"Democracy is not a static thing. It is an everlasting march."

~Franklin Delano Roosevelt

Overview

This background paper prepares the members of the Senate Elections and Constitutional Amendments Committee for the March 17, 2017 informational hearing titled, "From Voices to Votes: Breaking Barriers to Civic Engagement for the Next Generation." The purpose of this hearing is to explore the issues associated with the lack of youth and millennial civic participation and also dive into real and perceived barriers to participation that result in lagging turnout on election day.

Proponents who support youth voting efforts indicate that 16- and 17-year-old students are eager, independent and sophisticated enough to vote, and that efforts to engage these young voters before they turn 18 may result in positive and extended benefits for their communities.

Questions to consider and discuss include:

- Are 17-year-olds ready for the right to vote?

- How can young Californians use digital tools like social media, apps and open data to shape policies to make their voices heard?

- Are media a distraction from civic and political life, or can media enhance young people's involvement?

- What issues does this generation face that state government is not addressing?

- What influence do income levels and access to high-quality civic learning have on the desire to engage in the democratic process?

- How are schools and educators being prepared to integrate civic engagement technology into their classrooms?

- What can be done to increase participatory skills and experiential learning about the power of democracy?

SB 596 (Stern) declares the intent of the Legislature to enact legislation that develops a comprehensive policy that would civically empower the next generation of citizens in California. To accomplish this, the author intends to utilize the best available data, including but not limited to, analyses from governmental organizations, educators, researchers, and civic engagement organizations. Direct input from millennials and youth not yet eligible to vote, as well as related youth leadership organizations will also be sought out as the bill moves through the legislative process.

Existing Law

Existing law in California permits a person who is a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and is at least 18 years of age at the time of the next election to register to vote in any local, state, or federal election. Existing law also allows a person who is at least 16-years old and otherwise meets all voter eligibility requirements to register to vote and the registration will be deemed effective as soon as the affiant is 18-years old at the time of the next election.

The State Board of Education (SBE) approved guidelines for the development of the History-Social Science Framework on November 5, 2008, and updated them on September 3, 2014. Those guidelines included directives that the framework should "Promote the values of civic engagement and civic responsibility." During the development of the framework, legislation was adopted that added provisions that called for the input of civics education experts in the development of the framework, and other content related to civic learning. This curriculum framework was adopted by the State Board of Education on July 14, 2016, and is currently being rolled out statewide.

One of the state requirements for high school graduation includes 3 years in social studies, including a one-semester course in American government and civics. It should be noted that schools can impose additional graduation requirements, so some may require more coursework and/or a project. The Education Code also requires the history-social science framework includes specific topics/elements/components. For example: ensure that voter education information is included in the American government and civics curriculum at the high school level, including, but not limited to, information on the importance of registering to vote in local, state, and federal elections, how to register to vote, both online and by mail, what the requirements are to register to vote, how to request an absentee ballot, how to fill out and return an absentee ballot, what to expect on election day, how to find a polling place, and where and how to access and understand the voter information pamphlet and other materials to become an informed voter.

Other States

The 26th Amendment to the U.S. Constitution prevents states from "denying" suffrage to 18-year-olds, but does not prevent states from establishing a lower voting age.

As of last year, there are 19 states that permit 17-year-olds to vote in the primary elections or caucuses if the voter will turn 18 before the general election.

According to the National Conference of State Legislatures (NCSL), in an effort to increase youth engagement in state and local elections, 22 states allow young people to pre- register to vote before they reach the voting age of 18, provided that they will turn 18 by the next general election. In Hawaii and Rhode Island, it is not necessary that they turn 18 by the next general election. States with pre-registration include: Alaska, California, Colorado, District of Columbia, Delaware, Florida, Georgia, Hawaii, Iowa, Kansas, Louisiana, Maine, Maryland, Minnesota, Missouri, Nebraska, Nevada, Oregon, Rhode Island, Texas, West Virginia and Wyoming.

San Francisco and Berkeley Ballot Measures

San Francisco, Ballot Measure F- A charter amendment that would have allowed San Francisco's 16- and 17-year-old residents to vote, but only for local candidates and local ballot measures. Local candidates include candidates for the Board of Education and the Community College Board of Trustees. Measure F was defeated (47.9% - 52.1%) at the November 8, 2016 General Election.

Berkeley, Ballot Measure Y1 – Authorizes the Berkeley City Council to adopt an ordinance granting 16- and 17-year-olds the right to vote for the Berkeley Unified School District Board of Directors. Measure Y1 was approved (70.3% - 29.7%) at the November 8, 2016 General Election. As of this writing, Berkeley has yet to implement this ordinance.

Takoma Park and Hyattsville, Maryland Approve Lowered Voting Age

State policymakers and civic minded organizations have discussed efforts to lowering the voting age since 2000, and there have been dozens of legislative attempts in over 20 states to try to achieve this. In 2013, 16- and 17-year-olds in Takoma Park, Maryland became the first in the nation to receive the right to vote in local contests. In 2015 neighboring Hyattsville, Maryland, became the second municipality to allow 16- and 17-year-olds to vote in local contests. While overall the number of 16- and 17-year-olds who are registered to vote remains low in Takoma and Hyattsville, in the elections since the lowered voting age took place, both cities have seen those 16- and 17-year-olds who are registered to vote, turn out at higher rates than older votes. (October 2016 Case Study, Generation Citizen)

Civic Education in the Schools

State legislators throughout the country are working to pass policies that support quality civic education in schools that will create engaged citizens and lifelong voters. Many state policymakers are beginning to realize that robust civics programs must include real world engagement with the election and policymaking process. These policymakers are adopting policies that support youth suffrage in local elections and connect youth to the process while motivation is still high. These policies, when bundled with higher civics standards and assessments, could lead to a better, more enriching civics experience that continues to impact youth long after they receive their diploma.

California Task Force on K-12 Civic Learning

Formed by California Supreme Court Justice Tani G. Cantil-Sakauye and State Superintendent of Public Instruction Tom Torlakson, the California Task Force on K-12 Civic Learning crafted a set of draft recommendations for revitalizing K-12 civic learning in California. The Task Force used feedback from regional meetings to revise and finalize the recommendations presented in their report, "Revitalizing K-12 Civic Learning in California: a Blueprint for Action." The Power of Democracy Steering Committee was formed to guide and support the goals of the Task Force and will work to see that recommendations of the Task Force are implemented.

Secretary of State (SOS) Programs

As the chief elections officer for the state, the SOS administers and enforces elections laws. The SOS recently announced that California's online voter registration system can now accommodate preregistration by 16- and 17-year-olds. He is also granted authority to conduct voter outreach and voter education programs. Notable among these youth outreach and education efforts are the High School Voter Weeks, designated in the California Education Code as the last two full weeks in April and September.

California Student Mock Elections – The SOS and Superintendent of Public Instruction partner to invite high school and middle school students, teachers and principals to participate in the mock elections. The next mock elections will take place in the Fall of 2018, for the Gubernatorial General Election.

Memorandum of Understanding (MOU) - In a joint effort to give students an even greater voice in the democratic process, late last year the SOS and the University of California, California State University and the California Community Colleges signed their commitment to work together. The MOU encourages campuses to implement best practices which include: asking students during optimal time periods or via their student portals to register to vote, sending all-campus emails and notifications about the importance of voting before voter registration deadlines and elections, and implementing said practices for on-the-ground education and voter registration efforts on campus housing and other high-traffic areas on campus.

Student Poll Workers – County elections officials are always looking for volunteers on election day. Starting at age 16, high school students who are U.S. citizens, maintain a 2.5 grade point average, and have permission from their parent or guardian, and school can learn how elections are run while they earn money as a student poll worker on election day. Depending on where they live, students may be eligible for a stipend ranging from $65 to $150. To learn about the requirements to become a student poll worker and how to sign up, students are encouraged to contact their local county elections office.

Local Government

City and county youth commissions and councils provide opportunities for youth service and development and offer young people a means for their voices to be heard in local

government decision-making. A variety of programs engaging youth in government have provided students the opportunity to learn about local government, careers in local government, as well as learning how to advocate for community change. According to information gathered by the Institute for Local Government's Public Engagement program, more than 100 such commissions are at work throughout California. Youth commissions' work spans a wide range that include: making recommendations to the city council on youth-related issues and serving as liaisons to community groups (La Cañada Flintridge); working with the police department on a proposed curfew ordinance (Fremont); and hosting an annual mentor-protégé dinner to engage youth and adult leaders to partner on local issues (Pomona).

Role of Digital Media and Youth Civic Engagement

Given that young people are the most avid users of digital media throughout their daily lives, it could be concluded that digital media will be central to their civic lives as well. With civic life rapidly digitizing, a crucial component of teaching students the skills to engage as competent civic actors is teaching them how to engage in virtual spaces persuasively, critically, collectively, and before invisible audiences.

Non-Partisan Organizations

There are a multitude of outreach and engagement entities looking at the issue, identifying obstacles, and working toward practical solutions on the quest to lift the numbers of youth participating in the democratic process. Some of these organizations include the Center for Information and Research on Civic Learning & Engagement (CIRCLE), National Youth Rights Association, California Civic Engagement Project (CCEP), CALPIRG, FairVote, Common Cause, NextGen Climate and others.

Current Session Legislation

SB 135 (Dodd) - Pupil instruction: media literacy

Requires the State Board of Education, in the next revision of instructional materials or curriculum frameworks in social sciences for grades 1 to 12, inclusive, to include media literacy, as defined. The bill would require the State Department of Education to make available on its Internet Web site a list of resources and materials on media literacy and to ensure that media literacy training opportunities are made available for use in professional development programs for teachers. Referred to Senate Education Committee on 1/19/2017.

SB 596 (Stern) - Voting: youth participation and civic engagement

Declares the intent of the Legislature to enact legislation that develops a comprehensive policy that would civically empower the next generation of citizens in California. Introduced 2/17/2017.

AB 24 (Eggman) - Instructional programs: State Seal of Civic Engagement

Requires the State Board of Education, on or before January 1, 2019, to establish criteria for awarding a State Seal of Civic Engagement to pupils who have demonstrated

excellence in civics education and participation and have demonstrated an understanding of the United States Constitution, the California Constitution, and the democratic system of government. Referred to Assembly Education Committee on 1/19/2017.

AB 155 (Gomez) - Pupil instruction: civic online reasoning

Requires the Instructional Quality Commission to develop, and the state board to adopt, revised curriculum standards and frameworks for English language arts, mathematics, history-social science, and science that incorporate civic online reasoning. Defines civic online reasoning to mean the ability to judge the credibility and quality of information found on Internet Web sites, including social media. Referred to the Assembly Education Committee on 1/30/2017.

AB 617 (Gomez) – Pupil instruction: voter education and registration

Requires high school government and civics curriculum to include information on preregistering to vote and to provide pupils with the opportunity to preregister and register to vote. Referred to the Assembly Education Committee on 2/27/17.

ACA 10 (Low) – Elections: voter qualifications

Reduces the minimum voting age to 17. Introduced 3/6/17.

Prior Legislation

AB 2517 (Thurmond) - Voting age: school district governing board elections

Would have allowed a charter city to permit 16- and 17-year olds to vote in school district elections if those elections are governed by the city's charter. Testimony taken in Assembly Elections and Redistricting Committee with no further action 4/27/16.

ACA 2 (Mullin) – Elections: voting age

Would have permitted a person who is 17 years of age, and who will be 18 years old at the time of the next general election, to vote in any intervening primary or special election that occurs before the next general election. Died on the Assembly Inactive File 11/30/16.

ACA 7 (Gonzalez) - Voting age: school and community college district governing board elections

Would have allowed 16- and 17-year-olds to vote in school and community college district governing board elections by proposing a constitutional amendment to permit a United States citizen who is at least 16 years of age and a resident of California to vote in a school or community college district governing board election in which that person would be qualified to vote based on residence. Testimony taken in Assembly Elections and Redistricting Committee with no further action 6/5/16.

ACA 7 (Mullin) - Elections: voting age

Would have authorized a United States citizen who is 17 years of age, is a resident of the state, and will be at least 18 years of age at the time of the next general election to register to vote and to vote in that general election and in any intervening primary or special election that occurs after the person registers to vote. Died on suspense in Assembly Appropriations Committee 5/24/13.

ACA 2 (Furutani) – Elections: voting age

Would have allowed a person who is 17-years-old and who will be 18-years-old at the time of the next general election to register and vote in that general election and in any intervening primary or special election that occurs after the person registers to vote. Never taken up. Died on Assembly Floor 11/30/10.

AB 30 (Price) - Elections: voter registration

Allows a person who is 17 years of age to pre-register to vote, provided he or she would otherwise meet all eligibility requirements. Chapter 364, Statutes of 2009.

ACA 17 (Mullin) of 2005 and ACA 25 (Mullin) - Elections: voting age

Identical measures. Would have authorized a person who is at least 17 years of age and will be 18 years of age at the time of the next general election to register and vote at that general election and at any intervening federal, statewide, or local primary or special election that occurs after the person is eligible to register to vote. ACA 17 was never taken up and died on the Assembly Floor 8/29/05. ACA 25 originally failed passage on the Assembly Floor, was granted reconsideration, but died on the Assembly Inactive File 11/30/04.

AB 1911 (Wesson and Hertzberg) - Community service: high school graduation credits

Would have required school districts offering grades 9-12 to offer students the opportunity to enroll in courses that include service-learning activities for credit toward graduation. Died in Senate Appropriations 8/23/00.

Attachments

Attached are selected reports, briefs, white papers and factsheets related to youth/millennials and civic engagement.