

HB

5

<TARGET><BILL>HB 5</BILL><SUBJECT>HB
5</SUBJECT><COMM>HEDC27</COMM></TARGET>

Recinded

27-LS0018\D
Mischel
2/10/11

CS FOR HOUSE BILL NO. 5()

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE KELLER

A BILL

FOR AN ACT ENTITLED

1 "An Act requiring school districts to develop and require a history of American
2 constitutionalism course and examination in secondary schools in the state; and
3 providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 SHORT TITLE. This Act may be known as the American Constitutionalism History
8 Literacy Act.

9 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
10 read:

11 **LEGISLATIVE FINDINGS.** The legislature finds that
12 (1) the adoption of the Declaration of Independence, the Articles of
13 Confederation, the Constitution of the United States, and the Bill of Rights were seminal
14 events in the history of the United States of America;

L

1 (2) American constitutionalism represents this country's greatest gift to human
2 freedom; its ideals, ideas, and institutions have influenced different people in different lands
3 at different times;

4 (3) an early understanding of American constitutionalism empowers students
5 to make rational, evidence-based decisions regarding their civic judgments, rights, and duties;

6 (4) a number of historical written documents that appeared over a span of 15
7 years continue to serve to define our national identity and our constitutional republic form of
8 government: the Declaration of Independence, the first state constitutions, the Articles of
9 Confederation, the Constitution of the United States, the Federalist Papers, and the Bill of
10 Rights; a general understanding of the philosophies and historical context that generated those
11 documents is an essential element in the education of Alaska students;

12 (5) the Citizens' Advisory Task Force on Civics Education Policy, in its report
13 dated January 2008, made a strong case for improving civics education; this Act should be
14 applied in the context of school district response to the recommendations in the report.

15 * **Sec. 3.** AS 14.14 is amended by adding a new section to read:

16 **Sec. 14.14.095. Secondary school history of American constitutionalism**
17 **course and examination.** (a) The chief school administrator of a school district shall
18 develop and submit to the governing body of a school district for approval a syllabus
19 for a one-semester course and final examination in the history of American
20 constitutionalism to be taught to all students enrolled in grade 12 in the district. An
21 approved syllabus must ensure and test students' understanding of the history of
22 American constitutionalism as portrayed in the Declaration of Independence, the first
23 state constitutions, the Articles of Confederation, the Constitution of the United States,
24 the Federalist Papers, the Bill of Rights, and other historical documents produced in
25 the founding of our constitutional republic model of government.

26 (b) A district may not issue a secondary school diploma to a student who does
27 not successfully complete the course and examination described in (a) of this section.
28 A school district may not grant a waiver of this requirement.

29 (c) In this section, "district" has the meaning given in AS 14.17.990.

30 * **Sec. 4** This Act takes effect July 1, 2012.

27-LS0018\E
Mischel
2/24/11

CS FOR HOUSE BILL NO. 5()

**IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SEVENTH LEGISLATURE - FIRST SESSION**

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE KELLER

A BILL

FOR AN ACT ENTITLED

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

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
6 to read:

7 SHORT TITLE. This Act may be known as the American Constitutionalism History
8 Literacy Act.

9 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
10 read:

11 LEGISLATIVE FINDINGS. The legislature finds that

12 (1) the adoption of the Declaration of Independence, the Articles of
13 Confederation, the Constitution of the United States, and the Bill of Rights were seminal
14 events in the history of the United States of America;

1 (2) American constitutionalism represents this country's greatest gift to human
2 freedom; its ideals, ideas, and institutions have influenced different people in different lands
3 at different times;

4 (3) an early understanding of American constitutionalism empowers students
5 to make rational, evidence-based decisions regarding their civic judgments, rights, and duties;

6 (4) a number of historical written documents that appeared over a span of 15
7 years continue to serve to define our national identity and our constitutional republic form of
8 government: the Declaration of Independence, the first state constitutions, the Articles of
9 Confederation, the Constitution of the United States, the Federalist Papers, and the Bill of
10 Rights; a general understanding of the philosophies and historical context that generated those
11 documents is an essential element in the education of Alaska students;

12 (5) the Citizens' Advisory Task Force on Civics Education Policy, in its report
13 dated January 2008, made a strong case for improving civics education; this Act should be
14 applied in the context of school district response to the recommendations in the report.

15 * **Sec. 3.** AS 14.14 is amended by adding a new section to read:

16 **Sec. 14.14.095. Secondary school requirement; history of American**
17 **constitutionalism.** (a) The chief school administrator of a school district shall develop
18 and submit to the governing body of a school district for approval a syllabus for a
19 curriculum segment and final examination in the history of American
20 constitutionalism to be taught to all students enrolled in the district. An approved
21 syllabus must ensure a students' understanding of the history of American
22 constitutionalism as portrayed in the Declaration of Independence, the first state
23 constitutions, the Articles of Confederation, the Constitution of the United States, the
24 Federalist Papers, the Bill of Rights, and other historical documents produced in the
25 founding of our constitutional republic model of government.

26 (b) A district may not issue a secondary school diploma to a student who does
27 not successfully complete the curriculum segment and examination described in (a) of
28 this section. A school district may not grant a waiver of this requirement.

29 (c) In this section, "district" has the meaning given in AS 14.17.990.

30 * **Sec. 4.** This Act takes effect July 1, 2012.

FISCAL NOTE

Original Bill

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number _____
 Bill Version HB5
 () Publish Date _____

Identifier (file name) HB5-EED-TLS-2-4-11 Dept. Affected Education & Early Development
 Title "An Act requiring a standardized statewide history of American constitutionalism curriculum and a secondary..." Appropriation Teaching & Learning Support
 Allocation Student & School Achievement
 Sponsor Representative Keller
 Requester House Education OMB Component Number 2796

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information					
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
OPERATING EXPENDITURES							
Personal Services							
Travel	295.1						
Contractual	1,425.0		1,445.0	1,517.3	1,593.1	1,672.8	1,756.4
Supplies							
Equipment							
Land & Structures							
Grants & Claims							
Miscellaneous							
TOTAL OPERATING	1,720.1	0.0	1,445.0	1,517.3	1,593.1	1,672.8	1,756.4

CAPITAL EXPENDITURES							
-----------------------------	--	--	--	--	--	--	--

CHANGE IN REVENUES							
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts							
1003 GF Match							
1004 GF	1,720.1		1,445.0	1,517.3	1,593.1	1,672.8	1,756.4
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other Interagency Receipts							
TOTAL	1,720.1	0.0	1,445.0	1,517.3	1,593.1	1,672.8	1,756.4

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version

Prepared by Cynthia Curran, Director
 Division Teaching & Learning Support
 Approved by Michael Hanley
Commissioner

Phone 465-2857
 Date/Time 2/4/2011 4:05PM
 Date 2/4/2011

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. HB5 _____

Analysis

Sec. 3. AS 14.03 amendments:

Sec. 14.03.072. Statewide history of American constitutionalism curriculum and examination; annual report;

*Sec. 4. AS 14.03.075(a) is amended to read: (a) A student may not be issued a secondary school diploma unless the student passes a competency examination in the areas of reading, English, **history of American constitutionalism...***

Section 14.03.072 would require the department to revise the current Government and Citizenship content standards; create Performance Standard Grade Level Expectations (PSGLE) for these standards, and, create a Standards Based Assessment (SBA), specifically only measuring strand B of the current standards.

American Constitutionalism Standards development estimated cost for grades 4, 8, and 10 are \$84,300 (four statewide meetings).

Item review, cut score determination estimated at \$84,300 (four statewide meetings).

SBA development and implementation in 4, 8, and 10 is estimated at \$645,000.

In addition to the SBA requirement, the High School Graduation Qualifying Exam (HSGQE) would have to be modified to include this strand.

The HSGQE grade 10 estimated additional assessment cost is \$390,000.

Grade 11 and 12 estimated additional assessment cost is \$390,000.

Beginning FY2012, estimated annual assessment cost: \$665,000 (grades 4, 8, and 10); HSGQE \$780,000.

Establishing FY2012 as the base year to begin assessments, an annual cost increase estimate of 5% has been added to FY2014 - FY2017 for the test contract administration.

New Fiscal Note for Committee Substitute

FISCAL NOTE

Draft

STATE OF ALASKA
2011 LEGISLATIVE SESSION

*Next from
\$1.7M to zero*

Fiscal Note Number

Bill Version

CSHB5

() Publish Date

Identifier (file name) HB005CS-EED-TLS-2-15-11

*shift from State of Ak to
Local District*

Dept. Affected Education & Early Development

Title "An Act requiring school districts to develop and require a history..."

Appropriation Teaching & Learning Support

Allocation Student & School Achievement

Sponsor Representative Keller

Requester House Education Committee

OMB Component Number 2796

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	Appropriation Required		Information				
	FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants							
Miscellaneous							
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES							

CHANGE IN REVENUES							
FUND SOURCE (Thousands of Dollars)							
1002 Federal Receipts							
1003 GF Match							
1004 GF							
1005 GF/Program Receipts							
1037 GF/Mental Health							
Other (please identify)							
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time							
Part-time							
Temporary							

Why this fiscal note differs from previous version (if initial version, please note as such)

This version of the bill places the responsibility with the local school districts to develop the curriculum with a final examination requirement and does not impact the state administered Standards Based Assessments nor the High School Graduation Qualifying Exam.

Prepared by Cynthia Curran, Director
Division Teaching & Learning Support

Approved by Mike Hanley
Commissioner

Phone 465-2857
Date/Time 2/15/2011 9:15AM

Date 2/15/2011

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. CSHB5

Analysis

This legislation has no fiscal impact on the Department of Education and Early Development.

Adopted

FISCAL NOTE

STATE OF ALASKA
2011 LEGISLATIVE SESSION

Fiscal Note Number 1
Bill Version CSHB 5(EDC)
(H) Publish Date 3/31/11

Identifier (file name) HB005CS-EED-TLS-2-15-11 Dept. Affected Education & Early Development
Title "An Act requiring school districts to develop and require a history..." Appropriation Teaching & Learning Support
Allocation Student & School Achievement
Sponsor Representative Keller
Requester House Education Committee OMB Component Number 2796

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

	Appropriation Required	Information						
		FY 2012	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants								
Miscellaneous								
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES								
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CHANGE IN REVENUES								
---------------------------	--	--	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts								
1003 GF Match								
1004 GF								
1005 GF/Program Receipts								
1037 GF/Mental Health								
Other (please identify)								
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2011) cost _____

POSITIONS

Full-time								
Part-time								
Temporary								

Why this fiscal note differs from previous version (if initial version, please note as such)

This version of the bill places the responsibility with the local school districts to develop the curriculum with a final examination requirement and does not impact the state administered Standards Based Assessments nor the High School Graduation Qualifying Exam.

Prepared by Cynthia Curran, Director
Division Teaching & Learning Support
Approved by Mike Hanley
Commissioner

Phone 465-2857
Date/Time 2/15/2011 9:15AM
Date 2/15/2011

FISCAL NOTE #1

STATE OF ALASKA
2011 LEGISLATIVE SESSION

BILL NO. CSHB 5(EDC)

Analysis

This legislation has no fiscal impact on the Department of Education and Early Development.

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: January 18, 2011

FURTHER REFERRALS: Finance

Date of Committee Action: 3/30/11

The EDUCATION Committee considered:

HB 5

HOUSE BILL NO. 5

"An Act requiring a standardized statewide history of American constitutionalism curriculum and a secondary school history of American constitutionalism examination in public schools in the state; and providing for an effective date."

HB 5 CONSTITUTIONAL HISTORY CURRICULUM

Recommends it be replaced with HCS or CS for House Bill 5 (EDC)
 For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

- List of Abbrev for Depts.:
- ADM
 - CED
 - COR
 - CRT
 - EED
 - DEC
 - DFG
 - GOV
 - DHS
 - LWF
 - LAW
 - LEG
 - MVA
 - DNR
 - DPS
 - REV
 - DOT
 - UA

NEW FISCAL NOTES				
*FN# is assigned by Chief Clerk's Office				
*FN#	List by Dept(s):	Fiscal	Indet.	Zero
	EED			✓

PREVIOUS FISCAL NOTES				
FN#	List by Dept(s):	Fiscal	Indet.	Zero

Signing with recommendations	Printed Last Name	DP	DNP	NR	AM
	WILSON	X			
	Seaton	X	X		
	[unclear]	X			X
	FEIGE				X
Chair:	Dide	✓			
Chair:					

ALASKA STATE LEGISLATURE

Interim:

**600 East Railroad Avenue
Wasilla, Alaska 99654
Phone (907) 373-1842
Fax: (907) 373-4729**



Session:

**State Capitol Building
Juneau, Alaska 99801-1182
Phone: (907) 465-2186
Fax: (907) 465-3818**

REPRESENTATIVE WES KELLER DISTRICT 14 House Bill 5 Sponsor Statement

"An Act requiring a standardized statewide history of American constitutionalism curriculum and a secondary school history of American constitutionalism examination in public schools in the state; and providing for an effective date."

The Spanish American philosopher George Santayana once said, "Those who cannot remember the past are condemned to repeat it."¹ It would be an unthinkable tragedy to repeat the human oppression that existed before our country's greatest gift to humankind: The gift of awareness that we all have fundamental rights that belong to us by virtue of the fact that we are human and that the only valid government is what is allowed by the governed. These and other profound foundational truths need to be understood and preserved.

House Bill 5 presumes we are in danger of forgetting, and requires American History education to include teaching of "**American Constitutionalism**" as defined by six founding documents that established the most prosperous and powerful nation on earth: the Declaration of Independence; Early State Constitutions; the Articles of Confederation; The US Constitution, the Federalist, and the Bill of Rights.

HB 5 requires Alaska School Districts to teach American Constitutionalism and to monitor and report student learning. It also requires the Department of Education to provide a curriculum and a standard student proficiency measurement tool as a resource to be made available to school districts. Presumably, this curriculum, and even the testing process, will be efficiently made available digitally, on-line, in a format that will be usable to students, teachers, and school administrators anywhere in Alaska, any time of the day. School districts would have the option of using these resources as a curriculum or as a supplement to enhance existing district curricula to enable compliance.

Students will be required to demonstrate a level of proficiency as part of their exit exam. The Department will provide a report on the effectiveness of this mandate in it's annual communication with the Governor and Legislature.

The goal of House Bill 5 is to keep Alaska and America strong and to preserve the principles that have provided the greatest prosperity and liberty this world has ever known.

¹ *Life of Reason, Reason in Common Sense, Scribner's, 1905, page 284"*

ALASKA STATE LEGISLATURE

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Juneau, Alaska 99801-1182
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REPRESENTATIVE WES KELLER

DISTRICT 14

Committee Substitute for House Bill 5

Sponsor Statement

"An Act requiring a standardized statewide history of American constitutionalism curriculum and a secondary school history of American constitutionalism examination in public schools in the state; and providing for an effective date."

The Spanish American philosopher George Santayana once said, "Those who cannot remember the past are condemned to repeat it."¹ It would be an unthinkable tragedy to repeat the human oppression that existed before our country's greatest gift to humankind: The gift of awareness that we all have fundamental rights that belong to us by virtue of the fact that we are human and that the only valid government is what is allowed by the governed. These and other profound foundational truths need to be understood and preserved.

CS for House Bill 5 presumes we are in danger of forgetting, and requires American History education to include teaching of "**American Constitutionalism**" as defined by six founding documents that established the most prosperous and powerful nation on earth: the Declaration of Independence; Early State Constitutions; the Articles of Confederation; The US Constitution, the Federalist, and the Bill of Rights.

CSHB 5 requires Alaska's School Districts to teach American Constitutionalism and assure student's knowledge in this discipline. District administrators and school boards will establish a curriculum and a standard student proficiency measurement tools. Presumably, the majority of established curriculum material is available digitally, on-line, in a format that will be usable to students, teachers, and school administrators anywhere in Alaska, any time of the day. School districts will have the option of using these resources as a curriculum or as a supplement to enhance existing district curricula to enable compliance. Students will be required to demonstrate a level of proficiency in a final exam at the conclusion of the course.

The goal of CS for House Bill 5 is to keep Alaska and America strong and to preserve the principles that have provided the greatest prosperity and liberty this world has ever known.

¹ *Life of Reason, Reason in Common Sense, Scribner's, 1905, page 284"*

ALASKA STATE LEGISLATURE

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REPRESENTATIVE WES KELLER DISTRICT 14 MEMO

To: Members of the Alaska Legislature

Date: February 15, 2011

Re: Sectional of CS for House Bill 5 (27-LS0018\D)

CS for House Bill 5 is broken into four sections:

1. Established the title of the Act.
2. Legislative Findings that stress the importance of the founding documents to this country. Those documents include the Declaration of Independence, the first state's constitutions, the Articles of Confederation, the Constitution of the United States, the Federalists Papers and the Bill of Rights. It is critical that students understand these documents and their historical context as part of their education.
3. Local school districts will establish a one semester course and final exam that represents one-half credit during the senior year of high school on these documents and historical context which will supplement the U.S. government course also taught in the senior year.
4. Effective date

ALASKA STATE LEGISLATURE

Interim:

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REPRESENTATIVE WES KELLER DISTRICT 14

MEMO

To: Members of the House Education Committee

Fm: Representative Wes Keller

By: Jim Pound

Date: March 01, 2011

Re: Response to questions on Constitutionalism

Members of the Committee asked on Friday for a definition of Constitutionalism of which I indicated it is a fairly common term. We conducted some research using both legal and search engines. A simple Google Search generated nearly 2-million potential references. Based on research using legal and generic on-line search engines Constitutionalism is a commonly used term in both professional and non-professional circles.

This memorandum provides several scholarly examples of the discussion of Constitutionalism that should provide answers to the committee questions in preparation for the next hearing and passage from committee of CSHB 5.

If we can be of any assistance please do not hesitate to call.

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Thank you

In his book *Constitutionalism*, political scientist and constitutional scholar David Fellman (1907 – 2003), writes:

"Constitutionalism is descriptive of a complicated concept, deeply imbedded in historical experience, which subjects the officials who exercise governmental powers to the limitations of a higher law. Constitutionalism proclaims the desirability of the rule of law as opposed to rule by the arbitrary judgment or mere fiat of public officials.... Throughout the literature dealing with modern public law and the foundations of statecraft the central element of the concept of constitutionalism is that in political society government officials are not free to do anything they please in any manner they choose; they are bound to observe both the limitations on power and the procedures which are set out in the supreme, constitutional law of the community. It may therefore be said that the touchstone of constitutionalism is the concept of limited government under a higher law."

Professor Fellman continues:

"Whatever particular form of government a constitution delineates, however, it serves as the keystone of the arch of constitutionalism, except in those countries whose written constitutions are mere sham. Constitutionalism as a theory and in practice stands for the principle that there are—in a properly governed state—limitations upon those who exercise the powers of government, and that these limitations are spelled out in a body of higher law which is enforceable in a variety of ways, political and judicial. This is by no means a modern idea, for the concept of a higher law which spells out the basic norms of a political society is as old as Western civilization. That there are standards of rightness which transcend and control public officials, even current popular majorities, represents a critically significant element of man's endless quest for the good life.")

(David Fellman, "Constitutionalism"), vol 1, p. 485, 491-92 (1973-74)

Constitutionalism goes far beyond what can be perceived as just a legal term as it is in fact an "ism". We fully understand this concept since most of what we deal with in our daily lives involves beliefs. When you sit in a committee room or on the floor, you are surrounded by individuals with their beliefs, "isms" if you will. On a larger scale, the question that needs to be asked; What is the United States of America? What was the Soviet Union or is the Peoples Republic of China other than an "ism"? We believe our form of government is the best in the world and are very glad to export it to other countries by various means.

Constitutionalism in this country is not an unknown evil. Our founding documents created a nation that by world standards are is fairly new, although their roots can be traced back to even the Roman Empire.

Constitutionalism has prescriptive and descriptive uses. Law professor Gerhard Casper captured this aspect of the term in noting that: "Constitutionalism has both descriptive and prescriptive connotations. Used descriptively, it refers chiefly to the historical struggle for constitutional recognition of the people's right to 'consent' and certain other rights, freedoms, and privileges.... Used prescriptively ... its meaning incorporates those features of government seen as the essential elements of the ... Constitution."

Leonard Levy, ed., *Encyclopedia of the American Constitution*, (Gerhard Casper, "Constitutionalism"), vol 2, p. 473, 473 (1986) ISBN 9780028648804

Understanding of the two applications of constitutionalism is further explored by the following authors:

Descriptive use

One example of constitutionalism's descriptive use is law professor Bernard Schwartz's 5 volume compilation of sources seeking to trace the origins of the Federal bill of rights. Beginning with English antecedents going back to the Magna Carta (1215), Schwartz explores the presence and development of ideas of individual freedoms and privileges through colonial charters and legal understandings. Then, in carrying the story forward, he identifies revolutionary declarations and constitutions, documents and judicial decisions of the Confederation period and the formation of the federal Constitution. Finally, he turns to the debates over the federal Constitution's ratification that ultimately provided mounting pressure for a federal bill of rights. While hardly presenting a "straight-line," the account illustrates the historical struggle to recognize and enshrine constitutional rights and principles in a constitutional order.

Bernard Schwartz, *The Roots of the Bill of Rights* (5 vols., Chelsea House Publisher, 1980) [ISBN 9780877542070].

Prescriptive use

In contrast to describing what constitutions are, a prescriptive approach addresses what a constitution should be. As presented by Canadian philosopher Wil Waluchow, constitutionalism embodies "the idea ... that government can and should be legally limited in its powers, and that its authority depends on its observing these limitations. This idea brings with it a host of vexing questions of interest not only to legal scholars, but to anyone keen to explore the legal and philosophical foundations of the state."

Stanford Encyclopedia of Philosophy, Wil Waluchow (Constitutionalism) (Intro Jan 2001 (revised Feb 20, 2007)).

Conclusion

As indicated earlier in this memo, the term Constitutionalism is, in the right circles a very common term. The concept dates back to Roman times but begins to be more properly defined by today's standards in the Magna Carta (1215). Historically, the United States' is founded on documents generally created during a 15 year period of time. These documents represent the true law of the land and rule of law. It is critical that our youth have a working knowledge of these documents, what they mean to this country, and how they should be read. Like many historical documents it takes an interpretative ability to read and fully understand the intent in the writing style of the time. Three hundred years from now people will do the same thing with our words. The key to interpretation is not to second guess the intent but to look at it from the perspective in which it is written.

Committee Substitute for House Bill Five will give our children the opportunity to learn how to review, understand, and lead using our countries founding documents. Public comment on the bill will go far beyond these halls, as it will trickle down to school boards around the state. What will end up in the classroom may look very much different than what we are visualizing. Some districts may impose a strict set of guidelines and examinations as they feel it is that important. Others may feel it is only a supplement to their current curriculums. The key is Constitutionalism will be in the forefront, and Alaskan's will be the leaders in bringing the goals of this country back to life.



MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT
Office of the School Board

Mission: Mat-Su Borough School District prepares students for success

MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT
RESOLUTION NO. 11-011

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT RECOMMENDING CIVICS BE A REQUIRED COURSE IN ALASKA'S PUBLIC HIGH SCHOOLS

WHEREAS, the United States Constitution is the fundamental law of the United States; and

WHEREAS, too many people in the United States fail tests of civic literacy; and

WHEREAS, many high school students know little of our founding fathers and their contributions to our country and way of life; and

WHEREAS, the percentage of eligible voters voting in local and State elections is unacceptably low; and

WHEREAS, fewer than half of all people in the United States can name the three branches of the United States Government or know the differences and duties; and

WHEREAS, our democratic process and republican form of government are at risk due to the low voter turnout; and

WHEREAS, research shows that an increase in civic knowledge, including that of the United States Constitution, supporting documents such as the Declaration of Independence and the Bill of Rights almost invariably leads to the beneficial use of that knowledge; and

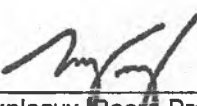
WHEREAS, research shows that greater civic learning leads to more active citizenship, and people in the United States who fulfill their civic obligations beyond voting are more knowledgeable about their country's history and institutions:

NOW THEREFORE BE IT RESOLVED, it is the position of the Matanuska-Susitna Borough School District that:

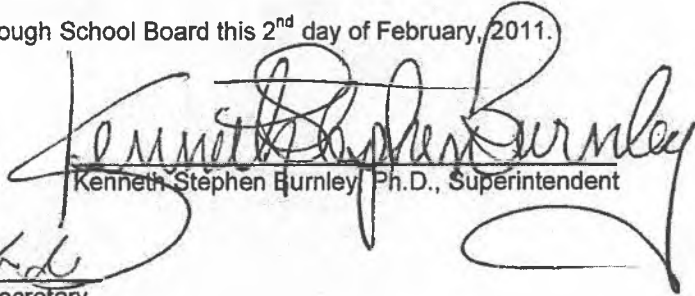
1. High school students across Alaska should be required to take at least .5 credit of civics that focuses on learning about the Alaska Constitution, the United States Constitution and documents such as the Declaration of Independence, the Bill of Rights and the Federalist Papers, acknowledgment of these historic documents which constitute the very foundation of our state and country, is critical to being an responsible citizen and that this class also includes non-partisan and detailed information about the branches and functions of local, state and US government; their differences, the duties of elected officials and the judiciary, public elections, political parties and duties of US citizens as voters, and
2. Upon reaching voting age, high school seniors should engage in civic learning activities on an issue of importance to them to demonstrate their understanding of their rights and responsibilities as citizens of the United States;

NOW THEREFORE BE IT FURTHER RESOLVED, it is also the position of the Matanuska-Susitna Borough School District that the State of Alaska adopt by law the requirement that each high school student be required to successfully complete .5 credit of civics with the founding documents as a basis of such a requirement as a condition for graduation.

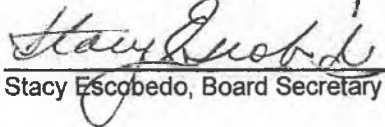
ADOPTED by the Matanuska-Susitna Borough School Board this 2nd day of February, 2011.



Michael Dunleavy, Board President



Kenneth Stephen Burnley Ph.D., Superintendent

ATTEST: 

Stacy Escobedo, Board Secretary

From: James Mabry [REDACTED]
Sent: Wednesday, February 09, 2011 6:46 PM
To: Rep. Wes Keller
Subject: Constitutional Studies

Hello,

Love your idea about teaching kids about our founding documents. ... I posted the bit below on KTUU's website. Thought you might appreciate my thoughts about "the cost".

First, This is a great idea. Not only would it help our society in general but it will make liberals flop and twitch... which will be worth the effort to do it!

Second, what the heck? How much would it cost??? You don't need much as far as class materials go. You don't need any special facilities, etc. Get on the web and get some public domain materials and go for it.

Of course, the real problem is very few public school teachers know diddly squat about the material, so that will be a problem. Bring in guest teachers working as volunteers. I could prep for the first class in a few hours time and do rather well at it. It all is just one big combination of vocabulary and mindset. Money, as an item that needs much consideration for this, is a laughable ruse to delay.

My two cents, mileage varies. Good Luck To You!

Thanks for your efforts.

James Mabry

Anchorage

Chief Justice Walter L. Carpeneti
Closing Comments To The First Session of The
Twenty-Seventh Alaska Legislature
March 9, 2011

... I would like to close these remarks with a note about a topic that in recent years has become, I believe, central to our democracy: the need to foster civic education and engagement in America ... for the young people who will carry them forward into the future. As citizens in a democracy, we all have a responsibility to understand how our government functions and the role we each play in the success of our country. Yet a recent national poll found that while over two-thirds of America can name at least one judge on the TV program "American Idol", less than one third can name the three branches of government! **James Madison**, the founding father often hailed as the father of the U.S. Constitution, anticipated the challenge of educating for democracy by reminding us that *"knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves with the power which knowledge gives."*

...I would like to conclude today with an invitation to each of you--- legislators and... anyone watching this speech--- to join me in the effort to instill in our young people the same knowledge and respect for the laws and institutions of our country that we are all privileged to share. Log on to civics.org and check out the games, web quests, and lesson plans for yourself. And, after you have done that, let the educators in your communities know about the opportunity and urge them to visit the website and use it in their classrooms... Check it out.

... Thomas Jefferson said *that "the qualifications for self government are not innate.... [T]hey are the result of habit and long training."* As we work together to advance cost-effective justice, we must remember that the greatest guarantee of a strong future for all three branches of government is a citizenry that understands and embraces the fundamental principles of democracy.

Mister President, Mister Speaker, Thank You...

Chapter 04 Statewide Goals

4 AAC 04.010. Purposes and responsibilities

(a) This chapter sets out statewide goals for public education, and adopts, by reference, content standards for several subject areas, and performance standards for reading, writing, and mathematics.

(b) The purposes of the goals are to

(1) encourage the school districts to envision and develop local educational plans that are unique to each district's culture, geography, and climate, and that will graduate world-class students;

(2) empower the public with the knowledge that the skills and subjects included in this chapter are of great importance to education so that the public can participate in local educational planning with more authority and effect; and

(3) set standards against which the public, school districts, teachers, and students can measure the quality of education that students receive.

(c) The content standards and goals referred to in this chapter identify student abilities that evidence mastery of a subject area. The content standards are not graduation requirements or components of a curriculum, but they establish what constitutes excellent educational results. The content standards and goals are intentionally broad to allow a school district to tailor its curriculum to the conditions, goals, and expectations of its community. A school district board, working with the public, teachers, and students shall choose and implement effective teaching strategies so that its students will achieve high performance in a subject area. These strategies should be reflected in

(1) the development, selection, and implementation of the school district board policies;

(2) the curriculum and assessment required by 4 AAC 05.080; and

(3) teaching methodology, textbooks and instructional materials, and management practices.

History: Eff. 6/24/93, Register 126; am 1/4/95, Register 133; am 3/2/2000, Register 153

Authority: AS 14.03.015 AS 14.03.120 AS 14.07.020 AS 14.07.050 AS 14.07.060 AS 14.07.165

4 AAC 04.020. Skills for graduating students

(a) A goal of the state public school system is to graduate students who will

- (1) possess a broad knowledge base;
- (2) communicate effectively;
- (3) use technology skills;
- (4) think logically and critically;
- (5) be healthy;
- (6) recognize, value and use creativity;
- (7) be responsible and ethical citizens and community members; and
- (8) be enthusiastic learners.

(b) The department's publication, *World-Class Students Graduation Outcomes*, as revised as of March 19, 2009, is adopted by reference. The goals expressed in *World-Class Students Graduation Outcomes* represent goals of the state public school system.

History: Eff. 6/24/93, Register 126; am 12/13/2009, Register 192

Authority: AS 14.03.015 AS 14.07.020 AS 14.07.060 AS 14.07.165

Editor's note: A copy of *World-Class Students Graduation Outcomes*, adopted by reference in 4 AAC 04.020(b) may be obtained by writing to the Department of Education and Early Development, 801 W. 10th St., Suite 200, Juneau, AK 99801-1894.

4 AAC 04.030. Subjects

A goal of the state public school system is to provide a working knowledge of

- (1) English;
- (2) mathematics;
- (3) science;
- (4) geography;
- (5) history;
- (6) skills for a healthy life;
- (7) government and citizenship;
- (8) fine arts;
- (9) technology; and

(10) world languages.

History: Eff. 6/24/93, Register 126

Authority: AS 14.03.015 AS 14.07.020 AS 14.07.060 AS 14.07.165

4 AAC 04.140. Content standards

(a) The content standards for the subjects listed in this subsection, as set out in the department's publication entitled *Alaska Standards: Content and Performance Standards for Alaska Students*, as revised as of March 2006, are adopted by reference. The subjects are

- (1) English/language arts;
- (2) mathematics;
- (3) science;
- (4) geography;
- (5) government and citizenship;
- (6) history;
- (7) skills for a healthy life;
- (8) arts;
- (9) world languages;
- (10) technology; and
- (11) employability.

(b) The content standards for physical education, as set out in the department's publication entitled *Alaska Physical Education Standards*, as revised as of March 9, 2010, are adopted by reference.

History: Eff. 3/2/2000, Register 153; am 11/10/2005, Register 176; am 5/18/2006, Register 178; am 8/18/2010, Register 195

Authority: AS 14.03.015 AS 14.03.120 AS 14.07.020 AS 14.07.060 AS 14.07.165

Sec. 14.03.075. Secondary student competency testing.

(a) A student may not be issued a secondary school diploma unless the student passes a competency examination in the areas of reading, English, and mathematics or receives a waiver from the governing body. A governing body may not grant a waiver to a student before the student's final semester of attendance. The department shall determine the form and contents of the examination and shall score completed examinations.

(b) A student who fails the examination required under this section shall be retested at least once during a school year on those portions of the examination that the student has not passed.

A student who passes any portion of the test may not retake that portion of the test. A student who, when retested, passes the portions of the test not previously passed and who meets any other graduation requirements shall receive a diploma from the school district. This subsection does not apply to a student who is a child with a disability if the student's individualized education program team recommends that the student not be retested.

(c) Notwithstanding (a) of this section,

(1) a student who is a child with a disability and who does not achieve a passing score on the examination required under (a) of this section, with or without accommodation, is eligible to receive a diploma if the student successfully completes an alternative assessment program required by the student's individualized education program or required in the education plan developed for the student under 29 U.S.C. 794; an alternative assessment program must, to the maximum extent possible, conform to state performance standards established for the competency examination required under (a) of this section; this paragraph does not apply to a student unless the department determines that the student has taken and failed to pass the competency examination with or without accommodations and the department approves the student's alternative assessment program described under this paragraph; and

(2) a student who transfers into a public high school in this state shall receive a diploma if the student

(A) meets graduation requirements imposed by the governing body and the state; and

(B) has passed a competency examination in the state from which the student transferred.

(d) A student who fails to qualify for the issuance of a diploma under (a) of this section or a retest under (b) of this section by the end of the student's final semester of attendance, but who has met all other graduation requirements of a governing body and the state, shall be awarded a certificate of achievement. A certificate of achievement may include the following information:

(1) the portions of the examination described under (a) of this section that were passed;

(2) the student's attendance record; and

(3) other information indicating the qualifications of the student that the governing body determines appropriate.

(e) The department shall by regulation establish uniform standards for

(1) pre-examination study materials; and

(2) procedures to be followed during administration of an examination.

(f) The department shall by regulation establish uniform standards for an alternative assessment program required under (c)(1) of this section. The alternative assessment program required under (c)(1) of this section applicable to an individual student may not be changed after February 1 of the student's junior year of study.

(g) In this section,

(1) "child with a disability" has the meaning given in AS 14.30.350;

(2) "individualized education program team" means a group of people that translates child assessment information regarding a child into a practical plan for specially designed instruction and delivery of services for the child, consisting of the persons necessary to qualify the team under appropriate federal regulations applicable to a child with a disability who is eligible for special education services under AS 14.30.

((1 ch 58 SLA 1997; am 2 ch 94 SLA 2001; am 24 ch 35 SLA 2003; am 14 ch 41 SLA 2009))

Administrative Code. - For statewide student assessment, see 4 AAC 6, art. 4.

Effect of amendments. The 2001 amendment rewrote subsections (a) and (b) and added subsections (c)-(g). The amendment to subsections (a) and (b) by section 2, ch. 94, SLA 2001 amended those subsections before they became effective. Sections 7 and 11, ch. 94, SLA 2001 amend 3, ch. 58, SLA 1997 to make this entire section effective February 1, 2004.

The 2003 amendment, effective February 1, 2004, at the end of paragraph (1) of subsection (g), substituted "in AS 14.30.350" for "'children with disabilities' in AS 14.30.350".

The 2009 amendment, effective June 21, 2009, in (g), rewrote (g)(2), which read, "'individualized education program team' has the meaning given in AS 14.30.350."

Effective dates. Section 3, ch. 58, SLA 1997 made this section effective January 1, 2002. However, 7, ch. 94, SLA 2001 changes the effective date of the section to February 1, 2004.

Editor's notes. AS 14.30.350, cited in (g)(2) of this section, was repealed by 41, ch. 67, SLA 2001.

Companion Bill S. 504

108TH CONGRESS
1ST SESSION

H. R. 1078

To establish academies for teachers and students of American history and civics and a national alliance of teachers of American history and civics, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2003

Mr. WICKER introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To establish academies for teachers and students of American history and civics and a national alliance of teachers of American history and civics, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American History and
5 Civics Education Act of 2003”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) AMERICAN HISTORY AND CIVICS.—The term
9 “American history and civics” means the key events,

1 key persons, key ideas, and key documents that
2 shaped the institutions and democratic heritage of
3 the United States.

4 (2) CHAIRPERSON.—The term “Chairperson”
5 means the Chairperson of the National Endowment
6 for the Humanities.

7 (3) INSTITUTION OF HIGHER EDUCATION.—The
8 term “institution of higher education” has the
9 meaning given the term in section 101(a) of the
10 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

11 (4) KEY DOCUMENTS.—The term “key docu-
12 ments” means the documents that established or ex-
13 plained the foundational principles of democracy in
14 the United States, including the United States Con-
15 stitution and the amendments to the Constitution
16 (particularly the Bill of Rights), the Declaration of
17 Independence, the Federalist Papers, and the Eman-
18 cipation Proclamation.

19 (5) KEY EVENTS.—The term “key events”
20 means the critical turning points in the history of
21 the United States (including the American Revolu-
22 tion, the Civil War, the world wars of the twentieth
23 century, the civil rights movement, and the major
24 court decisions and legislation) that contributed to

1 extending the promise of democracy in American
2 life.

3 (6) KEY IDEAS.—The term “key ideas” means
4 the ideas that shaped the democratic institutions
5 and heritage of the United States, including the no-
6 tion of equal justice under the law, freedom, individ-
7 ualism, human rights, and a belief in progress.

8 (7) KEY PERSONS.—The term “key persons”
9 means the men and women who led the United
10 States as founding fathers, elected officials, sci-
11 entists, inventors, pioneers, advocates of equal
12 rights, entrepreneurs, and artists.

13 (8) NONPROFIT EDUCATIONAL INSTITUTION.—
14 The term “nonprofit educational institution”—

15 (A) means—

16 (i) an institution of higher education;

17 or

18 (ii) a nonprofit educational research
19 center; and

20 (B) includes a consortium of entities de-
21 scribed in subparagraph (A).

22 (9) STATE.—The term “State” means each of
23 the 50 States and the District of Columbia.

1 SEC. 3. PRESIDENTIAL ACADEMIES FOR TEACHING OF
2 AMERICAN HISTORY AND CIVICS.

3 (a) ESTABLISHMENT.—From amounts appropriated
4 under subsection (j), the Chairperson shall award grants,
5 on a competitive basis, to nonprofit educational institu-
6 tions to establish Presidential Academies for Teaching of
7 American History and Civics (in this section referred to
8 as “Academies”) that shall offer workshops for teachers
9 of American history and civics—

10 (1) to learn how better to teach the subjects of
11 American history and civics; and

12 (2) to strengthen such teachers’ knowledge of
13 such subjects.

14 (b) APPLICATION.—

15 (1) IN GENERAL.—A nonprofit educational in-
16 stitution that desires to receive a grant under this
17 section shall submit an application to the Chair-
18 person at such time, in such manner, and containing
19 such information as the Chairperson may require.

20 (2) CONTENTS.—An application submitted
21 under paragraph (1) shall—

22 (A) include the criteria the nonprofit edu-
23 cational institution intends to use to determine
24 which teachers will be selected to attend work-
25 shops offered by the Academy;

1 (B) identify the individual the nonprofit
2 educational institution intends to appoint to be
3 the primary professor at the Academy; and

4 (C) include a description of the curriculum
5 to be used at workshops offered by the Acad-
6 emy.

7 (e) NUMBER OF GRANTS.—Except as provided in
8 subsection (e)(2)(B), the Chairperson shall award not
9 more than 12 grants to different nonprofit educational in-
10 stitutions under this section.

11 (d) DISTRIBUTION.—In awarding grants under this
12 section, the Chairperson shall ensure that such grants are
13 equitably distributed among the geographical regions of
14 the United States.

15 (e) GRANT TERMS.—

16 (1) IN GENERAL.—Grants awarded under this
17 section shall be for a term of 2 years.

18 (2) GRANTS AFTER FIRST TWO YEARS.—Upon
19 completion of the first 2-year grant term, the Chair-
20 person shall—

21 (A) renew a grant awarded under this sec-
22 tion to a nonprofit educational institution for
23 one more term of 2 years; or

24 (B) award a new grant to a nonprofit edu-
25 cational institution having an application ap-

1 proved under this section for a term of 2 years,
2 notwithstanding the 12 grant award maximum
3 under subsection (c).

4 (f) USE OF FUNDS.—

5 (1) WORKSHOPS.—

6 (A) IN GENERAL.—A nonprofit educational
7 institution that receives a grant under this sec-
8 tion shall establish an Academy that shall offer
9 a workshop during the summer, or during an-
10 other appropriate time, for kindergarten
11 through grade 12 teachers of American history
12 and civics—

13 (i) to learn how better to teach the
14 subjects of American history and civics;
15 and

16 (ii) to strengthen such teachers'
17 knowledge of such subjects.

18 (B) DURATION OF WORKSHOP.—A work-
19 shop offered pursuant to this section shall be
20 approximately 2 weeks in duration.

21 (2) ACADEMY STAFF.—

22 (A) PRIMARY PROFESSOR.—Each Academy
23 shall be headed by a primary professor identi-
24 fied in the application submitted under sub-
25 section (b) who shall—

1 (i) be accomplished in the field of
2 American history and civics; and

3 (ii) design the curriculum for and lead
4 the workshop.

5 (B) CORE TEACHERS.—Each primary pro-
6 fessor shall appoint an appropriate number of
7 core teachers. At the direction of the primary
8 professor, the core teachers shall teach and
9 train the workshop attendees.

10 (3) SELECTION OF TEACHERS.—

11 (A) IN GENERAL.—

12 (i) NUMBER OF TEACHERS.—Each
13 year, each Academy shall select approxi-
14 mately 300 kindergarten through grade 12
15 teachers of American history and civics to
16 attend the workshop offered by the Acad-
17 emy.

18 (ii) FLEXIBILITY IN NUMBER OF
19 TEACHERS.—An Academy may select more
20 than or fewer than 300 teachers depending
21 on the population in the region where the
22 Academy is located.

23 (B) TEACHERS FROM SAME REGION.—In
24 selecting teachers to attend a workshop, an
25 Academy shall select primarily teachers who

1 teach in schools located in the region where the
2 Academy is located.

3 (C) TEACHERS FROM PUBLIC AND PRI-
4 VATE SCHOOLS.—An Academy may select
5 teachers from public schools and private schools
6 to attend the workshop offered by the Academy.

7 (g) COSTS.—

8 (1) IN GENERAL.—Except as provided in para-
9 graph (2), a teacher who attends a workshop offered
10 pursuant to this section shall not incur costs associ-
11 ated with attending the workshop, including costs
12 for meals, lodging, and materials while attending the
13 workshop.

14 (2) TRAVEL COSTS.—A teacher who attends a
15 workshop offered pursuant to this section shall use
16 non-Federal funds to pay for such teacher's costs of
17 transit to and from the Academy.

18 (h) EVALUATION.—Not later than 90 days after com-
19 pletion of all of the workshops assisted in the third year
20 grants are awarded under this section, the Chairperson
21 shall conduct an evaluation to—

22 (1) determine the overall success of the grant
23 program authorized under this section; and

24 (2) highlight the best grantees' practices in
25 order to become models for future grantees.

1 (i) NON-FEDERAL FUNDS.—A nonprofit educational
2 institution receiving Federal assistance under this section
3 may contribute non-Federal funds toward the costs of op-
4 erating the Academy.

5 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to carry out this section
7 \$7,000,000 for each of fiscal years 2004 through 2007.

8 **SEC. 4. CONGRESSIONAL ACADEMIES FOR STUDENTS OF**
9 **AMERICAN HISTORY AND CIVICS.**

10 (a) ESTABLISHMENT.—From amounts appropriated
11 under subsection (j), the Chairperson shall award grants,
12 on a competitive basis, to nonprofit educational institu-
13 tions to establish Congressional Academies for Students
14 of American History and Civics (in this section referred
15 to as “Academies”) that shall offer workshops for out-
16 standing students of American history and civics to broad-
17 en and deepen such students’ understanding of American
18 history and civics.

19 (b) APPLICATION.—

20 (1) IN GENERAL.—A nonprofit educational in-
21 stitution that desires to receive a grant under this
22 section shall submit an application to the Chair-
23 person at such time, in such manner, and containing
24 such information as the Chairperson may require.

1 (2) CONTENTS.—An application submitted
2 under paragraph (1) shall—

3 (A) include the criteria the nonprofit edu-
4 cational institution intends to use to determine
5 which students will be selected to attend work-
6 shops offered by the Academy;

7 (B) identify the individual the nonprofit
8 educational institution intends to appoint to be
9 the primary professor at the Academy; and

10 (C) include a description of the curriculum
11 to be used at workshops offered by the Acad-
12 emy.

13 (e) NUMBER OF GRANTS.—Except as provided in
14 subsection (e)(2)(B), the Chairperson shall award not
15 more than 12 grants to different nonprofit educational in-
16 stitutions under this section.

17 (d) DISTRIBUTION.—In awarding grants under this
18 section, the Chairperson shall ensure that such grants are
19 equitably distributed among the geographical regions of
20 the United States.

21 (e) GRANT TERMS.—

22 (1) IN GENERAL.—Grants awarded under this
23 section shall be for a term of 2 years.

1 (2) GRANTS AFTER FIRST TWO YEARS.—Upon
2 completion of the first 2-year grant term, the Chair-
3 person shall—

4 (A) renew a grant awarded under this sec-
5 tion to a nonprofit educational institution for
6 one more term of 2 years; or

7 (B) award a new grant to a nonprofit edu-
8 cational institution having an application ap-
9 proved under this section for a term of 2 years,
10 notwithstanding the 12 grant award maximum
11 under subsection (c).

12 (f) USE OF FUNDS.—

13 (1) WORKSHOPS.—

14 (A) IN GENERAL.—A nonprofit educational
15 institution that receives a grant under this sec-
16 tion shall establish an Academy that shall offer
17 a workshop during the summer, or during an-
18 other appropriate time, for outstanding stu-
19 dents of American history and civics to broaden
20 and deepen such students' understanding of
21 American history and civics.

22 (B) DURATION OF WORKSHOP.—A work-
23 shop offered pursuant to this section shall be
24 approximately 4 weeks in duration.

25 (2) ACADEMY STAFF.—

1 (A) PRIMARY PROFESSOR.—Each Academy
2 shall be headed by a primary professor identi-
3 fied in the application submitted under sub-
4 section (b) who shall—

5 (i) be accomplished in the field of
6 American history and civics; and

7 (ii) design the curriculum for and lead
8 the workshop.

9 (B) CORE TEACHERS.—Each primary pro-
10 fessor shall appoint an appropriate number of
11 core teachers. At the direction of the primary
12 professor, the core teachers shall teach the
13 workshop attendees.

14 (3) SELECTION OF STUDENTS.—

15 (A) IN GENERAL.—

16 (i) NUMBER OF STUDENTS.—Each
17 year, each Academy shall select approxi-
18 mately 300 eligible students to attend the
19 workshop offered by the Academy.

20 (ii) FLEXIBILITY IN NUMBER OF STU-
21 DENTS.—An Academy may select more
22 than or fewer than 300 eligible students
23 depending on the population in the region
24 where the Academy is located.

1 (B) ELIGIBLE STUDENTS.—A student shall
2 be eligible to attend a workshop offered by an
3 Academy if the student—

4 (i) is recommended by the student's
5 secondary school principal (or other head
6 of such student's secondary school) to at-
7 tend the workshop; and

8 (ii) will be a junior or senior in a pub-
9 lic or private secondary school in the aca-
10 demic year following attendance at the
11 workshop.

12 (C) STUDENTS FROM SAME REGION.—In
13 selecting students to attend a workshop, an
14 Academy shall select primarily students who at-
15 tend secondary schools located in the region
16 where the Academy is located.

17 (g) COSTS.—

18 (1) IN GENERAL.—Except as provided in para-
19 graph (2), a student who attends a workshop offered
20 pursuant to this section shall not incur costs associ-
21 ated with attending the workshop, including costs
22 for meals, lodging, and materials while attending the
23 workshop.

24 (2) TRAVEL COSTS.—A student who attends a
25 workshop offered pursuant to this section shall use

1 non-Federal funds to pay for such student's costs of
2 transit to and from the Academy.

3 (h) EVALUATION.—Not later than 90 days after com-
4 pletion of all of the workshops assisted in the third year
5 grants are awarded under this section, the Chairperson
6 shall conduct an evaluation to—

7 (1) determine the overall success of the grant
8 program authorized under this section; and

9 (2) highlight the best grantees' practices in
10 order to become models for future grantees.

11 (i) NON-FEDERAL FUNDS.—A nonprofit educational
12 institution receiving Federal assistance under this section
13 may contribute non-Federal funds toward the costs of op-
14 erating the Academy.

15 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to carry out this section
17 \$14,000,000 for each of fiscal years 2004 through 2007.

18 **SEC. 5. NATIONAL ALLIANCE OF TEACHERS OF AMERICAN**
19 **HISTORY AND CIVICS.**

20 (a) ESTABLISHMENT.—

21 (1) IN GENERAL.—From amounts appropriated
22 under subsection (e), the Chairperson shall award a
23 grant to an organization for the creation of a na-
24 tional alliance of elementary school and secondary
25 school teachers of American history and civics.

1 (2) PURPOSE.—The purpose of the national al-
2 liance is—

3 (Δ) to facilitate the sharing of ideas among
4 teachers of American history and civics; and

5 (B) to encourage best practices in the
6 teaching of American history and civics.

7 (b) APPLICATION.—An organization that desires to
8 receive a grant under this section shall submit an applica-
9 tion to the Chairperson at such time, in such manner, and
10 containing such information as the Chairperson may re-
11 quire.

12 (c) GRANT TERM.—A grant awarded under this sec-
13 tion shall be for a term of 2 years and may be renewed
14 after the initial term expires.

15 (d) USE OF FUNDS.—An organization that receives
16 a grant under this section may use the grant funds for
17 any of the following:

18 (1) Creation of a website on the Internet to fa-
19 cilitate discussion of new ideas on improving Amer-
20 ican history and civics education.

21 (2) Creation of in-State chapters of the national
22 alliance, to which individual teachers of American
23 history and civics may belong, that sponsors Amer-
24 ican history and civics activities for such teachers in
25 the State.

1 (3) Seminars, lectures, or other events focused
2 on American history and civics, which may be spon-
3 sored in cooperation with, or through grants award-
4 ed to, libraries, States' humanities councils, or other
5 appropriate entities.

6 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated to carry out this section
8 \$4,000,000 for each of fiscal years 2004 through 2007.

○

H.R.1078**Latest Title:** American History and Civics Education Act of 2003**Sponsor:** Rep Wicker, Roger F. [MS-1] (introduced 3/4/2003) Cosponsors (213)**Related Bills:** S.504**Latest Major Action:** 3/24/2003 Referred to House subcommittee. Status:
Referred to the Subcommittee on Education Reform.

SUMMARY AS OF:

3/4/2003--Introduced.

American History and Civics Education Act of 2003 - Directs the Chairperson of the National Endowment for the Humanities (NEH) to award competitive grants to nonprofit educational institutions to establish: (1) Presidential Academies for Teaching of American History and Civics to offer workshops for teachers of American history and civics; and (2) Congressional Academies for Students of American History and Civics to offer workshops for outstanding students of American history and civics.

Directs the NEA Chairperson to award a grant to an organization for the creation of a national alliance of elementary school and secondary school teachers of American history and civics.

H.R.1078**Latest Title:** American History and Civics Education Act of 2003**Sponsor:** Rep Wicker, Roger F. [MS-1] (introduced 3/4/2003) Cosponsors (213)**Related Bills:** S.504**Latest Major Action:** 3/24/2003 Referred to House subcommittee. Status:
Referred to the Subcommittee on Education Reform.

COSPONSORS(213), ALPHABETICAL [followed by Cosponsorswithdrawn]: (Sort: by date)Rep Abercrombie, Neil [HI-1] -

6/11/2003

Rep Aderholt, Robert B. [AL-4] -

6/19/2003

Rep Alexander, Rodney [LA-5] -

6/11/2003

Rep Bachus, Spencer [AL-6] -

7/17/2003

Rep Baker, Richard H. [LA-6] -

6/11/2003

Rep Ballance, Frank W., Jr. [NC-1] -

6/19/2003

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6/19/2003

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6/11/2003

Rep Blumenauer, Earl [OR-3] -

6/11/2003

Rep Blunt, Roy [MO-7] - 7/17/2003

Rep Boehlert, Sherwood [NY-24] - 7/17/2003
Rep Bonilla, Henry [TX-23] - 7/18/2003
Rep Bonner, Jo [AL-1] - 6/11/2003
Rep Bono Mack, Mary [CA-45] - 6/11/2003
Rep Boozman, John [AR-3] - 6/11/2003
Rep Boucher, Rick [VA-9] - 6/11/2003
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Rep Brown-Waite, Ginny [FL-5] - 6/11/2003
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Rep Burr, Richard [NC-5] - 6/19/2003
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Rep Davis, Lincoln [TN-4] - 6/11/2003
Rep Davis, Tom [VA-11] - 6/19/2003
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Rep Frelinghuysen, Rodney P. [NJ-11] - 7/17/2003
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Rep Gerlach, Jim [PA-6] - 6/19/2003
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Rep Greenwood, James C. [PA-8] - 6/19/2003
Rep Grijalva, Raul M. [AZ-7] -

7/22/2003
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6/12/2003
Rep Harman, Jane [CA-36] -
6/11/2003
Rep Harris, Katherine [FL-13] -
6/11/2003
Rep Hart, Melissa A. [PA-4] -
7/17/2003
Rep Hastings, Alcee L. [FL-23] -
7/18/2003
Rep Hastings, Doc [WA-4] -
6/19/2003
Rep Haves, Robin [NC-8] - 7/15/2003
Rep Hayworth, J. D. [AZ-5] -
6/11/2003
Rep Heflev, Joel [CO-5] - 6/11/2003
Rep Hensarling, Jeb [TX-5] -
6/12/2003
Rep Herder, Wally [CA-2] - 7/15/2003
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6/11/2003
Rep Hostettler, John N. [IN-8] -
6/19/2003
Rep Hover, Steny H. [MD-5] -
6/19/2003
Rep Hulshof, Kenny C. [MO-9] -
7/17/2003
Rep Hyde, Henry J. [IL-6] - 6/11/2003
Rep Isakson, Johnny [GA-6] -
6/19/2003
Rep Jackson-Lee, Sheila [TX-18] -
6/12/2003
Rep Janklow, William J. [SD] -
6/19/2003
Rep Jenkins, William L. [TN-1] -
6/11/2003
Rep John, Christopher [LA-7] -
6/11/2003
Rep Johnson, Nancy L. [CT-5] -
7/17/2003
Rep Jones, Stephanie Tubbs [OH-11] -
9/29/2004
Rep Jones, Walter B., Jr. [NC-3] -
6/16/2003
Rep Kaptur, Marcy [OH-9] -
6/19/2003

Rep Keller, Ric [FL-8] - 6/19/2003
Rep Kelly, Sue W. [NY-19] -
6/11/2003
Rep Kennedy, Patrick J. [RI-1] -
6/19/2003
Rep Kind, Ron [WI-3] - 7/17/2003
Rep Kingston, Jack [GA-1] -
6/11/2003
Rep Kleczka, Gerald D. [WI-4] -
6/11/2003
Rep Knollenberg, Joe [MI-9] -
7/15/2003
Rep Kucinich, Dennis J. [OH-10] -
7/17/2003
Rep Larsen, Rick [WA-2] - 6/24/2003
Rep LaTourette, Steven C. [OH-14] -
7/17/2003
Rep Lewis, Ron [KY-2] - 6/11/2003
Rep Lipinski, William O. [IL-3] -
6/19/2003
Rep LoBiondo, Frank A. [NJ-2] -
6/19/2003
Rep Lofgren, Zoe [CA-16] - 6/11/2003
Rep Lowey, Nita M. [NY-18] -
7/15/2003
Rep Lucas, Ken [KY-4] - 7/17/2003
Rep Maiette, Denise L. [GA-4] -
6/19/2003
Rep McCotter, Thaddeus G. [MI-11] -
6/19/2003
Rep McDermott, Jim [WA-7] -
6/11/2003
Rep McHugh, John M. [NY-23] -
7/17/2003
Rep McIntyre, Mike [NC-7] -
6/11/2003
Rep Menendez, Robert [NJ-13] -
6/19/2003
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Rep Millender-McDonald, Juanita [CA-
37] - 6/11/2003
Rep Miller, Candice S. [MI-10] -
6/19/2003
Rep Miller, Gary G. [CA-42] -
6/19/2003
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6/11/2003
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Rep Murtha, John P. [PA-12] -
6/11/2003
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6/19/2003
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6/11/2003
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- 6/11/2003
Rep Neugebauer, Randy [TX-19] -
6/19/2003
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6/19/2003
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7/15/2003
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7/15/2003
Rep Olver, John W. [MA-1] -
7/15/2003
Rep Osborne, Tom [NE-3] - 7/17/2003
Rep Ose, Doug [CA-3] - 6/24/2003
Rep Pastor, Ed [AZ-4] - 6/11/2003
Rep Payne, Donald M. [NJ-10] -
6/19/2003
Rep Pearce, Stevan [NM-2] -
6/11/2003
Rep Pence, Mike [IN-6] - 6/11/2003
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6/19/2003
Rep Peterson, John E. [PA-5] -
6/19/2003
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6/19/2003
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6/19/2003
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Rep Price, David E. [NC-4] -
6/11/2003
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6/11/2003
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6/11/2003
Rep Radanovich, George [CA-19] -
7/24/2003
Rep Renzi, Rick [AZ-1] - 6/11/2003

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6/11/2003
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6/11/2003
Rep Rogers, Mike J. [MI-8] -
6/11/2003
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6/19/2003
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6/18/2003
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6/11/2003
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6/16/2003
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6/11/2003
Rep Schrock, Edward L. [VA-2] -
7/18/2003
Rep Scott, David [GA-13] - 6/16/2003
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6/19/2003
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[WI-5] - 6/11/2003
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6/19/2003
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6/19/2003
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6/19/2003
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7/18/2003
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6/11/2003
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7/18/2003
Rep Simpson, Michael K. [ID-2] -
6/19/2003
Rep Slaughter, Louise McIntosh [NY-
28] - 9/17/2003
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Rep Souder, Mark E. [IN-3] -
6/18/2003
Rep Spratt, John M., Jr. [SC-5] -

9/24/2003
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Rep Sweeney, John E. [NY-20] -
7/15/2003
Rep Tanner, John S. [TN-8] -
6/11/2003
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6/11/2003
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6/11/2003
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7/9/2003
Rep Tiahrt, Todd [KS-4] - 6/11/2003
Rep Tiberi, Patrick J. [OH-12] -
6/19/2003
Rep Turner, Jim [TX-2] - 6/11/2003
Rep Udall, Mark [CO-2] - 6/11/2003
Rep Udall, Tom [NM-3] - 7/17/2003
Rep Upton, Fred [MI-6] - 7/17/2003
Rep Visclosky, Peter J. [IN-1] -
6/19/2003
Rep Vitter, David [LA-1] - 7/15/2003
Rep Walden, Greg [OR-2] - 6/12/2003
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Rep Weldon, Curt [PA-7] - 7/15/2003
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Rep Wilson, Heather [NM-1] -

6/19/2003
Rep Wilson, Joe [SC-2] - 6/24/2003
Rep Wolf, Frank R. [VA-10] -
6/19/2003
Rep Wynn, Albert Russell [MD-4] -
6/19/2003
Rep Young, C.W. Bill [FL-10] -
6/12/2003
Rep Sullivan, John [OK-1] -
6/11/2003(withdrawn - 7/20/2004)
Rep Barrett, J. Gresham [SC-3] -
6/11/2003(withdrawn - 11/19/2003)
Rep Tancredo, Thomas G. [CO-6] -
6/11/2003(withdrawn - 10/15/2003)
Rep King, Steve [IA-5] -
6/19/2003(withdrawn - 5/6/2004)
Rep Weldon, Dave [FL-15] -
6/19/2003(withdrawn - 12/8/2003)
Rep Musgrave, Marilyn N. [CO-4] -
6/19/2003(withdrawn - 9/17/2003)
Rep Kline, John [MN-2] -
6/24/2003(withdrawn - 9/25/2003)
Rep Miller, Jeff [FL-1] -
7/15/2003(withdrawn - 10/1/2003)
Rep Akin, W. Todd [MO-2] -
7/17/2003(withdrawn - 9/17/2003)
Rep Bishop, Rob [UT-1] -
7/17/2003(withdrawn - 11/19/2004)
Rep Pitts, Joseph R. [PA-16] -
7/18/2003(withdrawn - 9/25/2003)

S.504**Latest Title:** American History and Civics Education Act of 2003**Sponsor:** Sen Alexander, Lamar [TN] (introduced 3/4/2003) Cosponsors (37)**Related Bills:** H.R.1078**Latest Major Action:** 7/21/2003 Referred to House subcommittee. Status: Referred to the Subcommittee on Select Education.**Senate Reports:** 108-71**S.504****Latest Title:** American History and Civics Education Act of 2003**Sponsor:** Sen Alexander, Lamar [TN] (introduced 3/4/2003) Cosponsors (37)**Related Bills:** H.R.1078**Latest Major Action:** 7/21/2003 Referred to House subcommittee. Status: Referred to the Subcommittee on Select Education.**Senate Reports:** 108-71

SUMMARY AS OF:6/20/2003--Passed Senate amended. (There are 2 other summaries)

American History and Civics Education Act of 2003 - Directs the National Endowment for the Humanities (NEH) to award competitive grants to educational institutions to establish: (1) Presidential Academies for Teaching of American History and Civics to offer workshops for teachers of American history and civics; and (2) Congressional Academies for Students of American History and Civics to offer workshops for outstanding students of American history and civics.

Requires such Academies to describe how they will include teachers and students from schools receiving assistance for educationally disadvantaged children under the Elementary and Secondary Education Act of 1965, particularly those schools with high concentrations of students from low-income families.

Directs the NEH to award a grant to an organization for the creation of a national alliance of elementary school and secondary school teachers of American history and civics.

COSPONSORS(37), ALPHABETICAL [followed by Cosponsors withdrawn]: (Sort: by date)

Sen Akaka, Daniel K. [HI] - 6/19/2003
Sen Bingaman, Jeff [NM] - 6/19/2003
Sen Burns, Conrad R. [MT] - 5/14/2003
Sen Bvrd, Robert C. [WV] - 4/10/2003
Sen Chambliss, Saxby [GA] - 3/20/2003
Sen Clinton, Hillary Rodham [NY] -
6/19/2003
Sen Cochran, Thad [MS] - 4/2/2003
Sen Coleman, Norm [MN] - 3/4/2003
Sen Cornyn, John [TX] - 3/4/2003
Sen Dayton, Mark [MN] - 6/19/2003
Sen DeWine, Mike [OH] - 3/21/2003
Sen Dodd, Christopher J. [CT] -
3/4/2003
Sen Ensign, John [NV] - 6/19/2003
Sen Enzi, Michael B. [WY] - 3/4/2003
Sen Feinstein, Dianne [CA] - 6/19/2003
Sen Frist, William H. [TN] - 3/4/2003
Sen Grassley, Chuck [IA] - 6/9/2003
Sen Gregg, Judd [NH] - 3/4/2003

Sen Inhofe, James M. [OK] - 3/4/2003
Sen Inouye, Daniel K. [HI] - 6/19/2003
Sen Kennedy, Edward M. [MA] -
3/20/2003
Sen Kerry, John F. [MA] - 6/19/2003
Sen Kohl, Herb [WI] - 6/19/2003
Sen Landrieu, Mary L. [LA] - 6/19/2003
Sen Lautenberg, Frank R. [NJ] -
6/20/2003
Sen Levin, Carl [MI] - 6/19/2003
Sen Lieberman, Joseph I. [CT] -
6/19/2003
Sen Miller, Zell [GA] - 3/6/2003
Sen Murkowski, Lisa [AK] - 3/5/2003
Sen Murray, Patty [WA] - 6/19/2003
Sen Nickles, Don [OK] - 3/4/2003
Sen Reed, Jack [RI] - 6/19/2003
Sen Reid, Harry [NV] - 3/4/2003
Sen Santorum, Rick [PA] - 3/4/2003
Sen Sessions, Jeff [AL] - 3/18/2003
Sen Stevens, Ted [AK] - 3/4/2003
Sen Warner, John [VA] - 3/5/2003

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By *Mark Tapscott*
Created *Mar 9 2011 - 9:05pm*

Individual liberty cannot survive a republic of dunces

In an era noteworthy for Muslim terrorists plotting future 9/11s and nukes in the hands of fanatical nut jobs like Iran's Mahmoud Ahmadinejad and North Korea's Kim Jong il, you might think there couldn't possibly be a more serious problem to ponder.

You would be wrong.

Consider what happened recently when the Intercollegiate Studies Institute gave a 60-question civic literacy test to more than 28,000 college students:

"Less than half knew about federalism, judicial review, the Declaration of Independence, the Gettysburg Address, and NATO. And this was a multiple-choice test, with the answers staring them right in the face," said political scientist Richard Bake, co-chairman of ISI's Civic Literacy Board.

"Ten percent thought that 'we hold these truths to be self-evident, that all men are created equal' came from the Communist Manifesto," Bake added during a recent interview with my *Examiner* colleague Barbara Hollingsworth.

Even the smart kids at Harvard failed the test, scoring on average 69, which is a D. Since the vast majority of the students tested are products of public schools, the results represent a comprehensive indictment of public education, the National Education Association and the American Federation of Teachers.

These are the people who year after year graduate classes in which one of every four kids cannot read at even a basic level. If you can't read the Constitution, or the Declaration, or *The Federalist Papers*, you won't understand their essential concepts or why they represent so much wisdom.

When even our elite colleges and universities aren't teaching the next generation the basic concepts of the American republic like federalism or the difference between Thomas Jefferson and Karl Marx, it ought to be obvious that American public education is failing American democracy.

Does anybody on America's college faculties remember or care that once liberty is lost, it is almost never regained?

As with so much else, James Madison captures in a wonderfully succinct couple of sentences the profoundly serious implications of raising a generation that is politically crippled by its gross civic ignorance. Madison wrote of the difference between Europe and America, saying: "In Europe, charters of liberty have been granted by power. America has set the example ... of charters of power granted by liberty."

If you don't grasp how Madison's simple equation makes all the difference in the world for the manner in which this country is governed, then you probably don't understand why liberals and conservatives disagree on just about everything that is fundamental to contemporary public policy.

Take health care. Liberals love the European welfare state, epitomized by Britain's National Health Service, aka a "single-payer system" or the "public option." That is why Obamacare erects hundreds of new bureaucratic agencies to regulate every detail of health care research, delivery and pricing.

That includes hiring thousands of new Internal Revenue Service agents to enforce the individual mandate federal District Judge Roger Vinson just declared unconstitutional. And those 1,040 waivers granted so far under Obamacare are the modern illustration of those European "charters of liberty ... granted by power."

For conservatives, the ideal health care reform is embodied in the Health Savings Account that puts the power of choice in the hands of individuals. That makes insurance providers compete to satisfy customers instead of government bureaucrats.

The bureaucrats are limited to enforcing contracts honestly made and assuring sufficient transparency of services and products to enable individuals to make informed choices. Or, as Madison would say, those with liberty grant a limited charter of power to government to do specific things and only those things.

But a generation that is not taught to recognize the irreconcilable differences represented by the Declaration of Independence and the Communist Manifesto, between Madison and Marx, the Federalist Papers and Rules for Radicals is doomed to be ruled, not to rule.

Individual liberty will not long survive in a republic of civic dunces.

Mark Tapscott is editorial page editor of The Washington Examiner and proprietor of Tapscott's CopyDesk blog on washingtonexaminer.com

Handouts, Morality and Common Sense

By Walter E. Williams · Wednesday, March 9, 2011

Whether Americans realize it or not, the last decade's path of congressional spending is unsustainable. Spending must be reined in, but what spending should be cut? The Republican majority in the House of Representatives fear being booted out of office and are understandably timid. Their rule for whom to cut appears to be: Look around to see who are the politically weak handout recipients.

The problem is that those cuts won't put much of a dent in overall spending. The absolute last thing a Republican or Democrat congressman wants to do is to cut handouts to, and thereby anger, recipients who vote in large numbers. To spare myself ugly mail, I'm not going to mention that handout group, but members of Congress know of whom I speak.

More than 200 House members and 50 senators have co-sponsored a balanced budget amendment to our Constitution. A balanced budget amendment is no protection against the growth of government and the loss of our liberties. Estimated federal tax revenue for 2011 is \$2.2 trillion and federal spending is \$3.8 trillion leaving us with a \$1.6 trillion deficit. The budget could be balanced simply by taking more of our earnings, making us greater congressional serfs. True protection requires an amendment limiting congressional spending.

You say, "OK, Williams, what would be your rule for getting our fiscal house in order?" We need a rule that combines our Constitution with simple morality and plain common sense. I think it immoral for Congress to forcibly take one American's earnings and give them to another American to whom they do not belong. If a person did the same thing privately, he'd be convicted of theft and jailed. We might ask ourselves whether acts that are clearly immoral and despicable when done privately are any less so when done by Congress. Close to two-thirds of the federal budget, so-called entitlements, represent what thieves do: redistribute income.

Some people might say, "Williams, the programs that you'd cut are vital to the welfare of our nation!" When someone says that, I always ask what did we do before. For example, our nation went from 1787 to 1979 and during that interval produced some of the world's most highly educated people without a Department of Education. Since the department's creation, American primary and secondary education has become a joke among industrialized nations.

What about the Department of Energy; how much energy has it produced?

From our founding in 1787 to 1965, our nation went from a Third World status to building the world's mightiest first-class cities such as New York, Chicago, Los Angeles, Detroit and Philadelphia without the benefit of Department of Housing and Urban Development (HUD). After HUD was created in 1965, many of our formerly great cities are in decline. No one is saying that HUD is responsible for the decline, but neither was HUD responsible for their rise.

There is a distinct group of Americans who bear a large burden for today's runaway government. You ask, "Who are they?" It's the so-called "greatest generation." When those Americans were born, federal spending as a percentage of GDP was about 3 percent, as it was from 1787 to 1920 except during war. No one denies the sacrifices made and the true greatness of a generation of Americans who suffered through our worst depression, conquered the meanest tyrants during World War II and later managed to produce a level of wealth and prosperity heretofore unknown to mankind.

But this generation of Americans also laid the political foundation for the greatest betrayal of our nation's core founding principle: limited federal government exercising only constitutionally enumerated powers. It was on their watch that the foundation was laid for today's massive federal spending that tops 25 percent of GDP.

A good part of that generation is still alive. Before they depart, they might do their share to help us have a federal government exercising only constitutionally enumerated powers.

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