

ALASKA STATE LEGISLATURE

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Senate Joint Resolution 9 Constitutional Amendment: Education Funding

Quick Reference

Purpose: The purpose of SJR 9 is to allow Alaskans to vote on amending their constitution to remove the prohibition of using public funds for the direct benefit of religious or private educational institutions.

Primary goals include:

- To ensure that current educational practices within the state are constitutionally sound
- To open the door for future discussions on the distribution of state funds for educational purposes
- To measure the voters thoughts regarding their public education system including educational funding for public/private partnerships

Main Issue: Children come from diverse backgrounds with very different learning styles and issues unique to their particular circumstance. As a result, no one approach to education can meet the unique needs of all Alaska's children.

- To meet the varied and diverse needs of our children, many school districts have added programs and approaches such as public homeschool programs, dual credit with colleges, residential boarding schools, and other opportunities.
- Through public homeschool/correspondence programs, numerous non-public education vendors are used to support a student's individual learning plan.
- The constitutionality of some of these programs and approaches are in question.
- Section 1, Article VII of the Alaska Constitution states in part: "No money shall be paid from public funds for the direct benefit of any religious or other private educational institution."
- The framers of our constitution intentionally chose not to prohibit the use of public funds for the *indirect benefit* to any religious or other private educational institutions.
- The Alaska Supreme Court has issued opinions that effectively disallow *indirect* funding.
- The court's interpretation calls into question current practices enjoyed by many Alaska students.
- In order to protect these practices and approaches, as well as to add more public/private partnerships, language in the constitution needs to be changed.

What Does SJR 9 Do? SJR 9, if passed by the voters, in and of itself creates no program.

- Passage of this constitutional amendment merely allows current practices to continue.
- Contrary to what some believe, SJR 9 DOES NOT create a program, including a voucher program.
- In order for a program to occur, the legislature would have to create such a program.

Alaskans want choices in education. Alaskans want the opportunity to vote on their constitution. Alaskans need to be given this opportunity.