

Bill as Introduced

HB 320 - AS AMENDED BY THE HOUSE

25Feb2021... 0271h

2021 SESSION

21-0357
06/04

HOUSE BILL **320**

AN ACT requiring a civics competency assessment as a high school graduation requirement.

SPONSORS: Rep. Moffett, Merr. 9; Rep. Pearl, Merr. 26; Rep. Lang, Belk. 4; Rep. Rouillard, Hills. 6; Rep. Shaw, Hills. 16; Rep. Hobson, Rock. 35

COMMITTEE: Education

ANALYSIS

This bill requires high school students to attain a grade of 70 percent or better on the civics naturalization examination developed by the United States Citizen and Immigration Service.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Twenty One

AN ACT requiring a civics competency assessment as a high school graduation requirement.

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

1 1 Civics Instruction. Amend RSA 189:11, II to read as follows:

2 II. As a component of instruction under paragraph I, a locally developed competency
3 assessment of United States government and civics that includes, but is not limited to, the nature,
4 purpose, structure, function, and history of the United States government, the rights and
5 responsibilities of citizens, and noteworthy government and civic leaders, shall be administered to
6 students as part of the **required** high school course in history and government of the United States
7 and New Hampshire. ~~[Students who attain a passing grade on the competency assessment shall be
8 eligible for a certificate issued by the school district. The United States Citizenship and Immigration
9 Services (USCIS) test may be used to satisfy the requirement of this paragraph.]~~ ***To be eligible for
10 a graduation certificate, a student shall attain a locally sanctioned passing grade on the
11 competency assessment, and a grade of 70 percent or better on the 128 question civics
12 (history and government) naturalization examination developed by the 2020 United States
13 Citizen and Immigration Services. Schools may modify the naturalization examination for
14 a child with a disability in accordance with the child's individualized education program.***
15 By June 30 of each year, each school district shall submit the results of either the locally developed
16 competency assessment of United States government and civics or the United States Citizenship and
17 Immigration Services (USCIS) test to the department of education.

18 2 Effective Date. This act shall take effect 60 days after its passage.

HB 320 - AS AMENDED BY THE SENATE

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04/08/2021 1052s

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18 2 Effective Date. This act shall take effect July 1, 2023.

CHAPTER 157
HB 320 - FINAL VERSION

25Feb2021... 0271h
04/08/2021 1052s

2021 SESSION

21-0357
06/04

HOUSE BILL **320**

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04/08/2021 1052s

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16 competency assessment of United States government and civics or the United States Citizenship and
17 Immigration Services (USCIS) test to the department of education.

157:2 Effective Date. This act shall take effect July 1, 2023.

Approved: July 29, 2021
Effective Date: July 01, 2023

Amendments

Senate Education
March 30, 2021
2021-1052s
06/05

Amendment to HB 320

- 1 Amend the bill by replacing section 2 with the following:
- 2
- 3 2 Effective Date. This act shall take effect July 1, 2023.

Committee Minutes

SENATE CALENDAR NOTICE
Education

Sen Ruth Ward, Chair
Sen Erin Hennessey, Vice Chair
Sen Denise Ricciardi, Member
Sen Jay Kahn, Member
Sen Suzanne Prentiss, Member

Date: March 17, 2021

HEARINGS

Tuesday	03/23/2021	
(Day)	(Date)	
Education	REMOTE 000	9:00 a.m.
(Name of Committee)	(Place)	(Time)

9:00 a.m. **HB 194** relative to the release of student assessment information and data.

9:15 a.m. **HB 442** relative to penalties for a school's failure to file department of education reports.

9:30 a.m. **HB 320** requiring a civics competency assessment as a high school graduation requirement.

9:45 a.m. **HB 349** relative to certification requirements for school nurses.

10:00 a.m. **HB 432** relative to the offenses that prevent employment in a school.

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/99343484231>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location):

1-301-715-8592, or 1-312-626-6799 or 1-929-205-6099, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-6833

3. Or iPhone one-tap: +13126266799, 99343484231# or +19292056099, 99343484231#

4. Webinar ID: 993 4348 4231

5. To view/listen to this hearing on YouTube, use this link:

<https://www.youtube.com/channel/UCjBZdtriRnQdmg-2MPPMiWrA>

6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:

<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603) 271-6931.

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

HB 194

Rep. Cordelli

Rep. Layon

HB 442

Rep. Cordelli

HB 320

Rep. Moffett

Rep. Shaw

HB 349

Rep. Hill

Rep. Lang

HB 432

Rep. Mullen

Rep. Woodcock

Rep. Ladd

Rep. Osborne

Rep. Ladd

Rep. Pearl

Rep. Hobson

Rep. Steven Smith

Rep. Cordelli

Rep. Allard

Rep. Moffett

Sen. Avarad

Rep. Layon

Rep. Lang

Rep. McGuire

Rep. A. Lekas

Rep. Cornell

Rep. Hobson

Sen. Ward

Rep. Pitre

Rep. Rouillard

Rep. Ladd

Rep. Tanner

Ava Hawkes 271-4151

Ruth Ward
Chairman

Senate Education Committee

Ava Hawkes 271-4151

HB 320, requiring a civics competency assessment as a high school graduation requirement.

Hearing Date: March 23, 2021

Time Opened: 9:39 a.m.

Time Closed: 10:06 a.m.

Members of the Committee Present: Senators Ward, Hennessey, Ricciardi, Kahn and Prentiss

Members of the Committee Absent : None

Bill Analysis: This bill requires high school students to attain a grade of 70 percent or better on the civics naturalization examination developed by the United States Citizen and Immigration Service.

Sponsors:

Rep. Moffett

Rep. Pearl

Rep. Lang

Rep. Rouillard

Rep. Shaw

Rep. Hobson

Who supports the bill: Representative Michael Moffett, Representative David Love, Representative Lisa Post, Representative Claire Rouillard, Representative Deborah Hobson, Representative Judy Aaron, Representative Katherine Prudhomme-O'Brien, Alvin See, Corinne Dodge, Ronald Garnett

Who opposes the bill: Please refer to sign-in sheet.

Who is neutral on the bill: None

Summary of testimony presented:

Representative Michael Moffett – Merrimack, District 9

- Representative Moffett introduced HB 320.
- Everyone talks about the widespread lack in civics education, but no one does anything about it.
- He has worked with Senator D'Allesandro in the past on similar legislation.
- Some schools do better than others in teaching civics.
- Some classes that are supposed to be focused on civics, teach about climate change instead of the U.S. constitution.

- Requiring the passage of the citizen test would create common bond among classmates.
- The bill provides local discretion for school districts with special education students.
- Parents want more assessment and accountability in their children's civics education.
- There already needs to be a rekindling of support of public education.
- He has taught at three different colleges and, in his experience, most college students do not display basic knowledge of civics.
- The assessment is not very difficult.
- Representative Windham's 10-year-old passed this assessment.
- We owe it to students to challenge them.
- Some say this would result in teaching to the test, however, he would direct your attention to driver's education, nursing, lawyers who study for the bar, etc.
- Students need to be tested as citizens.
- Other states already do this.
- Some would say information would be forgotten following taking the test, this is not true.
- This will help restore confidence in schools.
- This bill had bipartisan support in the House.
- Senator Hennessey asked Representative Moffett if he would be open to an amendment related to the passing percentage of this assessment, i.e. "70% or better," as there are different grading scales.
 - Representative Moffett said his initial intent was for a clear standard regarding the required passage of the 128-question assessment by 70%.
 - This 70% standard is used around the country.
 - The bill allows for discretion by school districts in terms of how it is administered to special education students.
- Senator Prentiss asked Representative Moffett if the terms 'graduation certificate' and 'diploma; are they interchangeable in the bill.
 - Representative Moffett said yes, they are. The intent is to reference whatever document is given to graduate.
- Senator Prentiss asked Representative Moffett if those terms are also used interchangeably by NHDOE.
 - Ms. Davis from NHDOE might be best to answer that question.
 - The intent is to reference whatever document is given to graduate.
- Senator Prentiss asked Representative Moffett if a student, who is required to take this course in order to graduate, must pass with a 70% or better.

- Representative Moffett said this is not a course. Confusion in the past about this. Assessment only.
- This bill does not seek to replace a course but seeks to augment existing courses with this assessment. It would be expected that a student pass this at some point during their education with a 70%.
- Districts could administer the assessment whenever and how many times they want.
- The assessment could be administered in the 8th grade or 11th grade, or any other time.
- Senator Prentiss asked Representative Moffett if by augmenting one of the classes referenced in the language, to include this assessment, a student cannot graduate with the passage of this assessment.
 - Representative Moffett said yes, that is the intent of the bill. The intent is to put teeth in existing statute which just calls for a civics course only.
- Senator Prentiss asked Representative Moffett if there are any other assessments or tests such as this where, without taking the test and passing it, one could not graduate, and their futures be upended. Would this just apply for civics courses or does this apply to any other subject matter.
 - Representative Moffett said that this is fairly unusual to have specific requirement like this.
 - There are expectations for students when taking civics and English courses. How to speak the language and how the government works is profoundly important. We owe it to students and families as citizens.
- Senator Kahn asked Representative Moffett if a civics course is required in high school.
 - Representative Moffett said yes.
- Senator Kahn shared with Representative Moffett that there are already a few forms of assessment that exist without an exam requirement.
- Senator Kahn asked Representative Moffett if there should be some mechanism for a waiver, based on student's portfolio, where a school administrator would have the authority to waive exam. For instance, a student who does not perform well with lengthy tests with a high number of questions.
 - Representative Moffett said the intent of this bill is to avoid what he is suggesting.
 - The reason that other states and parents want this assessment is due to lack of confidence in what schools are currently teaching. For instance, climate change versus civics.
 - Allowing a wavier is a slippery slope.

- In this bill, districts already have discretion for IEPs.
- If someone cannot pass this fairly simple exam, where they will have all questions ahead of time, should they even be given a diploma.
- Senator Ward shared with Representative Moffett that these concepts should be part of regular, day-to-day curriculum already. Having been an immigrant, and living, reading, and speaking with people in the U.S., this information should be common knowledge. She doesn't think we need a special course, instructor, etc. for this. She supports this bill.

Becky Wilson – Director of Governmental Relations, NH School Board Association

- Opposed to this bill.
- They agree that civics education is an important topic.
- It has been refreshing to see the number of students who are civically active increase as of late.
- The majority of their reasoning to oppose this legislation is outlined in their written testimony.
- Students are already required to attain a passing grade in civics, on a competency basis, in a much more deep and meaningful way.
- This bill would add another burden to students with regard to civics.
- There have been recent efforts to decrease reliance on high stakes, one-time test use.
- As soon as this becomes a requirement, high school seniors will say this is high stakes.
- This bill is silent for 504 plan students.
- Competency based civics education shows students already gain this knowledge.
- Graduation competencies are currently left to local districts anyways; this is a different kind of mandate.
- We have spent so much time getting away from one-time assessment use, this is an effort to move back to that.
- Typically, when there are changes to graduation requirements, such changes are phased-in.
- It is not common to add senior requirements, on the spot, that would affect current day seniors. This bill's upon passage date does just that.
- Senator Prentiss asked Ms. Wilson about this bill impeding on one's ability to graduate.
 - Ms. Wilson said based on the way the bill is written currently, and if this were to go into effect 60 days after passage, you could have situation where a senior, who fulfilled all other requirements, won't be able to graduate due to this new, last minute requirement. This would especially apply to seniors who've worked to graduate early.

- Senator Prentiss asked Ms. Wilson if there are any other assessments, throughout the course of education, with a similar requirement.
 - Ms. Wilson said not to her knowledge.
- Senator Prentiss reiterated she is not against civics education but against high school career-ending stakes.

Nate Green – Bureau Administrator, NH Department of Education

- Made himself available for questions.
- If this bill is added to statute, we would need to ensure minimum graduation requirements match what is in statute.
- Senator Hennessey asked Mr. Green if he has recommendations as to what needs to be changed.
 - Mr. Green said the most fitting course and curriculum would be the civics course. There have also been suggestions to start this journey in junior high.

amh
Date Hearing Report completed: March 24, 2021

Speakers

Senate Remote Testify

Education Committee Testify List for Bill HB320 on 2021-03-23

Support: 10 Oppose: 48 Neutral: 0 Total to Testify: 3

Name	Email Address	Phone	Title	Representing	Position	Testifying
Prudhomme O'Brien, Katherine	kpo@leg.state.nh.us	16033394598	An Elected Official	Rockingham 06/Derry	Support	Yes
Clark, James	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Bergeron-Beaulieu, Jane	jbergeron@nhasea.org	494-1149	A Lobbyist	NH Association of Special Education Administrators	Oppose	No
St Germain, Diane	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Hennessey, Martha	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Perencevich, ruth	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Zaenglein, Barbara	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Zaenglein, Eric	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Bruce, Susan	susanb.red@mac.com	603.730.7078	A Member of the Public	Myself	Oppose	No
Cornell, Patricia	Not Given	Not Given	An Elected Official	Myself	Oppose	No
Corell, Elizabeth	Elizabeth.j.corell@gmail.com	603.545.9091	A Member of the Public	Myself	Oppose	No
garnett, ronald	soup31314@yahoo.com	603.236.1637	A Member of the Public	Myself	Support	No
Larson, Ruth	ruthlarson@msn.com	Not Given	A Member of the Public	Myself	Oppose	No
Torpey, Jeanne	jtorp51@comcast.net	Concord	A Member of the Public	Myself	Oppose	No
McNamee, Brigid	brigidmcnamee@yahoo.com	603.223.0139	A Member of the Public	Myself	Oppose	No
Reed, Barbara	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Taylor, Gale	galeforcefacilitators@gmail.com	603.321.7160	A Member of the Public	Myself	Oppose	No
Goldwater, Catherine	cathy.goldwater@gmail.com	603.860.3756	A Member of the Public	Myself	Oppose	No
Necol, Barbara	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Keeler, Margaret	peg5keeler@gmail.com	603-491-4689	A Member of the Public	Myself	Oppose	No
Spielman, Kathy	jspielman@comcast.net	603.397.7879	A Member of the Public	Myself	Oppose	No
Dodge, Corinne	corinnedodge@hotmail.com	16034325759	A Member of the Public	Myself	Support	No
Fordey, Nicole	nikkif610@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No
Graham, Nancy	nancygraham806@gmail.com	425.765.6921	A Member of the Public	Myself	Oppose	No
See, Alvin	absee@4Liberty.net	Not Given	A Member of the Public	Myself	Support	No
Kelly, Fran	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Johnson, Susan	susanj1511@yahoo.com	Not Given	A Member of the Public	Myself	Oppose	No
Jachim, Nancy	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
DeMark, Richard	demarknh114@gmail.com	603.520.5582	A Member of the Public	Myself	Oppose	No
Jones, Andrew	arj11718@yahoo.com	Not Given	A Member of the Public	Myself	Oppose	No
Tentarelli, Liz	LWV@kenliz.net	603.763.9296	A Member of the Public	Myself	Oppose	No
Aron, Judy	judy.aron@leg.state.nh.us	603.843.5908	An Elected Official	Myself	Support	No
Lindpaintner, Lyn	lynlin@bluewin.ch	Not Given	A Member of the Public	Myself	Oppose	No
Rettew, Annie	abrttew@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No
Damon, Claudia	cordsdamon@gmail.com	603.226.4561	A Member of the Public	Myself	Oppose	No
Hackmann, Kent	hackmann@uidaho.edu	16039343225	A Member of the Public	Myself	Oppose	No
Blanchard, Sandra	sandyblanchard3@gmail.com	603.724.3768	A Member of the Public	Myself	Oppose	No
Hobson, Deb	Deborahhobson@gmail.com	603.968.5417	An Elected Official	Myself	Support	No
Platt, Elizabeth-Anne	lizanneplatt09@gmail.com	603-715-8191	A Member of the Public	Myself	Oppose	No
Clark, Denise	denise.m.clark03055@gmail.com	603.213.1692	A Member of the Public	Myself	Oppose	No
Carter, Lilian	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Ladd, Carl	carl@nhsaa.org	603-225-3230	A Lobbyist	New Hampshire School Administrators Association	Oppose	No
Burr, Emily	revemilyburr@gmail.com	Not Given	A Member of the Public	Myself	Oppose	No
Moccia, Lianne	Not Given	Not Given	A Member of the Public	Myself	Oppose	No
Hampton, Doris	dandmhamp38@mail.com	603.783.4418	A Member of the Public	Myself	Oppose	No

Brennan, Nancy	burningnan14@gmail.com	Not Given	A Member of the Public	Myself		Oppose	No	?
Vincent, Laura	lvlauravincen5@gmail.com	603.783.4849	An Elected Official	Myself		Oppose	No	?
Rouillard, Claire	Not Given	Not Given	An Elected Official	Myself		Support	No	?
Post, Lisa CM	Lisacmpost@gmail.com	Not Given	An Elected Official	Myself		Support	No	?
Love, Rep.David	davidlove4rep@gmail.com	(603) 275-98	An Elected Official	Rockingham 6		Support	No	?
Gordon, Laurie	Lmgord23@gmail.com	Not Given	A Member of the Public	Myself		Oppose	No	?
Hope, Lucinda	lmhope46@gmail.com	Not Given	A Member of the Public	Myself		Oppose	No	?
Petruccelli, Maxine	maxinepet@gmail.com	Not Given	A Member of the Public	Myself		Oppose	No	?
Petruccelli, Charles	chasmxpet@gmail.com	Not Given	A Member of the Public	Myself		Oppose	No	?
Gordon, Margaret	Megordon98@gmail.com	Not Given	A Member of the Public	Myself		Oppose	No	?
Ellermann, Maureen	Not Given	Not Given	A Member of the Public	Myself		Oppose	No	?
Wilson, Becky	bwilson@Nhsba.org	(603)340-291	A Lobbyist	NH School Boards Association		Oppose	Yes	?
Moffett, Michael	mofmichael@aim.com	603.491.0553	An Elected Official	Sponsor and Co-Sponsors		Support	Yes	?

Testimony

Ava Hawkes

From: Michael Moffett <mofmichael@aim.com>
Sent: Saturday, March 20, 2021 10:11 AM
To: Ava Hawkes
Subject: HB320 H.S. Civics Assessment

Hello Ava:

Could you help me get this to Senate Education members before they hear this bill on Tuesday. (I know hey get countless messages.

Thank you!
-MIM

Honorable Senate Education Committee:

Below you'll find my brief remarks which I offered in House session before the HB320 (H.S. Civics Bill) was voted on. It passed by almost 70 votes, 208-141, with bipartisan sponsorship and support.

The education establishment, always averse to accountability and assessments, naturally opposed. But most people WANT some measure of emphasis on basic fundamentals.

Civics Education has also long been a priority for my friend, Senator Lou D'Allesandro. I've earlier helped move forward some of his Civics measures. But we need more than a class, as every school does classes differently, some better than others.

I truly hope the Senate Education Committee will recommend OTP on this wonderful bill and keep it moving forward.

Sincerely,

-MIM

Michael I. Moffett (LtCol, USMCR)
Professor/Author/**N.H. State Representative**
144 Green View Drive
Loudon, N.H. 03307 603-491-0553 (cell)

"Nothing great in the world has ever been accomplished without passion." – Georg W. F. Hegel

re: HB320 (Civics Education)

Mark Twain once said that “Everyone talks about the weather, but no one does anything about it.” Similarly, it seems like everyone talks about widespread ignorance of civics, but no one does anything about it. Well, HB320 does something about it.

Yes, we have civics laws on the books that mandate civics instruction. Classes do take place. But every school is different. Some do better than others. But distressingly to some of us, many of these classes focus more on climate change than they do on the constitution. Hence the need for some common fundamentals.

Requiring the Naturalization Citizenship Test as a graduation requirement would provide a broad foundation of civics instruction for all Granite Staters. And it would create a common bond among all N.H. high school graduates.

And yes, the bill allows local discretion in administering special versions to special students.

This is not a radical measure. Numerous other states already have this requirement in place.

Most parents want assessments and accountability with regard to their schools. This bill provides a measure of that.

Those of us who support public education know that we need to rekindle support for public education. This bill helps do that.

Yes, some call this a “high stakes” exam that may cause undo stress for some students. Yes it is “high stakes” in that students need to pass it to graduate. But they get as many chances as they need. They can take and pass it in junior high. That’s up to the districts. The questions are all out there. It is not rocket science.

The ten-year-old son of the Representative from Windham just took it and passed it. We do our young people no favors by shielding them from so-called “high-stakes” assessments and consequences. We owe it to them

to challenge them. That's how they learn. That's how they grow. Otherwise we shortchange them.

And yes, folks well-versed in "edu-speak" will say this will result in "teaching to the test." Well, that's a good thing. Law professors teach to a test. It's called a bar exam. Nursing instructors teach to the test. It's called the Nek-Lex. Driver Ed teachers teach to the test. It's called the Drivers Test.

Would the opponents of this bill do away with drivers tests? And just say, "Well classroom instruction alone is just fine."

I personally want to see drivers tested before they take to the roads, just as I'd like to see high school students tested so they can become better, more informed citizens. Why would we NOT want them to study and be assessed on the identical material that we test potential new citizens with?

In a few moments you'll have a chance to press a green button or a red button. If you press the green button, then virtually every student in NH will become more informed about their heritage, more aware of how their government works, and just plain smarter. It's almost magic. Guaranteed. Press the green button and our students will get smarter.

I hope you'll press the green button.

Mark Twain would be proud.

Thank you Mr. Speaker.



New Hampshire School Boards Association

Barrett M. Christina, Executive Director
Travis Thompson, President, Exeter Regional
Cooperative
Amy Facey, First Vice-President, Souhegan
Cooperative
Brenda Willis, Second Vice-President, Derry
Cooperative
Shannon Barnes, Past-President, Merrimack

25 Triangle Park Drive, Suite 101
Concord, NH 03301
Phone: (603) 228-2061
www.nhsba.org

March 22, 2021

Dear Senator Ward and members of the Senate Education Committee,

My name is Becky Wilson, and I serve as the Director of Governmental Relations for the New Hampshire School Boards Association. We want to thank the sponsors of this bill (Rep. Moffett, Rep. Pearl, Rep. Lang, Rep. Rouillard, Rep. Shaw, Rep. Hobson), as NHSBA shares the belief that civics education is an important topic, and should remain a focus for New Hampshire students. However for the reasons outlined in this testimony, NHSBA is in opposition of HB 320.

As is noted in the proposed language of HB 320, students are already required to attain a passing grade on a competency based assessment, showing evidence of the student's ability to understand and apply the concepts of nature, purpose, structure, function, and history of the United States government, the rights and responsibilities of citizens, and noteworthy government and civic leaders. Adding an *additional* graduation requirement, mandating students pass the United States Civics Test, seems redundant and also contrary to the strong push and focus for New Hampshire high school graduation requirements to focus on competency.

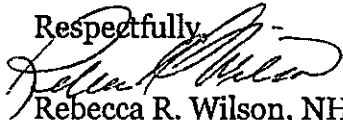
NH has long been working to decrease reliance on high stakes, one time standardized tests as a measure of a student's ability to show evidence of skills. While there have been comments made that this test is not difficult, and should not be considered "high stakes", if passing this assessment is a graduation requirement, it becomes high stakes for each high school senior. Requiring all students attain a specific grade, on this specific test is unnecessary and creates an additional burden on the student. Should districts choose, the language currently in statute allows districts the option of utilizing the United States Civics Test, as their civics assessment to meet the graduation requirement, although this may not be seen as best instructional practice as a measure of competency. In addition, this bill mandates the child take the full assessment (128 questions) and not as it would be given to someone using it to obtain citizenship, where applicants must only answer correctly 12 of 20 randomly selected questions (or 60%.)

It is unclear what "score" a student would need to obtain on 128 questions in order to successfully pass this test and meet this new graduation requirement.

Competency based systems provide multiple opportunities to show learning and mastery, through project based learning, and real world application of skills. While NHSBA supports the belief that students must show competency of United States government and civics, we do not feel that a student's ability to "pass" the United States Civics Test, will measure a student's competency, understanding or application of the concepts involved in civics. It simply measures the student's ability to answer questions in a specific format, or a student's ability to memorize information and retain it for a period of time required to pass the test.

HB 320 places additional focus on standardized testing on already overwhelmed high school students, and creates an additional hurdle for students to overcome. Local school boards are tasked with awarding diplomas based on each district's requirements. However, New Hampshire minimum standards state that the instructional program shall enable students to demonstrate achievement of "graduation competencies" not a level of achievement on specific standardized tests. NHSBA continues to support local governance when determining graduation requirements for individual districts. NHSBA would like to again express our acknowledgement and appreciation of the importance of civic education for our students, and please do not hesitate to reach out if we can be of any assistance.

Respectfully,



Rebecca R. Wilson, NHSBA Director of Governmental Relations.

Ava Hawkes

From: Madsen, Martha <Martha.Madsen@law.unh.edu>
Sent: Monday, April 5, 2021 8:42 PM
To: Erin Hennessey; Ava Hawkes; Bob.Guida@leg.state.nh.us; Griffin Roberge; Jeb Bradley; Cameron Lapine; David Watters; Jessica Bourque; Suzanne Prentiss; Shannon Girard; James.Grey@leg.state.nh.us; Kathy.cummings@leg.state.nh.us; Harold French; Marie Marston; Ruth Ward; Denise Ricciardi; Jay Kahn; Debra Martone; Gary Daniels; Tricia Melillo; Regina Birdsell; Lou.Dallesando@leg.state.nh.us; Sonja Caldwell; Cameron Lapine; Rebecca Perkins Kwoka; Chuck Morse; William Gannon; Tom Sherman
Cc: Kevin Avard; Jennifer Gallagher; Cindy Rosenwald; Sharon Carson; Deborah Chroniak; Becky Whitley; Aaron Jones; Kevin Cavanaugh; john.reaganIII@gmail.com; Donna Soucy; Jennifer Horgan
Subject: opposition to HB 320

Dear New Hampshire Senators,

I write as Executive Director of the NH Institute for Civics Education (NH Civics), a non-partisan non-profit that works to develop, nurture, and maintain an informed, engaged, civil NH citizenry engaged productively in the democratic process. We provide free professional development for educators, free public events intended to galvanize public support for a reinvigorated and updated civics education, and we facilitate student programming including NH's Kid Governor, NH Civics: Mikva Challenge, and a court education program called Civics 603. You can learn more about us at nhcivics.org.

I write as an individual, as the timing of this process has not allowed me to consult with our board of Trustees, but I would expect support from them on the following ideas:

I oppose HB 320 because:

- NH has never had a high-stakes test and we should not start now. One 128 question memorization test should not be a barrier to a high school diploma.
- Validity is an important element in quality assessment design. HB 320 would require schools to administer a single test (one that might help us understand how students memorize, but nothing about their commitment to civic activities nor their ability to participate effectively.) The test does not assess what is intended. NH is known as a leader in performance-based assessment. Why wouldn't a performance assessment at least be an option for localities?
- The assessment process is unclear. Are schools giving the test as the Immigration Service would give it (20 questions with a 70% pass rate rather than 60% required of New Americans)? Or do students get all 128 questions and have to answer 89 correctly? Can a test be given orally or is it for this test?
- Where is the funding coming from to ensure schools have assessment training and that they maintain consistent conditions for the administration of this test? For a state-wide assessment process to be reliable, training and materials will be required.
- This bill will not offer localities control over their curriculum. Why not follow Nebraska's example, and offer a slate of assessment options for localities?
- If a student does well on this test of 128 items, does that mean the student will be an informed, engaged, citizen? We need students to be inspired to play a positive role in community; a memorization test will not get us there. We know that rote learning does not last. These facts will be forgotten within a short time if knowledge is not connected to experience and other learning.

We know that learning that is hands-on and applied is the kind of durable learning that lasts a lifetime. We propose that each student maintain a K-12 digital portfolio for citizenship and civic learning. Civic learning will be documented, can be assessed over time, and will have practical meaning to the individual student.

This year NH Civics is planning to lead a coalition that will explore a menu of state policy options for civics education. Our product will be consensus on a non-partisan policy or policies that will raise the quality and quantity of student civic learning in our state. We request that you delay your policy decision-making until 2022. This will give teachers, administrators, principals, unions, the NHDoe, school boards, parents, and other stakeholders a chance to come together to agree upon solutions.

At present what would help most is for NH to release the proposed social studies competencies that were completed in Nov. 2019. It makes sense to set learning goals before we test students on them. Many educators have expressed to me that they are urgently needing an update from the 2006 frameworks.

Thank you for your service to our state and for your careful consideration.

Most sincerely,

Martha

Martha M. Madsen
Executive Director
New Hampshire Institute for Civics Education
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@nhcivics

Ava Hawkes

From: Lucinda Hope <lmhope46@gmail.com>
Sent: Monday, March 22, 2021 8:14 PM
To: Ava Hawkes
Subject: Constituent OPPOSED to HB320

Members of the Senate Education Committee —

I certainly think there are ways that our schools can motivate students to truly learn about civics ... to learn how the state & national government are set up, the importance of good laws that reflect rights of all & protect all, etc., the importance of being involved with the process by staying informed & by voting.

However, I am very much OPPOSED to HB320.

The US Citizenship Exam is given to motivated adults eager to become naturalized citizens of our country. They are given years to prepare for it.

Evaluating the achievement level of HS students ought to be measured differently with a different tool.

I encourage you to vote against this bill.

Sincerely,

Lucinda Hope, M.Ed.

Ava Hawkes

From: Jerry Frew <jerry@nhsaa.org>
Sent: Friday, March 19, 2021 12:14 PM
To: Ruth Ward; Erin Hennessey; Jay Kahn; Denise Ricciardi; Suzanne Prentiss; Ava Hawkes
Cc: Dr. Carl Ladd
Subject: HB 320
Attachments: Dear Chairwoman Ward and Members of Senate Education.docx

Honorable Senators,

First, let me thank each of you for your dedication to the citizens of this state, and for your unselfish commitment of time to address the needs of our citizenry. Like school system leaders, you often are confronted with difficult decisions, and cannot please everyone all of the time. That said, we all have in our hearts the best interests of children, and the best intentions for their success.

Attached please find NHSAA's testimony regarding HB 320. I have outlined our concerns with this legislation, and we stand ready to assist you should you desire to make changes to the proposed bill.

Thank you for your time and consideration of this request,

Sincerely,

Jerry

Jerry Frew
Associate Executive Director
New Hampshire School Administrators Association
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Concord, NH 03301
(603)225-3230 Fax: (603)225-3225
Email: jerry@nhsaa.org. Website: nhsaa.org

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RE: HB 320

Dear Chairwoman Ward and Members of Senate Education,

My name is Jerry Frew, and I am the Associate Executive Director of NHSAA. Thank you for taking my testimony regarding HB320- Requiring the passing of the Naturalization Exam to qualify for a high school diploma. As a former Social Studies teacher, I certainly appreciate and applaud the intent of the sponsor of this legislation. However, we have several concerns regarding how this would be enacted, and as a result, NHSAA is *opposed* to this legislation in its current form.

While we all believe that an informed citizenry is the cornerstone of our democracy, the requirement of this high stakes test to qualify for a high school diploma raises a number of questions.

First of all, the timeline for implementation is problematic as it takes effect 60 days upon passage. As such, it is conceivable that a current Senior in high school who has completed all of the other state and local requirements for high school graduation would not be able to graduate this June should this bill be signed into law before April 30th, because they would not have taken this high stakes test, or had time to prepare for it.

Second, the schedules for the high schools in the state are currently in the process of development for next year. Teaching assignments, staff contracts and student choices are all completed by mid-May for the following year, and the implementation of this legislation will impact next years' Senior Class and could present both fiscal and logistical challenges for local school districts and the students themselves. Students have already made their selections for coursework, many of them having already taken their required civics or government course for graduation this year or previously, and in doing so, have exercised the local competency assessment option granted by this legislature several years ago. Students have completed their required coursework, attained credit, and are pursuing other course options. An assessment of this high stakes magnitude should coincide with the time that students are the actual course, and not at some future date.

Third, not all schools have a level of 70 as a passing grade. How is it to be reconciled when a student has accomplished all of the competencies for the course as approved by their local school board, yet fails to attain a passing grade on this one exam as required by the state? Does this requirement contradict the existing ED 306 rules that allow for a locally adopted competency based exam?

Fourth, as in the words of the sponsor "students can take it as many times as they need to in order to pass it". With that proclamation in mind, there may be fiscal implications on school districts for remediation, learning accommodations, and student supports to result in every students' success in meeting this state requirement. As such, should a fiscal note be attached?

Finally, the argument that the test answers can be studied and memorized prior to the taking of the test, as acknowledged by the bills prime sponsor, is hardly the level of understanding that constitutes good learning and quality instruction that leads to retention of knowledge. "Just passing the test" isn't a high enough standard in our public schools, and the depth of knowledge and retention of it is certainly compromised by encouraging this methodology.

We certainly agree in the value and the importance of this legislation. We do however, feel that this bill needs further work, and in fairness to students a more realistic timeline for implementation, and time for curriculum, instruction and budget planning to be adjusted to make this required exam a worthwhile and high quality learning experience.

For the above stated reasons, we respectfully request that the Senate Education Committee either find this bill Inexpedient to Legislate, or at the very least retain it for further study. We would be happy to assist in the restructuring of this legislation.

Respectfully Submitted,

Jerry Frew
Associate Director NHSAA

Voting Sheets

Senate Education Committee
EXECUTIVE SESSION RECORD
2020-2021 Session

Bill # **HB 320**

Hearing date: **3/23/21**

Executive Session date: **3/30/21**

Motion of: **ITL** Vote: **2-3**

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: **committee amendment / OTP** Vote: **5-0**

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Motion of: **OTP / A** Vote: **3-2**

Committee Member	Present	Made by	Second	Yes	No
Sen. Ward, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Hennessey, VC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Ricciardi	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sen. Kahn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sen. Prentiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reported out by: **Sen. Hennessey**

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Tuesday, March 30, 2021

THE COMMITTEE ON Education

to which was referred **HB 320**

AN ACT requiring a civics competency assessment as a high school graduation requirement.

Having considered the same, the committee recommends that the Bill

ought to pass with amendment

by a vote of: 3-2

Amendment # 1052s

Senator Erin Hennessey
For the Committee

Ava Hawkes 271-4151

EDUCATION

HB 320, requiring a civics competency assessment as a high school graduation requirement.
Ought to Pass with Amendment, Vote 3-2.
Senator Erin Hennessey for the committee.

Docket of HB320

Docket Abbreviations

Bill Title: requiring a civics competency assessment as a high school graduation requirement.*Official Docket of HB320.:*

Date	Body	Description
1/9/2021	H	Introduced (in recess of) 01/06/2021 and referred to Education HJ 2 P. 43
1/27/2021	H	Public Hearing: 02/04/2021 01:00 pm Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/93534264563 / Executive session on pending legislation may be held throughout the day time permitting from the time the committee is initially convened.
2/18/2021	H	Executive Session: 02/18/2021 09:00 am Members of the public may attend using the following link: To join the webinar: https://www.zoom.us/j/95029670134
2/18/2021	H	Majority Committee Report: Ought to Pass with Amendment #2021-0271h (Vote 12-8; RC) HC 12 P. 27
2/18/2021	H	Minority Committee Report: Inexpedient to Legislate
2/25/2021	H	Amendment #2021-0271h : AA VV 02/25/2021 HJ 4 P. 22
2/25/2021	H	Ought to Pass with Amendment : MA RC 208-141 02/25/2021 HJ 4 P. 22
3/4/2021	S	Introduced 03/04/2021 and Referred to Education; SJ 7
3/17/2021	S	Remote Hearing : 03/23/2021, 09:30 am; Links to join the hearing can be found in the Senate Calendar; SC 16
3/30/2021	S	Committee Report: Ought to Pass with Amendment #2021-1052s , 04/08/2021; SC 18
4/8/2021	S	Committee Amendment #2021-1052s , RC 24Y-0N, AA; 04/08/2021; SJ 11
4/8/2021	S	Ought to Pass with Amendment 2021-1052s, RC 14Y-10N, MA; OT3rdg; 04/08/2021; SJ 11
6/10/2021	H	House Concurs with Senate Amendment 2021-1052s (Rep. Ladd): MA DV 202-161 06/10/2021
7/12/2021	S	Enrolled Adopted, VV, (In recess 06/24/2021); SJ 20
7/12/2021	H	Enrolled (in recess of) 06/24/2021

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: HB 320

Senate Committee: EDUCATION

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: {Legislative Aides}

Bill version as it came to the committee

All Calendar Notices

Hearing Sign-up sheet(s)

Prepared testimony, presentations, & other submissions handed in at the public hearing

Hearing Report

N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: {Legislative Aides}

All amendments considered in committee (including those not adopted):

- amendment # 1052 ___ - amendment # ___

- amendment # ___ ___ - amendment # ___

Executive Session Sheet

Committee Report

Floor Action Documents: {Clerk's Office}

All floor amendments considered by the body during session (only if they are offered to the senate):

___ - amendment # ___ ___ - amendment # ___

___ - amendment # ___ ___ - amendment # ___

Post Floor Action: (if applicable) {Clerk's Office}

___ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):

___ Enrolled Bill Amendment(s)

___ Governor's Veto Message

All available versions of the bill: {Clerk's Office}

as amended by the senate ___ as amended by the house

final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Committee Aide

Date

Senate Clerk's Office AK