**The background of the problem:**

2014 – National Assessment of Educational Progress – national testing of 29,000 8th graders

* Only 23 percent of eighth graders scored “proficient” in civics
* Only 18 percent scored “proficient” in U.S. History

2014 – Annenberg Public Policy Center (University of Pennsylvania) survey of 1,416 Americans

* Only 36 percent of those surveyed name the three branches of government; 35 percent couldn’t name one.
* 21 percent thought 5-4 Supreme Court decisions were sent to Congress for reconsideration.

2011 – Xavier University survey of 1,023 native-born citizens, asking them questions from the U.S. Citizenship and Immigration Services exam.

* 85 percent could not define “the rule of law.”
* 75 could not define the role of the judicial branch
* 71 percent were unable to identify the Constitution as the "supreme law of the land."
* 63 percent could not name one of their state's U.S. Senators.
* 62 percent did not know the name the Speaker of the U.S. House of Representatives.
* 62 percent could not identify the Governor of their state.
* 57 percent could not define an "amendment."
* Only 44% of those with a high school education or less passed the test.

**There is a vast knowledge deficit as it relates to American civics.**

**What states are doing:**

The Civics Education Initiative serves to erase that deficit by passing laws in the 50 states to have students pass the civics portion of the citizenship exam given by U.S. Citizenship and Immigration Services.

Fifteen states – red states, blue states, purple states – have passed this legislation. Five of the states mandate that the text be passed prior to graduation. The states requiring passage of the test: Arizona, North Dakota, Utah, Idaho, Wisconsin. This legislation requires passage. States merely requiring a test are: South Dakota, Michigan, Louisiana, Tennessee, New Hampshire, Virginia, Kansas, Missouri, South Carolina and Minnesota.

Approximately 20 states will have this legislation introduced in 2017.

**What this bill does:**

This bill would require high school students beginning with the 2018-19 school year to pass an examination using the 100-question civics portion of the U.S. Citizenship and Immigration Services (USCIS). The civics portion of the USCIS exam is a list of 100 open-ended questions that local systems could opt to convert to a multiple-choice format. The Joe Foss Institute has prepared a multiple-choice version that it will be offering via online portal at **no cost**. Either way, the local system has the flexibility to choose which method to use.

The bill requires a passing score of 60, and specifically allows a student to take the test as many times as necessary to pass the exam.

The bill requires the State Board of Education to promulgate rules to help local systems comply with the provisions of the bill. There are no specific reporting mandates, other than general compliance.

The bill provides that special education students’ individualized education program takes precedence over the legislation.

What the amendment does:

The bill as initially written lacked clarity on the substance of the test, but makes certain that the 100 USCIS civics questions are used.

Furthermore, this Legislature provided autonomy in 2014 to nonpublic and home schools in Section 16-1-11.1. This amendment clarifies that that autonomy remains in effect.

**The flexibility of the law:**

The legislation allows schools the flexibility to begin offering the examination in conjunction with 8th grade Civics, should a system desire. The legislation allows schools the flexibility to develop their own multiple-choice format, as long as the 100 questions are asked. Systems may opt to use the free portal.

The flexibility of the legislation allows for a student to take the exam as many times as necessary.

**Conclusion:**

Some will point to states that do not require passage. The burden of passing the test is not onerous. It is important to keep the requirement in order to help build knowledge, encourage an engaged citizenship, and to ensure that the problem we are addressing is fixed. This is a good idea, and this pathway forward is fair and helpful to developing a new generation of Americans that understand how their government is structured. More importantly, it will help them on the journey to hold their leaders accountable.