, and local officials, as well as leaders of civic, social, and educational organizations, to conduct ceremonies and programs that celebrate our Constitution and reaffirm our rights and obligations as citizens of our great Nation.

SEC. 108. Notwithstanding any other provision of law, in addition to amounts otherwise made available in the Department of Defense Appropriations Act, 2005 (Public Law 108-287), an additional \$2,000,000 is hereby appropriated and shall be made available under the heading "Shipbuilding and Conversion, Navy", only for the Secretary of the Navy for the purpose of acquiring a vessel with the Coast Guard registration number 225115: *Provided*, That the Secretary of the Navy shall provide for the transportation of the vessel from its present location: *Provided further*, That the Secretary of the Navy may lend, give, or otherwise dispose of the vessel at his election pursuant to 10 U.S.C. 2572, 7545, or 7306, or using such procedures as the Secretary deems appropriate, and to such recipient as the Secretary deems appropriate, without regard to these provisions.

SEC. 109. DESIGNATION OF NATIONAL TREE.

(a) DESIGNATION.—Chapter 3 of title 36, United States Code, is amended by adding at the end the following:

“§ 305. National tree

“The tree genus *Quercus*, commonly known as the oak tree, is the national tree.”.

(b) CONFORMING AMENDMENTS.—Such title is amended—

(1) in the table of contents for part A of subtitle I, by striking “, and March” and inserting “March, and Tree”;

(2) in the chapter heading for chapter 3, by striking “, AND MARCH” and inserting “MARCH, AND TREE”; and

(3) in the table of sections for chapter 3, by adding at the end the following:

“305. National tree.”.

SEC. 110. Section 204(g) of the Employee Retirement Income Security Act of 1974, as amended (29 U.S.C. 1054(g)) shall not apply at any time, whether before or after the enactment of this section, to an amendment adopted prior to June 7, 2004, by a (multiemployer) pension plan covering primarily employees working in the State of Alaska, to the extent that such amendment—

(1) provides for the suspension of the payment of benefits, modifies the conditions under which the payment of benefits is suspended, or suspends actuarial adjustments in benefit payments in accordance with section 203(a)(3)(B) of said Act (29 U.S.C. 1053(a)(3)(B)) and applicable regulations; and

(2) applies to participants who have not retired before the adoption of such amendment.

SEC. 111. (a) The head of each Federal agency or department shall—

(1) provide each new employee of the agency or department with educational and training materials concerning the United States Constitution as part of the orientation materials provided to the new employee; and

(2) provide educational and training materials concerning the United States Constitution to each employee of the agency or department on September 17 of each year.

(b) Each educational institution that receives Federal funds for a fiscal year shall hold an educational program on the United States Constitution on September 17 of such year for the students served by the educational institution.

(c) Title 36 of the United States Code, is amended—

Government employees.
36 USC 106 note.

you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to the Internet address OCIO_RIMG@ed.gov or faxed to 202-245-6621. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Katina Ingalls at her e-mail address

Katrina.Ingalls@ed.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

[FR Doc. 05-10290 Filed 5-23-05; 8:45 am]
BILLING CODE 4000-01-P

DEPARTMENT OF EDUCATION

Notice of Implementation of Constitution Day and Citizenship Day on September 17 of Each Year

AGENCY: Office of Innovation and Improvement, Department of Education.

ACTION: Notice of implementation of Constitution Day and Citizenship Day.

SUMMARY: The Assistant Deputy Secretary for Innovation and Improvement announces that, pursuant to legislation passed by Congress, educational institutions receiving Federal funding are required to hold an educational program pertaining to the United States Constitution on September 17 of each year. This notice implements this provision as it applies to educational institutions receiving Federal funding from the Department

FOR FURTHER INFORMATION CONTACT: Alex Stein, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W218, Washington, DC 20202-5910. Telephone: (202) 895-9085 or via Internet: Alex.Stein@ed.gov.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339. Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed in section.

SUPPLEMENTARY INFORMATION: This notice informs educational institutions receiving Federal funds from the U.S. Department of Education (Department) of a new statutory requirement for implementation of an educational

program pertaining to the United States Constitution, on a date designated by statute as Constitution Day and Citizenship Day ("Constitution Day"). This Congressional initiative is authorized by Section 111 of Division J of Pub. L. 108-447, the "Consolidated Appropriations Act, 2005," Dec. 8, 2004; 118 Stat. 2809, 3344-45 (Section 111). The Assistant Deputy Secretary for Innovation and Improvement (Assistant Deputy Secretary) takes this action in order to implement this provision as it applies to educational institutions receiving Federal funding from the Department.

Section 111(b) states "[e]ach educational institution that receives Federal funds for a fiscal year shall hold an educational program on the United States Constitution on September 17 of such year for the students served by the educational institution." For purposes of the Department's implementation of this requirement, "educational institutions" includes but is not limited to "local educational agencies" and "institutions of higher education" receiving Federal funding from the Department.

Section 111 applies to all educational institutions receiving Federal funding, not only those receiving Federal funding from the Department. However, the Department's authority only extends to those educational institutions receiving funding from the Department, and consequently the Department can only regulate with regard to those institutions.

Section 111 requires that Constitution Day be held on September 17 of each year, commemorating the September 17, 1787 signing of the Constitution. However, when September 17 falls on a Saturday, Sunday, or holiday, Constitution Day shall be held during the preceding or following week.

Section 111 does not authorize funds to carry out this requirement, and Section 111(d) indicates that this section shall apply "without fiscal year limitation." Accordingly, the Assistant Deputy Secretary intends that this notice pertain to this fiscal year and all subsequent years.

Some informational resources pertaining to the Constitution are listed below. In addition to these, the Department is aware that there may be other public and private resources available that may be helpful to educational institutions in implementing Constitution Day. While the Department does not endorse any particular program or Web site, this information is provided because it may be of use to educational institutions

developing their Constitution Day programs.

One of the Library of Congress' repositories for Constitutional documents and information may be accessed at: <http://memory.loc.gov/ammem/bdsds/bdsdhome.html>.

The National Archives also has a Web site with a scan of the U.S. Constitution available online at: http://www.archives.gov/national_archives_experience/charters/constitution.html. In addition, the National Archives has a nationwide network of research facilities, including presidential libraries that welcome students as young as 14 years of age. Information about the facilities (by region and state) can be located online at: <http://www.archives.gov/facilities/index.html>.

In addition to the resources mentioned above, it is our understanding that the U.S. Office of Personnel Management will be making available to all Federal agencies, information to help train and educate Federal employees on the Constitution and, in particular, its relationship to the Oath of Office Federal employees take. This information will be posted shortly on the OPM Web site, at: <http://www.opm.gov/>. We expect that educational institutions may find this material useful in planning their Constitution Day activities.

Electronic Access to This Document: You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF, you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: May 19, 2005.
Nina Shokraii Rees,
Assistant Deputy Secretary for Innovation and Improvement.

[FR Doc. 05-10355 Filed 5-23-05; 8:45 am]
BILLING CODE 4000-01-P

September 17 as Constitution Day.

By Alonzo Webb, *Scholastic Kids Press Corps*

I recently interviewed U.S. Senator Robert Byrd from West Virginia. It was a very exciting experience. We talked about a new law that establishes Constitution Day on September 17 every year. The law was written by Senator Byrd and was passed by Congress in 2004. This year is the first year that schools and federal agencies will set aside a day to celebrate the Constitution.

"There's nothing more important than the Constitution," Senator Byrd told me. "We have all kinds of holidays. We have George Washington's birthday, Lincoln's birthday, the Fourth of July, Labor Day, we have Flag Day. But none of these—not one—is as important as the Constitution of the United States."

U.S. OFFICE OF PERSONNEL MANAGEMENT

WWW.OPM.GOV

CONSTITUTION INITIATIVE



Constitution Initiative

The purpose of this website is to provide Federal Executive Branch agencies and departments resources to support training of their employees on the U.S. Constitution. The U.S. Office of Personnel Management wishes to acknowledge the active participation of the National Archives and Records Administration in the creation of this website.

Section 111 of Title I, Division J, of the Fiscal Year 2005 Consolidated Appropriations Act (Pub. L. 108-447), enacted into law on December 8, 2004 requires the head of each Federal agency or department each year to:

1. provide each new employee of the agency or department with educational and training materials concerning the United States Constitution as part of the orientation materials provided to the new employee; and
2. provide educational and training materials concerning the United States Constitution to each employee of the agency or department each year.

OPM has provided educational training materials on this site to help Federal departments and agencies meet this requirement. We hope these materials will help provide your agencies with useful training tools.

Visit the [Archives](#) website to learn more about the month-long celebrations of the Constitution.

*Deaf and hard of hearing users should contact us using the the Federal Relay Service. See <http://www.frsso.us/>.

This page can be found on the web at the following url: http://www.opm.gov/constitution_initiative/index.asp

U.S. Office of Personnel Management

1900 E Street, NW, Washington, DC 20415 | (202) 606-1800 | TTY (202) 606-2532

New Hampshire Supreme Court Society
Civics Education Task Force
August 31, 2010

**The Compelling Need for Comprehensive Civics Education Reform in New Hampshire
Interim Conclusions**

This Task Force embraces New Hampshire's legacy of leadership in citizen involvement in government. We seek to affirm that legacy and urge the reform and enhancement of the teaching of civics in our public schools to better educate future generations of citizens about the requirements of good citizenship.

Our goal is to build upon the Granite State's rich history of citizen engagement in civic affairs and shared responsibility for the common good. As a colony whose citizens joined in the revolution against the British Crown, as one whose representatives proudly signed the Declaration of Independence and as a state whose ratification of the United States Constitution officially made it the governing document for our Nation, New Hampshire has always understood that maintaining a democracy requires more than mere lip service; it requires shared responsibility and involvement. The New Hampshire Town Meeting became a model of civic engagement. The New Hampshire General Court has long represented a unique example of grass roots republicanism. In the 19th century New Hampshire citizens played a major role in shaping the reforms advanced by Andrew Jackson and his newly-shaped Democratic party; the State served as an important center for anti-slavery politics, joined in organizing the Republican party in 1854, and participated in defending the Union during the Civil War. In the 20th century New Hampshire redefined citizen engagement and responsibility with the first-in-the-nation presidential primary.

Ours is a proud heritage, but it is one that must be nurtured in order to be sustained. Many have observed that in this 21st century we have drifted away from the obligations of civic responsibility. Manifestations of this ominous trend can be seen in declining voting participation, in a lessening of volunteer engagement, and in the measurable loss in citizen understanding of public issues and in the understanding of how government works.

Re-engaging and inspiring citizens to meet their obligations of civic responsibility demands that we do a better job educating our young in the principles and requirements of good citizenship and in helping them accept responsibility for advancing the rich civic culture upon which our government depends.

Statement of the Case for Civics Education Reform

Whichever side you were on in the 2008 presidential election, there was some good news. While the overall voting percentage was not much different from the 2004 election, the turnout in the 18-29 year range rose to about 50%. In 1996, it had been under a third.¹

But lurking behind the good news was some that was pretty bad. Within the cohort of younger citizens there was a stark difference in voting performance keyed to the extent of education. "In the 2008 election, young people with college experience were almost twice as likely to vote as those without college experience (62% vs. 36%)."² And, in fact, history shows that the disparity of voter turnout correlated with voter education is consistent over time.³ Because the line between college and non-college runs roughly through the middle of the population, the numbers are showing us that half of America's younger citizens are leaving the public education system with poor odds for exercising politically responsible citizenship. It is no surprise then that in the most exciting election in recent memory, two-thirds of young adult Americans with no college education were disengaged from the most fundamental process of democracy.⁴

Who is to blame for this? We are, the people writing this report and the people reading it. Sure, we don't control who goes on to college after high school. Sure, it takes more than classroom education to produce a good citizen. Sure, there's more to good citizenship than voting. But voting is at the heart of citizenship, and the civic knowledge and responsibility that affect voter turnout are subjects that belong on any public school curriculum. There is nothing standing in the way of tailoring public education in New Hampshire to develop civic responsibility on the part of the whole school population, not just the college bound. Nothing stands in our way, that is, except the failure to accept our responsibility for civic education and our own indifference to doing what we can to provide a decent education in citizenship in our public schools. We really have stopped short. We have released our public schools from responsibility for instruction in the rudiments of civic responsibility, the organization of governments, and the history necessary to understand how we got where we are today.

It was not always so. Until about 1970, American high schools commonly required three courses in civics and government, which taught the structure of public power and the way it can be brought to bear on public problems.⁵ But roughly the same moment that saw the creation of 18-year-old voters (in 1971) also marked the beginning of a widespread rejection of the natural assumption that had driven the three course requirement: the belief that civic education in schools can have a significant effect on citizens' understanding of their political system and their readiness to take an active part in it.⁶ Instead, a new and counterintuitive view came to hold

1 William A. Galston, *Political Knowledge, Political Engagement, and Civic Education*, ANNU. REV. POL. SCI., 219 (2001).

2 Kirby and Kawashima-Ginsburg, *The Youth Vote in 2008*, The Center For Information and Research on Civic Learning and Engagement.

3 *Id.* at 5.

4 *Id.* at 1.

5 Suzanne Soule & Ted McConnell, *A Campaign to Promote Civic Education: A Model of How to Get Education for Democracy Back into U.S. Classrooms in All Fifty States*, Representative Democracy in America: Voices of the People, 3 (2006).

6 Galston, *supra* note 1, at 219.

sway: that civic education did not make any difference.⁷ And for a good three decades, as far too many newly eligible young voters stayed away from the polls, educational thinking was dominated by this notion that most people would somehow pick up what they needed to become responsible citizens without any help from their schools.⁸ That thinking persisted until evidence of civic ignorance began to mount. As educators learned that only two out of five Americans even knew that we have three branches of government, and only a third of them could name all three, it became increasingly difficult to believe that civic education did not really matter.⁹ Instead, the empirical evidence coming in increasingly confirmed the intuitive expectation that knowledge of government and attention to public issues (in and out of classrooms) make a difference in the way young people act as citizens.¹⁰ It is not that so many hours of school teaching guarantee good citizenship, but that no hours of civic instruction and no attention to current public issues is lethal to civic responsibility. Indeed, a low level of civic knowledge has been found to correlate with a low willingness even to obey the law.¹¹

The good sense of the traditional intuition was captured in one study that compared a citizenry ignorant of governmental structure and the way its parts work together to a stadium full of spectators with no knowledge of the rules of the game.¹² It would be tough to keep the attention of the folks in the bleachers, and at the end of the day the final score would make no sense. But telling the fans about the three-strike rule would make a world of difference; and when the home team lost after a string of strike-outs, the locals could understand why, and think about another day or another coach or other players, instead of giving up on the game.

The game analogy points where the current facts of politics point. The evidence confirms that teaching about how government is set up and the way it works affects citizens' willingness to take part in political life, to accept its results, and to work for good political outcomes.¹³ When schools stimulate attention to public problems and civic knowledge goes up, so does participation. The voting percentage climbs, and voters' thinking tends to be tempered by a consciousness that they are not alone, but citizens together, who can disagree and still move in the direction of a public interest they share, which can endure over time. A sense of responsibility for the town or state or nation emerges, and a norm of give-and-take tends to soften the inclination to think of me-against-them.¹⁴ The empirical evidence confirms the common-sense understanding that broadly conceived civic education is essential if society is going to make good on the central premises and promises of American constitutionalism: that citizens will know enough about history and the form and function of their government to be able to govern themselves, and that citizens who can recognize the issues of the day will take responsibility to address them.¹⁵ The evidence shows that good teaching really counts.¹⁶

7 *Id.*

8 *Id.* at 226.

9 Rick Shenkman, *5 Myths About Those Civic-Minded, Deeply Informed Voters*, Washington Post 7 Sept., 2008 at B5.

10 Galston, *supra* note 1, at 221-23.

11 *The Circle*, The Center For Information and Research on Civic Learning and Engagement, April 2010, page 12.

12 Galston, *supra* at 223.

13 *Id.* at 224.

14 *See id.* at 225.

15 *Id.* at 230.

To anyone who understands how our recent experience shows that civic education makes a difference, there is an unanswerable case for supporting the educators who are working to restore the subject of responsible citizenship to the forefront of school curricula in New Hampshire. And support is needed. The State has an excellent general framework for education in government progressing through the school grades (adopted in 2006). But current State regulations mandate no more than one high school semester of civics teaching; opportunities for instructing teachers themselves are scarce; and the materials for good teaching are not ready to hand. What is more, the failure to test statewide inevitably leaves civic education as the poor cousin of math, science, and reading, which are tested. In the absence of that kind of testing throughout the State, we have little reason to believe that New Hampshire is or will be any better off than the states in the aggregate, as shown by the National Assessment of Educational Progress Civics Assessment. In 1998, it found that a good third of high school seniors graduate in nearly total civic ignorance, with an even larger (and separate) proportion devoid of the minimum level of understanding needed for responsible citizenship.¹⁷ The numbers in fact make for a shocking comparison in showing that the level of civic knowledge among all high school graduates was at the average level of high school drop-outs seventy years before.¹⁸ No wonder that two-thirds of younger citizens without college experience are not voting and that a sizeable minority of young people with college experience also fail to vote.

We can do better. We know we can because some New Hampshire schools and teachers are doing better right now. These are the schools and the teachers that understand the ideal of classroom instruction enhanced by encouraging discussion of public issues, student government and public service by students in their communities. And there are schools and teachers who understand the value of teaching civics beginning in Kindergarten and progressing through graduation from high school. Practice varies widely from school district to school district, but members of this Task Force know some outstanding teachers of civics and government and history. With the right support, their numbers and their winning approaches can be multiplied. And it is hard to believe this will not happen once the facts get known more widely. It is hard to believe that New Hampshire, of all places will fail to get behind a revival and enhancement of civic education. The State's town meetings are open invitations to have a part in self-government. The citizen representation in the 424 seat legislature is an example of representative democracy untouched by any other State, and New Hampshire's claim to remain the first primary state rests on the belief that voters here have the civic wherewithal to spark the judgment of the Nation.

And if we fail to do better? If New Hampshire and the Nation continue to come up short in supporting good civics teaching? Benjamin Franklin answered the question a long time ago. In the aftermath of the Philadelphia convention of 1787, he was asked what kind of government the proposed Constitution would give us. "A republic," he answered, "if you can keep it." And in one sentence Thomas Jefferson explained how to lose it: "If a nation expects to be ignorant and free, . . . it expects what never was and never will be."

16 See *id.* at 227.

17 Soule, *supra* note 6, at 3; Galston, *supra* note 1, at 221.

18 Galston, *supra* note 1, at 222.

Jefferson was pointing to us. After devaluing good teaching, ignoring the power of schools to stimulate civic responsibility, and tolerating civic ignorance for decades, it is time for common sense again. It is time to face what it takes for a whole people to govern itself, and time to reaffirm the value of civic education.

Interim Conclusions

All New Hampshire public school students should study civics starting in Kindergarten and continue the study of civics through the twelfth grade. By the time they graduate from high school, students should have gained the basic knowledge, experience and inspiration they will need to engage meaningfully in the civic lives of their communities, their state and their nation. Good civics education must reach those students who will not pursue post secondary education as well as those who do. We recognize that many examples of effective civics education exist in New Hampshire, and our interim conclusions are made with that information in mind.

Our thinking now is that:

- New Hampshire should require and assure the teaching of civics at all grade levels in all public schools in accordance with the civics/government components of the K-12 Social Studies Curriculum Framework published by the Department of Education.
- Teachers statewide should receive training, educational materials and access to curricula/lesson plans that will enable them to weave civics learning effectively in with other required subjects without detriment to obligations under No Child Left Behind. Schools should integrate the teaching of civics at each grade level with the teaching in the grade levels that precede and follow it.
- All students should be given meaningful access to extracurricular programs and programs which inspire them to make a difference in their communities. New Hampshire governmental and charitable institutions should provide opportunities for students to serve in fiduciary and decision-making positions, recognizing and validating their ability to participate in making important societal decisions.
- Testing of civics competency should be reinstated by the Department of Education.

The Task Force wants to assist where it can in helping the State move forward with public school civics education reform. We are prepared to devote time and resources to the task. New Hampshire can and should become a role model for civics education reform.

The Task Force will seek consideration of these interim conclusions by the Governor, Commissioner of Education, Legislative leaders and other interested citizens. We will seek the opinions and ideas of teachers and school administrators and school boards. We look forward to finding other collaborators as well who are interested working with us to plan a course for the future, to create the resources teachers and schools say they need and to explore funding opportunities for the work.

Members of the New Hampshire Supreme Court Society Civics Education Task Force are:

Ronald Adams
President
New Hampshire Council for Social
Studies

Virginia M. Barry
Commissioner
New Hampshire Department of
Education

John T. Broderick
Chief Justice
New Hampshire Supreme Court

Frank Clulow
VP Academic Affairs
White Mountains Community College

Bradford E. Cook
Past President and Senior Partner
Sheehan, Phinney Bass + Green, PA

Todd A. DeMitchell
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Department of Education
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The Ethics Institute
Associate Professor
Tuck School of Business
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Susan M. Frost
Board Member
Mascoma School District

Thomas C. Galligan, Jr.
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John Burwell Garvey
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Franklin Pierce Law Center

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Assistant Professor of Law
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Sylvia Larsen
President
New Hampshire State Senate

Mary Susan Leahy
President
New Hampshire Supreme Court Society

Daniel J. Marcus
Teacher
John Stark Regional High School

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Executive Director
New Hampshire Bar Association

Joseph J. Onosko
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 Department of Education
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Christine Rath
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 Concord School District

Tara Reardon
 Commissioner
 Department of Employment Security
 Former State Representative

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Deborah T. Scire
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Justice (Retired)
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 Economy

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 Northeast Document Conservation
 Center

Christopher G. Ulrich
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 Former Social Studies Teacher

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 Eleazar Wheelock Professor of History
 Dartmouth College.

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New Annenberg Survey Asks: "How Well Do Americans Understand the Constitution?"

At a press conference at the National Constitution Center on Friday, September 16, former Associate Justice of the Supreme Court Sandra Day O'Connor will release an Annenberg Public Policy Center sponsored report titled "The Guardian of Democracy: The Civic Mission of Schools," recommending actions that the federal, state, and local governments, as well as families and civic organizations, ought to take to increase students' knowledge of and participation in our democratic system. For a copy of the report, please visit: <http://www.annenbergpublicpolicycenter.org/NewsDetails.aspx?myId=456>.

As America commemorates the 224th anniversary of the signing of the U.S. Constitution (September 17, 1787), a national survey of 1,230 adults (margin of error for the full sample is +/- 3.3%) conducted by the Annenberg Public Policy Center of the University of Pennsylvania confirms the need for the kind of national effort outlined in the report. Specifically:

- Just 38% could name all three branches of the U.S. government: the executive, legislative, and judicial branches. A third (33%) are unable to correctly name any of the branches.
 - Among those who felt they understood the purpose and role of the three branches of government either very or somewhat well, only 50% could name all three.
- On presidential veto powers, barely half of Americans (51%) know that a two-thirds majority vote by Congress is needed to overturn a presidential veto.
- 91% of Americans know that the U.S. Supreme Court is the highest court in the United States. However:

- Only 37% know that a citizen cannot appeal a Supreme Court decision to the Federal Court of Appeals;
- 62% of Americans know that the U.S. Supreme Court carries the responsibility for determining the constitutionality of a law.
- Over the years there have been many 5-4 Supreme Court decisions, but fewer than half of Americans (48%) know that such decisions have the same effect as 9-0 ones.
- 54% are aware that Supreme Court justices usually announce their decisions in writing.
- Even after taking the effects of level of education into account, our analysis shows that taking a civics or government course in high school or college predicts civics knowledge.

“Since knowing how democracy works predicts civic participation and support for protecting our system of government, these results are worrisome,” said Kathleen Hall Jamieson, Director of the Annenberg Public Policy Center (APPC). “The nation should be troubled by the extent to which civic education is downplayed in its schools.”

Americans are not as knowledgeable as one might assume about control of the House and Senate, and about the identity of the Chief Justice of the United States:

- More Americans know that the Republicans hold the majority of seats in the U.S. House of Representatives (55%) than know that the Democrats hold the majority of seats in the U.S. Senate (42%).
- 15% correctly named John Roberts as Chief Justice, while almost twice as many (27%) correctly named Randy Jackson as a judge on *American Idol*.

How well did citizens perform on questions the government includes in its official U.S. citizenship test? We put several of those questions on our survey and found mixed results:

- 78% know that the first ten amendments to the Constitution are called the Bill of Rights.
- 76% know that the Declaration of Independence established our independence from Great Britain.
- 42% of Americans know that serving on a jury is a duty exclusively for United States citizens.
- Only 13% of Americans know that the Constitution was signed in 1787. The majority (55%) said it was signed in 1776, the year the Declaration of Independence was signed.

“Constitution Day celebrates the signing of the U.S. Constitution on September 17, 1787 in Philadelphia. It is an appropriate day to highlight the commitment not only to strengthen civics education in schools, but to emphasize the importance of becoming engaged in one’s community and participating in our democracy,” added Ken Winneg, Managing Director of Survey Research at APPC.

Among the 2,508 respondents, 164 say they have been elected to a government office at least once. This sub-sample of officeholders yields a startling result: elected officials score lower than the general public. Those who have held elective office earn an average score of 44% on the civic literacy test, which is five percentage points lower than the average score of 49% for those who have never been elected.

Intercollegiate Studies Institute
American Civics Literacy Quiz 2008

Exhibit 7

Constitutionally Speaking

Home Page

Upcoming Events

Reso

Contact Us

A collaboration of the NH Humanities Council, the NH Institute for Civic
the NH Supreme Court Society, and the UNH School of Law



THANK YOU to all who participated in and supported the *Constitutionally Speaking* symposium on Saturday, November 17 at the UNH!

This free event, titled "The Conversation Continues: How Does it Live with the Times?", elaborated on the themes explored by Justice Newswoman Margaret Warner at the launch of *Constitutionally Speaking*.

At this forum, constitutional scholars and authors shared their 15-minute talks tailored for non-lawyers. Presenters included [Justice] Bedi; Vermont Law School Professor Michele Martinez Camp; Justice James Duggan; Georgetown Law Visiting Professor Justice Times columnist Adam Liptak; UNH Law Professor Calvin Mas; Carol Nackenoff; and Suffolk Law Professors Patrick Shin and

Audience members had an opportunity to pose questions to our small group discussions of the concepts introduced throughout the day.

View videos of the symposium presentations here.
View photos of the symposium below.

The aim of *Constitutionally Speaking* is two-fold: to engage NH spirited dialogue about important constitutional issues of our time; and to galvanize support for the reintroduction of meaningful civic discourse. This is made possible in part by generous support from the **Hoffman Family Foundation**, the **Treat Foundation**, and the **New Hampshire Humanities Council**.

Beginning in February 2013, the NH Humanities Council will organize public dialogues on constitutional topics in geographically diverse communities. We will assist community groups interested in initiating topically related discussion series, and help facilitate the development of model curriculum materials for teachers who participate in the fall symposium.

Our pilot year will conclude May 17, 2013, with the NH Supreme Court Society's John W. King Lecture, featuring renowned constitutional scholar David Boies, who argued opposing sides in *Bush v. Gore* in 2000. More recently, the pair joined forces to challenge California's Proposition 8 marriage ban.

Thanks to all who helped make the September 14 launch event with Justice Souter and Margaret Warner a resounding success.

View video of the discussion here.
View Margaret Warner's blog post on the event here.

Constitutionally Speaking
P.O. Box 4231
Concord, NH 03302-4321
(603) 224-4071

FOR IMMEDIATE RELEASE

CONCORD, N.H. – Retired U.S. Supreme Court Justice David H. Souter will take the stage on Sept. 14 for the opening event of *Constitutionally Speaking*, a pilot project aimed at engaging New Hampshire citizens in spirited, yet civil, dialogue about the Nation's founding document. The evening program will feature a conversation between Justice Souter and Margaret Warner, the Emmy award winning senior correspondent with PBS's nightly NewsHour who began her journalism career in New Hampshire at Foster's Daily Democrat and the Concord Monitor.

The Sept. 14 event will be held at the Concord City Auditorium beginning at 6:00 p.m. Admission is open to the public free of charge but requires advance registration, which will become available Aug. 15 on-line at <http://constitutionallyspeaking.eventbrite.com> or by calling the N.H. Humanities Council at 603-224-4071.

The civic engagement initiative is a collaboration of the N.H. Supreme Court Society, the UNH School of Law, the N.H. Humanities Council, and the newly established N.H. Institute for Civic Education. Justice Souter has been instrumental in the creation of the Institute, which will provide professional development opportunities to New Hampshire teachers so that civics education becomes a reality for all public school students beginning in Kindergarten and continuing through graduation from high school.

"The partners in this project are delighted that two such distinguished individuals will help frame a statewide conversation about how the Constitution retains its relevance 225 years after its adoption," said Susan Leahy, board president of the NH Supreme Court Society and facilitator of the task force responsible for creating the NH Institute for Civic Education. "New Hampshire has no constitutional scholar more eminent than Justice Souter, and it goes without saying that residents of his home state, and in particular public school teachers and students, will benefit greatly from his insights. We are also very excited that Ms. Warner is returning to her journalistic roots to participate in the project's launch."

The Sept. 14 event is the first of several components of *Constitutionally Speaking*.

- On Nov. 17, a symposium will be held at the law school to both elaborate on themes explored in the opening conversation and prepare community leaders, parents, and public school teachers to lead topic-related discussions in communities and classrooms throughout the state. "As the state's central pillar in legal education, the UNH School of Law is eager to move beyond its Concord campus and inspire a deeper understanding of constitutional issues within the broader New Hampshire community," said Dean John T. Broderick Jr. "*Constitutionally Speaking* is one such effort, and the law school looks forward to introducing teachers and citizens to several exciting legal thinkers in November so that they may then facilitate discussions in their schools, their homes, and their communities."

- Beginning in February 2013, the N.H. Humanities Council will take the lead in organizing public dialogues that target specific audiences in geographically distinct areas around the state, and will help facilitate the development of model curricula by public school teachers who participate in the fall symposium. “For 38 years, the Humanities Council has been marshalling resources to create continuing education opportunities for all New Hampshire citizens,” said Sylvia McBeth, chair of the N.H. Humanities Council. “This project encourages participatory democracy by providing ways that New Hampshire residents can be better informed about their rights and obligations as citizens, practice the art of compromise for the common good, and experience how a more civil tone of public discourse may invite wider involvement in civic life.”
- The project’s first year will conclude on May 17, 2013 with a presentation at the N.H. Supreme Court Society’s John W. King Lecture by renowned constitutional litigators David Boies and Ted Olson. In 2000, they argued opposing positions in *Bush v. Gore*. The two more recently joined forces to argue the unconstitutionality of Proposition 8, the California constitutional amendment that limited marriage in that state to heterosexual couples. A Ninth Circuit Court of Appeals panel ruled 2-1 in their favor and the issue is likely headed to the U.S. Supreme Court.

“Several recent studies have indicated that far too many Americans are ill-informed about the structure of their government and their rights and responsibilities as citizens,” Leahy said. “The partners in this project believe that *Constitutionally Speaking*, in concert with the future work of the N.H. Institute for Civic Education, will lay the groundwork for reversing that shortfall here in New Hampshire – and will do it in a way that decreases social polarity and elevates the tenor of our public discourse.”

For further information, contact Project Director Kathy Smith at 603-224-4071 or ksmith@nhhc.org.

Former Supreme Court Justice David Souter speaks with Margaret Warner at 'Constitutionally Speaking' in Concord, N.H. on Sept. 14, 2012.

celebrating the 225th anniversary of its adoption, September 17, 1787

But he grew most passionate when asked about the schools' responsibility to teach young people the basics about their government and its founding principles. It's a subject close to his heart. Since retiring, he's joined a national commission to bolster teaching in the humanities and social sciences, as well as a new N.H. Institute for Civic Education. The greatest threat to America's republican form of government won't come from foreign invasion, or military coup, he said, but from what he described as "the pervasive civic ignorance" of Americans today.

PBS web site article 9/17/2012



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Celebrate the Constitution

Celebrating the Constitution

Ben Franklin talks to Scholastic Kid Reporters about how the constitution almost didn't happen.
By J.R. Sirota, Scholastic Kids Press Corps

The U.S. Constitution almost didn't happen. Delegates were arguing over details and some didn't even show up for the meetings. If it wasn't for Ben Franklin and George Washington, our nation's most important document may never have been signed into law.

In 1786, the first Constitutional Convention was called in Annapolis, Maryland. Only five states sent delegates! The next year, 1787, the convention was called for May 14 in Philadelphia, Pennsylvania. It was May 25 before enough people arrived to vote on the document.

Eventually 55 delegates from 12 of 13 states showed up. All states except Rhode Island were represented. It was not until September 17 that the document was signed by 39 delegates. That is the date that we now celebrate as National Constitution Day, but it is a day that almost didn't happen.

I recently met with Ben Franklin at the National Constitution Center in Philadelphia. (I actually met with Ben Franklin re-enactor Ralph Archbold, who is an expert on Franklin's life and accomplishments.) He told me all about the conflicts surrounding the writing of the Constitution.

"There are conflicts in everything and one of the problems we had was that we had 13 different states and they had different interests," Franklin said.

He explained that the larger states thought the smaller states just wanted their money. The small states feared that the larger ones wanted to take them over.

"We had to learn to work together to put aside our differences and to find our points of agreement to work to solve the problems and write a constitution," he said.

Franklin also worked on the Declaration of Independence, which was signed 11 years before the Constitution was written.

"The Declaration of Independence was only a promise that said that we wanted to be free and independent—it didn't make us that," Franklin explained. Before the country could really be free it had to fight a war against Great Britain and write a constitution.

Today, Americans still honor Franklin and the founding father's contributions. In what was once the nation's capital city, Philadelphia, a museum was built to honor the Constitution. The National Constitution Center provides children and teachers with an opportunity to learn about the importance of the Constitution through modern interactive exhibits.

For more information about Constitution Day, visit the National Constitution Center's Web site at www.constitutioncenter.org.



Ben Franklin re-enactor Ralph Archbold talks to Scholastic Kid Reporters Holly Sirota, 13, and J.R. Sirota, 13, at the National Constitution Center in Philadelphia, Pennsylvania.
(Photo: Sabina Louise Pierce)



Constitution Day

- Talking With Ben Franklin
- Celebrate Constitution Day
- Talking to Caroline Kennedy
- Talking to Robert Byrd

Inside the Constitution

Heroes of the Constitution

Activities

Background

Teacher Lesson Helper

All Special Reports


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[Essay Contest Details](#)
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Constitution Day Essay Contest

September 17, 2012

 Search...


The Supreme Court Justices with the 2012 Constitution Day Essay Contest winners and finalists

[Read this year's winning essays »](#)
[Read about this year's contest »](#)
[See more photos of this year's ceremony »](#)

In 2004, the Congress decided that "Constitution Day" should be observed in schools each year on September 17 with educational programs about the history and signing of the Constitution. To help celebrate Constitution Day, eight newspapers and the New Hampshire Supreme Court have sponsored an annual "Constitution Day Essay Contest" for grades 5-12 on a topic related to our constitutional rights as citizens.

Teachers and students take note! Here's a fun way to discuss and debate some difficult questions and learn a few things about the remarkable document that has governed our nation for 224 years.

Winning essays will be published in the participating newspapers and winners will be invited, along with parents and teachers, to a special reception at the state Supreme Court and to the Mackey S. Loeb School of Communications First Amendment Awards.

[Read last year's winning essays »](#) [See photos of previous years »](#)
QUESTION:

In your opinion, does the U.S. Constitution ban potential employers from requiring you to provide passwords to your social media accounts, such as Facebook and Twitter, as part of a background check for a job? Should school administrators be permitted to ask for your passwords? Is that different from a potential employer making that request? Use examples.

Employers want to collect as much information as possible to screen applicants for jobs, especially to make sure there are no risks of bad behavior if that person is selected to join their workforce. A job application and a resume are helpful, but are there better sources of information about you? How about your Facebook account or your Twitter feed?

These days, millions of people, young and old, use *social networking* to get to know people. They share thoughts, photos, comments and ideas, to express emotions and find support from other people. Now, some employers want access to applicants' private social media accounts. They believe that what an applicant says or posts on social media -- and who their "friends" are -- tells them important things about whether an applicant is suitable for the job.

The media recently have reported instances where employers who want to check up on "online behavior" have asked job applicants for their user names and passwords to social media accounts. And they report that the practice is becoming more common.

Voting Sheets

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 159

BILL TITLE: requiring patriotic exercises in public schools on federal Constitution Day.

DATE: January 22, 2013

LOB ROOM: 207

Amendments:

Sponsor: Rep. Glenn Cordelli OLS Document #: 2013 0028h

Sponsor: Rep. OLS Document #:

Sponsor: Rep. OLS Document #:

Motions: ^{Amendment} ~~OTP~~ OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Glenn Cordelli

Seconded by Rep. Ralph Boehm

Vote: 17-2 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Glenn Cordelli

Seconded by Rep. Ralph Boehm

Vote: 15-4 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: NO

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,
Rep. Barbara Shaw
Rep. Barbara E. Shaw, Clerk

HOUSE COMMITTEE ON EDUCATION

EXECUTIVE SESSION on HB 159

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Sponsor: Rep. Cordelli OLS Document #: 0028h
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Motions: amendment 0028h
OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Cordelli
Seconded by Rep. Ralph Boehm
Vote: 17-2 (Please attach record of roll call vote.)

Motions: OTP, OTP/A, ITL, Interim Study (Please circle one.)

Moved by Rep. Cordelli
Seconded by Rep. Ralph Boehm
Vote: 15-4 (Please attach record of roll call vote.)

CONSENT CALENDAR VOTE: No

(Vote to place on Consent Calendar must be unanimous.)

Statement of Intent: Refer to Committee Report

Respectfully submitted,
Barbara E. Shaw
Rep. Barbara E. Shaw, Clerk



amendment STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 8:43:55 AM
Roll Call Committee Registers
Report

2013 SESSION

Requiring patriotic exercises in public schools on federal Constitution Day.

EDUCATION

Bill #: HB 159

Title:

PH Date: 01 / 17 / 2013

Exec Session Date: 1 / 22 / 2013

Motion: OTP -

Amendment #: 0028h

MEMBER	YEAS	NAYS
Gile, Mary Stuart, Chairman	✓	
Grassie, Anne C, V Chairman	✓	
Shaw, Barbara E, Clerk	✓	
Gorman, Mary J		✓
Burke, Rachel B	✓	
Frazer, June M	✓	
Spang, Judith T	✓	
Arsenault, Beth R		✓
Rokas, Ted		
Schmidt, Andrew R	✓	
Myler, Mel	✓	
Boehm, Ralph G	✓	
Ladd, Rick M	✓	
Greemore, Robert H	✓	
Pitre, Joseph A	✓	
Willette, Robert F	✓	
Bick, Patrick J	✓	
Cordelli, Glenn	✓	
Grenier, James L	✓	
Harris, Jeffrey F	✓	
TOTAL VOTE:	17	2

17 - 2 -



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/10/2013 8:43:55 AM
Roll Call Committee Registers
Report

2013 SESSION

EDUCATION

Bill #: HB159 Title: Requiring patriotic exercises in public schools
PH Date: 1/17/2013 on Fed. Const. Day Exec Session Date: 1/22/2013
Motion: OTP/A Amendment #: 0028h

MEMBER	YEAS	NAYS
Gile, Mary Stuart, Chairman	✓	
Grassie, Anne C, V Chairman	✓	
Shaw, Barbara E, Clerk	✓	
Gorman, Mary J		✓
Burke, Rachel B	✓	
Frazer, June M	✓	
Spang, Judith T	✓	
Arsenault, Beth R		✓
Rokas, Ted		
Schmidt, Andrew R		✓
Myler, Mel	✓	
Boehm, Ralph G	✓	
Ladd, Rick M	✓	
Greemore, Robert H	✓	
Pitre, Joseph A	✓	
Willette, Robert F		✓
Bick, Patrick J	✓	
Cordelli, Glenn	✓	
Grenier, James L	✓	
Harris, Jeffrey F	✓	
TOTAL VOTE:	15	4

Committee Report

REGULAR CALENDAR

January 30, 2013

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on EDUCATION to which was referred
HB159,**

**AN ACT requiring patriotic exercises in public schools
on federal Constitution Day. Having considered the
same, report the same with the following amendment,
and the recommendation that the bill OUGHT TO PASS
WITH AMENDMENT.**

Rep. Glenn Cordelli

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	EDUCATION
Bill Number:	HB159
Title:	requiring patriotic exercises in public schools on federal Constitution Day.
Date:	January 23, 2013
Consent Calendar:	NO
Recommendation:	OUGHT TO PASS WITH AMENDMENT

STATEMENT OF INTENT

This bill, as amended, adds Federal Constitution Day to RSA 189:18 which calls on all public schools to hold patriotic exercises during the week of Memorial Day and Veterans Day. Exercises related to Federal Constitution Day may also recognize the New Hampshire Constitution and our civic rights and responsibilities. The patriotic exercises are to be appropriate as determined by the local school.

Vote 15-4.

Rep. Glenn Cordelli
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

EDUCATION

HB159, requiring patriotic exercises in public schools on federal Constitution Day. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Glenn Cordelli for EDUCATION. This bill, as amended, adds Federal Constitution Day to RSA 189:18 which calls on all public schools to hold patriotic exercises during the week of Memorial Day and Veterans Day. Exercises related to Federal Constitution Day may also recognize the New Hampshire Constitution and our civic rights and responsibilities. The patriotic exercises are to be appropriate as determined by the local school. **Vote 15-4.**

Original: House Clerk
Cc: Committee Bill File

HB 159 requiring patriotic exercises in public schools on federal Constitution Day.

This bill, as amended, adds Federal Constitution Day to RSA 189:18 which calls on all public schools to hold patriotic exercises during the week of Memorial Day and Veterans Day. Exercises related to Federal Constitution Day may also recognize the New Hampshire Constitution and our civic rights and responsibilities. The patriotic exercises are to be appropriate as determined by the local school.

**Rep. Glenn Cordelli
For the Committee
15-4 RC**

Fary Stuart Gile

COMMITTEE REPORT

COMMITTEE: Education

BILL NUMBER: HB 159

TITLE: Requiring Patriotic exercises in public schools on federal Constitution Day.

DATE: 1-22-2013 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.
<u>0028h</u>

STATEMENT OF INTENT:

This bill as amended adds Federal Constitution Day to RSA 189:18 which calls on all public schools to hold patriotic exercises ^{during the weeks of} Memorial Day and Veteran's Day. Exercises ^{related} to Federal Constitution Day may also recognize the New Hampshire Constitution and our civic rights and responsibilities. The patriotic exercises are to be appropriate as determined by the local school.

COMMITTEE VOTE: 15-4

RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Alvin Cardillo
For the Committee