



Alaska Senate Joint Resolution 9

SENATOR MIKE DUNLEAVY

MARCH 13, 2013

Issue

- ▶ Alaska State Constitution prohibits public funds going to private or religious educational service providers
- ▶ Over the decades public/private partnerships have expanded to meet the needs of a diverse population through the purchase of educational services from service providers
- ▶ These partnerships and associated practices could be construed to be unconstitutional
- ▶ Issue of constitutionality can only be determined by the courts, or we can change our constitutional language to align with our practices

Alaska's Constitution

- ▶ Article 7, Section 1

- ▶ The legislature shall by general law establish and maintain a system of public schools open to all children of the State, and may provide for other public educational institutions. Schools and institutions so established shall be free from sectarian control. **No money shall be paid from public funds for the direct benefit of any religious or other private educational institution.**

- ▶ Article 9, Section 6

- ▶ No tax shall be levied, or appropriation of public money made, or public property transferred, nor shall the public credit be used, except for a public purpose.



SJR9 “What does it do?”

- ▶ If resolution does not pass both bodies, it dies
- ▶ If resolution is passed by 2/3 majority of each body, it goes on the ballot as a ballot proposition for a constitutional amendment in the 2014 general election
- ▶ If constitutional amendment passes by a majority of the voters, constitutional language is replaced and added to the constitution
 - ▶ If passed by the voters, allows current practices and current private/public partnerships to continue to serve Alaskans
- ▶ If constitutional amendment does not get approved by the voters, it dies

History of Alaska Education

- ▶ 20 years from 1867 to 1884
 - ▶ US government provided no education
 - ▶ Provided by mission societies of American churches, Russian Orthodox schools, Alaska Commercial Company on Pribilof Islands, and Sitka city
- ▶ 9 years from 1885 to 1894
 - ▶ US Bureau Education maintained some public schools
 - ▶ “Contract Schools” with Catholic, Episcopal, Methodist, Moravian, etc.
 - ▶ Government support withdrawn in 1894
- ▶ 1900 to 1905 established dual system of education (federal and territorial); more or less until 1965
 - ▶ Territorial system including local school districts in incorporated towns
 - ▶ Federal system of schools outside incorporated towns, primarily for Natives

Alaska School Models (historical)

Borough/City
Schools

Faith-Based
Schools

State-
Operated BIA
Schools
(boarding)

Family Home
Schools

Mission
Schools

Correspondence
Schools

Private
Schools

Public Education System

Alaska DEED

Today

Borough/City Schools

REAA Schools

Correspondence-
Home Schools

Charter Schools

Boarding Schools

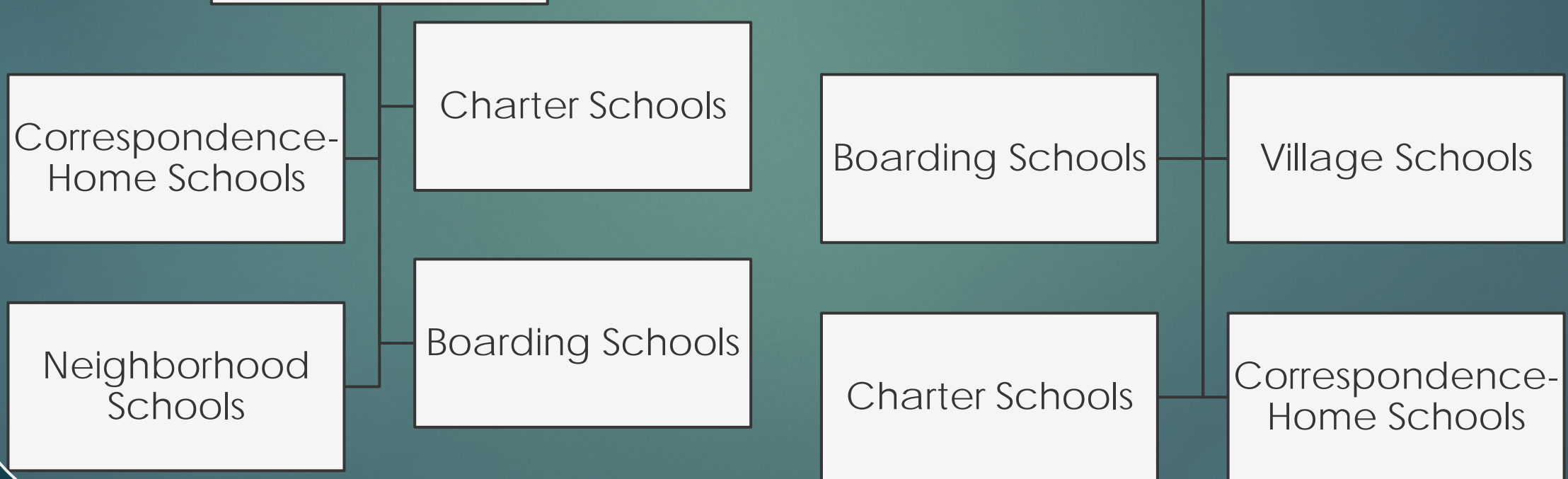
Village Schools

Neighborhood
Schools

Boarding Schools

Charter Schools

Correspondence-
Home Schools



Public Education System

Alaska DEED

Borough/City Schools

REAA Schools

Correspondence-Home Schools

Charter Schools

Boarding Schools

Village Schools

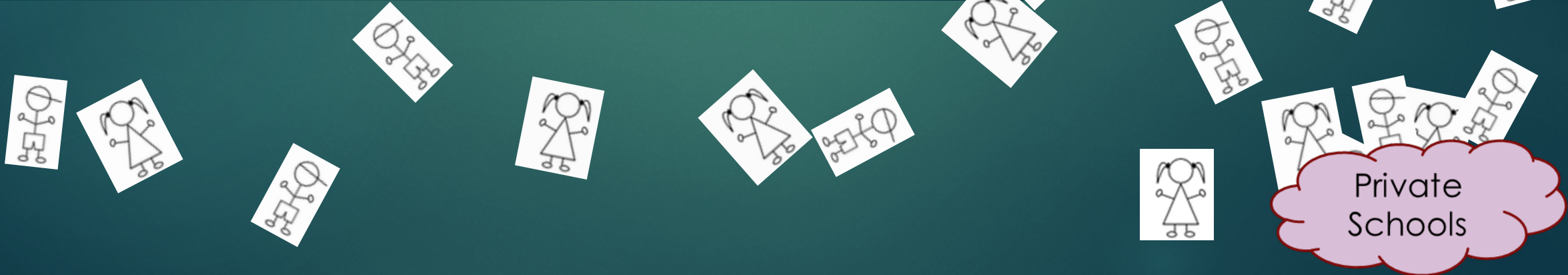
Neighborhood Schools

Boarding Schools

Charter Schools

Correspondence-Home Schools

Private Schools



Public Education System

Alaska DEED

US Dept of Education

Borough/City Schools

REAA Schools

Correspondence-Home Schools

Charter Schools

Boarding Schools

Village Schools

Neighborhood Schools

Boarding Schools

Charter Schools

Correspondence-Home Schools

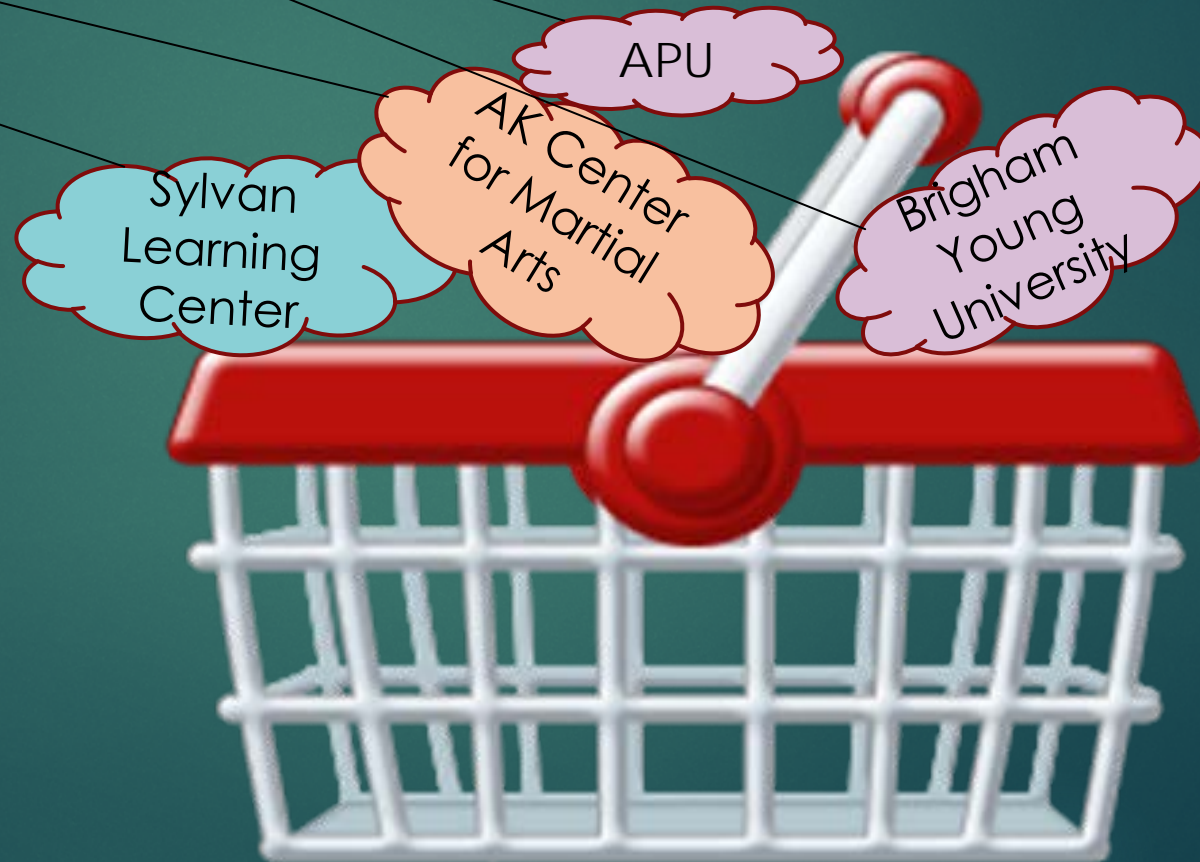
Public-Private partnerships

Private Schools



Public-Private Partnerships

Correspondence-
Home School
Individual Learning
Plan (ILP)



Are the following constitutional?

- ▶ Can a 15-year-old student use public education funds to purchase courses through an allotment (voucher, scholarship, tuition, etc.) process from a public university to support their educational plan?
- ▶ ...from a private religious university?
- ▶ Can a 19-year-old do the same?
- ▶ Can a 12-year-old student purchase a distance-delivered course in math from a national online educational service provider to support their public education learning plan?
- ▶can the same 12-year-old purchase a Latin course from a private religious school to support their public education learning plan?

In Violation?



Examples

- ▶ A+ In-Home Tutoring
- ▶ Alaska Center for the Martial Arts
- ▶ Alaska Engineering Academies
- ▶ Alaska Learning Labs
- ▶ Alaska Pacific University
- ▶ Brain Hurricane, LLC
- ▶ Challenger Learning Center of Alaska
- ▶ Math Savvy Institute
- ▶ Northern Industrial Training
- ▶ Sylvan Learning Center
- ▶ Southeast Alaska Guide Association
- ▶ Turning Leaf Literacy Center

Charter Schools

- ▶ Charter School Act of 1995
 - ▶ Initial law allowed for 30 schools
 - ▶ In 2001, this was raised to 60 schools
 - ▶ In 2010, the limit of 60 charter schools was amended to NO LIMIT
 - ▶ Today there are 4617 students in charters in 13 Alaskan communities
- ▶ Ten years ago, charter schools were 2.9% of all Alaska public schools; today, charters are 5.3% of all public schools



Correspondence Schools

- ▶ Alaska Centralized Correspondence Study Program
 - ▶ Established in 1938 for rural Alaska
 - ▶ 1975 expanded to all K-12 students in Alaska
 - ▶ Enrollment quadrupled in next 13 years
 - ▶ Actually airdropped materials to rural students
- ▶ Today, there are **11,153** students in 27 correspondence schools in 26 communities in Alaska



IDEA



- ▶ Interior Distance Education of Alaska
 - ▶ Statewide homeschool program (part of Galena City School District)
 - ▶ Started in 1997 – enrolled 1157 students first year
 - ▶ Today 3400 students in nearly every community/village of Alaska



What SJR9 DOES NOT do

- ▶ It does not create a voucher program
- ▶ It does not transfer public funds to private/religious schools
- ▶ It does not DO ANYTHING in and by itself

What about...?

- ▶ The focus for some has been on vouchers
- ▶ The focus for some has been potential loss of public funding to our system
- ▶ The focus for some has been on private or religious schools
- ▶ The focus for me has been the constitutionality of what we are currently doing, and if and how we can expand our public/private partnerships

If you amend the constitution....

- ▶doesn't it create vouchers?
- ▶does it fund private and religious schools?
- ▶can it create a religious school?

Changing the constitution

- ▶ Issue

- ▶ Do existing and potential public/private partnerships using public educational funding violate the constitution?

- ▶ Solutions

- ▶ Do nothing and continue practices and hope such practices are constitutional and do not get challenged in court
 - ▶ Ask Alaskans if they wish to amend their constitution to maintain and expand current public/private educational partnerships

Let The People Decide

- ▶ Let the people of Alaska decide this issue
- ▶ By voting to move this issue to the ballot, you allow them to make a decision that will impact them and their families directly
- ▶ Let them decide if they wish to change their constitution to continue practices many of them have benefited from or . . .
 - ▶ . . .let them decide to not change their constitution if they so choose, but let THEM, the people of Alaska decide, the people whom the constitution belongs to regarding THEIR public education system

DON'T DENY THE PEOPLE OF ALASKA THEIR VOICE TO WEIGH IN ON THIS VERY IMPORTANT ISSUE.