

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0882.01 Julie Pelegrin x2700

SENATE BILL 16-148

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SENATE SPONSORSHIP

**Hill,** Baumgardner, Hodge, Holbert, Jahn, Lambert, Newell

HOUSE SPONSORSHIP

**Moreno and Lundeen,** Arndt, Lawrence, Pabon, Priola

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Senate Committees  
Education

House Committees

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A BILL FOR AN ACT

101 CONCERNING REQUIRING STUDENTS TO CORRECTLY ANSWER A  
102 PORTION OF THE CIVICS QUESTIONS ON THE UNITED STATES  
103 NATURALIZATION TEST AS PART OF THE EXISTING STATE  
104 REQUIREMENT FOR HIGH SCHOOL STUDENTS TO  
105 SATISFACTORILY COMPLETE A COURSE ON CIVIL GOVERNMENT  
106 BEFORE GRADUATING FROM HIGH SCHOOL.

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Bill Summary

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)*

Under existing law, each high school student must satisfactorily

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.

complete a civics course as a condition of high school graduation. In connection with this requirement, the bill requires each student who is enrolled in ninth grade during or after the 2016-17 school year to correctly answer, before graduating from high school, at least 60 questions from the civics portion of the naturalization test (test) used by the United States citizenship and immigration services. The school district, charter school, or school operated by a board of cooperative services (local education provider) that enrolls the student may allow the student to take the test on multiple occasions while enrolled in ninth through twelfth grade and, if necessary, to repeat the test until the student correctly answers at least 60 questions. Once the student correctly answers 60 questions, the local education provider will note the accomplishment on the student's transcript. A student who has a disability is excused from this requirement, except to the extent it may be required in the student's individualized education program. The superintendent or principal of a local education provider may waive the requirement for a student who meets all of the other graduation requirements and demonstrates the existence of extraordinary circumstances that justify the waiver. Each local education provider has complete flexibility in determining the manner of delivering the test and may incorporate the test into its existing curriculum. A local education provider shall not use the results of the test in measuring educator effectiveness.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1. Legislative declaration.** (1) The general assembly  
3 finds that:

4           (a) Each generation of American leaders has recognized that  
5 informing and engaging the next generation of Americans in basic civics  
6 and ensuring American students understand basic facts about the United  
7 States government and its creation and the nation's history is vital to the  
8 survival of the Republic;

9           (b) Students should not only be expected to have a basic  
10 understanding of the principles upon which the nation was founded, they  
11 deserve to be armed with that information in their adult lives as they vote  
12 for representatives who will make critical decisions about the future of  
13 the nation, Colorado, and its local communities and as they take on the

1 role of active and engaged citizens;

2 (c) According to the national assessment of educational progress,  
3 only twenty-four percent of United States high school students are  
4 proficient in civics, and studies by the Annenberg Public Policy Center  
5 show that a third of United States citizens cannot name even one branch  
6 of the federal government;

7 (d) Numerous studies and surveys confirm that young Americans  
8 are not proficient in the basics of United States civics, history, and  
9 geography, which are covered on the United States citizenship and  
10 immigration services citizenship civics exam;

11 (e) According to the Civics Education Initiative, Americans across  
12 the political spectrum overwhelmingly support providing measurable  
13 civics education in public schools and requiring high school students, as  
14 a condition of graduation, to pass the same civics exam that all  
15 immigrants must pass to become United States citizens; and

16 (f) Learning the most basic, foundational facts about the nation  
17 and passing the same test all new immigrants must successfully complete  
18 to become United States citizens establishes a foundation of civic  
19 knowledge and helps Colorado high school students understand and  
20 exercise their responsibilities as active citizens.

21 **SECTION 2.** In Colorado Revised Statutes, 22-1-104, **add** (3.5)  
22 as follows:

23 **22-1-104. Teaching of history, culture, and civil government.**

24 (3.5) (a) IN MEETING THE GRADUATION REQUIREMENT SPECIFIED IN  
25 SUBSECTION (3) OF THIS SECTION, EACH STUDENT WHO IS ENROLLED IN  
26 NINTH GRADE DURING OR AFTER THE 2016-17 SCHOOL YEAR MUST, BEFORE  
27 GRADUATING FROM TWELFTH GRADE, CORRECTLY ANSWER AT LEAST

1 SIXTY OF THE QUESTIONS ON THE CIVICS PORTION OF THE NATURALIZATION  
2 TEST USED BY THE UNITED STATES CITIZENSHIP AND IMMIGRATION  
3 SERVICES. THE SCHOOL DISTRICT, CHARTER SCHOOL, OR PUBLIC SCHOOL  
4 OPERATED BY A BOARD OF COOPERATIVE SERVICES IN WHICH A STUDENT  
5 IS ENROLLED SHALL ENSURE THAT EACH STUDENT ENROLLED IN GRADES  
6 NINE THROUGH TWELVE TAKES THE CIVICS PORTION OF THE  
7 NATURALIZATION TEST, IN WHOLE OR IN PART, ON ONE OR MULTIPLE  
8 OCCASIONS AT ANY TIME WHILE ENROLLED IN GRADES NINE THROUGH  
9 TWELVE. THE SCHOOL DISTRICT, CHARTER SCHOOL, OR PUBLIC SCHOOL  
10 MAY ALLOW A STUDENT TO REPEAT ALL OR ANY PORTION OF THE CIVICS  
11 PORTION OF THE NATURALIZATION TEST AS OFTEN AS NECESSARY UNTIL  
12 THE STUDENT CORRECTLY ANSWERS AT LEAST SIXTY QUESTIONS. WHEN  
13 A STUDENT MEETS THE REQUIREMENTS OF THIS PARAGRAPH (a), THE  
14 SCHOOL DISTRICT, CHARTER SCHOOL, OR PUBLIC SCHOOL SHALL  
15 DOCUMENT ON THE STUDENT'S TRANSCRIPT THAT THE STUDENT HAS  
16 CORRECTLY ANSWERED AT LEAST SIXTY QUESTIONS ON THE CIVICS  
17 PORTION OF THE NATURALIZATION TEST.

18 (b) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (a) OF  
19 THIS SUBSECTION (3.5):

20 (I) A STUDENT WHO HAS AN INDIVIDUALIZED EDUCATION  
21 PROGRAM PURSUANT TO SECTION 22-20-108 IS NOT REQUIRED TO MEET  
22 THE REQUIREMENTS SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION  
23 (3.5) UNLESS OTHERWISE PROVIDED, AND ONLY TO THE EXTENT PROVIDED,  
24 IN THE STUDENT'S INDIVIDUALIZED EDUCATION PROGRAM; AND

25 (II) THE SUPERINTENDENT OF A SCHOOL DISTRICT OR THE  
26 PRINCIPAL OF A CHARTER SCHOOL OR OF A PUBLIC SCHOOL OPERATED BY  
27 A BOARD OF COOPERATIVE SERVICES MAY WAIVE THE REQUIREMENTS

1 SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (3.5) IF A STUDENT  
2 ENROLLED IN THE SCHOOL DISTRICT, CHARTER SCHOOL, OR PUBLIC SCHOOL  
3 MEETS ALL OF THE OTHER GRADUATION REQUIREMENTS OF THE SCHOOL  
4 DISTRICT, CHARTER SCHOOL, OR PUBLIC SCHOOL AND THE STUDENT  
5 DEMONSTRATES THE EXISTENCE OF EXTRAORDINARY CIRCUMSTANCES  
6 THAT JUSTIFY GRANTING THE WAIVER, AS DETERMINED BY THE  
7 SUPERINTENDENT OR PRINCIPAL.

8 (c) TO MEET THE REQUIREMENTS SPECIFIED IN PARAGRAPH (a) OF  
9 THIS SUBSECTION (3.5), A SCHOOL DISTRICT, CHARTER SCHOOL, OR PUBLIC  
10 SCHOOL OPERATED BY A BOARD OF COOPERATIVE SERVICES MAY USE THE  
11 CIVICS QUESTIONS FOR THE NATURALIZATION TEST AND THE TEACHING  
12 MATERIALS THAT ARE AVAILABLE FROM THE UNITED STATES CITIZENSHIP  
13 AND IMMIGRATION SERVICES. EACH SCHOOL DISTRICT, CHARTER SCHOOL,  
14 AND PUBLIC SCHOOL HAS COMPLETE AUTHORITY AND FLEXIBILITY IN  
15 DETERMINING THE MANNER IN WHICH IT ADMINISTERS THE CIVICS PORTION  
16 OF THE NATURALIZATION TEST AND MAY INCORPORATE THE TEST INTO THE  
17 EXISTING HISTORY, CULTURAL, OR CIVIL GOVERNMENT CURRICULUM USED  
18 BY THE SCHOOL DISTRICT, CHARTER SCHOOL, OR PUBLIC SCHOOL.

19 (d) A SCHOOL DISTRICT, CHARTER SCHOOL, OR PUBLIC SCHOOL  
20 OPERATED BY A BOARD OF COOPERATIVE SERVICES SHALL NOT USE THE  
21 RESULTS OF THE CIVICS PORTION OF THE NATURALIZATION TEST AS A  
22 MEASURE OF STUDENT ACADEMIC GROWTH IN MEASURING EDUCATOR  
23 EFFECTIVENESS PURSUANT TO ARTICLE 9 OF THIS TITLE.

24 **SECTION 3. Act subject to petition - effective date.** This act  
25 takes effect at 12:01 a.m. on the day following the expiration of the  
26 ninety-day period after final adjournment of the general assembly (August  
27 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a

1 referendum petition is filed pursuant to section 1 (3) of article V of the  
2 state constitution against this act or an item, section, or part of this act  
3 within such period, then the act, item, section, or part will not take effect  
4 unless approved by the people at the general election to be held in  
5 November 2016 and, in such case, will take effect on the date of the  
6 official declaration of the vote thereon by the governor.