

Legislative Analysis



HIGH SCHOOL CIVICS TEST SIMILAR TO U.S. NATURALIZATION TEST

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4136 (reported from committee w/o amendment)
Sponsor: Rep. Peter J. Lucido
Committee: Education
Complete to 5-6-16

Analysis available at
<http://www.legislature.mi.gov>

BRIEF SUMMARY: House Bill 4136 would amend the Revised School Code to specify that high school students could not be awarded credit for successfully completing the mandatory civics course unless they earn a passing score on a test substantially similar to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services. Successful completion of this course is a graduation requirement.

FISCAL IMPACT: The bill would have no impact for the Department of Education (MDE), but it would have an indeterminate impact on local school districts. The test would increase administrative costs in creating the test, administering the test, and creating a new notation on transcripts for passing the test.

THE APPARENT PROBLEM:

Proponents of the bill pointed to the dearth of civics literacy among the American public. They say high school students are woefully ignorant of basic facts about American government and history, citing surveys that indicate that a startlingly small percentage of graduates can identify such important figures as Thomas Jefferson or the role he played in writing the Declaration of Independence.

One currently popular approach to addressing this deficiency is to make high-schoolers pass at least some portion of the exam that immigrants must take as part of the naturalization and citizenship process. In Michigan, students are required to take one semester of civics and cannot graduate without successfully completing the course. Making passing some portion of the citizenship test a requirement for successful completing civics is one way to ensure that high school graduates have digested some of the same basic information required of new Americans. (See **Background Information.**)

THE CONTENT OF THE BILL:

Under House Bill 4136, beginning in the 2016-2017 school year, a high school student could not be awarded credit for successfully completing the mandatory one-semester civics course unless the student earned a passing score on a test that consisted solely of questions identical to some or all of the questions on the civics portion of the naturalization test used by the United States Citizenship and Immigration Services. The bill is an amendment to the Revised School Code.

Now under the law, all Michigan high schools require a one-semester civics course offered during five periods per week. The course must include instruction about the form and functions of our federal, state, and local governments, and stress the rights and responsibilities of citizens. A high school diploma cannot be issued to a student who has not successfully completed this course. [The course requirement is not, however, a graduation requirement for a high school student who enlists or has been inducted into military service.] All of these provisions would be retained.

A high school governing board could determine how to administer the test, how many questions to include, and which questions to include on the test. A student who did not earn a passing score could retake the test until successful. As used in the bill, a "passing score" means correctly answering at least 60 percent of the questions included on the test.

Under House Bill 4136, when a student passed the civic test, school officials would document that information on the student's school transcript.

MCL 380.1166

BACKGROUND INFORMATION:

To review the questions that constitute the civics portion of the oral naturalization test administered by U.S. Citizenship and Immigration, located within the Department of Homeland Security, visit the following website:

<http://www.uscis.gov/citizenship/see-all-section-items-title/Civics%20Questions%20and%20Answers%20for%20the%20Naturalization%20Test/55254?destination=node/41140>

ARGUMENTS:

For:

Proponents argue that including this kind of information about American government and history in a test required for high school graduation will elevate its importance. Students are more likely to pay attention if they know that they will be tested on the information, and especially if they know that their graduation is contingent on passing the test. At least nine states¹ have already passed legislation requiring students to pass a citizenship test derived from the naturalization test, with many more considering such legislation. This test contains the facts that as a nation we consider it important for new Americans to know; it not information identified with any advocacy group or political party.

The Civics Education Initiative, which has spearheaded the push to require this test, hopes to have the requirement adopted in all 50 states by the 230th anniversary of the signing of the Constitution on September 17, 2017.²

In response to concerns that such requirements take away local control of schools and curricula, proponents point to the fact that the school's governing board may determine the

¹ Arizona, Idaho, Louisiana, North Dakota, South Carolina, South Dakota, Tennessee, Utah, and Wisconsin.

² <http://joefossinstitute.org/civics-education-initiative/>

method and manner of the test, as well as how many and which questions are on the test. These questions must merely be chosen from the 100 that make up the pool of questions on the naturalization test.

Against:

Opposition to this bill focuses, in part, on the imposition of another mandate on local schools and the inflicting of another mandated state test on students, as well as the adequacy of the test. The so-called "local control" allowed by the bill only allows a school board to decide which of a pool of 100 questions to administer, and what form that test may take. Such specific guidelines at the state level are inconsistent with the legislature's stated emphasis on curriculum flexibility and local control.

While proponents of the test insist that it would promote an understanding or appreciation of American civics information, opponents say that this bill would in no way guarantee that. While the current requirement of a semester-long civics course gives students an overview of key documents, principles, and historical and current figures, the test merely provides a pool of 100 questions and answers, with an emphasis on memorization and no emphasis on comprehension or context. A school may fulfill the requirement by giving its students a list of ten questions and answers chosen from the 100, instructing the students to memorize the list, and then administering the test. As long as the students answer six of the ten correctly, even if doing so takes many attempts, the school has met the requirement.

POSITIONS:

A representative of the Civics Education Initiative testified in support of this bill. (12-3-15)

A representative of the American Legion testified in support of this bill. (12-3-15)

A representative of the Michigan Association of Secondary School Principals testified in opposition to this bill. (12-3-15)

Oakland Schools oppose this bill (12-3-15)

The Michigan Association of School Administrators opposes this bill. (12-3-15)

The Michigan Association of School Boards opposes this bill (12-3-15)

The Michigan Association of Non-public Schools opposes this bill. (12-3-15)

Legislative Analyst: Jennifer McInerney
Fiscal Analyst: Bethany Wicksall
Samuel Christensen

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.