

Second Regular Session
Seventieth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 16-0882.01 Julie Pelegrin x2700

SENATE BILL 16-148

SENATE SPONSORSHIP

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

HOUSE SPONSORSHIP

Moreno and Lundeen, Arndt, Lawrence, Pabon, Priola

Senate Committees
Education

House Committees

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.**

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.

SENATE
Amended 2nd Reading
April 5, 2016

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.

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

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

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

24 (II) THE SUPERINTENDENT OF A SCHOOL DISTRICT OR THE
25 PRINCIPAL OF A CHARTER SCHOOL OR OF A PUBLIC SCHOOL OPERATED BY
26 A BOARD OF COOPERATIVE SERVICES MAY WAIVE THE REQUIREMENTS
27 SPECIFIED IN PARAGRAPH (a) OF THIS SUBSECTION (3.5) IF A STUDENT

1 ENROLLED IN THE SCHOOL DISTRICT, CHARTER SCHOOL, OR PUBLIC SCHOOL
2 MEETS ALL OF THE OTHER GRADUATION REQUIREMENTS OF THE SCHOOL
3 DISTRICT, CHARTER SCHOOL, OR PUBLIC SCHOOL AND THE STUDENT
4 DEMONSTRATES THE EXISTENCE OF EXTRAORDINARY CIRCUMSTANCES
5 THAT JUSTIFY GRANTING THE WAIVER, AS DETERMINED BY THE
6 SUPERINTENDENT OR PRINCIPAL.

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

18 (d) A SCHOOL DISTRICT, CHARTER SCHOOL, OR PUBLIC SCHOOL
19 OPERATED BY A BOARD OF COOPERATIVE SERVICES SHALL NOT USE THE
20 RESULTS OF THE CIVICS PORTION OF THE NATURALIZATION TEST:

21 (I) AS A MEASURE FOR A PERFORMANCE INDICATOR IN
22 DETERMINING SCHOOL DISTRICT ACCREDITATION OR PUBLIC SCHOOL
23 PERFORMANCE UNDER ARTICLE 11 OF THIS TITLE; OR

24 (II) AS A MEASURE OF STUDENT ACADEMIC GROWTH IN MEASURING
25 EDUCATOR EFFECTIVENESS PURSUANT TO ARTICLE 9 OF THIS TITLE.

26 (e) AS USED IN THIS SUBSECTION (3.5), "CIVICS PORTION OF THE
27 NATURALIZATION TEST" MEANS THE ONE HUNDRED QUESTIONS THAT

1 OFFICERS OF THE UNITED STATES CITIZENSHIP AND IMMIGRATION
2 SERVICES USE AS THE BASIS FOR SELECTING THE QUESTIONS POSED TO
3 APPLICANTS FOR NATURALIZATION TO ALLOW APPLICANTS TO
4 DEMONSTRATE A KNOWLEDGE AND UNDERSTANDING OF THE
5 FUNDAMENTALS OF UNITED STATES HISTORY AND THE PRINCIPLES AND
6 FORM OF UNITED STATES GOVERNMENT, AS REQUIRED BY 8 U.S.C. SEC.
7 1423.

8 **SECTION 3. Act subject to petition - effective date.** This act
9 takes effect at 12:01 a.m. on the day following the expiration of the
10 ninety-day period after final adjournment of the general assembly (August
11 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
12 referendum petition is filed pursuant to section 1 (3) of article V of the
13 state constitution against this act or an item, section, or part of this act
14 within such period, then the act, item, section, or part will not take effect
15 unless approved by the people at the general election to be held in
16 November 2016 and, in such case, will take effect on the date of the
17 official declaration of the vote thereon by the governor.