

**ALASKA STATE LEGISLATURE  
HOUSE EDUCATION STANDING COMMITTEE**

February 6, 2015

8:05 a.m.

**MEMBERS PRESENT**

Representative Wes Keller, Chair  
Representative Lora Reinbold, Vice Chair (via teleconference)  
Representative Jim Colver  
Representative Paul Seaton  
Representative Harriet Drummond  
Representative Jonathan Kreiss-Tomkins

**MEMBERS ABSENT**

Representative Liz Vazquez

**COMMITTEE CALENDAR**

HOUSE CONCURRENT RESOLUTION NO. 2

"Designating January 25 - 31, 2015, as Alaska School Choice Week."

- MOVED CSHCR 2(EDC) OUT OF COMMITTEE

HOUSE BILL NO. 30

"An Act requiring school districts to develop and require completion of a history of American constitutionalism curriculum segment; and providing for an effective date."

- HEARD & HELD

PRESENTATION: ALASKA POSTSECONDARY EDUCATION COMMISSION ON THE ALASKA NAVIGATOR: STATEWIDE WORKFORCE & EDUCATION RELATED STATISTICS (ANSWERS) PROGRAM.

- REMOVED FROM AGENDA

**PREVIOUS COMMITTEE ACTION**

BILL: HCR 2

SHORT TITLE: AK SCHOOL CHOICE WEEK

SPONSOR(S): REPRESENTATIVE(S) GATTIS

01/26/15	(H)	READ THE FIRST TIME - REFERRALS
01/26/15	(H)	EDC

02/04/15 (H) EDC AT 8:00 AM CAPITOL 106  
02/04/15 (H) Heard & Held  
02/04/15 (H) MINUTE(EDC)  
02/06/15 (H) EDC AT 8:00 AM CAPITOL 106

BILL: HB 30

SHORT TITLE: CONSTITUTIONAL HISTORY CURRICULUM

SPONSOR(S): REPRESENTATIVE(S) KELLER, SADDLER, LYNN

01/21/15 (H) PREFILE RELEASED 1/9/15  
01/21/15 (H) READ THE FIRST TIME - REFERRALS  
01/21/15 (H) EDC, FIN  
02/04/15 (H) EDC AT 8:00 AM CAPITOL 106  
02/04/15 (H) Heard & Held  
02/04/15 (H) MINUTE(EDC)  
02/06/15 (H) EDC AT 8:00 AM CAPITOL 106

**WITNESS REGISTER**

REPRESENTATIVE LYNN GATTIS

Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** Testified as the prime sponsor of HCR 2.

DREW FORD, Staff

Representative Lynn Gattis

Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** On behalf of the prime sponsor, Representative Lynn Gattis, outlined the changes in the proposed committee substitute (CS) for HCR 2.

JIM POUND, Staff

Representative Wes Keller

Alaska State Legislature

Juneau, Alaska

**POSITION STATEMENT:** Answered questions on behalf of one of the joint prime sponsors, Representative Wes Keller, during the discussion of HB 30.

STUART THOMPSON

Wasilla, Alaska

**POSITION STATEMENT:** Testified in support of HB 30.

BOB BIRD

Soldotna, Alaska

**POSITION STATEMENT:** Testified during the discussion of HB 30.

CHRISTINE HUTCHISON  
Kenai, Alaska

**POSITION STATEMENT:** Testified in support of HB 30.

BARBARA HANEY  
North Pole, Alaska

**POSITION STATEMENT:** Testified in support of HB 30.

**ACTION NARRATIVE**

[8:05:28 AM](#)

**CHAIR WES KELLER** called the House Education Standing Committee meeting to order at 8:05 a.m. Representatives Seaton, Drummond, Kreiss-Tomkins, Reinbold (via teleconference), and Keller were present at the call to order. Representative Colver arrived as the meeting was in progress.

**HCR 2-AK SCHOOL CHOICE WEEK**

[8:06:20 AM](#)

CHAIR KELLER announced that the first order of business would be HOUSE CONCURRENT RESOLUTION NO. 2, Designating January 25 - 31, 2015, as Alaska School Choice Week.

[8:07:09 AM](#)

REPRESENTATIVE LYNN GATTIS, Alaska State Legislature, deferred to staff to explain the proposed committee substitute (CS) for HCR 2.

[8:07:23 AM](#)

DREW FORD, Staff, Representative Lynn Gattis, Alaska State Legislature, offered to review the changes in the proposed committee substitute (CS) for HCR 2. He detailed the changes in the proposed committee substitute: On page 1, line 1, delete "January 25 - 31, 2015" and insert "January 24 - 30, 2016" and on page 2, lines 6-7, delete "25-31, 2015" and insert "24 -30, 2016". He reported that these dates reflect Sunday through Saturday.

[8:07:58 AM](#)

REPRESENTATIVE SEATON moved to adopt the proposed committee substitute (CS) for HCR 2, labeled 29-LS0402\W, Glover, 2/5/15, as the working document. There being no objection, Version W was before the committee.

[8:08:22 AM](#)

CHAIR KELLER opened public testimony on HCR 2. After first determining no one wished to testify, Chair Keller closed public testimony on HCR 2.

[8:08:47 AM](#)

REPRESENTATIVE SEATON said that he has received a number of communications from his district requesting clarification that HCR 2 would not commit any state funds to vouchers. He recalled discussions at the last committee hearing that confirmed this, and the sponsor also agreed. He further recalled the sponsor indicated the intent of HCR 2 is to recognize Alaska supports school choice and parents should have the choice to send their children to schools of their choice, as well as the choice to home school their children. The accountability for the schooling rests on parents and although the resolution doesn't negate the state's accountability, the choice for education is transferred from the home school to the parents themselves. Since this [resolution] does not in any way promote using state resources for anything except public education he is very comfortable with Version W, he said.

[8:10:23 AM](#)

CHAIR KELLER remarked he is very certain anyone involved in education in Alaska would agree that it is in the best interest of the state that every child should receive a "super" education and have access to it. Public funds are fine-tuned and the subject of contention, but what is not in contention is that the [committee] supports every child in Alaska having access to a good education.

REPRESENTATIVE SEATON acknowledged that he fully agreed that the demarcation point is making sure the accountability for that good and sufficient education rests with the parent stimulating, permitting, or choosing the specific educational system [for their child]; therefore accountability is key throughout the educational process. He did not think there was any disagreement on accountability.

[8:11:47 AM](#)

CHAIR KELLER, recalling the last hearing on HCR 2, said that accountability on the education process ultimately rests with the parents. However, he suggested that Representative Seaton's point is related to the accountability that state has when it [appropriates] funds to various programs. He acknowledged tension exists, but that is not the point of the resolution. The intent of [Version W] is to recognize that parents have a choice, and it is the parents' responsibility - and they are accountable - for their children's education.

REPRESENTATIVE SEATON responded that he fully agrees and that is his position, as well.

[8:12:50 AM](#)

REPRESENTATIVE DRUMMOND said the Anchorage School District has numerous charter schools and a multitude of optional programs as well as alternative programs. All of the programs of choice encourage the public to an annual celebration of choice. She wondered if the committee is ignoring the optional and alternative programs by not including them, perhaps after "traditional public" and prior to "public charter schools."

[8:13:48 AM](#)

CHAIR KELLER suggested that changes to the resolution would be "on the fly." He expressed concern that the resolution might be set aside again since listing all of the choices each district has would be an impossible task. He acknowledged that the Matanuska-Susitna Borough school district has excellent choices for children. For example, the Matanuska-Susitna Central School uses fiber optics to allow online courses to be used for students being home schooled. He did not see the purpose since most school districts [offer numerous choices]. He did not object to an amendment being offered, but he was hesitant that it would achieve the intended purpose.

[8:14:47 AM](#)

REPRESENTATIVE DRUMMOND moved to adopt Amendment 1, as follows: [On page 1, line 9,] adding the word "optional," between "public schools" and "public charter schools."

[8:15:57 AM](#)

REPRESENTATIVE DRUMMOND referred to page 1, line 9, the word "optional" followed by a "," before "public charter schools."

REPRESENTATIVE DRUMMOND read, "Whereas the state has a multitude of high quality traditional public schools, optional ...." She interjected it should read "optional public schools", public charter schools, and nonpublic schools, as well as families who educate their children in the home; and". She asked whether she should amend or withdraw her motion.

CHAIR KELLER asked her to proceed and to restate her motion.

REPRESENTATIVE DRUMMOND restated Amendment 1, as follows:

Whereas the state has a multitude of high quality traditional public schools, optional public schools, public charter schools, and nonpublic schools, as well as families who educate their children in the home;

[8:16:13 AM](#)

CHAIR KELLER objected for the purpose of discussion. He asked the sponsor to comment on Amendment 1.

[8:16:31 AM](#)

REPRESENTATIVE GATTIS explained that [HCR 2] recognizes parental choice so whether the schools are optional, charter, or lottery, it really goes back to the parental right to choose. Certainly, numerous categories of schools could be added, but the gist of the resolution is to recognize that parents have the right to choose. As sponsor, she does not have any issue with adding more schools, she said.

[8:17:18 AM](#)

REPRESENTATIVE SEATON expressed concern with the consistency of the language of Amendment 1, stating he thinks it should be "optional public schools" since the rest of the list is "public schools, charter schools, and nonpublic schools" so "schools" is included in each phrase in the clause. He thought that "optional public" would need to be modified to "optional public schools" for the purpose of consistency. He acknowledged that Legislative Legal Services would likely reframe the language to maintain consistency in proposed [Amendment 1]. He suggested the language in Amendment 1 should be consistent.

[8:18:13 AM](#)

CHAIR KELLER maintained his objection to Amendment 1 as he did not understand the need. He surmised that if the committee were to request a conceptual amendment that Legislative Legal Service would ask to identify the point of the conceptual amendment. He stated that public schools by definition are optional to all parents. Therefore, Amendment 1 seems confusing to him, he said.

[8:18:21 AM](#)

REPRESENTATIVE DRUMMOND, speaking from her experience as a former three-term Anchorage School Board member, said the optional programs are indeed optional, are accessible by lottery to any parents, and have been in place for decades in the Anchorage School District (ASD). In fact, she thought the ASD offered the first options for schools of choice in the state. Since dozens of optional school choices are available in the district, she would find [Version W] objectionable if the ASD's optional programs are not recognized.

[8:19:12 AM](#)

CHAIR KELLER asked whether the implication is that some programs are not optional.

REPRESENTATIVE DRUMMOND answered no, but the optional programs are not "neighborhood schools" and are only accessible through the lottery program, as are the charter school programs that were instituted in the Anchorage School District in the 1990s.

REPRESENTATIVE GATTIS offered her belief that many districts use different language to describe schools such as lottery school; however, the term "neighborhood school" is also not in statute but is commonly known. She was unsure whether the term "optional school" is in statute, but [the resolution] is ultimately about parents being able to choose the school. She did not object to the language "optional."

[8:20:34 AM](#)

REPRESENTATIVE SEATON related that besides traditional public schools, the system includes alternative public schools, alternative high schools, and vocational technical schools, which may not be considered as traditional schools. He suggested that they might be considered alternative or optional

schools. Thus, adding the language [in Amendment 1] would probably give a greater breadth of inclusion of schools instead of looking just at traditional public schools and charter schools. Since the sponsor doesn't object to the category being broader than traditional schools, he thinks would be helpful as the resolution moves forward.

[8:22:21 AM](#)

REPRESENTATIVE SEATON moved to amend Amendment 1, by adding "schools" after "optional public" for the purpose of consistency.

[8:22:35 AM](#)

CHAIR KELLER responded that he didn't understand [the proposed amendment to Amendment 1]. He read Amendment 1, as he understood it as follows, "Whereas the state has a multitude of high quality traditional" and the amendment adds, the word "optional" then "public schools, public charter schools, nonpublic schools, as well as families who educate their children in the home;". He asked for further clarification on where he wanted to place "schools."

[8:22:57 AM](#)

REPRESENTATIVE SEATON thought that "optional public" was inserted after the "," as another classification of schools.

REPRESENTATIVE DRUMMOND thought she had included the word "schools."

[8:23:15 AM](#)

REPRESENTATIVE SEATON said he was uncertain about the language, whether it was written as, "traditional public" then adding a new "," followed by "optional public schools" or if it comes after the "," and reads, ", optional public" then it would need the word "schools" inserted.

[8:23:40 AM](#)

CHAIR KELLER asked to have Amendment 1 clearly stated on the record since the committee will not pass a conceptual amendment. He asked to have Amendment 1 restated.

[8:24:06 AM](#)

REPRESENTATIVE DRUMMOND offered to read the "whereas clause," including the language in Amendment 1, as follows:

Whereas the state has a multitude of high quality traditional public schools, optional public schools, public charter schools, and nonpublic schools, as well as families who educate their children in the home [;]

[8:24:27 AM](#)

CHAIR KELLER asked whether the sponsor agreed with Amendment 1.

REPRESENTATIVE GATTIS answered yes.

[8:24:40 AM](#)

REPRESENTATIVE SEATON withdrew the amendment to Amendment 1.

[8:24:52 AM](#)

CHAIR KELLER restated that Amendment 1 makes changes on page 1, line 9, as follows:

Whereas the state has a multitude of high quality traditional public schools, optional schools, public charter schools, and nonpublic schools, as well as families who educate their children in the home; and

[8:25:32 AM](#)

REPRESENTATIVE DRUMMOND said that she believed that the word "public" was omitted between "optional" and "schools" so it should read "optional public schools".

[8:25:58 AM](#)

CHAIR KELLER offered his belief that amendments are conceptual amendments since the Legislative Legal attorneys can revise the language. He asked to repeat the language, such that Amendment 1 makes changes on page 1, line 9, as follows:

Whereas the state has a multitude of high quality traditional public schools, optional public schools, public charter schools, and nonpublic schools, as well as [families who educate their children in the home; and]

REPRESENTATIVE DRUMMOND agreed that [the whereas clause was correct].

CHAIR KELLER removed his objection. There being no further objection, Amendment 1 was adopted.

[8:26:45 AM](#)

REPRESENTATIVE SEATON moved to report the proposed committee substitute (CS) for HCR 2, labeled 29-LS0402\W, Glover, 2/5/15, as amended, out of committee with individual recommendations and the accompanying fiscal note. There being no objection, CSHCR 2 (EDC) was reported from the House Education Standing Committee.

[8:27:19 AM](#)

The committee took an at-ease from 8:27 a.m. to 8:28 a.m.

### **HB 30-CONSTITUTIONAL HISTORY CURRICULUM**

[8:28:34 AM](#)

CHAIR KELLER announced that the final order of business would be HOUSE BILL NO. 30, "An Act requiring school districts to develop and require completion of a history of American constitutionalism curriculum segment; and providing for an effective date."

[8:28:48 AM](#)

CHAIR KELLER recapped HB 30, stating that this bill would require school districts to include a segment of curriculum as a history requirement that teaches the values the founding fathers had in mind at the time that the Declaration of Independence was written, such as the Articles of Confederation and early founding documents that were written in an approximate 15-year period. He clarified that this bill does not require that teachers advocate for the values, but that the curriculum review and understand the values when our country was founded. It would be inappropriate to go beyond that, he said. He offered his belief that understanding the values that caused our country to happen is very important and should be part of every child's education.

CHAIR KELLER said he personally believes that American constitutionalism provides a level of freedom for mankind, which

he finds to be the biggest gift to the world, emphasizing the importance of rights and responsibilities. Although this is very important, he also does not want to imply that the schools and school districts are not currently doing this. He corrected this saying he actually believe the schools aren't doing an adequate job or he wouldn't bring the bill forward; however, he is quick to acknowledge that there are super schools that are addressing this. He recalled a class called in from Houston, Alaska, last year, who were very knowledgeable on the subject. The implication is that the legislature should monitor this to ensure that this curriculum is taught in all of our schools so students have an understanding of how government works. He didn't think anyone would argue that somehow [the schools] have lost some basic civics and the general public is sometimes apathetic, not being able to identify their elected officials.

[8:32:09 AM](#)

CHAIR KELLER referred members to Section 3 of HB 30, which read, as follows:

(a) The chief school administrator of a school district shall develop and submit to the governing body of a school district for approval a syllabus for a curriculum segment in the history of American constitutionalism to be taught to all students [in the enrolled in the district. An approved syllabus must ensure a student's understanding of the history of American constitutionalism as portrayed in the Declaration of Independence, the first state constitutions, the Articles of Confederation, the Constitution of the United States, the Federalist Papers, the Bill of Rights, and other historical documents produced in the founding of our constitutional republic model of government.

(b) A district may not issue a secondary school diploma to a student who does not successfully complete the course in which the curriculum segment described in (a) of this section is contained. A school district may not grant a waiver of this requirement.

[8:33:28 AM](#)

CHAIR KELLER emphasized that the curriculum segment can be inserted in existing courses. As sponsor, his intent is that

the district has the option to include the curriculum segment in a history, civics, or other course, but must contain a curriculum segment in the history of American constitutionalism. The state would not require testing, he said. Instead, districts must put the curriculum in place and be satisfied that students have successfully completed the curriculum to the district's standards so it does not create an imposition on the testing program. He said this would be considered a mandate since the statute will require every student to receive and pass the curriculum segment in the history of American constitutionalism.

[8:35:04 AM](#)

CHAIR KELLER said that Commissioner Hanley brought to his attention that under the bill a waiver may not be granted as to whether a student has successfully completed the curriculum; however, it leaves authority with the district. He recalled that [waiver language] was in prior bills on this subject.

[8:35:48 AM](#)

REPRESENTATIVE SEATON referred to page 2, line 16 of HB 30, and asked whether any other provisions in statute require the chief administrator to develop the curriculum and syllabus. He did not think this represents the normal method of developing curricula in schools. He asked whether bill will create a different model for local schools in terms of their ability to have local control over their curriculum to teach the standards.

[8:36:47 AM](#)

CHAIR KELLER, as sponsor, said the intent is to have the curriculum segment developed like any other curriculum segment, and the legislature has given the districts the responsibility. He said some districts use committees to evaluate their curriculum. He did not envision that a new model would be used to implement the American constitutionalism segment in a district's curriculum. The language is designed to ensure that the superintendent is responsible for getting this done, but in his view the superintendent could delegate this to an appropriate entity within a committee.

[8:37:49 AM](#)

JIM POUND, Staff, Representative Wes Keller, Alaska State Legislature, on behalf of one of the joint prime sponsors,

agreed that most districts operate from their superintendent or school administrator who provide the curriculum. He offered that saying one individual writes the curriculum is like saying one person writes a bill and that doesn't really happen. Instead, it is a delegated authority, he said.

8:38:28 AM

REPRESENTATIVE SEATON stated his interest is for the structure of the bill to parallel the current process. Currently, local school boards control curriculum, but the bill elevates that specific charge to a school chief administrator who will develop the curriculum segment and submit it to the school board for approval. He asked whether the sponsor will consider another process, such as the school board approving what the chief administrator has developed instead of requiring the local district as the school board to develop the curriculum for the school. He pointed out the language in the bill doesn't seem to parallel the current process.

8:39:36 AM

CHAIR KELLER, speaking as sponsor of HB 30, said it is not his intent to develop a new process for this bill. While it states the "chief school administrator shall develop" it also adds "and submit to the governing body of a school district for approval a syllabus for a curriculum segment in the history of American constitutionalism ...." The pattern exists, he offered, and he believes it's appropriate to place the responsibility on the on the superintendent, but he would consider a suggested change to the language.

8:40:25 AM

REPRESENTATIVE DRUMMOND said she was a little confused since Section 3 of the sponsor's memorandum [of January 21, 2015 provides a sectional analysis for HB 30] and reads, "Local school districts will establish a one semester course and final exam that represents one-half credit during the senior year of high school ...." She referred to page 2, line 15 of HB 30, [to proposed Sec. 14.14.095], that refers throughout to a curriculum segment and the course. She referred to page 2, line 26, which read, "the course in which a curriculum segment described in (a) of this section is contained." Thus, the memo does not appear to represent the language in HB 30 in its current form. She related her understanding that the sponsor's intent is to simply add to the existing history curriculum that the school districts

are already presenting, but it would not add a one semester course.

MR. POUND answered that it was an error on his part and the language has been deleted from new sectional. He acknowledged that members did not yet have the new sectional analysis, but the language relating to the senior year has been deleted.

CHAIR KELLER appreciated his staff taking responsibility; however, he characterized this bill as being "a perfect bill" since it has been previously vetted. He remarked that the paperwork just hasn't kept up with the vetting.

REPRESENTATIVE DRUMMOND wanted to be sure the memo is not part of the record. She related her understanding that that the sponsor's bill recommends a curriculum segment related to the history of the country as part of the curriculum.

CHAIR KELLER responded that the sectional analysis will be updated to match the language in the bill.

[8:43:16 AM](#)

REPRESENTATIVE DRUMMOND referred to line page 2, line [16-17], which read, "the chief school administrator of a school district shall develop and submit to the governing body of a school district for approval a syllabus for a curriculum segment in the history of American constitutionalism ...." She asked for further clarification on what will happen if the governing body chooses not to approve it.

CHAIR KELLER remarked that the bill doesn't get to that level. He assumed local school district would work it out. He did not think this introduces confusion. He agreed that if the syllabus wasn't approved there will be trouble under subsection (b), since the district can't issue a diploma unless the district can establishing that the requirement has been met. He offered that the school district will likely be motivated to go through the process required to get the approval.

[8:44:46 AM](#)

REPRESENTATIVE REINBOLD stated that she had a couple questions on the resolution, but she had issues with the audio. She said she is listening to the hearing.

[8:45:06 AM](#)

REPRESENTATIVE SEATON referred to page 2, line 19, which read, "An approved syllabus must ensure a student's understanding of the history of American constitutionalism ...." On page 2, line 27-28, reads, "A school district may not grant a waiver of this requirement." He was trying to understand how these requirements will be met without requiring an assessment. He recalled the sponsor indicating each school district did not need to grant a waiver because there isn't any requirement for a test. He surmised that that teachers ensure students understand the history by using the syllabus; however, he also recognized that this provision adds a "high stakes" graduation requirement that cannot be waived. He envisioned a district would provide a one week or other segment of the aforementioned curriculum, verify that all students attended the class, and thereby satisfy the criteria and be eligible for graduation. He said the parameters seem to be somewhat in conflict.

CHAIR KELLER answered that the syllabus outlines the course. He said, the language will "ensure a student's understanding of the history" is written from a perspective of a teacher. He envisioned that teachers will give an initial oral or written test, use lesson plans, and test students to determine if the teacher has been successful or not. He referred to page 2, line 26, to the standard for the district, which requires successful completion of the course. He offered his belief the language in HB 30 is clear, but was open to considering language that would further clarify the bill.

[8:48:58 AM](#)

REPRESENTATIVE SEATON asked whether the syllabus is required to ensure that the student has had access to material for that portion of the course. Since districts cannot grant waivers, it means that students must successfully complete or attend the course but won't be required to demonstrate any particular knowledge related to the syllabus.

CHAIR KELLER replied that he couldn't imagine any caring teacher wanting to [pass students who don't understand the material] but it's possible in any program to fill out forms or reports to slide through requirements in state law; however, he is operating under the presumption that teachers, students, and parents, in good faith, want [American constitutionalism] to be taught in Alaska's schools. He said he is not concerned that a district might just "check a box" that the student attended the class every day, but of course, it is possible.

8:50:18 AM

REPRESENTATIVE SEATON expressed concern, in part, due to the number of special education students. Since HB 30 has an explicit provision that districts cannot grant waivers to this section, he wanted to ensure that the sponsor's intention is that all students must demonstrate a certain level of understanding of the material, including special education students and English [as a second] language students. He understood the sponsor's intent is to allow districts the latitude to determine how students demonstrate completion of a course, which is acceptable within the parameters of this bill.

CHAIR KELLER said that is the way he understands it.

REPRESENTATIVE REINBOLD, in response to a question, said she did not have any questions.

8:51:37 AM

CHAIR KELLER opened public testimony on HB 30.

8:52:13 AM

STUART THOMPSON read his testimony, as follows [original punctuation provided]:

Greetings to the Chairman and all members of the House Education Committee. I speak for myself, a District 8 citizen, for passage of HB 30 Constitutional History Curriculum. I pray for committee compassion. Despite hours of struggle, my prepared testimony still lasts 3 and a half minutes. Hearing Chairman, may I still testify? Thank you. Start of my testimony.

8:52:47 AM

MR. THOMPSON continued reading his written testimony, as follows [original punctuation provided]:

It's a well known concept that knowledge enables competent change and problem solving. It follows that chronic state and national problems, or propagandadriven solutions that rebound with grosser problems, or no verifiable/satisfactory results from using public money, all expose poor or no education.

I've followed the debate on Rep. Wes Keller's bill for some years. Educational special interests claim that necessary civic education is provided in segments within a couple semesters of social studies. Further, they say, an educational mandate would generate extra labor Alaska can ill-afford. These rationalizations for continuing inadequate citizen education make me want to puke. Here's a simple elaboration.

Contrary to the propagandized portrayal of America having government of, for and by the people, what actually gets conducted now is benevolent elected aristocracy (government by an elite). This is well revealed by the chronic vulnerability of American politicians to lobbyists and campaign donation blackmail - typical of highly centralized forms of government. Naturally, politicians think it's best to make the hard decisions, as elected agents or officials, on behalf of everyone. This political definition of "represent" is supported by being in modern college-level dictionaries.

[8:54:12 AM](#)

MR. THOMPSON continued reading his written testimony, as follows [original punctuation provided]:

But there lies the problem. This definition of "represent" isn't the one that was used by US founding fathers! Nor does it align with the Alaska Constitution's Article I sections 1 & 2! The proof is simple. There were no English dictionaries available to people in America's formative years. Educated people then were also conversant with Latin and Greek. Therefore, their understanding of English words for use in important writings arose from the Latin or Greek derivations of those words. So what is the true meaning of "represent" on that basis? It is to "show or put forth again". If you represent people that way, politicians are supposed to relay the fruits of their constituent's minds. That means elected officials are duty-bound to actually lead their constituents so they supply an organized body of comprehensive viewpoints for legislative use. That also means a political leader has to handle constituent laziness or ignorance or immaturity so he can represent something.

[8:55:19 AM](#)

MR. THOMPSON continued reading his written testimony, as follows [original punctuation provided]:

Let me note here that elected officialdom is our country's only major profession that doesn't compel continuing education. The pride in this is so arrogant that about 10 years ago I was refused even a hearing before the House Rules Committee about making legislator continuing education about government a legislative rule. This is despite existing Legislative Rules that legitimize doing so.

Not knowing true representative government methodology well—easily a consequence of not understanding the basic word underlying all of our political heritage—makes politicians and citizens alike reach for the methodologies of other forms of government. For example, how most elected officials now treat constituent concerns, and how constituents now approach elected officials, is quite similar to the political relationship of nobles & peasants in the Middle Ages. Research the word assizes—the town hall meeting/public hearing of that era.

[8:56:18 AM](#)

MR. THOMPSON continued reading his written testimony, as follows [original punctuation provided]:

Pass HB 30. Let's give our youth a start at learning the true philosophy and methods of self-government—which channels organized liberty with true justice in the pursuit of happiness.

Thanks for your attention. By the way, Mr. Chairman, after all other citizens have had their say, will you give me special permission to speak for another minute? I would like to simply state what is arguably the most fundamental principle of government known to history—that is apparently not being taught. This omission is arguably hurting Alaskans and their teachers.

Alaska Constitution Article 7's prohibition against sectarian control of education should compel your interest in the fact that the following principle is not directly taught in Alaskan schools – evidenced by citizen and government conduct.

All types of government fall somewhere on a spectrum as follows: 1) Government of the people (examples: dictatorships, monarchies, and theocracies, shading to elite oligarchies/aristocracies); 2) Government of and for the people (examples: benevolent ruler-ships like nobility-counseled or parliamentary-backed monarchies, shading to elected aristocracies that honor Rule of Law); and 3) Government of, for, and by the people (examples: real constitutional republics and parliamentary democracies, shading to ethics-driven democracies and anarchies). You can judge the type of government being used by the types of devices that get utilized to rule, the attitude towards citizen potential (i.e. Obama's "people are too small minded to govern themselves" versus Thomas Jefferson's convictions), and how much a government harvests the fruits of people's minds to govern.

[8:56:32 AM](#)

MR. THOMPSON continued reading his written testimony, as follows [original punctuation provided]:

Thanks again for your attention. I shall leave you with something to think about for the rest of your legislative careers. Consider. **The volume of true citizen participation in government of, for, and by the People is probably the most reliable test for public education effectiveness that could ever be.** Good luck on your deliberations.

[8:57:42 AM](#)

BOB BIRD complimented Mr. Thompson on his testimony. He provided his background, stating he has taught 41 years in the public schools and holds a Master's degree in history. Although he is semi-retired, but still teaches constitutional law to seniors at Nikiski High School. He also does homeschool tutoring in his semi-retirement. He said he was twice a candidate for the U.S. Senate and was endorsed by Ron Paul. He stated that he exercises the great books method of teaching

government, noting the course is required course in the Kenai Peninsula Borough School District. He emphasized that his students reads the entire Declaration of Independence, the Bill of Rights, and the Constitution word for word. He has been taking this approach to teaching since 1986, but he wishes he had always done so since it is only when reviewing the documents, including the federalist and the antifederalist papers that one is able to gain a full understanding of what is going wrong. He has held discussions with legislators about Constitutional questions and on many other issues. It occurred to him that every legislator should have a refresher course on the Constitution, which is what he thinks Mr. Thompson was alluding to, he said.

[8:59:58 AM](#)

MR. BIRD said he sent an attachment that illustrate typical responses students make after taking a full semester of his courses. He hoped the committee could put those comments into the record or members will read them, since it shows 12th graders are perfectly capable of understanding that the country is in a terrible constitutional mess. He praised the bill, but offered caution since federalist and antifederalist papers are absolutely essential to properly teach the Constitution, but it is largely incomprehensible to most adults, let alone students. He said he has to translate the Declaration of Independence due to the language style as well as the federalist papers.

MR. BIRD highlighted one problem with the bill is it may allow boilerplate constitutional textbooks to fulfill the requirement. For example, he just received a glossy package that asked whether or not there should be a balanced budget amendment. The liberal Democrats said no and the conservative Republicans said there should and the packet provided arguments. It asked students to analyze the arguments and make up their own mind; however, they missed that there already is a balanced budget amendment, the Tenth Amendment. He said, "I tell my students there is no need for a balanced budget amendment since we've already got one. If we made another one are we going to guarantee that's going to be obeyed when there already is one?" He characterized that as a typical example of how textbooks generally don't get it.

[9:02:15 AM](#)

MR. BIRD rejected the idea that the Constitution is a living document, and if so, it is essentially dead. Further the

Constitution takes sides, it does demand, it does require a strict construction, which in most textbooks is seen as simply another opinion worthy of considering. He emphasized the only textbook that should be required is The Politically Incorrect Guide to the Constitution by Kevin Gutzman. He acknowledged that the legislature probably isn't going to force feed textbooks, but he maintained that is the only way to really understand the Constitution. He wished members well with the bill, but cautioned that if it doesn't take the care to show that the federalist and anti-federalist papers should be part of the curriculum, it will probably just become nothing but "fluff stuff" when it gets down to each individual school district.

[9:03:43 AM](#)

CHAIR KELLER offered that Mr. Bird captured his intent and he heard the caution. He offered his belief that one good part of the bill is the use of "ism" as in "American constitutionalism" which stems from a book that impressed him, American Constitutionalism Heard Round the World, [1776-1989: A Global Perspective by George Billias], that implies the values need to be looked at and refreshed. He did not anticipate this bill will force ends in of itself. Any good results, if this passes, will come from good faith efforts like teachers, such as Mr. Bird, who will keep expanding on the values. He asked for his expertise on what the most impressive "ism value" revealed in a review of the Declaration of Independence.

MR. BIRD answered that he shows students that God is recognized in our founding document. He characterized the separation of church and state as nonsense, which is meant to mean we have a separation of state and God, which is nonsense since God is mentioned four times. He is recognized as lawgiver, creator, provider, and judge. However the U.S. Supreme Court wants to ram their opinions down American's throats, the court can't escape that aspect of the Declaration of Independence. Further, bureaucracy is specifically cited in the Declaration of Independence as is implied jury nullification. He interpreted the phrase " ... and sent hither swarms of Officers to harass our people and eat out their substance," to represent what the federal government has become. He offered his belief that in 1776, our founders created firewalls that have since been destroyed, but people are starting to wake up to it now. He said his characterization of the Declaration is to mention that natural law is cited in the first breath, God is asked to judge the righteousness of the American cause and they were not afraid

to call upon his name so the idea of expunging any mention of God in public venues is nonsense.

CHAIR KELLER thanked Mr. Bird.

[9:07:28 AM](#)

CHRISTINE HUTCHISON stated that although she is actively involved in a group, she is testifying today on behalf of herself. She gave a brief personal history, noting she has a degree in education and previously taught social studies. She agreed with Mr. Thompson and Mr. Bird's testimony. She has previously testified on this issue and she will continue to testify on this issue because it is extremely important. She acknowledged she has not paid sufficient attention to this issue, but she now realizes the grievous lack of knowledge students have of the process [of government] in Alaska to Washington D.C. She related her understanding that the legislature wants to hear from the public, but to do so requires an understanding of the process, the policies, and the procedures to. Again, she favored what these gentlemen have said today. She hoped the committee would pass [HB 30] in its entirety. As she goes through her day, she asks young people if they are registered to vote. More times than not, students will respond that they graduated from Nikiski High School, that Bob Bird was their teacher, and that is why they are registered to vote. She noted she has asked a student who didn't graduate from Nikiski High School who wasn't registered to vote and although that doesn't mean there is disparity in education, she emphasized the importance of getting young people involved, to help them understand how the Constitution works and get them out to vote. She expressed concern that the country is losing ground from her generation and her parent's generation. She said this information is all found in the Constitution. She expressed her gratitude for Mr. Thompson and Mr. Bird's testimony. She hopes this will flow through the committee, that she understands the bill may encounter roadblocks in the Senate. She emphasized that she will be back, that this is not an option or choice, and that this must to be done. She thanked Chair Keller for sponsoring HB 30. She acknowledged that this issue may need to be heard again next year and this is a process so it may not get fixed with one bill. She thanked the committee for their consideration and urged them to have a positive vote on the bill.

[9:11:28 AM](#)

BARBARA HANEY stated that she taught a political economy course at University of Alaska Fairbanks. She stressed the importance of this bill. She was somewhat amused by the chief administrator developing the curriculum. She asked whether the Mayflower Compact could be added to the list of documents since it was the first freedom document written on North American soil. The history behind the document of people coming out of a storm, establishing a government and rules of conduct should impress upon students that even the lack of an overreaching structure doesn't give them an excuse to act in an absurd way. She said that there are certain rules and standards of conduct that people have historically used, even without government.

[9:14:20 AM](#)

MR. THOMPSON concluded his earlier testimony, by stating that Alaska Constitution, Article VII prohibition against sectarian control of education should compel the committee's interest since the following principle is not directly taught in Alaska's schools, which is evidenced by citizen and government conduct. All types of government fall somewhere on the spectrum of one, government of the people, including dictatorships, monarchies, and theocracies; two, government of and for the people, including benevolent ruler-ships, such as nobility councils or parliamentary-backed monarchies; and three, government of, for, and by the people, such as real constitutional republics and parliamentary democracies. He said that the type of government being used can be judged by the types of devices used to rule. The attitude toward citizen potential ranges from the attitude of Obama's people who are too small minded to govern themselves to Thomas Jefferson's convictions and how much a government harvests the fruits of people's minds to govern. He asked members to consider the volume of true citizen participation in government of, for, and by the people, which is probably the most reliable test of public education's effectiveness.

[9:16:18 AM](#)

CHAIR KELLER, after first determining no one wished to testify, closed public testimony on HB 30.

The committee took a brief at-ease.

[9:17:00 AM](#)

REPRESENTATIVE COLVER said although he supports the intent of HB 30, he would like to work with the sponsor on implementing the

curriculum in the schools without requiring students to need additional credits for graduation. For example, perhaps language could be incorporated to have the curriculum segment apply to the U.S. history credit without adding another requirement for graduation. He expressed concern that that the current language might result in districts dropping course work or needing additional staff. Instead, he hoped to incorporate this important subject matter as part of the U.S. history credit already required as part of the curriculum. He suggested if any textbooks are required that they could be phased in to avoid additional costs to districts.

[9:18:57 AM](#)

CHAIR KELLER asked whether he has any specific amendment. He suggested that some of these issues were discussed in committee and have been vetted. He suggested a review of minutes may satisfy him.

[9:20:00 AM](#)

CHAIR KELLER, in response to Representative Colver, offered to set the bill aside. He asked Representative Colver to review the minutes. He hoped to bring the back for quick action.

[9:20:29 AM](#)

REPRESENTATIVE SEATON pointed out the committee has not yet discussed the bill. He said at this point he is uncomfortable with the bill as well as previous versions that have come before the committee in prior legislatures. Further, he was uncomfortable with some of testimony today that suggested ideas in previous documents should override the Constitution. He stated that the Constitution was an agreement reached among many parties. It is a structured document, so by reaching back to ideas contained in the papers such as Declaration of Independence and the federalist papers indicating they should be controlling, seems to reject the idea of a constitution entirely. Although he didn't wish to debate with testifiers, he suggested the committee must consider what is being asked in the bill. For example, the bill doesn't pertain to civics or studying the Constitution. Instead, the bill speaks to teaching the values held by the people that existed at the time the Constitution was created.

REPRESENTATIVE SEATON said adopting the Constitution was a compromise, but the final document also allowed slavery and did

not allow women the right to vote. The bill also includes state constitutions, and many did not allow married women to own property in their names, counted American Indians as no persons in the census - they were counted as zero, as well as counting anyone else other than white men and women as a 3/4 person. Certainly many occurrences in world that [committee members] strongly object to are present in our own history during its formation and in the values held by the people. Since then, the Constitution has been changed through amendments, including suffrage, and other rights were granted.

[9:22:55 AM](#)

REPRESENTATIVE SEATON expressed concern that the Constitution would not be studied and that is the document that was crafted and agreed to by the people of the United States. Instead, HB 30 would adopt the values of the people who negotiated the Constitution as being the controlling values. Views of the federalists or the antifederalist papers could be picked. He objected to the idea that under the bill the Constitution isn't what is important, but rather the values expressed by some of the founders would be accelerated.

REPRESENTATIVE SEATON said that other than concerns about the structure of the bill, he has concerns about the actual implementation of HB 30, including that values the United States no longer espouses would be taught. He concluded by saying he is not in favor of moving the bill. He suggested that perhaps some things could be outlined but he is uncomfortable teaching values not incorporated into the Constitution and the amendments adopted later. Otherwise, the bill would require teaching the Constitution, he said.

[9:25:05 AM](#)

CHAIR KELLER offered the intent of the bill is to examine constitutionalism and the values at the time when the Constitution was formed. He further said the aforementioned items that Representative Seaton raised could be allowable and included in the proposed curriculum segment. He suggested that there is a huge value in [adding the curriculum segment]. One alternative would be the outcome that HB 30 will not consider the values that were present and incorporated into the founding documents for fear that some of the values would be shut out. He said, "I can't go there. But that's okay. That's a matter of debate." The bill will be set aside and the stage is set for committee discussion, he said.

[HB 30 was held over.]

9:27:33 AM

**ADJOURNMENT**

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:27 a.m.