

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. Rouillard

Rep. Pearl
Rep. Shaw

Rep. Lang
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 waiver 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.

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Date Hearing Report completed: March 24, 2021