



JAMES W. EDMING

STATE REPRESENTATIVE • 87TH ASSEMBLY DISTRICT

DATE: May 6, 2015
RE: Testimony on 2015 Assembly Bill 194
TO: The Assembly Committee on State Affairs and Government Operations
FROM: Office of Representative James W. Edming

Thank you for holding a hearing on Assembly Bill 194 and allowing me to testify in favor of this legislation.

Assembly Bill 194 is a bill that requires students at all schools receiving public dollars to pass the civics portion of the citizenship test in order to graduate from high school. This bill is part of a nationwide movement to increase student knowledge and exposure to the foundational principles of government, history, law, and democracy. This common sense legislation has been passed in six other states, including Arizona and North Dakota.

Under the bill, students would be given a 100-question Immigration and Naturalization exam pertaining to government and history. This exam is presently utilized by the United States Citizenship and Immigration Services. A score of 60 is required to pass and the test may be retaken until a passing score is attained.

Some of the questions include: how many justices are on the Supreme Court? What do we call the first ten amendments to the Constitution? Who vetoes bill?

These may appear to be relatively simple questions but for many young Americans they are not. A recent study conducted by the Annenberg Public Policy Center at the University of Pennsylvania found that only 36 percent of adults could name all three branches of government and another 35 percent could not name any. Only 27 percent of those surveyed knew that a two-thirds vote by both houses of Congress is needed to overturn a presidential veto.

It is critical for students to comprehend that the principles which formed our country are still relevant today. I believe that preparation for the exam can be used to foster greater civic participation and can help empower them to become engaged citizens within society.

For centuries our veterans have fought and died to preserve our country and therefore, I consider it our civic duty to instill a greater appreciation of the sacrifice and service of those who made our country what it is today. This bill creates an opportunity for students to learn more about the foundations of our country and the freedom that we enjoy today.

Because we are requiring use of a test that has already been developed, there are no significant state fiscal implications and the bill can be applied beginning in the 2016-2017 school year. This bill is not an unnecessary mandate, but an avenue to assure that our students fully understand the traditions and history of the United States.

Thank you for your time and attention and I ask that you support this legislation. I would be happy to answer any questions.

**Assembly Committee on State Affairs and Government Operations
May 6, 2015**

**Wisconsin Department of Public Instruction
Testimony in Opposition to Assembly Bill 194**

Good afternoon, Representative Swearingen. Thank you for holding a public hearing on Assembly Bill 194 (AB 194); requiring the successful completion of a civics exam as a condition of graduation. My name is Dee Pettack, and I am the Legislative Liaison at the Department of Public Instruction (DPI).

Assembly Bill 194 requires the successful completion (60/100 correct answers) of the civics portion of a citizenship test as a condition for obtaining a high school diploma or high school equivalency diploma. The requirement would apply to students at public schools, charter schools and schools participating in the state's voucher program.

Under current law, Wisconsin has no single test that is used as a requirement for graduation. The state also does not mandate graduation requirements for private schools. Moving in this direction should be approached with caution, and anything crafted must have a research base and consider our most vulnerable students. The Department of Public Instruction has the following concerns about creating a high stakes test as a requirement for a high school diploma or high school equivalency diploma:

- The bill contains no exceptions for special education students who take alternative exams.
- The bill contains no exceptions for students who are new to the country, are here on visas, or have limited English skills.
- This bill does not provide any additional funding school districts to account for the additional materials or professional development needed to prepare students for this high stakes exam.
- The bill does not clarify how the department is to procure and deploy the test.

The department believes that a deep knowledge of civics is critical in graduating students that are career and college ready. However, this push for an additional required assessment is coming at the same time as we are engaged in an important discussion about amount of time students spend preparing for and taking tests required by the State and Federal Government in addition to those selected by individual school districts.

Thank you Chairman Swearingen and committee members for your time today, we are happy to answer any questions you may have.



CIVICS EDUCATION INITIATIVE

100 Facts Every High School Student Should Know

Members of the Committee,

First, thank you for taking the time to consider this valuable legislation.

According to the most recent National Assessment of Educational Progress, less than a quarter of our kids are proficient in civics. Fusion's Massive Millennials poll found that 77% of people between the ages of 18 and 34 can't name even *one* U.S. Senator. The Annenberg Foundation reports that two-thirds of U.S. citizens can't name all three branches of the federal government, a third can't even name one.

Behind these statistics – and there is nearly an endless stream of bad news – is something even more sobering: voter participation. Our most recent elections saw some of the lowest turnout in history. Nationwide, only 35.9% of *registered* voters cast a ballot. In some places, 2014 set the record for voter apathy.

The problem is clear: American students, the next generation of voters and leaders, are growing up without even a basic understanding of U.S. civics: how our government works, and who we are as a nation – and are becoming increasingly disconnected from our civic life.

There is hope.

Studies show a clear link between basic civic knowledge and understanding, and participation. That's why the Joe Foss Institute created the Civics Education Initiative: to ensure that our kids are ready for active, engaged citizenship. At the very least our kids should know at least as much about this country - our history, and who we are - as someone applying for citizenship.

So far, six other states have passed a version of this legislation, and support continues to grow. Media outlets as diverse as Bloomberg and the Boston Globe have spoken out in support of this effort, and the Arizona Republic said "this is what bipartisanship looks like." That's because support for this legislation crosses all political, geographic and demographic lines. In fact, our internal polling showed that 78 percent of Americans think this is necessary, and every single demographic group supported the effort by more than 2 to 1.

Opposition to our efforts will say that the material we're asking students to learn is too simple, that kids already learn this stuff anyway.

Our answer is: Great!

We at the Joe Foss Institute have said since day one that we want our efforts to serve as the floor, not the ceiling, for the civic knowledge kids need. But let's make sure the floor is in place because, right now, all the numbers suggest we've got a lot more boards to fit into place before we can even start thinking about applying a coat of finish.



TESTIMONY TO THE ASSEMBLY COMMITTEE ON STATE AFFAIRS AND GOVERNMENT OPERATIONS ON ASSEMBLY BILL 194

Representative Swearingen and Members of the Assembly Committee on State Affairs and Government Operations:

Thank you for this opportunity to speak to you today about the impact of AB194 on rural school districts. I am Jerry Fiene, Executive Director of the Wisconsin Rural Schools Alliance, a statewide organization representing administrators, board of education members, teachers and community members from rural school districts.

We fully support the importance of instruction in American government and civics as a component of a high school curriculum leading to graduation. In fact, three credits in social studies are currently required by state statutes and government/civics are components of these courses. We are not aware of any research or studies indicating that our graduates are lacking in this knowledge.

We are very concerned about creating a high-stakes test that could have the unintended consequence of students with testing anxiety simply dropping out of school instead of retaking a failed test. Research has clearly demonstrated a link between high-stakes testing and dropout rates. In addition, there are no provisions for special education students to receive special accommodations. Rural schools across the state have increased significantly in poverty and are serving in increased number of special education students and English language learners. This legislation will place a significant burden on schools as they work to meet the needs of these populations of students. This is a substantial test requiring students to provide written short answers to 100 questions. This, in fact, is quite a leap from the ten questions required for U.S. citizenship even though the test bank is the same.

Last year, the Speaker's Task Force on Rural Schools made a strong recommendation to reduce or allow for a waiver of state mandates that place an undue burden on rural schools. This legislation, on the contrary, creates another unfunded state mandate. Administrators, teachers and support staff in rural schools have been severely compressed. Creating this mandate will require additional time for test administration, scoring and reporting results. It will also necessitate providing additional supports for students that may have difficulty passing the test. Where are the resources to fund these efforts?

We do not believe this legislation is warranted or needed and respectfully request that you not move it forward out of Committee.



Testimony of Betsy Kippers, WEAC President

Assembly Committee on State Affairs and Government Operations

AB 194

May 6, 2015

My name is Betsy Kippers. I am a teacher from Racine currently serving as the President of the Wisconsin Education Association Council, which represents educators across the state and advocates for the 865,000 children in Wisconsin public schools.

I am here today to share with you WEAC's concerns about Assembly Bill 194. This legislation adds yet another test to the growing list of tests that our students are required to take. Most of the existing tests are used to assess our kids or are administered as part of "school accountability." The newly proposed test in AB 194 takes things to the next level by making it a prerequisite to graduating from high school – essentially denying diplomas to students on the basis of a single test score. This is a dangerous path to travel down, potentially leading to fewer graduates and higher dropout rates as we open the door to this kind of high-stakes testing.

Students need more time to learn and foster creativity – not more testing. Consider that the federal Elementary and Secondary Education Act, commonly referred to as "No Child Left Behind," more than doubled the number of high-stakes tests in reading and math. In these subjects alone, K-12 students now take 14 federally-mandated tests, compared to 6 before the enactment of the law. Test preparation and administration takes time away from teachers teaching and students learning. A survey by the National Education Association found that teachers who taught classes where students took a state standardized test spent, on average, 29% of their work time on tasks related to that testing. The vast majority of that time was spent on preparing students to take tests; very little time was spent using test results to improve instruction.

Testing not only cuts into time to teach and learn; it drives curriculum. What has been the experience in schools across the state? Tested subjects are given a higher priority, leading to the loss of music, art and physical education – offerings that are critical to keeping some students connected to school.

As I travel the state and talk with educators, parents, and communities, I hear time and time again concerns and questions about all of the testing. What is the cost? What purpose does it

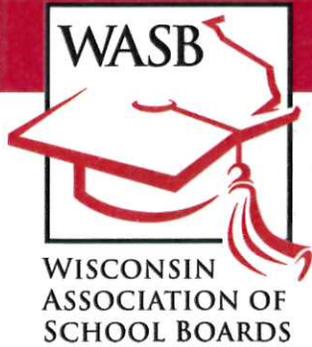
Betsy Kippers, President
Robert Baxter, Executive Director

serve? Does it do anything to boost student achievement? How does it impact educational opportunity? Are our schools being turned into giant test-prep centers?

I believe the authors of the bill hoped AB 194 would lead to better-informed, civic-minded students entering the world of work or college - a laudable goal. However, educators question whether students memorizing facts about our country's history and our government's structure gets us there. Good citizenship is much more. It embodies values that educators work to instill in their students every day - honesty, courage, compassion, responsibility, and respect.

And adding another test to the mix, as proposed in AB 194, would only exacerbate the excessive testing problem. We need to ask ourselves whether we truly want educators spending more time "teaching to the test." I know my members believe their time is better spent instilling a love of learning in their students. And they are not alone. Parents know their child is so much more than a test score.

For all of these reasons, please oppose AB 194.



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John H. Ashley, Executive

TO: Members, Assembly Committee on State Affairs and Government Operations
FROM: Christopher Kulow, Government Relations Specialist
RE: Assembly Bill 194, civics exam requirement for high school diploma
DATE: May 6, 2015

The Wisconsin Association of School Boards (WASB) believes Assembly Bill 194 to be well-intended but we oppose the bill because it would be an unfunded state mandate on local schools, would add to the test burden on our kids, and would be Wisconsin's first "high-stakes" graduation test.

While the WASB supports the integration of comprehensive character education into school curricula to foster among students such traits as respect, responsibility, trustworthiness, caring, sense of justice and fairness, civic virtue and citizenship, our delegate assembly has taken a clear stance on unfunded state mandates. The WASB opposes the implementation of any legislative mandates or administrative rules applicable to public school districts...unless they come with a legislative commitment by the state or federal government to permanently fund 100 percent of the actual cost.

This bill provides no funding to school districts to administer this exam. Interestingly, it also does not explicitly require schools to administer the exam. This raises several questions:

- Is it the author's expectation that DPI would administer the exam statewide?
- Could a school board decide not to administer the exam? Would students be required to take the exam outside of school on their own volition if a school board decided not to?
- If schools choose to administer the exam, what would be the financial impact on schools?
- Would schools have to purchase it from the U.S. Department of Citizenship and Immigration Services?
- The bill provides no exceptions or accommodations for special education students who take alternative exams. How would the exam be administered to these students?
- The naturalization test is given as an oral exam. Would a teacher or other school staff person have to ask each student 100 questions and wait for the student to answer? How many times would this process be repeated if a student continually failed to answer at least 60 questions correctly and at what cost? Would it be the same 100 questions over and over or would new questions be asked? Could this test be converted to a different format? Would schools have to pay to convert the questions into written or multiple choice exams?
- The way some of the questions are worded leads to potentially additional correct answers. For example question #2 is: What does the Constitution do? The preferred answers are: sets up the government; defines the government; protects basic rights of Americans. What if a student answers that it outlines the separations of powers between the branches of government or that it contains the Bill of Rights? Would those be judged correct?

- Based on an Internet search we conducted, it is our understanding that all of the questions and preferred answers are available online. Does memorizing enough answers to the questions to pass the test address the issue the bill's author is trying to get at? Is there a better way to ensure that students have a deeper understanding of the importance of responsible citizenship?

This bill would require every high school student in public schools and taxpayer subsidized private schools statewide to take this exam on top of the myriad of other testing already required by state and federal law:

- The Phonological Awareness Literacy Screening (PALS) early literacy screener in 4K through grade 2
- The Wisconsin Knowledge and Concepts Examination (WKCE) at grades 4, 8, and 10 in Science and Social Studies
- The Smarter Balanced Assessment (Badger) in grades 3-8 in English Language Arts (ELA) and Mathematics
- ACT Aspire at grades 9 & 10
- The ACT at grade 11 for ELA and Mathematics, Science, and Writing
- ACT WorkKeys at grade 11
- Plus any district assessments like Measures of Academic Performance (MAP)

We are concerned this will add yet more to the testing burden and loss of instructional time for teachers and students.

The proposed "citizenship" test would also be a "high-stakes" test in that failure to pass the test would prevent a student from receiving their diploma. Wisconsin has never required student to pass a test in order to graduate. An attempt to require such a graduation test in the late 1990s met with widespread opposition. Back then, the Legislature, at the urging of then-Gov. Thompson, approved creating a test that all Wisconsin students would have to pass to get a high school diploma. There were (and are) substantial issues with the idea. How do you make a test that is fair and reliable? Isn't taking classes and passing enough? And what about kids who just don't do well on tests, or who have special education needs? By making the "citizenship" test a "high-stakes" test, would the Legislature be seen as elevating rote knowledge of citizenship to a higher level than competency in reading, writing or math?

One may ask: Would it even make any difference? The bill author's co-sponsorship memo details recent polls where a high number of adult respondents cannot correctly answer certain civics questions as being what the bill is trying to address. Many adults knew things in high school that we have since forgotten because they aren't integral to our everyday lives. Is the assumption is that these adults polled never learned certain facts about our system of government? What if they learned them in school and have since forgotten? Will memorizing enough of the answers to this test change that?

In conclusion, the WASB believes the bill's intentions are good but we don't believe it will achieve the desired result.



THE FOCUS

A WISCONSIN ASSOCIATION
OF SCHOOL BOARDS, INC.
POLICY PUBLICATION

VOLUME 19, No. 3
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PUBLIC SCHOOL PATRIOTISM

"Never lose sight of the tremendous influence you have. You hold the power to instill in our children an appreciation of our nation's strength, our ability to stand united as one people, our democracy's gift of freedom, and the undying hope that we will move forward lifted by our sense of community."

State
Superintendent
Elizabeth
Burmester

Public schools are our nation's best example of what our patriotism means. Our public schools provide opportunities for all children, they educate about our democracy, they reflect our values and they demonstrate citizenship rights of society as a whole and individuals within society. We don't often think about them in that way. They are assumed as part of our American culture and heritage and can be taken for granted.

From time to time, we recognize the important role public schools play in making our nation strong and promoting our democratic ideals. This is one of those times. The terrorist attacks on American soil on September 11 may have threatened our sense of security but have strengthened our nation's unity and commitment to democracy.

This issue of *The FOCUS* is intended to highlight some of the policies and practices in place in Wisconsin public schools that promote pride in America and the American way of life and participation in our constitutional democracy.

DISTRICT PHILOSOPHIES

Some school boards have incorporated these messages into their school district's educational philosophy, which serves as the foundation for all decision making in the district.

The *Westby Area School Board*, for example, has adopted an educational philosophy that outlines the following expectations for the school district:

- To provide an education commensurate with its resources so that each student will have an equal opportunity to achieve maximum potential as a member of our democratic society.
- To strive to foster in each individual an appreciation for responsibilities to society by providing the individual with the necessary knowledge and skills.
- To encourage the development of patriotism, aesthetic appreciation, critical thinking, physical fitness and creativity.
- To cause students to respect the rights of others, possess an awareness of world affairs and an understanding of the inter-relationship of nations.
- To encourage the preservation and perfection of the democratic society.
- To meet the demands of a changing world by adopting and applying new knowledge and technology in the improvement of education.

According to the educational philosophy adopted by the *Reedsburg School Board*, a prime responsibility of the schools is to encourage students to become functioning citizens who will live in and perpetuate the democratic society. To do this, the board expects the schools to strive to teach students



to know and understand democratic ideals and to put them into practice. These ideals include:

- rule by the majority, but with due respect for the rights of individuals;
- loyalty (e.g., to country);
- respect for duly constituted authority; and
- a realization that, with rights and liberties, come responsibilities.

To achieve this end, each student shall be taught to think critically, especially in regard to his/her function as a citizen in a democracy.

Recognizing the uniqueness of each student, the board expects the schools to strive to provide experiences needed to develop each student to his/her full potential. The schools shall provide opportunities, not necessarily in the same form, for each student to work as an individual and as a part of a group, placing equal emphasis upon the abilities of leading and following.

The *Beloit School Board* believes district schools have been established for the welfare of each individual child in the community, regardless of sex, race, national origin, ancestry, color, creed, pregnancy, marital or parental status, economic status, sexual orientation or physical, mental, emotional or learning disability or handicap. According to the district's educational philosophy, the basic purpose of the district is to provide the environment in which each child's needs can be met. The education program should provide an opportunity for each individual to discover and develop his/her unique abilities, to master the tools of learning and to develop an understanding of his/her social heritage as time and ability permit.

The school board expects the district's education program to equip students with the necessary skills to become literate, motivated, informed and healthy individuals. It should also help in developing competent citizens for a life in a free society – a society that

recognizes the dignity of the individual and the brotherhood of man. According to the board, a competent citizen is recognized as one who:

- Accepts responsibility with each freedom;
- Sets up worthy values through a process of critical thinking;
- Recognizes the rights of others and the worth of their achievements;
- Uses time, money and materials wisely; and
- Practices self-control, self-discipline, intelligent self-direction in the interests of all.

The board recognizes that the combined efforts of the school, home, community and church contribute toward the process of continual growth. Therefore, the board wants the district's education program to emphasize those activities and experiences of learning that can be most effectively done in the school. The schools should provide opportunities that will assist the student in making the most of the experiences through which he/she learns of him/herself and his/her environment.

According to the educational philosophy adopted by the *Sturgeon Bay School Board*, the district believes that a school system in America has an obligation to continually strive to instill in each individual, according to his/her abilities, the knowledge, skills, attitudes and values necessary for effective living in a free and changing society based on the rights and responsibilities embodied in our American heritage.

It is the aim of the district to provide a diversified program of educational experiences to youth and to cooperate with the home, church and community to promote the development of individually different but effectively-educated citizens.

The *Seymour Community School Board* believes the school district exists to assist

each student to develop to his/her fullest capacity, for his/her own benefit and for the benefit of his/her community, state, nation and the world. The board also believes there are certain attitudes that should be held by and about the school-community. These include:

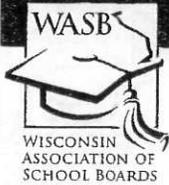
- The recognition of each student as uniquely individual.
- That both in theory and practice, the school must show that it believes in the basic worthiness of each individual and in the brotherhood of man.
- The belief that district schools are responsible, not only for presenting the theory of freedom through democracy, but also for insuring that each student be privileged and encouraged to participate in the democratic process within the school system.
- The realization that the student is more fully served when the community and the schools become cooperatively inter-involved.
- The acknowledgement that curricular, co-curricular and extracurricular activities as well as methodology should be in keeping with the times.
- The acknowledgement that district schools, working in and with the community, should make a maximum effort to meet the academic, aesthetic, social and vocational needs of each student.

INSTRUCTIONAL PROGRAM ACTIVITIES

School boards are required by law to provide curriculum, course requirements and instruction consistent with the goals and expectations established in section 118.01 of the state statutes. Among other educational goals and expectations listed, each school board is required to provide an instructional program designed to give students:

- An understanding of the basic workings of all levels of government, including the duties and responsibilities of citizenship;
- A commitment to the basic values of our government, including by appropriate instruction and ceremony the proper reverence and respect for and the history and meaning of the American flag, the Declaration of Independence, the United States constitution and the constitution and laws of the State of Wisconsin;
- The skills to participate in political life;
- The skills needed to cope with social change;
- An understanding of the function of organizations in society;
- Knowledge of state, national and world history;
- An appreciation and understanding of value systems and cultures;
- At all grade levels, an understanding of human relations, particularly with regard to American Indians, Black Americans and Hispanics;
- The ability to construct personal ethics and goals; and
- Knowledge of morality and the individual's responsibility as a social being, including the responsibility and principles referred to in article I, section 22 of the Wisconsin constitution insofar as such qualities and principles affect family and consumer education. Article I, section 22 of the constitution states that: "The blessings of a free government can only be maintained by a firm adherence to justice, moderation, temperance, frugality and virtue and frequent recurrence to fundamental principles."

Parents and guardians of students enrolled in the school district share responsibility with the state and the school board in seeing that students meet the goals and expectations described in section 118.01 of the state statutes.



Local school districts have considerable flexibility in determining how they will help students acquire the knowledge and skills outlined above. Districts provide direct instruction on these matters primarily through the social studies curriculum. However, teachers also take advantage of teachable moments in other subject areas to reinforce these skills. For example, seventh and eighth grade students in guidance classes in the *Union Grove Jt. 1 School District* spent time this month doing writing exercises focused on patriotism.

Wisconsin school districts not only provide students with opportunities to acquire the knowledge and skills outlined above through direct instruction but also through:

- student government activities, including student representation on the school board or district advisory committees (Refer to the 11/99 issue of *The FOCUS* for additional information on student involvement in decision making.)
- observation of governmental agencies at work through field trip excursions, job shadowing experiences and intergovernmental agency partnership activities
- character education programs and activities (Refer to the 3/97 issue of *The FOCUS* for additional information on student character, core values and citizenship.)
- mentoring programs
- service learning programs
- membership in student clubs and organizations and participation in other extracurricular activities such as interscholastic athletics
- peer mediation and conflict resolution programs
- leadership training activities (e.g., Power of Positive Students)
- school assembly programs (For example, a teacher in the *Menasha School District* recently spoke at a middle school

assembly about his experiences as a veteran of Desert Storm and students discussed what it means to be an American.)

FLAG DISPLAYS AND RECOGNITION

School boards are required by section 118.06(1) of the state statutes to cause the United States flag to be displayed in the schoolroom or from a flagstaff on each school ground during the school hours of each school day. School officials may want to refer to the U.S. Flag Code (Title 4, United States Code, Chapter 1) as a guide in the proper display and use of the flag. It should be noted that the code was written to codify accepted practices and traditions in respect to the U.S. flag. Violations of the code are considered a breach of etiquette and not punishable by law. *{Editor's Note: Refer to the "Policy Processes at Work" section of this publication for specific flag etiquette recommendations from the U.S. Flag Code.}*

Every public school is now required by section 118.06(2) of the state statutes to offer the pledge of allegiance or the national anthem in grades one to 12 each school day. This law change was included in 2001 Wisconsin Act 16 (the state budget bill) and became effective 9/1/01. The law previously required every public school to offer the pledge of allegiance in grades one to 8 at the beginning of school at least one day per week.

School officials have discretion on when and how they offer the pledge of allegiance or the national anthem each school day. This approach may vary from school to school or grade level to grade level. For example, in the high school, school officials may choose to offer the pledge of allegiance every morning over the public address system. While in elementary schools, the pledge of allegiance may be offered in the classroom by the

classroom teacher at a time appropriate to the daily schedule of classroom activities.

According to state law, no student may be compelled against the student's objections or those of the student's parent(s)/guardian to recite the pledge or to sing the national anthem.

Some districts have provided direction through policy on how to deal with students who choose not to recite the pledge of allegiance. The *Milwaukee Public School District*, for example, has an administrative policy that says students declining to recite the pledge of allegiance and refraining from saluting the flag have the responsibility to respect the rights and interests of other classmates who do wish to participate in the ceremony. If students choose not to participate, they will not have to explain their reasons for refusing to recite the pledge, but they should remain silent during the rendering of the flag salute or pledge. They may decline to participate in the salute to the flag and the pledge of allegiance without securing permission from their parents.

The district recognizes that while schools cannot compel persons to recite the pledge of allegiance or honor the flag, schools in the district should do nothing to encourage disrespect for the flag. As a symbol of the nation, the district believes the flag is entitled to the highest degree of respect in each school.

In addition to offering the pledge of allegiance or national anthem as required by law, some Wisconsin school districts have adopted policies that provide for other offerings of the pledge of allegiance or national anthem at school or school district activities.

The *Sun Prairie Area School District* has a policy that requires each official school board meeting to begin with the pledge of allegiance. When possible, the board will invite a student or member of the community to lead them in the pledge of allegiance. According to policy, the board believes that

one's love of country is promoted by the ceremonies and observances held in the public schools and that the flag of the United States is a symbol of our great American heritage and democratic ideals.

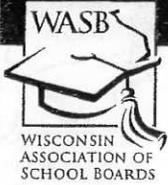
The *Howard-Suamico School District* has a policy that requires the pledge of allegiance or the national anthem to precede athletic events or other special events at all schools in the district.

According to an administrative policy in the *Milwaukee Public School District*, whenever the national anthem of another country or of any racial or ethnic group is played or sung in a school assembly program, the national anthem of the United States is to be played or sung first. The audience will be asked to rise and remain standing for both anthems.

SPECIAL OBSERVANCES

School districts are required by section 118.02 of the state statutes to see that a number of designated days are appropriately observed in the schools. These special observance days honor the principles upon which America was founded and the contributions certain citizens have made to our state or country or to the promotion of democratic ideals. Among the special observance days are:

- **Martin Luther King Jr. Day** (January 15) – This day honors the civil rights leader's efforts to achieve equality for African Americans using nonviolent resistance.
- **Abraham Lincoln's Birthday** (February 12) – This day honors our 16th President of the United States, who was commander in chief during the Civil War and signed the Emancipation Proclamation, which declared that all slaves "shall be free forever".



- **Susan B. Anthony Day** (February 15) – This day honors the early suffragist who organized campaigns across the United States advocating the rights of women to vote, to get an education and to own property.
- **George Washington’s Birthday** (February 22) – This day honors our 1st President of the United States for his efforts to create a new nation dedicated to the rights of the people.
- **American’s Creed Day** (April 13) – This day honors the democratic principles on which this country is founded. The American Creed was written by William Tyler Page in 1917 and was the winning entry in a national contest for the “best summary of American political faith”.
- **Patriot’s Day** (April 19) – This new special observance day commemorates the beginning battles of the Revolutionary War at Lexington and Concord and the role of these battles in our nation’s fight for independence. This special observance day was included in 2001 Wisconsin Act 16 (the state budget bill), which became effective 9/1/01.
- **U.S. Constitution Day** (September 17) – This day honors the document that defines the federal system of government and embodies the principles on which America was founded.
- **Wisconsin Day** (Wednesday of the third week in September) – This day is set aside to celebrate the assets that make Wisconsin a desirable place to live and work.
- **Christopher Columbus’ Birthday** (October 12) – This day honors

Christopher Columbus’ acclaimed discovery of America.

- **Veteran’s Day** (November 11)- This day honors all veterans of the U.S. armed forces and is a day dedicated to “world peace”.

Refer to section 118.02 of the state statutes for additional special observance days.

When any of the special observance days falls on a Saturday or Sunday, it should be observed on the preceding Friday or the following Monday. Local school districts can determine how each of the designated days is observed.

The following are a few examples of how Wisconsin school districts provide for the observance of these special days.

Classroom teachers are the persons responsible for planning and executing appropriate special observance day activities in the *School District of Horicon*, according to board policy. In an effort to provide a practical approach to the observance of these days, the district has developed a list of possible classroom activities for teachers. Teachers may alter the activities to meet the needs of students in a particular grade or course.

The district’s list of possible classroom activities identifies concepts to be emphasized, specific activity suggestions for the observance of particular special days, and general suggestions for the study of famous people or events. Examples of concepts and/or activities included in Horicon’s list are as follows:

- Specific Special Observance Day Suggestions – **U.S. Constitution Day:**
Concept – The U.S. Constitution forms the framework for the way our government works today. Without the U.S. Constitution our lives would be drastically different. Activity – Students could compare the U.S. Constitution with

the documents that form the foundation for other governments. **Veteran's Day:** Concept – The government of a nation may find itself responsible for problems outside its national boundaries. As nations strive to grow, war sometimes results. Activity – Students could explain how people are working together for peace. **Martin Luther King Jr's Day:** Concept – Although composed of various racial and ethnic strains, the American people have similar basic needs, values and desires. Activity – Have the students discuss why any group is discriminated against. What methods are used? Are they justified? Why?

- General Activity Suggestions – Have students write a story about a typical day in the life of the person being studied; encourage students to dramatize events or ideas before the class; read speeches, stories, etc. by the famous person; have students construct dioramas about the life of the person; use resource people for interviews, discussions and demonstrations; have the story of the person or event presented by the teacher or students, followed by discussion questions relating the subject under study to contemporary opinion.

In the *North Crawford School District*, the administration and teaching staff are responsible for planning activities for the appropriate observance of special designated days. Board policy requires special days to be observed in one of the following ways: assembly programs for all students; as part of classroom discussion in history, social science or other classes; displays and posters; outside speakers or organizations presenting classroom programs; special reports by students; or, innovative programs devised by the teachers and students.

Commemoration of special days in the *Stevens Point Area School District* are to be

arranged in such a way that the effective observation of these occasions is a definite and important part of the instructional program, according to board policy. Students are encouraged to participate except when prohibited by personal religious beliefs.

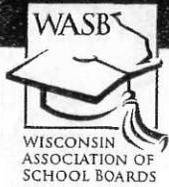
ACTIVITIES PROMOTING A SENSE OF COMMUNITY

Public schools around the state are encouraging student participation in community service activities as a means to promote student unity with other members of society and a sense of community.

Some school boards require a student to participate in some type of community service activity to receive a high school diploma. Students in the *Menasha School District*, for example, must earn one-half community service credit for graduation. They may earn the credit through a minimum of 72 hours helping a person or organization or may earn the credit through a minimum of 36 hours of helping a person or organization and participating in the school's youth service learning class. The youth service learning class promotes the integration of student knowledge and learning into a community-based project.

Other school boards have expressed their belief in community service in general policies on the subject. According to an *Oconto Falls Public School District* policy, the school board believes civic service is an integral part of a healthy, progressive, caring community. The greatest beneficiary might not be the recipient of the service, but rather the server, who can:

- (1) learn that he/she makes a difference;
- (2) continue an involved relationship with his/her community; and
- (3) enhance his/her self-worth that will help him/her effectively function in an ever-changing society.



With this belief in mind, the school administration is directed to make community service an integral component of the district's educational program.

Since the terrorist attacks that occurred on September 11, Wisconsin public school students and staff have engaged in a number of activities that have demonstrated their unity with other Americans and their sense of community. The following are only a few examples of such activities:

- Students have collected teddy bears to send to school children in New York to help them get through "these sad and scary times" and have attached notes of support and encouragement to them. Other students have made and sent cards for the school children in New York City.
- Students and staff have conducted fundraising activities to provide financial support for disaster relief efforts, for the victims of the terrorist attacks, and for New York City firefighters to be used in replacing firefighting equipment lost in the tragedy. They raised funds through such methods as collection jars; pledge drives, with local businesses matching the funds raised by the students; sale of patriotic ribbon pins and other items made by the student body; and, rummage sales.
- Students have sent care packages of emergency supplies to New York City firefighters that included toothpaste, face masks, lotion, socks and other items.
- Students have written letters to police and firefighters in their own communities to thank them for their work and for keeping them safe.
- Students have donated their artwork to local fire stations as a sign of appreciation for the work that they do.

- Students are planning Christmas toy drives for families of emergency teams who were victims of the terrorist attacks.
- Parent-teacher organizations have conducted blood drives for the Red Cross.

Additional information on student community service activities may be found in the 4/93 issue of *The FOCUS*.

OTHER ACTIVITIES

Some districts are providing support and recognition for the efforts made by members of the United States armed forces in service to our country and in promoting democracy. They are doing this in a variety of ways, some of which are highlighted below.

National Guard and Military Reserve Member Leave – Some districts have adopted policies that address leave for National Guard and military reserve services. The *Watertown Unified School District*, for example, has adopted a policy that provides for the district's cooperation in facilitating the participation of district employees in National Guard and reserve programs without impediment or penalty. Leaves of absence for military service are to be approved by the district administrator. District employees' job and career opportunities will not be limited or reduced because of their service in the National Guard or reserve.

According to policy, the school board recognizes the National Guard and reserve as essential to the strength of our nation and the maintenance of world peace and believes the guard and reserve needs the patriotic cooperation of American employers, including school districts.

When developing and implementing military leave policies, school boards should keep in mind state and federal laws regarding the rights of employees who serve in the military. Refer to the 7/95 WASB "Legal

Comment”, found in the *Wisconsin School News*, for additional information on military leave and employment rights.

Veteran Participation in School Programs – Some school districts are inviting veterans to school to share their experiences as veterans with students in the classroom, to speak at school assembly programs or to participate in other programs or activities. An elementary school in the *Pardeeville Area School District* has sponsored a veteran’s breakfast for Pardeeville area veterans and their spouses for the past several years. Students prepare patriotic decorations for the event, serve the breakfast, sing patriotic songs and later meet with the guests to discuss the veterans’ life experiences. This year the event is scheduled for Pearl Harbor Day, December 7.

The state superintendent of public instruction is required by a provision included in 2001 Wisconsin Act 16 (the state budget bill) to encourage school boards to invite armed forces veterans to school to discuss their experiences as veterans.

Issuance of Veteran Diplomas – Many school boards are issuing high school

diplomas to veterans who meet certain requirements outlined in state law as a way to recognize them for their service to our country in time of need. Under section 120.13(37) of the state statutes, a school board may award a high school diploma to a person who:

- is at least 65 years old,
- attended high school in the district,
- left high school before receiving a high school diploma to join the U.S. armed forces during a war period (including, among others, World War II, the Korean Conflict, Vietnam War and Persian Gulf War), and
- served on active duty under honorable conditions in the U.S. armed forces or in forces incorporated as part of the U.S. armed forces.

A high school diploma may also be awarded to a person who already received a high school equivalency diploma after serving on active duty if the person meets the other four conditions described above.

POLICY PROCESSES AT WORK



FLAG ETIQUETTE TIPS FOR SCHOOL DISTRICTS

School officials may want to keep in mind flag etiquette provisions of the United States Flag Code (Title 4, United States Code, Chapter 1) when displaying and using the U.S. flag on school premises or during school-sponsored activities. Some of its provisions are as follows:

Position and Manner of Display –

When the flag is displayed from a staff projecting horizontally or at an angle from the window sill or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half staff. When displayed with another flag or pennant, the U.S. flag should be above the other flag, or if on the same level, to the right.

It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaffs in the open. However, when a patriotic effect is desired, the flag may be displayed 24 hours a day if properly illuminated during the hours of darkness. The flag should not be displayed outside on days when the weather is inclement, except when an all weather flag is displayed.

When the flag is displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union blue field to the left of the observer on the street. In a procession, the

flag should be carried either on the marching right, or in front of the center of a line of other flags, if any.

When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff, the flag should hold the position of superior prominence, in advance of the audience, and in the position of honor at the speaker's right as he/she faces the audience. Any other flag so displayed (e.g., Wisconsin flag) should be placed on the left of the speaker or to the right of the audience.

The flag, when flown at half staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day.

Proper Flag Salute - During rendition of the national anthem when the flag is displayed, those present should stand facing the flag with the right hand over the heart. When the flag is not displayed, those present should face toward the music and act in the same manner they would if the flag were displayed there.

The pledge of allegiance should be rendered by standing facing the flag with the right hand over the heart. During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade, persons present should face the flag and stand with the right hand over the heart.

May 6, 2015

To: Representative Rob Swearingen, Chair
Members, Assembly State Affairs and Government Operations Committee

From: Lisa Pugh, Public Policy Director; Member Survival Coalition Education Issue Team

Re: AB 194 – Civics Citizenship Test for Graduation

Thank you for hosting this public hearing on AB 194 and allowing disability organizations to provide input on this proposed policy change.

High stakes testing is common in many states across the country, however there is little research on the on the impacts on students with disabilities. We know for a fact that access to a diploma greatly increases the chances of a student with a disability to secure employment or go on to post-secondary education or training after graduation. Of course this also leads to self-reliance and less reliance on public supports.

Unfortunately, States that require students to pass an exam to receive a high school diploma consistently report low pass rates for students with disabilities and this group often has the lowest pass rates of all students.

Under the federal Individuals with Disabilities Education Act (commonly known as IDEA), students with disabilities are guaranteed access to appropriate accommodations and alternate assessments, where necessary and as indicated in their respective individualized education programs (IEPs). (Section 1412(c)(16)(A)).

AB 194 contains no exceptions for special education students who take alternative assessments and does not mention access to appropriate accommodations. Other states have experienced legal challenges when these rights are not maintained for students with disabilities.

We have significant concerns that this high stakes test, particularly without guarantee of access to appropriate testing accommodations, will result in fewer Wisconsin students with disabilities graduating with a diploma.

Recommendations

- Any exit exam must include allowable accommodations for a student with a disability as included on the student's Individualized Education Plan (IEP) or Section 504 Plan.
- Provisions must be made for students who take the alternative assessment.
- Students with disabilities must have access to procedural safeguards to ensure that students are able to contest decisions about accommodations, alternate assessments, and scores on assessments.
- Students with disabilities must have access to the content that is taught in order to perform on an exam. Many Wisconsin students with disabilities do not spend adequate time in the general education classroom. Students with disabilities must be guaranteed instruction of tested material in the general education environment.

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WISCONSIN BOARD FOR PEOPLE
WITH DEVELOPMENTAL DISABILITIES

May 6, 2015

Assembly State Affairs and Government Operations Committee
Representative Rob Swearingen, Chair
State Capitol, Room 123 West
Madison, WI 53708

Dear Representative Swearingen and members of the committee:

Thank you for the opportunity to provide comment on AB 194.

BPDD is Wisconsin's state Developmental Disability council. Our role is to seek continuous improvement across all systems—education, transportation, health care, employment, etc.—that touch the lives of people with disabilities. Our work requires us to have a long-term vision of public policy that not only sees current systems as they are, but how these systems could be made better for current and future generations of people with disabilities.

Families of children with disabilities in Wisconsin know their children can achieve and learn with their peers with the right instruction and supports. Research clearly shows that 99% of students – including those with disabilities -- can learn grade-level content in the general education curriculum and achieve proficiency on grade level standards with the appropriate supports.

Federal law (Individuals with Disabilities Education Act or IDEA) recognizes that students with disabilities can learn alongside their peers, but may require specific learning strategies to achieve proficiency in a content area or need accommodations in order to participate with peers in evaluation and standardized testing. An Individualized Education Plan (IEP) is intended the learning supports and accommodations necessary for a student to achieve the goals in their plan.

IDEA requires "all children with disabilities are included in all general State and districtwide assessment programs ... with appropriate accommodations and alternate assessments, where necessary and as indicated in their respective individualized education programs." (Section 1412(c)(16)(A)).

High expectations for all students are important. People with disabilities vote and participate in public affairs; a basic understanding of civics is important for all citizens, including those with disabilities. However, to meet high expectations students with disabilities must learn the same civics content in the same environment as their peers, and have their knowledge evaluated by a test that accommodates their disability.

In school districts where full inclusion of students with disabilities in regular classroom instruction is not the norm, students with disabilities may not have access to the civics content that is taught. This bill does not contain language that guarantees students with disabilities will be instructed on tested material in the general education environment, which would ensure they are tested on material they have learned in the classroom.

As drafted, this bill does not appear to require that the exit exam include allowable accommodations for a student with a disability as included on the student's Individualized Education Plan (IEP) or Section 504 Plan. To be clear, this does not mean a different or "modified" test needs to be created; rather accommodations are made for the individual student

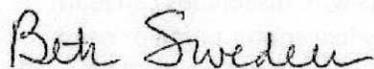
with a disability in order for them to be able to complete the test. Examples of accommodations might include allowing a longer length of time to take the test, taking the exam in a quieter/separate room to avoid distractions, having an assistant mark the student's selected answers (fine motor skill difficulties may cause challenges in clearly marking standardized test answer sheets), or reading test questions aloud to the student (comprehension of questions may be fine, but challenges like vision impairment may make completion of the test more difficult within an allotted timeframe).

A high school diploma greatly increases the chances of a student with a disability to secure employment or go on to post-secondary education or training after graduation. Students with a regular diploma have better outcomes; BPDD is concerned that this bill may unintentionally cause additional barriers to graduation for a population of students with disabilities whose graduation rates are already lower than average. State data shows unintended consequences related to high stakes (required for graduation) testing for students with disabilities, including increased numbers of students with disabilities who fail to receive a standard diploma and legal challenges from parents. States that require students to pass an exam—with most exams focused on reading and math, not civics—to receive a high school diploma consistently report lower pass rates for students with disabilities.

The Wisconsin Board for People with Developmental Disabilities (BPDD) is charged under the federal Developmental Disabilities Assistance and Bill of Rights Act with advocacy, capacity building, and systems change to improve self-determination, independence, productivity, and integration and inclusion in all facets of community life for people with developmental disabilities.

Thank you for considering BPDD's analysis of the potential impacts this bill. In conclusion, amending this bill to guarantee students with disabilities have access to the same civics course content, are taught that content in the regular general education classroom with peers, and that required exams include the allowable accommodations as outlined in the student's IEP will address our concerns and reduce the possibility that this bill could result in fewer students with disabilities obtaining a high school diploma.

Thank you for your consideration,



Beth Swedeu, Executive Director
Wisconsin Board for People with Developmental Disabilities