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Reevaluating the Importance of Civics Education

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REEVALUATING THE IMPORTANCE OF CIVICS EDUCATION

MARCUS ALEXANDER GADSON**

In the effort to reform American education, civics has received little attention. To spur efforts to improve the civics education that students receive, four congressmen introduced the Sandra Day O'Connor Civics Education Act. This article argues that while the legislation may provide some marginal benefits, it is unlikely to have a great impact on civics education. The article then proposes ideas on what additional measures such legislation might take to genuinely improve civics instruction for students around the country. The article concludes by explaining the necessity of reforming civics education and laying out the benefits of implementing the proposed changes.

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I. BACKGROUND

Much of the focus of educational policy in the past decade has been on raising student achievement in “core” subjects such as reading, math, and science: the essence of the “No Child Left Behind” Act. President George W. Bush’s signature education initiative was signed into law on January 8, 2002, and required states that received federal funding to administer annual standardized tests to students. The law required states to define what adequate yearly progress (AYP) should look like for all students, and then more specifically for students from disadvantaged groups and who had limited English proficiency. The law also prescribed certain remedies for schools that failed to achieve AYP. Schools that failed to do so two years in a row would have to devise a 1-year improvement plan

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I would like to dedicate this article to all of the social studies teachers I worked with who did everything they could to make sure that students in the Mississippi Delta, many of whom came from disadvantaged backgrounds, received an education that would prepare them to be active, engaged citizens. I would also like to dedicate it to my former students, so many of whom inspired me with their love of learning and their persistence in climbing the mountain to and through college.

for the subject in which students at the school were struggling and also give them the option to transfer to a higher-performing school in their district if one existed.¹ Every subsequent year that AYP was not met would lead to more serious steps, until the sixth year of failure when the school would be restructured.² Some ways this may have been accomplished were closing the school, turning it into a charter school, or having the state run it directly.

Since the Obama administration has taken office, it has attempted to grant states more flexibility from the rigid requirements, but few question the underlying objectives. What has been scarcely mentioned in discussions about how to reform education is how little graduating students know about civics, a subject directly relevant to their ability to vote in elections in which they will soon be able to participate. By taking civics classes, student are supposed to learn about how government works at the local and national level, gain an understanding of important principles of the US political order, acquire some background in important policy questions, and develop a working knowledge of the political parties and their issue positions, enabling them to vote intelligently one day. Unfortunately, only 24 percent of 12th graders were proficient on the 2010 National Assessment of Educational Progress (NAEP) for Civics, and a scant 4 percent knew enough to be classified as “advanced.”³ To provide some context, the 2011 NAEP showed that 35 percent of eighth graders were proficient and 8 percent were advanced in math. Such numbers are routinely taken as evidence that the US needs to do much more to strengthen math education.⁴

Introduced in November of 2011 and referred to the Subcommittee on Early Childhood, Elementary, and Secondary Education in March of 2012, the Sandra Day O’Connor Civics Education Act is a much less heralded attempt to improve American students’ civics knowledge. The most important part of the act is essentially a grant program designed to fund effective civics instruction programs so that school districts can learn from each other’s successes. The act authorizes the Secretary of Education to work with entities that develop civics educational programs. The grants can be given to applicants who demonstrate any of the following⁵:

¹ Erin Dillon and Andrew Rotherham, *States’ Evidence: What It Means to Make “Adequate Yearly Progress” Under NCLB*, available at <http://www.educationsector.org/sites/default/files/publications/EXPAYP.pdf>.

² *Id.*

³ *Civics: Grade 12 National Results*, The Nation’s Report Card, http://nationsreportcard.gov/civics_2010/g12_national.asp.

⁴ Fawn Johnson, *Parsing the Nation’s Report Card*, National Journal Education Experts Blog, Nov. 7, 2011, <http://education.nationaljournal.com/2011/11/parsing-the-nations-report-car.php>.

⁵ Sandra Day O’Connor Civic Learning Act of 2011, H.R. 3464, 112th Cong. (2011) available at <http://thomas.loc.gov/cgi-bin/query/z?c112:H.R.3464>.

1. Increase equity, meaning (A) programs that meet the needs of students with different learning styles, students of different racial and socioeconomic backgrounds, and students who are English language learners; and (B) resources for serving student populations that have not traditionally received opportunities for high quality, engaging civic learning, with a special emphasis on inner-city and rural underserved students.
2. Foster innovation through design, settings, and delivery, including service learning, interactive on-line programming, and other approaches to engaging students in active learning and civic participation.
3. Provide scalability through broad, cost-effective implementation and institutionalization, including use of the latest technology, addressing relevant national and state standards, and low cost ways of expanding the number of teachers and students.
4. Demonstrate accountability for student assessment results, including independent research and evaluation of student knowledge and skills gained, identifying techniques that reach different students, and evaluation of the teachers' content knowledge and teaching ability.

The bill would provide \$23,500,000 over the next five years and, interestingly enough, has bipartisan potential. The main sponsor, Mike Honda (D-California) is a Democrat, as are two of the cosponsors. But the third cosponsor is none other than Tom Cole (R-Oklahoma), who was recognized by the American Conservative Union as one of the most conservative members of Congress.⁶ It includes themes that should appeal to both liberals and conservatives: widening educational access and a focus on the history and the system of government that makes America unique. Furthermore, the cost of doing so is essentially negligible in proportion to the entire federal budget. In terms of specific educational concerns, it does not establish any national standards or provide for a larger federal role in civics education; it is much more like the concept of the Race to the Top program, which both liberals and conservatives have supported.⁷

Officially, the bill has been spawned by the efforts made by retired Supreme Court justice Sandra Day O'Connor to promote quality civics instruction. After years of receiving complaints about her decisions that she found quite misdirected—she said the complaints could have been more appropriately directed at other branches of government—she decided

⁶ *Cole Named One of Congress' Most Conservative Members*, United States Congressman Tom Cole (May 11, 2012), <http://cole.house.gov/press-release/cole-named-one-congress-most-conservative-members>.

⁷ Frederick M. Hess & Andrew P. Kelly, *A Federal Education Agenda*, American Enterprise Institute (Sept. 24, 2012), <http://www.aei.org/article/education/k-12/a-federal-education-agenda/>.

something had to be done.⁸ When she left the court in 2006, she started a program called iCivics that promotes interactive civics instruction to reach younger generations of students.⁹ iCivics allows students to play simulations focusing on the different branches of government to increase their civics knowledge. Two states, Florida and Kentucky, have passed civics education bills named after her.

II. ASSESSING THE BILL'S LIKELY IMPACT

Though likely to have some beneficial effect on civics education, the bill is hardly a panacea. The grants will no doubt encourage some local districts to develop stronger civics programs using new platforms and technology to reach younger generations, and its focus on closing the achievement gap between minority students and white students will be welcome. Eventually, a “best practices” trend may develop that the Department of Education can encourage in schools nationwide.

There are however three fundamental problems. The first is that the legislation is not large enough to have the desired impact. Leaving a mere \$5,700,000 per year means that only a few grants of substantial size can be awarded each fiscal year. It is easy to imagine five major school districts taking the grant money to develop civics instructional programs that implement new technology, train teachers, and develop curriculum. Leaving only a limited number of school districts and educational entities working on civics instruction would make it difficult to really develop an idea of what the best practices should be going forward. Moreover, with such a comparatively small amount of grant money available, many students will not even reside in the districts that can take advantage of the money. To understand how little money this bill allocates, consider how much funding No Child Left Behind provided for Math and reading instruction. In 2006, over \$1 billion was allocated for reading first grants, and \$182 million was allocated just for math and science partnerships for the space of one calendar year.¹⁰

Second, there is not enough of a focus on expanding access to civics education for those who do not currently receive it. As it stands now, there are still eleven states in which students do not even have to take a course in civics or government to graduate high school.¹¹ Before focusing on how to reach students of different racial backgrounds or improving cost

⁸ Donna Krache, *Sandra Day O'Connor Champions Civics Education*, CNN (July 19, 2012), <http://schoolsofthought.blogs.cnn.com/2012/07/19/sandra-day-oconnor-champions-civics-education/>.

⁹ *Id.*

¹⁰ *No Child Left Behind Act Funding*, New America Foundation (Apr. 4, 2012), <http://febp.newamerica.net/background-analysis/no-child-left-behind-funding>.

¹¹ Nora Fleming, *Few States Test Students on Civics*, Education Week (Oct. 11, 2012), <http://www.edweek.org/ew/articles/2012/10/11/08civics.h32.html>.

control, it is critical that students in these eleven states are exposed to a civics course. Only then will districts in those states see the need for grants to modernize their curricula and integrate new technology.

Third, there is no emphasis on accountability in the legislation. Under the No Child Left Behind Act, schools had a deadline of 2014 to raise student achievement in math and reading, and schools unable to do so would be labeled as failing. Even with President Obama's waivers, states that want relief from certain provisions must adopt "college and career-ready" academic standards and rigorous teacher evaluation systems.¹² Moreover, they must still administer yearly tests in math and reading and release the results to the public,¹³ imposing at least a publicity penalty for schools that do not raise achievement in these subjects. A good start would be to require schools to test annually in civics and release the data, including information about how students from different racial groups performed.

III. HOW TO STRENGTHEN AMERICAN CIVICS EDUCATION

Many states are working on promising approaches to strengthen civics education. One example is Florida, which actually passed a Civics Education program of its own in 2010.¹⁴ In middle school, all students in Florida must pass a civics class in order to be promoted to the next grade. Moreover, schools must administer a civics end-of-year assessment, the results of which must be included in the school's overall report card.¹⁵ It will be hard to know whether students in a given school are doing better than they did before 2010, but at least schools will now have data on how much students actually learn from year to year in civics classes.

At the high school level, students in only two states, Ohio and Virginia, must pass tests in civics to graduate.¹⁶ That is why increased accountability is so critical. It sends the helpful message that civics classes are actually important. As it stands, the fact that so much more energy and resources is spent on "core" subjects such as math, reading, and science implies to students that social studies is less important than their other subjects. Requiring students to pass a civics test tells them and their parents that society takes civics as seriously as it does those other subjects. Civics should not be seen as a vacation from the rigors of normal school or a subject with no consequences for the student. Moreover, if No Child Left

¹² Sam Dillon, *Obama to Waive Parts of No Child Left Behind*, N.Y. Times, Sept. 23, 2011, at A19 available at <http://www.nytimes.com/2011/09/23/education/23educ.html>.

¹³ *Id.*

¹⁴ Civics Education, H.B. 105, 2010 Leg., (FL. 2010), available at <http://www.myfloridahouse.gov/sections/Bills/billsdetail.aspx?BillId=42220>.

¹⁵ *Id.*

¹⁶ Nora Fleming, *supra* note 11.

Behind is a guide, even if many people do not like such rigid accountability, Florida's approach will at least start a conversation about how to raise student achievement in civics and shine a light on an achievement gap between minority and nonminority students that is even more daunting than the one in math. Such awareness will help facilitate the discussions happening in education circles about how to raise reading and math scores for particular students.

In addition, there needs to be a discussion about standardizing civics curricula across states and localities. Common core standards for math and English provide a helpful precedent. The states came together to formulate common standards so that they would have an idea of how students were doing relative to a national measuring stick. One might think that this model will not work because civics is a more subjective subject than math or English, but such standards would not mandate a favorable or unfavorable portrayal of certain policies. Instead, they would describe basic principles and content that every student in the country should know—things like the fact that checks and balances and federalism are important parts of our constitutional and political framework. On contentious policy questions like whether the federal government should administer a national healthcare program, common core standards could ensure that students nationwide are exposed to both liberal and conservative perspectives. This means that students who live in areas of the country where one party is dominant will have a chance to understand crucial debates from the side of the debate they hear from least in their communities.

Many of the criticisms leveled against the common core standards and standardized testing in math and English might be applied to putative standards in civics. One such criticism is that pressure to prepare students for standardized tests will lead to “drill and kill” instructional methods¹⁷ where students memorize content which they will forget as soon as they have bubbled in their answer sheets. Teachers and administrators feeling pressure to produce strong test results could likely see no alternative. While this is certainly a valid concern, it should not deter educators from developing civics standards and then testing students on them. Two solutions seem particularly promising.

One would be to create a civics standardized test that requires higher level thinking in order to pass. For example, students could answer a document-based question where they are given opinion polls or examples of political cartoons or ads and asked to write a coherent essay of the sort that students see on AP History exams. Even multiple choice questions can be tailored to require more than simple regurgitation. Students could be

¹⁷ Valerie Straus, *A Tough Critique of Common Core on Early Childhood Education*, Washington Post, January 29, 2013, available at <http://www.washingtonpost.com/blogs/answer-sheet/wp/2013/01/29/a-tough-critique-of-common-core-on-early-childhood-education/>.

given a table of racial demographic groups in a particular area and asked to predict the partisan affiliation of the representatives that it would send to Washington. In order to correctly answer such a question, a student would have to know the typical partisan affiliations of racial groups in an area and consider the likely voting outcome of an area with certain percentages of each racial group.

Second, an assessment of subject-matter mastery could include more than just one high-stakes test. High school students, for example, could be asked to write a research essay about an area of civics that interests them. Working in consultation with a teacher, students could develop a topic, find sources to help them answer the question, and then craft a thesis. Such a system would obviously pose challenges. One would be ensuring uniform grading. A useful example here is the international baccalaureate program's extended essay. Assessors are given a rubric with a range of criteria including quality of the research question, quality of argument, and knowledge and understanding of the topic studied.¹⁸ Another concern would be cost. Hiring essay graders for millions of students would certainly consume a great deal of resources and be particularly tough during a time of fiscal austerity. To mitigate the fiscal cost, the federal government could provide grants to help develop and grade such an assignment.

A second related criticism is that developing such standards would decrease teacher discretion, but this begs the question of how much discretion teachers should have in determining which kinds of basic content to teach. As stated earlier, students should have to learn about important constitutional values such as separation of powers and the Bill of Rights. Teachers should, however, retain considerable discretion over *how* to teach to the standards. In one classroom, students might best learn about Congress by doing a simulation where they take on roles of legislators and attempt to form consensus on a bill to pass. In another, students might respond better to watching a documentary about Congress and discussing what they learned as a group. Still another group of students might do best by completing assigned reading and then participating in a Socratic lecture. In all cases, teachers should be able to use their reasoned judgment and experience to determine the most effective means of instruction.

Lastly, one might worry that state and local governments would be better situated than the national government to set civics standards. Given their knowledge of the local population and how politics have played out in their state, the argument goes, they are best able to craft a relevant curriculum. There are two compelling responses. First, states would be free

¹⁸ International Baccalaureate Organization, *International Baccalaureate Extended Essay Guide*, available at <http://www.fcps.edu/RobinsonSS/ib/pdf/Extended%20Essay%20Subject%20Guidelines.pdf>.

to create separate standards regarding instruction on local and state politics that would take into account their unique histories and political arrangements. They could even impose a requirement of passing a state civics test in order to graduate high school or be promoted to the next grade. National civics standards would function as a floor, not a ceiling. Second, an important function of national civics standards is to make sure that students get exposure to ideas that make up the core of the US political order, as well as ideas that may differ from those most popular in their area. The only way to develop standards that accomplish these objectives is to work with educators, historians, and politicians from across the nation and political spectrum, and this would be best done at the national level.

IV. WHY IMPROVING CIVICS EDUCATION IS SO IMPORTANT

That such measures are not currently offered by this legislation or seriously considered in educational circles suggests a lack of urgency surrounding civics and history. This likely has to do with the perception that subjects such as math, science, and reading have a more immediate economic impact. The jobs of the future, after all, require facility with technology. Many of the job openings available are going unfilled for want of applicants who have the requisite skills.¹⁹ Yet, the fact that students are actually doing worse in civics is equally damaging, even if less immediately apparent. There is evidence, for example, that there is a link between the quality of civics education that a student receives and the likelihood that he or she will vote. A study by the Center for Information and Research on Civic Learning and Engagement (CIRCLE) found that voters in the 18-29 age-groups who lived in states that had strengthened civics or government requirements were more likely to vote than those who lived in states who had weakened such requirements.²⁰ While it is of course possible to point to other factors for increased voting in such states, the study makes intuitive sense. Citizens who have a solid grounding in civics are better situated to actually understand campaigns and their issues and perhaps to perceive a greater stake in the outcome.

This takes on even more importance in the current political and economic climate where important decisions on entitlement spending and taxes will be made that could have consequences for the type of social contract between government and the upcoming generation. For example, in the next year or so, it is likely that structural changes to Medicare and

¹⁹ Darren Dahl, *A Sea of Job-Seekers, but Some Businesses Aren't Getting Any Bites*, N.Y. Times, June 28, 2012, at B7 available at <http://www.nytimes.com/2012/06/28/business/smallbusiness/even-with-high-unemployment-some-small-businesses-struggle-to-fill-positions.html?pagewanted=all>.

²⁰ *Did Civic Education Laws Affect Youth Turnout in 2012?*, The Center for Information & Research on Civic Learning and Engagement (Nov. 28, 2012), <http://www.civicyouth.org/did-civic-education-laws-affect-youth-turnout-in-2012/>.

Social Security will be considered, if not enacted, as well as changes in the tax code used to pay for them. If young voters do not vote or do not have enough information to cast their votes meaningfully, politicians will pay less attention to their generation. As a result, these momentous changes may well be skewed in a direction young Americans come to rue when they do pay more attention to politics later. Simply put, a quality civics education is imperative from the perspective of generational fairness.

The focus of discussions about the achievement gap is usually on math and reading test scores. What has almost never been mentioned is that the gap between minority and white students, as well as students from well-off backgrounds and disadvantaged ones, in civics and US history is sometimes even greater than the one present in the subjects that are usually the focus of educational reform efforts. For example, in 2010 just 8% of black high school seniors were proficient in civics, and 1% advanced, compared to 30% of whites who were proficient, and 5% who were advanced.²¹ If basic reading and math skills are a prerequisite to a quality job in the 21st century, then basic civics knowledge is a prerequisite to true citizenship. That black students on average are leaving schools unable to participate in the political process to the same extent as their white counterparts should worry us as much as the disparity in reading and math scores.

Perhaps most significantly, doing more to promote quality civics instruction is important because it is the one subject that holds out the genuine possibility of a shared experience for America's students. Reading and math are greatly stratified with some high school seniors taking AP Calculus and others struggling with Algebra II. But in civics, we can make sure that students from different backgrounds all get a firm basis in the information they need to engage in the democratic conversation that our country desperately needs. Crucially, doing so holds open the prospect that students from different backgrounds will have a chance to develop a common source of knowledge and common assumptions about important questions of public policy and law that will allow them to transcend the status quo where Americans of different political persuasions get their knowledge from completely different sources. Spending more money and devoting already-strained educational resources to civics education may seem like a luxury in an era of austerity. In reality, it is a necessity.

²¹ *Supra* note 3.