



THE STATE
of **ALASKA**
STATE LEGISLATURE

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Sponsor Statement

HJR 28 CONST. AM: EDUCATION FUNDING

"Proposing amendments to the Constitution of the State of Alaska relating to using public funds for education."

HJR 28 stands as a beacon of hope amidst the recent turmoil in our educational landscape. In response to a concerning Superior Court ruling that threatens the educational funding of over 22,000 students, this House Judiciary Committee resolution emerges as a potential lifeline.

HJR 28 addresses the language within the Alaska Constitution cited by the Superior Court when it struck down the state statutes which is the framework for the correspondence program. If this situation is left unaddressed and this interpretation is adopted by the Alaska Supreme Court, it could have far-reaching implications for education funding across the state, jeopardizing a variety of programs including the Alaska Performance Scholarship Program which provides funding for students to attend private institutions, public schools partnering with private institutions for Concurrent Enrollment programs and technical education, and schools contracting with a variety of other private organizations for outside educational services.

This language in our Constitution, as interpreted by this court, is also a threat to the First Amendment rights of Alaskans. Recent Supreme Court rulings, such as *Trinity Lutheran Church v. Comer* (2017), *Espinoza v. Montana Department of Revenue* (2020), and *Carson v. Makin* (2022), have unequivocally affirmed the rights of religious organizations in public benefit programs. Yet, archaic interpretations of the Establishment Clause persist, unjustly excluding religious institutions from government-funded programs.

HJR 28 seeks to align Alaska's constitution with the protection enshrined in the U.S. Constitution, ensuring that public funds can benefit all Alaskans seeking educational opportunities. This amendment isn't just about legality—it's about fairness, choice, and the empowerment of every Alaskan in shaping the future of education in our great state.

Should HJR 28 pass through both legislative bodies, it will go to the voters, as a proposed amendment in the upcoming general election. This ballot proposal allows the voters the opportunity to have a say in how public funds are utilized for education, guaranteeing that the voice of every Alaskan is heard in charting the course of our educational journey.

HJR 28, opens the opportunity to construct a system that ensures that every child has access to quality education and every family has the freedom to choose what's best for their future. Together, we can pave the way for a brighter, more adaptable educational landscape in Alaska.