

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

February 27, 2015
8:05 a.m.

MEMBERS PRESENT

Representative Wes Keller, Chair
Representative Lora Reinbold, Vice Chair
Representative Jim Colver
Representative Paul Seaton
Representative Liz Vazquez

MEMBERS ABSENT

Representative Harriet Drummond
Representative Jonathan Kreiss-Tomkins

COMMITTEE CALENDAR

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."

- MOVED CSHB 30(EDC) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

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
02/06/15	(H)	Heard & Held
02/06/15	(H)	MINUTE(EDC)
02/11/15	(H)	EDC AT 8:00 AM CAPITOL 106
02/11/15	(H)	Scheduled but Not Heard
02/13/15	(H)	EDC AT 8:00 AM CAPITOL 106
02/13/15	(H)	Scheduled but Not Heard
02/23/15	(H)	EDC AT 8:00 AM CAPITOL 106

02/23/15 (H) -- MEETING CANCELED --
02/27/15 (H) EDC AT 8:00 AM CAPITOL 106

WITNESS REGISTER

JAMES SQUYRES

Delta Junction, Alaska

POSITION STATEMENT: Testified in support of HB 30.

PAMELA GOODE

Delta Junction, Alaska

POSITION STATEMENT: Testified in support of HB 30.

JOHN CONWELL, Superintendent
Unalaska City School District
Unalaska, Alaska

POSITION STATEMENT: Testified in opposition to HB 30.

DAVID NEES

Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 30.

ACTION NARRATIVE

[8:05:23 AM](#)

CHAIR WES KELLER called the House Education Standing Committee meeting to order at 8:05 a.m. Present at the call to order were Representatives Reinbold, Seaton, Vazquez, Colver, and Keller.

[8:05:34 AM](#)

HB 30-CONSTITUTIONAL HISTORY CURRICULUM

CHAIR KELLER announced that the only 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."

[8:05:44 AM](#)

CHAIR KELLER turned the gavel over to Vice Chair Reinbold.

[8:06:03 AM](#)

CHAIR KELLER spoke as sponsor of HB 30 and said that Representative Seaton had asked questions in an earlier hearing. To address those concerns and to clarify the intent of his bill, he read from a prepared statement. He pointed out that there is nothing controlling in his bill. The founding documents cited in HB 30 provide a context for understanding original intent, and the list is not exclusive, he added. Many documents from that time period would provide valuable context. The bill presumes that a good education must include an understanding of the values that existed when America was formed, and it does not propose that current values must align with all historical values, he explained, including slavery and women's rights. The writers did not presume they had produced a perfect document, and Article V has allowed for thousands of amendment attempts, including 27 ratified amendments.

CHAIR KELLER said any education standard should not hide the errors of the past, and "he who cannot remember history is destined to repeat it." The self-evident truth that human dignity is based on universal and natural human rights is enshrined in the Declaration of Independence and has been a beacon for freedom worldwide, he stated. He added that America is unique, and its values were not invented when the country was created, but they were enshrined. The symbolism in the Statue of Liberty is stunning, he stressed. It is the symbol of the end of slavery, and in the hand of the statue is the tablet that symbolizes the rule of law, dated July 4, 1776. The bill is a small and important one, and he encouraged members' votes.

[8:14:51 AM](#)

CHAIR KELLER noted that legislators should be careful when creating mandates for schools, and he intends to vote against many other school mandates. Many schools are [teaching constitutionalism]. He noted that [HB 30] will be a required history curriculum standard, but it does not mandate tests.

[8:17:28 AM](#)

VICE CHAIR REINBOLD moved to adopt CSHB 30, labeled 29-LS0186\W, as the working document.

[8:17:39 AM](#)

REPRESENTATIVE COLVER objected for the purpose of discussion. [Version W was treated as though it were adopted as the working document.] He asked if the intent is to incorporate the

constitutional coursework within existing requirements. He said United States history and government are already taught in high school, and he asked if the bill will create an additional graduation requirement.

CHAIR KELLER answered that it is an additional graduation requirement; however, each school district will set the standards and provide the curriculum. The intent is to say, "go look at the values in American constitutionalism and make sure your kids learn this," he added.

[8:19:32 AM](#)

VICE CHAIR REINBOLD opened public testimony.

JAMES SQUYRES, Delta Junction, Alaska, said he represents "one of the people" and that he supports HB 30. Federal and state law overreach can be traced back to "wandering away from the founding of our great country." He said he sailed around the world, and he saw oppression and tyranny abroad, and he is now aware of the infringements on individual rights that are taking place in the United States. He said he expects the schools in Alaska are teaching a great deal about the constitution already. Understanding and defending the constitution "turns some gray areas into black and white issues that can be solved quickly and easily," he said. Alaska has the most liberties anywhere in the world, and it is worth fighting for. Voting for HB 30 will be one more step in the right direction, he concluded.

[8:22:04 AM](#)

PAMELA GOODE, Delta Junction, Alaska, expressed support for HB 30, saying that something is missing in the fiber of America's society as shown by the fact that [teaching American constitutionalism] is not automatic. Freedom is dying in our own hands, she said. She noted that she sailed around the world and when encountering people who spoke English in Australia and New Zealand, she expected them to be like-minded, but she said Americans are different. "It's the way we think and the way we approach things," she stated. She added that people would turn to Americans for help because Americans are industrious and "can always get stuff done." She said the reason Americans are so different is because of the constitution and biblical principles and values. She said she used to ask Americans if they live in a republic or a democracy and if they knew the purpose of government, and they could not answer. The one thing Alaskans need to focus on is cutting the budget, and the problem is that

people do not know about smaller government and individual liberty. She mentioned health care, Common Core [educational standards], and the EPA [Environmental Protection Agency], and "we can't seem to cut the budget." She said that perhaps Alaska could lead the way in the direction the country needs to go.

[8:25:14 AM](#)

JOHN CONWELL, Superintendent, Unalaska City School District, expressed opposition to HB 30, stating that he has taught U.S. government and history. He appreciates the bill's attention to American government and constitutionalism, which is an important discussion, especially when there is so much recent emphasis on reading, writing, and math; however, HB 30 calls for a narrow focus more appropriate for an advancement placement or college course. High school civics courses should leave students with a general understanding of the constitutional foundations of the American political system, he opined. Civics is a year-long course in Unalaska, and students study the constitution, and the highly-qualified history teacher should be trusted to cover the topic while assessing the students' understanding of the content. He said school districts "have their plates heaped full" right now with several recently mandated initiatives. He said that HB 30 is well-intentioned but an unnecessary, unfunded mandate.

[8:27:15 AM](#)

VICE CHAIR REINBOLD asked what unfunded mandates he referred to.

MR. CONWELL noted the new educator evaluation system; the restraint and seclusion requirements; and the Alaska measures of progress testing, which has been a huge burden for his district.

CHAIR KELLER thanked the caller in the event that he had participated in "that survey we just got from ASB." He noted receiving many comments on unfunded mandates, and that was very helpful, but [the survey] did not deal with HB 30. He asked if Mr. Conwell responded to the survey. [Mr. Conwell said he did.]

[8:29:10 AM](#)

DAVID NEES, Anchorage, Alaska, stated support for HB 30. He noted that he has a degree in history, and to know "who you are" is to study "where you came from." So a clear, concise study of [the constitution] is a good idea, he stated. Landed, white males were the people who had the power at the time, "so they

got to write the document," but America has changed. Studying such documents should be part of a U.S. history course anywhere in Alaska. A civics course tells students that they should vote, but that is different from knowing why they should vote, he opined. If the legislature is adding a course to graduation requirements, he said, the curriculum should be provided. Additionally, HB 30 should include money "to put those textbooks out in those classrooms." He added that he supports the bill and said every legislator should be familiar with these documents, as well, because they are sworn to uphold both the American and Alaska Constitutions.

[8:31:34 AM](#)

VICE CHAIR REINBOLD thanked Ms. Nees and closed public testimony.

[8:31:43 AM](#)

The committee took an at-ease from 8:31 a.m. to 8:32 a.m.

[8:31:49 AM](#)

CHAIR KELLER responded to Representative Colver's request to release a February 10, 2015, memo from Legislative Legal Counsel, Kate Glover, regarding an amendment that was not offered. Chair Keller read from the memo, which stated that the unoffered amendment "does not make any substantive changes to the content or intent of the bill." House Bill 30 requires schools to include American constitutionalism in their curricula, she wrote, and the amendment specifies that the curriculum may be taught as part of a course already required. Ms. Glover wrote that "nothing in the language of HB 30, without the amendment, would require the American constitutionalism curriculum to be taught as a stand-alone course."

[8:35:11 AM](#)

CHAIR KELLER said the memo confirmed what he was thinking.

REPRESENTATIVE COLVER said he had wanted clarity that schools would not be directed to create a new class, and some districts already [include constitutionalism] in their high schools. He said the memo clarifies the issue and satisfies his concerns.

[8:36:14 AM](#)

REPRESENTATIVE SEATON said the committee packet did not include a syllabus outline or a definition of constitutionalism. He noted that the sponsor statement indicates that students must demonstrate knowledge of the documents, which seems to be more than just passing a course. He pointed out that the sponsor statement also states that the bill will require the Department of Education and/or the school districts to implement courses, which sounds like a statewide standard. Additionally, the sponsor said that the law will provide standardized knowledge across the state. Representative Seaton said he finds this to be confusing, because HB 30 requires that every school district generate a syllabus, which indicates that it will not be consistent across Alaska. There is a memo attached to the bill stating that the bill will result in a one-semester course in senior year, and such language is not contained in the bill that is before the committee, he clarified. He noted that school districts see HB 30 as an unfunded mandate, and the Chugach School District is in opposition. The Kenai School District provided comments saying that the process for curriculum development includes teacher and community committee meetings to develop the curriculum and the courses to meet the state standards, another committee to review the materials to support the curriculum, and a third committee to develop quarterly and interim assessments. He noted that the district would then have to do a review of the implementation after one year.

[8:39:07 AM](#)

REPRESENTATIVE SEATON said the timing of this law is very problematic regarding budgetary constraints. It is a mandate that requires committee work, public meetings, and reviews, and putting the law into statute is not something that the legislature should do haphazardly. Additionally, the current Alaska State Standards list the following nine requirements to be taught: 1) the ideals expressed in the Declaration of Independence, the U.S. Constitution, and the Bill of Rights; 2) American history and culture, including the republican form of government, capitalism, free enterprise, patriotism, strong family units, and freedom of religion; 3) the U.S. Constitution, including the separation of powers, branches of government, majority rule, and minority rights; 4) the sharing of power between federal, state, and local entities; 5) the importance of individuals, public opinion, media, and others with regard to forming and carrying out public policy; 6) diversity in the political system; 7) the difference in constitutionally-based ideals and the reality of American life; 8) the role of law in America's political system; and 9) the role of dissent.

8:41:15 AM

REPRESENTATIVE SEATON expressed the concern that Alaska schools will receive a mandate to develop a separate segment of the curriculum, which appears to be exclusive of the documents themselves because the documents are already required to be taught and understood. "I am at a loss to figure out, when we do not have a definition in this bill, of what American constitutionalism is," he added, and he questioned having the legislature place in law this unfunded mandate that seems to be already incorporated in Alaska's state standards. "I don't think that we're ready to move the bill from committee," he opined.

8:42:53 AM

CHAIR KELLER stated that HB 30 is only a step to strengthen school standards.

VICE CHAIR REINBOLD said Alaska academic standards are based on the Common Core standards, which were not vetted and were devised behind closed doors. She opined that HB 30 is more critical than ever. She noted that David Coleman, chair of the College Board, helped write the standards, and "so there's dramatic concern across this nation for what has happened with our standards." Now more than ever, she stated, Alaska needs to teach the original founding documents and the constitution. She noted that she swore to uphold and defend the constitution, "and it's our civic duty to ensure that our children understand the document that has held this country together."

8:44:31 AM

REPRESENTATIVE COLVER moved to report HB 30, Version 29-LS0186\W, Glover, 2/12/15, out of committee with individual recommendations and the accompanying (zero) fiscal note. There being no objection, CSHB 30(EDC) was reported from the House Education Standing Committee.

8:45:01 AM

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 8:45 a.m.