

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 105 Civics Education

SPONSOR(S): McBurney and others

TIED BILLS: **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1)	<u>PreK-12 Policy Committee</u>	<u>13 Y, 0 N, As CS</u>	<u>Duncan</u>	<u>Ahearn</u>
2)	<u>Education Policy Council</u>	<u></u>	<u></u>	<u></u>
3)	<u></u>	<u></u>	<u></u>	<u></u>
4)	<u></u>	<u></u>	<u></u>	<u></u>
5)	<u></u>	<u></u>	<u></u>	<u></u>

SUMMARY ANALYSIS

Current law requires middle school students to successfully complete, among other courses, three middle school or higher courses in social studies in order to be promoted. One semester of the three social studies courses must include the study of state and federal government and civics education.

The Committee Substitute (CS) for House Bill 105 creates the “Justice Sandra Day O’Connor Civics Education Act” and provides that, beginning with students entering grade 6 in the 2012-2013 school year, promotion from a school composed of grades 6, 7, and 8 requires the successful completion of a one-semester civics education course. The one-semester civics education course is included in the three middle school social studies courses currently required for promotion.

The civics education course must include the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, Declaration of Independence, and the Constitution of the United States.

The CS provides that during the 2012-2013 school year, an end-of-course assessment in civics education must be administered as a field test at the middle school level. During the 2013-2014 school year, each student’s performance on the statewide, standardized end-of-course assessment in civics education must constitute 30% of the student’s final course grade. Beginning with the 2014-2015 school year, a student must earn a passing score on the end-of-course assessment in civics education in order to pass the course and receive course credit.

The CS includes the statewide, standardized end-of-course assessment in civics education at the middle school level as a factor in designating a school’s grade beginning in the 2013-2014 school year.

The CS requires the reading portion of the language arts curriculum within the Sunshine State Standards to include civics education content for all grade levels beginning with the 2011-2012 school year.

The CS does not appear to create a fiscal impact on school districts or local governments. However, the bill does have a fiscal impact on the Department of Education. See FISCAL COMMENTS section of this analysis.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Middle School Social Studies Requirements

Current law requires middle school students to successfully complete, among other courses, three middle school or higher courses in social studies in order to be promoted. One semester of the three social studies courses must include the study of state and federal government and civics education.¹

Sunshine State Standards

The Sunshine State Standards establish core curricula and benchmarks for student achievement. The State Board of Education is reviewing the Sunshine State Standards and replacing them with Next Generation Sunshine State Standards that specify the core content knowledge and skills that K-12 public school students are expected to acquire.² In December 2008, the State Board of Education adopted the Next Generation Sunshine Standards for Social Studies.³ Below are the social studies content areas required at each grade level:

- 6th Grade: geography, economics, world history, and civics and government.
- 7th Grade: geography, economics, and civics and government.
- 8th Grade: American history, geography, economics, and civics and government.⁴

Student Assessment

The Florida Comprehensive Assessment Test (FCAT) measures student achievement in grades 3 through 11 using benchmarks from the Sunshine State Standards.⁵ The FCAT consists of criterion-referenced tests in reading, writing, mathematics, and science.⁶ Reading and mathematics are tested

¹ Middle school students are required to successfully complete three middle school or higher courses in English, mathematics, social studies, and science in order to be promoted. Section 1003.4156, F.S.

² Section 1003.41, F.S.

³ <http://www.floridastandards.org/Standards/FLStandardSearch.aspx>.

⁴ *Id.*

⁵ Section 1008.22(3), F.S.

⁶ Section 1008.22(3)(c)2., F.S. A criterion-referenced test (CRT) is an assessment in which an individual's performance is compared to a specific learning objective or performance standard and not to the performance of other students. CRTs show how well students

annually in grades 3 through 10. Writing and science are tested once at the elementary, middle, and high school levels.⁷ Students take the FCAT Science test in grades 5, 8, and 11 and the FCAT Writing test in grades 4, 8, and 10.⁸

End-of-course assessments for subject areas also may be administered in addition to the comprehensive assessments. An end-of-course assessment must be rigorous, statewide, standardized, and developed or approved by the Department of Education (DOE).⁹

Currently, a civics assessment is administered in the state periodically in grades 4, 8, and 12 to randomly selected schools across the state as part of the National Assessment of Educational Progress (NAEP).¹⁰ The NAEP is an assessment administered in grades 4, 8, and 12 and provides a basis for comparing knowledge and skills of Florida students with students in other states, and with the nation as a whole. The two major goals of NAEP are to measure student achievement and to report changes in performance over time. NAEP does not provide scores at the school or individual student levels.¹¹ The civics framework developed by the National Assessment Governing Board recommends the civics assessment be organized in three main components: civic knowledge, intellectual skills, and civic dispositions. The civic knowledge component is based upon the National Standards for Civics and Government developed by the Center for Civic Education to form the basis of civic understanding. The component is organized into five main questions:

- What are civic life, politics and government?
- What are the foundations of the American political system?
- How does the government established by the Constitution embody the purpose, values, and principles of American democracy?
- What is the relationship of the United States to other nations and to world affairs?
- What are the roles of citizens in American democracy?¹²

School Grades

All public schools, including charter schools, which have at least 30 students with valid FCAT scores in reading for the current and prior years and at least 30 students with valid FCAT scores in mathematics for the current and prior years are assigned a school grade.¹³ Student achievement data from the FCAT are used to establish both proficiency levels and annual progress for individual students, schools, districts, and the state.¹⁴

Currently, an elementary or middle school's grade is based upon a combination of:

- Student achievement scores, including achievement scores for students seeking a special diploma.
- Student learning gains as measured by annual FCAT assessments in grades 3 through 10; learning gains for students seeking a special diploma, as measured by an alternate assessment tool, must be included no later than the 2009-2010 school year.

performed on specific goals or standards rather than just telling how their performance compares to a norm group of students nationally or locally. The FCAT is based on the *Sunshine State Standards* and measures student progress toward meeting these standards. Florida Department of Education, *FCAT Handbook: A Resource for Educators*, 5 (2005), available at <http://fcat.fldoe.org/handbk/complete.pdf>.

⁷ Section 1008.22(3)(c), F.S.

⁸ Rule 6A-1.09422(3)(a), F.A.C.

⁹ Section 1008.22(3)(c), F.S.

¹⁰ Department of Education, Analysis of HB 105, October 20, 2009.

¹¹ <http://www.fldoe.org/asp/naep/flparticipation.asp>, Florida Department of Education, Assessment and School Performance, National Assessment of Educational Progress.

¹² <http://nces.ed.gov/nationsreportcard/civics/whatmeasure.asp>

¹³ Section 1008.34(3)(a)1., F.S. and Rule 6A-1.09981(4), F.A.C.

¹⁴ Section 1008.34, F.S.

- Improvement of the lowest 25th percentile of students in the school in reading, mathematics, or writing on the FCAT, unless these students are exhibiting satisfactory performance.¹⁵

Sunshine State Standards

The Sunshine State Standards establish the core content of the curricula to be taught in Florida and specify the core content knowledge and skills that K-12 public school students are expected to acquire.¹⁶ These standards must establish the core curricular content for eight subject areas: language arts, science, mathematics, social studies, visual and performing arts, foreign languages, health, and physical education.¹⁷

Language arts standards must establish specific curricular content for, at a minimum, the reading process, literary analysis, the writing process, writing applications, communication, and information and media literacy. These standards must also identify significant literary genres and authors that encompass a comprehensive range of historical periods.¹⁸

Effect of Proposed Changes

Middle School Social Studies Requirements

The CS provides that, beginning with students entering grade 6 in the 2012-2013 school year, promotion from a school composed of grades 6, 7, and 8 requires the successful completion of a one-semester civics education course. The one-semester civics education course is included in the three middle school social studies courses currently required for promotion.

The civics education course must include the roles and responsibilities of federal, state, and local governments; the structures and functions of the legislative, executive, and judicial branches of government; and the meaning and significance of historic documents, such as the Articles of Confederation, Declaration of Independence, and the Constitution of the United States.

End-of-Course Assessment

The CS provides that during the 2012-2013 school year, an end-of-course assessment in civics education must be administered as a field test¹⁹ at the middle school level. During the 2013-2014 school year, each student's performance on the statewide, standardized end-of-course assessment in civics education must constitute 30% of the student's final course grade. Beginning with the 2014-2015 school year, a student must earn a passing score on the end-of-course assessment in civics education in order to pass the course and receive course credit.

School Grades

The CS includes the statewide, standardized end-of-course assessment in civics education at the middle school level as a factor in designating a school's grade beginning in the 2013-2014 school year.

Currently, the school grading criteria for middle schools and elementary schools are the same.²⁰ The addition of an end-of-course assessment to the school grading process for middle schools will require the State Board of Education, through its existing rulemaking authority, to establish a new point scale

¹⁵ Section 1008.34(3)(b)1., F.S.

¹⁶ Section 1003.41(1), F.S.

¹⁷ Section 1003.41,(1)(a) and (b), F.S.

¹⁸ Section 1003.41(1)(a)1., F.S.

¹⁹ Field-test questions are newly-developed questions that are being tried out before they can be used on a future test. Field-test questions must be tried out at least one year before they are used to decide a student's score. If the data on the field-test questions are acceptable, then the questions may be used on an actual test and count toward a student's score.

<http://www.fldoe.org/faq/default.asp?Dept=202&ID=656>.

²⁰ Section 1008.34(3), F.S.

for grading middle schools. Combination schools in which middle school grades are taught will also be graded on a separate scale adapted for middle school grading.

Sunshine State Standards

The CS requires the reading portion of the language arts curriculum within the Sunshine State Standards to include civics education content for all grade levels beginning with the 2011-2012 school year.

B. SECTION DIRECTORY:

Section 1: Amends s. 1003.4156, F.S., relating to general requirements for middle school promotion.

Section 2: Amends s. 1003.41, F.S., relating to Sunshine State Standards.

Section 3: Amends s. 1008.22, F.S., relating to student assessment program for public schools.

Section 4: Amends s. 1008.34, F.S., relating to school grading system; school report cards; and district grade.

Section 5: Provides an effective date of July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

See FISCAL COMMENTS section.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

The bill does not appear to have a fiscal impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

DOE Comment:

To meet the requirements of this bill, the Department would be required to either develop a new civics end-of-course assessment or purchase an existing civics end-of-course assessment. Based on previous experience, statewide end-of-course assessments developed by the Department are more cost efficient.

The costs to develop an end-of-course assessment would be staggered across several years. Generally, the estimated fiscal impact at the state-level for adding

one examination, in one grade and subject, administered to all students, is approximately \$1,500,000 each year once fully implemented.

Given the timeline provided in the bill, start-up activities could be phased in at a lower cost during the 2010-2011 and 2011-2012 fiscal years. The cost for computer-based field testing, to occur during the 2012-2013 fiscal year, would depend on the actual number of students to be tested. The cost for full implementation during the 2013-2014 would also depend on the actual number of students to be tested. The cost shown in the following chart is based on the approximate cost for the annual ongoing administration of a statewide examination to all students in a single grade and subject. The approximate cost assumes computer-based test administration.²¹

FISCAL YEAR	APPROXIMATE COST	ACTIVITIES²²
2010-2011	\$350,000	Activities would include amending the current contract, convening educators and experts to assist in developing test and item specifications, and other start-up activities.
2011-2012	\$500,000	Activities would include developing test items, preparing field test forms, and developing administration and reporting procedures.
2012-2013	\$500,000 - \$1,000,000	Activities would include field-testing and analyzing the results of the civics end-of-course assessment. Since this would be the first year of the civics requirement, it is assumed that the field-test sample would be much smaller than the number of students to be tested in subsequent years. The actual cost would depend on the number of students to be tested, assuming computer-based administration.
2013-2014	\$1,500,000	Activities would include both development and administration tasks for full implementation. The actual cost would depend on the number of middle school students to be tested, assuming computer-based administration.
Ongoing	\$1,500,000	Projected ongoing cost for annual computer-based administration of middle school civics education assessment and reporting.

Thirty (30) states include civics, citizenship education, or social studies in state assessments²³ and seven of these states use end-of-course assessments²⁴ to evaluate student performance.

²¹ Department of Education, Analysis of HB 105, October 20, 2009.

²² *Id.*

²³ Alabama, Arkansas, California, Delaware, Georgia, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Mississippi, Missouri, Montana, Nebraska, New Mexico, New York, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, South Dakota,

Considering that statewide assessments, including end-of-course assessments, in civics, citizen education, or social studies are available, some of the costs associated with development of test items, the preparation of field tests, and administrative and reporting procedures may be mitigated.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to require a county or municipality to spend funds or take an action requiring expenditures; reduce the authority that counties and municipalities had as of February 1, 1989, to raise revenues in the aggregate; or reduce the percentage of a state tax shared in the aggregate with counties and municipalities as of February 1, 1989.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES

On January 13, 2010, the PreK-12 Policy Committee adopted 1 amendment to HB 105 and reported the bill favorably as a Committee Substitute (CS). The difference between the CS and the House Bill is as follows:

The CS requires the reading portion of the language arts curriculum within the Sunshine State Standards to include civics education content for all grade levels beginning with the 2011-2012 school year.

Tennessee, Texas, Virginia, Washington, West Virginia, and Wisconsin. See <http://mb2.ecs.org/reports/Report.aspx?id=107>, Education Commission of the States, State Notes – Citizenship Education in Assessment and Accountability Systems, September 2008.

²⁴ Georgia, Indiana, Maryland, Mississippi, North Carolina, Oklahoma, and Virginia. See <http://mb2.ecs.org/reports/Report.aspx?id=107>, Education Commission of the States, State Notes – Citizenship Education in Assessment and Accountability Systems, September 2008. In spring 2009, Texas began administering an end-of-course assessment in U.S. History. See http://www.tea.state.tx.us/index3.aspx?id=3302&menu_id=793, Texas Education Agency, Student Assessment Home.