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LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS
54th Legislature, 1st Session, 2019

Bill Number	<u>HM45</u>	Sponsor	<u>Trujillo, L.</u>
Tracking Number	<u>.213705.1</u>	Committee Referrals	<u>HEC</u>
Short Title	<u>Review Civics Education</u>		
Analyst	<u>Terrazas</u>	Original Date	<u>2/18/19</u>
		Last Updated	<u></u>

BILL SUMMARY

Synopsis of Memorial

House Memorial 45 (HM45) requests the Public Education Department (PED) to form a task force to review civics education in schools and to propose an improved curriculum to prepare students for the responsibilities of citizenship by November 1, 2019.

FISCAL IMPACT

Memorials do not contain appropriations.

SUBSTANTIVE ISSUES

HM45 would require the task force to be composed of at least 19 members. The secretary of PED would need to appoint a PED representative to serve as chair of the task force. The task force would also need to include representatives from or experts on the three federal and state branches of government; legal experts focused on civics and constitutional law; ethics experts; historians specializing in civic history; teachers who have demonstrated innovative methods of teaching civic engagement, such as mock trials and mock elections; county clerks and others involved in elections; and citizen organization leaders dedicated to raising civic awareness and participation. HM45 requires the task force to seek input of nationwide experts from institutions such as the National Assessment of Educational Progress, the Center for Civic Education, the National Conference of State Legislatures, the National Center for State Courts, and other local state, county, and municipal stakeholders. The task force would need to present a report of its activities and a draft of proposed curriculum for elementary and secondary schools that addresses the need for more comprehensive and effective civics education to the appropriate interim legislative committee by November 1, 2019.

The state's social studies standards for ninth through 12th grade include a component on civics and government, which asks that students understand the ideals, rights, and responsibilities of citizenship and understand the content and history of the founding documents of the United States with particular emphasis on the United States and New Mexico constitutions and how government

function at local, state, tribal, and national levels. Under the civics and government component, students should be able to understand how to exercise rights and responsibilities as citizens by participating in civic life and using skills that include interacting, monitoring, and influencing, including describing and analyzing the influence of public issues and the political system, evaluating candidates and their positions, and debating current issues (see Attachment).

In 2014, the Education Commission of the States (ECS), a nonpartisan education research organization, published a guidebook that reviews the “Six Proven Practices for Effective Civic Learning,” a report by the Center for Information and Research on Civic Learning and Engagement and the Carnegie Foundation of New York, for which civic education scholars and practitioners used data and evidence to identify the components of effective and feasible civic education programs. Stakeholders determined the following practices to be effective:

- Provide instruction in government, history, law, and democracy;
- Incorporate discussion of current local, national, and international issues and events in the classroom, particularly those that young people view as important to their lives;
- Design and implement programs that provide students with opportunities to apply what they learn through performing community service that is linked to the formal curriculum and classroom instruction;
- Offer extracurricular activities that provide opportunities for young people to get involved in their schools or communities;
- Encourage student participation in school governance; and
- Encourage students’ participation in simulations of democratic processes and procedures.

According to ECS, high-quality, school-based civic learning fosters civic knowledge, skills, and attitudes; promotes civic equality; builds 21st century learning skills; improves school climate; and lowers school drop-out rates.

ADMINISTRATIVE IMPLICATIONS

The secretary of PED would need to appoint a PED representative to serve as chair of the task force.

RELATED BILLS

HB587, Civics Courses, appropriates \$50 thousand to PED to provide civics courses for boys and girls.

SOURCES OF INFORMATION

- LESC Files

DT/mc/mhg

Social Studies Standards
Grades 9 – 12

Strand: Civics and Government Content Standard III: Students understand the ideals, rights, and responsibilities of citizenship and understand the content and history of the founding documents of the United States with particular emphasis on the United States and New Mexico constitutions and how governments function at local, state, tribal, and national levels. Students will:

9-12 Benchmark 3-A: compare and analyze the structure, power and purpose of government at the local, state, tribal and national levels as set forth in their respective constitutions or governance documents:

Performance Standards

1. Analyze the structure, powers and role of the legislative branch of the United States government, to include: specific powers delegated in Article I of the constitution; checks and balances described in the federalist papers, Number 51; lawmaking process; role of leadership within congress; federalist and antifederalist positions;
2. Analyze the structure, powers and role of the executive branch of the United States government, to include: specific powers delegated in Article II of the constitution; checks and balances; development of the cabinet and federal bureaucracy; roles and duties of the presidency, including those acquired over time such as “head of state” and “head of a political party;”
3. Examine the election of the president through the nomination process, national conventions and electoral college;
4. Analyze the structure, powers and role of the judicial branch of the United States government, including landmark United States supreme court decisions, to include: specific powers delegated by the Constitution in Article III and described in the federalist papers, Numbers 78-83; checks and balances; judicial review as developed in Marbury v. Madison; issues raised in McCulloch v. Maryland; dual court system of state and federal governments, including their organization and jurisdiction;
5. Analyze the rights, protections, limits and freedoms included within the United States constitution and bill of rights, to include: constitutional mandates such as the right of habeas corpus, no bill of attainder and the prohibition of the ex post facto laws; 1st Amendment guarantees freedom of religion, speech, press, assembly, and petition; 4th, 5th and 6th Amendments address search and seizure, rights of the accused, right to a fair and speedy trial, and other legal protections; 14th Amendment protection of due process and equal protection under the law; conflicts which occur between rights, including tensions between the right to a fair trial and freedom of the press and between majority rule and individual rights; expansion of voting rights, limitation of presidential terms, etc;
6. Compare and contrast the structure and powers of New Mexico’s government as expressed in the New Mexico constitution with that of the United States constitution, to include: direct democracy in the initiative, referendum and recall process; impeachment process; process of voter registration and voting; role of primary elections to nominate candidates; how a bill becomes a law; executive officers and their respective powers; New Mexico courts, appointment of judges, and election and retainment processes for judges; organization of county and municipal governments; and

7. Describe and analyze the powers and responsibilities (including the concept of legitimate power) of local, state, tribal and national governments.
9-12 Benchmark 3-B: analyze how the symbols, icons, songs, traditions and leaders of New Mexico and the United States exemplify ideals and provide continuity and a sense of unity:
Performance Standards
<ol style="list-style-type: none"> 1. Analyze the qualities of effective leadership; 2. Evaluate the impact of United States political, tribal and social leaders on New Mexico and the nation; 3. Analyze the contributions of symbols, songs and traditions toward promoting a sense of unity at the state and national levels; and 4. 4. Evaluate the role of New Mexico and United States symbols, icons, songs and traditions in providing continuity over time.
9-12 Benchmark 3-C: compare and contrast the philosophical foundations of the United States’ political system in terms of the purpose of government, including its historical sources and ideals, with those of other governments in the world:
Performance Standards
<ol style="list-style-type: none"> 1. Analyze the structure, function and powers of the federal government (e.g., legislative, executive, and judicial branches); 2. Analyze and explain the philosophical foundations of the American political system in terms of the inalienable rights of people and the purpose of government, to include: Iroquois league and its organizational structure for effective governance; basic philosophical principles of John Locke expressed in the second treatise of government (nature, equality, and dissolution of government); foundation principles of laws by William Blackstone (laws in general and absolute rights of individuals); importance of the founders of the rights of Englishmen, the Magna Carta and representative government in England; 3. Analyze the fundamental principles in the declaration of independence; 4. Analyze the historical sources and ideals of the structure of the United States government, to include: principles of democracy; essential principles of a republican form of government; code of law put forth in the Code of Hammurabi; separation of powers as expressed by the Baron of Montesquieu; checks and balances as expressed by Thomas Hobbs; ideas of individual rights developed in the English bill of rights; role of philosophers in supporting changes in governments in the 18th and 19th centuries (e.g., Locke, Rousseau, Voltaire); 5. Compare and contrast the concepts of courts and justice from Henry II of England to the court system of today; 6. Compare and contrast the unitary, confederal and federal systems; 7. Analyze the ways powers are distributed and shared in a parliamentary system; 8. Compare and contrast the different philosophies, structures and institutions of democratic versus totalitarian systems of government; 9. Analyze and evaluate the concept of limited government and the rule of law; 10. Compare and contrast the characteristics of representative governments; 11. Compare and contrast characteristics of Native American governments with early United States government; 12. Compare and contrast the philosophical foundations of forms of government to understand the purpose of the corresponding political systems (e.g., socialism, capitalism, secular, theocratic, totalitarian); and

13. Analyze the role that the United States has played as a constitutional republican government for nations around the world.
9-12 Benchmark 3-D: understand how to exercise rights and responsibilities as citizens by participating in civic life and using skills that include interacting, monitoring and influencing
Performance Standards
<ol style="list-style-type: none"> 1. Describe and analyze the influence of the non-elected (e.g., staff, lobbyists, interest groups); 2. Analyze the rights and obligations of citizens in the United States, to include: connections between self-interest, the common good and the essential element of civic virtue, as described in the federalist papers, Numbers 5 and 49; obeying the law, serving on juries, paying taxes, voting, registering for selective service and military service.; 3. Demonstrate the skills needed to participate in government at all levels, including: analyze public issues and the political system; evaluate candidates and their positions; debate current issues; 4. Analyze factors that influence the formation of public opinion (e.g., media, print, advertising, news broadcasts, magazines, radio); and 5. Evaluate standards, conflicts and issues related to universal human rights and their impact on public policy.

Source: PED