

New Hampshire Supreme Court Society Project Report

Public School Civics Education in New Hampshire

December 31, 2008

This report is dedicated to two remarkable people who inspired the New Hampshire Supreme Court Society to undertake a project to position New Hampshire as a national role model for civics education and civic engagement of public school students:

The Chief Justice of the Iraq Supreme Judicial Court, Medhat Al-Mahmood.

The Chief Justice came to New Hampshire in 2006 at the invitation of retired New Hampshire Supreme Court Associate Justice Joseph Nadeau, a founding trustee of the Society. Justice Al-Mahmood made an inspiring statement to members of the Society and invited guests about his country's progress toward independence. He talked about his own efforts as Chief Justice to build a "higher system of justice" in the Iraqi court system as part of the effort to restore the rule of law and civilized society in Iraq. He spoke about the high cost of this work and the personal risks and sacrifices he, his family, his colleagues on the Iraqi Court and others are enduring in the process. The Society presented its first "Life and Liberty Award" to Justice Al-Mahmood, recognizing him for extraordinary service to his country.

Third grade teacher, Susan Robichaud.

Susan was in the audience when Chief Justice Al-Mahmood spoke. His description of the challenges, risks and progress in Iraq caused her to set a personal challenge of developing a curriculum to teach third grade students about our own system of justice and the importance of the rule of law in civilized society. To assist her in meeting this personal challenge, she sought the sponsorship of the Society and a sabbatical leave from the Concord School District. Susan has developed the curriculum which was her goal and which will be "field tested" in 2009. It is anticipated that the curriculum will be available for New Hampshire teachers and students in 2010.

The Society's trustees agreed enthusiastically to sponsor Susan's development of the civics curriculum for third grade students focused on our system of justice. As part of such sponsorship, the Society established an advisory committee of New Hampshire judges to provide advice and support to Susan. In addition, the Society convened a distinguished group of New

Hampshire citizens to assess the status of civics education in New Hampshire, to offer ideas for developing a continuum of civics instruction for all public school students, beginning in Kindergarten, and to see that all public school students are afforded real opportunities for meaningful civic engagement during the course of their education.

The Society's Think Tank on Civics Education convened in the New Hampshire Supreme Court's David H. Souter Judicial Conference Room on August 8th, 2008. Participants included

- Debra Arnie Arneson, political commentator
- Honorable John T. Broderick, Jr. Chief Justice, New Hampshire Supreme Court
- Megan Devorsey, school board member; adjunct professor of law, Franklin Pierce Law Center
- Charles G. Douglas, III, attorney; civics education author; former Associate Justice, New Hampshire Supreme Court; Society trustee
- Lewis M. Feldstein, President, New Hampshire Charitable Foundation
- Bruce W. Felmly, attorney; member of the Society
- Thomas Galligan, President, Colby Sawyer College; former dean of the University of Tennessee Law School; Society trustee
- John B. Garvey, Webster Scholars Program, Franklin Pierce Law School
- Honorable Gary E. Hicks, Associate Justice, New Hampshire Supreme Court
- Charles F. Leahy, attorney; former school board member
- Mary Susan Leahy, attorney; trustee and president of the Society
- Jeannine McCoy, executive director, New Hampshire Bar Association
- Maria Manus Painchaud, professor, Southern New Hampshire University; trustee and treasurer of the Society
- Stephen Painchaud, professor, Southern New Hampshire University
- Kenneth J. Relihan, Social Studies and World Languages Consultant, New Hampshire Department of Education
- Susan Robichaud, third grade teacher, Conant School, Concord
- Debbie Scire, New Hampshire Alliance for Civics Engagement

- Honorable David H. Souter, Associate Justice, United States Supreme Court
- Lyonel Tracy, New Hampshire Commissioner of Education
- William P. Veillette, Executive Director, New Hampshire Historical Society
- David Wolowitz, attorney; chair of the Society's Judicial Advisory Committee on Civics Education

At the August 8th meeting, Think Tank members were briefed by Kenneth Relihan on the status of civics education in New Hampshire today. Susan Robichaud previewed her instructional program for third grade students. Susan Leahy reviewed the work being done at Georgetown University and the University of Arizona under the direction of retired United States Supreme Court Justice Sandra Day O'Connor to develop civics education computer games for middle school students.

Think Tank members identified the following deficits in New Hampshire public school civics education:

- New Hampshire has no core civics curriculum for a student's progression from Kindergarten through grade 12, and there are no meaningful core civics education goals for public school students. Civics education in New Hampshire is at best dependent on the interest and resources of individual teachers and schools.
- While many excellent opportunities and programs exist for both civics education and civic engagement, meaningful access to these programs for New Hampshire students is episodic and largely dependent on individual teacher or student interest.
- Beyond K-12, more lifelong opportunities should exist for both civics education and civic engagement for New Hampshire citizens.

Think Tank members divided into groups to consider what the New Hampshire vision for civics education should be. The question asked was: "What should civics education be and what should students get out of it by the time they graduate from high school? Themes that emerged from the discussions were:

- All students should have the opportunity to understand and embrace the values embodied in the United States Constitution and the New Hampshire Constitution. These values are incorporated both in the rules which govern our conduct and the rules which create the processes by which existing rules may be changed and new rules adopted.
- The disciplined and principled processes by which we wish to be governed may produce outcomes which do not always seem fair. A goal of civics education is to help citizens value and accept outcomes with which they may not agree if these outcomes are produced by such disciplined and principled processes.

- The roles of various governmental institutions involved in maintaining a just and civilized society should be understood as well as the tensions which exist among these institutions in a governmental and social structure which was deliberately designed to divide power and authority among institutions.

- Disagreement, dissent and compromise are critical to the existence and long term health of our form of government.

- Students need to see that with rights come responsibilities. They need to learn that while all of us are bound by the rules of the game, citizens have the power to change those rules. One of the most important responsibilities of citizenship is to participate in society.

Education Commissioner Lyonel Tracy suggested one way of moving forward with an integrated civics education program for New Hampshire public school students. He recommended considering as a model the *New Hampshire preK-16 Literacy Action Plan for the 21st Century* developed as a joint effort by the New Hampshire Special Education State Improvement Grant and New Hampshire Local Educational Improvement funds. The Executive Summary of the plan is attached to this report as Exhibit 1.

Susan Leahy is requesting that a core group of Think Tank members meet with Commissioner Tracy to determine the next steps for developing and implementing a second-to-none civics education/civic engagement program that will engage New Hampshire students at all levels.

The trustees of the Society extend their thank you to the New Hampshire citizens who participated in the Think Tank.

Respectfully submitted,

Mary Susan Leahy, President
New Hampshire Supreme Court Society