

LEGAL SERVICES

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MEMORANDUM

February 10, 2015

SUBJECT: Amendment to American constitutionalism bill
(HB 30; Work Order No. 29-LS0186\A.1)

TO: Representative Wes Keller
Attn: Jim Pound

FROM: Kate S. Glover
Legislative Counsel

You have requested an opinion regarding a proposed amendment to HB 30. In my opinion, the amendment, work order no. 29-LS0186\A.1, does not make any substantive changes to the content or intent of the bill.

HB 30 requires school districts to include a segment regarding American constitutionalism in their curricula. The amendment specifies that this curriculum segment "may be taught as part of a course already required by the governing body of the school district." However, nothing in the language of HB 30, without the amendment, would require the American constitutionalism curriculum to be taught as a stand-alone course. Rather, proposed AS 14.14.095(b) specifies that a student must "successfully complete the course in which the curriculum segment described in (a) of this section is contained" to be eligible for a diploma. The constitutionalism segment is considered a part of another course, not a separate course. Likewise, proposed AS 14.14.095(a) refers to this component as "a syllabus for a curriculum segment[,]" not an independent course requirement. It seems clear from this language that the segment on American constitutionalism is intended to be taught as a part of another class, not to create an entirely separate class.

If I may be of further assistance, please advise.

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