

<b>Subject:</b>  <i>Civics Instruction</i>  <b>Date issued: Aug. 30, 2023</b>	<b>Legal Reference – SB 216 (2022-2023 Legislative Session)</b> <ul style="list-style-type: none"><li>• <b>RSA 189:11</b></li></ul>
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*This Technical Advisory continues the New Hampshire Department of Education’s communication regarding new legislation, which was passed during the 2022-2023 legislative session. SB 216 amends RSA 189:11, which pertains to civics instruction. This law becomes effective July 1, 2023, but must be implemented by July of 2024.*

During the 2022-2023 legislative session, SB 216 was passed into law which amends the instruction in national and state history, and government, RSA 189:11, to establish a requirement for the teaching of civics and to define what constitutes a civics education.

***Civics Education Requirement:***

By way of relevant background, RSA 189:11 currently requires that all public and non-public schools are required to provide regular courses of instruction in history, government, and the United States and New Hampshire Constitutions. SB 216 now requires that all *public, chartered public, non-public, and privately incorporated schools which serve as public schools* provide class time for civics education as follows:

*Elementary Grades:* Dedicated class time for civics in each elementary grade which can be integrated with other subjects;

*Middle School (6, 7, or 8):* A half-year course or the equivalent of a half-year civics course;

*High School:* A half-year course of instruction in civics and a one-year course of instruction in history, government, and the constitutions of the United States and New Hampshire. Both courses of instruction are required for graduation.

***What Constitutes a Civics Education:***

The term “civics” is defined as a ***“nonpartisan educational program”*** which addresses the following components:

- Civic knowledge, the acquisition of knowledge of the history, heritage, civic life and civic institutions of the United States of America and the state of New Hampshire;
- The acquisition of skills, such as the ability to analyze text and determine the reliability and biases of sources;
- An understanding of the ways in which civic institutions operate and how individuals may be involved in civic life;

- An appreciation for free speech and civil discourse, using historical references, such as the federalist-antifederalist papers, the major debates at the Constitutional Convention of 1787, congressional and public debates leading to the Civil War and the Civil Rights debates of the 1950s and 1960s.

***Development of Courses:***

School districts must develop and offer courses on United States and New Hampshire history, government, and Constitutions course and civics courses, as set forth above, and the courses must include, *at a minimum*, the following areas:

- (a) Opportunities and responsibilities for civic involvement;
- (b) Skills to effectively participate in civic affairs;
- (c) The Declaration of Independence, U.S. Constitution and the principles stated in the Articles and Amendments of the U.S. Constitution that provide the foundation for the democratic government of the United States;
- (d) The New Hampshire constitution and the principles stated in the articles of the New Hampshire constitution that provide the foundation for the democratic government of New Hampshire;
- (e) The structure and functions of the 3 branches comprising federal and state governments—legislative, judicial, and executive;
- (f) The role, opportunities, and responsibilities of a citizen to engage in civic activity;
- (g) The role and interactions of the state of New Hampshire and local governments within the framework of the U.S. Constitution and of extended powers and functions provided to local governments;
- (h) How federal, state, and local governments address problems and issues by making decisions, creating laws, enforcing regulations, and taking action;
- (i) The role and actions of government in the flow of economic activity and the regulation of monetary policy;
- (j) How intolerance, bigotry, antisemitism, and national, ethnic, racial, or religious hatred and discrimination have evolved in the past, and can evolve, into genocide and mass violence, such as the Holocaust, and how to prevent the evolution of such practices.

It is worth mentioning that other than the addition of the Declaration of Independence, the areas enumerated above as already require in current law.

***Required Assessment:***

As part of the required course in history and government, schools are required to administer a locally developed competency assessment of United States government and civics. This assessment must include, but is not limited to, the following subjects—the nature, purpose,

structure, function, and history of the United States government, the rights and responsibilities of citizens, and noteworthy government and civic leaders.

To be eligible for graduation, a student must attain a locally sanctioned passing grade on the competency assessment *and* a grade a 70 percent or better on the 128 question 2020 United States Citizen and Immigration Services (USCIS) civics naturalization examination. Schools are required to provide accommodations and may modify the naturalization examination for a child with a disability in accordance with the child's individualized education program (IEP) or 504 plan. The results of the USCIS must be submitted to the Department of Education by June 30 of each year. ***This requirement is now applicable to public schools, chartered public schools, non-public schools, and privately incorporated schools which serve as a public school.***

The Department of Education will offer the USCIS on the state NHSAS assessment platform, while will enable schools to automatically meet their reporting requirements. Schools not using this platform will be required to submit individual student results through a secure upload in a file format specified by the Department.

These new requirements, as set forth above, must be implemented by July of 2024.

[SB 216](#) will become effective **July 1, 2023**;

**For questions related to this Technical Advisory, please contact:**

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