

# HB

# 30

<TARGET><BILL>HB 30</BILL><SUBJECT>HB  
30</SUBJECT><COMM>HF IN29</COMM></TARGET>

---





ALASKA STATE LEGISLATURE  
**HOUSE FINANCE COMMITTEE**

State Capitol, Room 519

Rep. Mark Neuman, Co-Chair

Rep. Steve Thompson, Co-Chair

Tuesday, March 17, 2015

1:30 AM

Agenda:

HB 140 - LEG. APPROVAL: AK RAILROAD REVENUE BONDS

HB 30 - CONSTITUTIONAL HISTORY CURRICULUM



February 5, 2015

Representative Wes Keller  
Education Committee  
Alaska State Capitol Building  
Room 403  
Juneau, Alaska 99801

RE: HB 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.

Dear Representative Keller,

The Alaska Municipal League represents all 164 Cities and Boroughs throughout the State of Alaska. As you may know, all boroughs and all First Class cities contribute a percentage of their property taxes to the schools they operate. As you are also probably aware, there will be a decline in the funds available to schools and municipalities for future operations.

While the concept of teaching our young people the basics of our U.S. Constitution is a laudatory goal, it seems that this is not the time to put one more unfunded mandate in front of all of Alaska's school districts. On introduction of the bill, you mentioned that most schools are already doing this, so you visualize very little cost involved. While Anchorage may be doing this, I am fairly certain that this is not necessarily being done in Craig, Dillingham, Galena, Hoonah, Hydaburg, Kake, King Cove, Klawock, Pelican, Saint Mary's, Seldovia, or Tanana (all First Class cities responsible for their own school district).

For those reasons, keeping in mind the looming deficit that we face, the Alaska Municipal League is opposed to this bill as a prime example of an unfunded mandate.

Sincerely,

Kathie Wasserman  
Executive Director

**From:** Ann and Ron Keffer [<mailto:annronkeffer@gmail.com>]  
**Sent:** Tuesday, February 03, 2015 6:03 PM  
**To:** Rep. Wes Keller  
**Cc:** Rep. Paul Seaton  
**Subject:** HB 30

Representative Keller,

Recently I submitted the e-mail below to Representative Seaton, and now I submit it as public testimony to both you as Chair and the entire House Education Committee. I wish I could be in Juneau to speak personally to this matter; nonetheless, I have kept my comments as brief as possible. All my contact information is in my signature at the bottom of this e-mail.

Thank you for your kind consideration.

Ronald L. Keffer, Ed.D.

-----

Hi, Paul!

I just read over House Bill 30. While I'm not particularly concerned about the bill in some of its aspects, I do wonder about the motivations of those who wrote the bill, and I fear it could be implemented in such a way as to present a false impression of the nature of the early history of our nation.

We live in a great democracy, and our freedoms are founded on our Constitution, but let's remember that a great deal of what we think of as Americanism got off to a rather shaky start. Please remember these portions of the *original* Constitution:

Article I, Section 2, includes the infamous sentence regarding determining representation by counting 3/5 of "all other Persons." Of course, those *persons* were black slaves. One of our founding values was slavery. That should not be glossed over; instead, the long struggle to realize the full measure of equality under the law should be taught. Civil rights, in other words! That struggle did not begin in the 1960's, and it has yet to end.

Article I, Section 3, originally provided for senators to be selected by state legislatures. That was hardly a democratic process, and students should understand that. The notion that the riffraff had to be kept from power was very strong among many of the writers of the Constitution. Since many of us, or our ancestors, would have been considered riffraff during that era, this is an important concept to teach.

Article II, Section 1, discusses the Electoral College. I won't write much about that here, but it deserves a lengthy study in any realistic account of the basis of our freedoms.

Article III, Section 1, established only one court, the "supreme Court." That section did permit Congress to establish other courts, but the nature of our court system to this day is handled on

almost an *ad hoc* basis by elected officials. The notion that our court system is flawless and that it is a timeless institution established for the ages in the Constitution should not be taught.

Article V takes us back to the issue of slavery. It says, “. . . that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth section of the first Article . . . .” In other words, this Article prohibited any effort to eliminate slavery by amending Section 9 of Article I. (The largely humanitarian and hugely expensive efforts of the British navy to squelch the slave trade to the United States would be a good addition to the curriculum in relation to this portion of the Constitution.)

I taught history for over a decade before beginning my career in school administration, and during two of those years I taught as a graduate teaching assistant at the University of Georgia. It is supremely important that requirements such as those envisioned by HB 30 be tempered by the simple expedient of insisting that *all* history be taught. To teach the Constitution only as it now reads, and to represent our form of government as one that has not evolved to become more free and more accommodating to the needs of its citizens would be wrong, and smacks of political propaganda.

Paul, I would love to hear your thoughts on this subject.

Thanks for hearing me!

Ron

-----

Ann and Ron Keffer  
189 Island View Court  
Homer, Alaska 99603  
H: 907-235-8293, Ann's Cell: 907-299-0812  
Ron's Cell: 907-299-0821  
[annronkeffer@gmail.com](mailto:annronkeffer@gmail.com)

To legislators considering HB 30 Constitutional History Curriculum:

I, Stuart Thompson, telephonically attended the initial hearing on HB 30—where support and opposition to it were well articulated by Rep Keller and Rep Seaton. I testified in the bill's support. My prepared testimony has been faxed in. As committee debate will ensue that I cannot directly participate in, I wish to have my responses to opposition points be viewed.

1) The difference between civics indoctrination and civics education must be more clearly understood in the context of the bill. Civics indoctrination gives a comprehension of a citizen's place in the political scheme of things—highly simplified. However, it instills a mental dependence on accredited authorities for the rightness or wrongness of political activity and the use of delegated power. Naturally, individual judgment isn't developed, thus lack of civic participation is encouraged. On the other hand, civics education gives a comprehension of the practical "doing ness" of citizenship, creating ability to make government do its job right. However, it tasks people with understanding the grounds for the compromises—based on principles being used to resolve problems perceived—that are reflected in constitutions and subordinate law. This enables competent judgment in wielding ultimate political power, or successfully supervising it when delegated.

2) Rep. Keller errs in depending on the use of the word "values" in communicating what he's aiming at with his bill. As demonstrated by Rep. Seaton, a lot of people define "values" only as "moral or political prejudices". This leaves out "successful problem-solving principles arising from verified reality"—what Rep. Keller really does want taught our youth.

3) The moral or political prejudices of US founders that Rep. Seaton decried — constitutional support of slavery, law-enforced political prejudices against women, lack of enforcement of constitutionally-admitted sovereignty of Indian tribes, etc. — all need to be viewed in the context of the realities and circumstances of the times. This is one of the compelling reasons to study history. Rep. Seaton is apparently not aware of what got edited out of the Declaration of Independence, founding father familiarity with the Iroquois Confederacy that influenced development of our form of government, or the direct influence Abigail Adams had on John Adams and his son's politics. This is not to mention careful construction of a constitutional amendment process— reflecting how the Founders knew that some problems they weren't solving could be solved later, if provided for.

4) To deny our youth access to the problem-solving principles and awareness of realities used by our founders is a hideous attack on posterity. US Supreme Court decisions are flooded with judicial attention to the Federalist Papers and other sources of Constitutionalism (including the Mayflower compact!). Example: if our youth were made aware of the problems surrounding the institution of slavery and the political compromises it enforced, they would have guidance to act on current repetitions of them. Like politically handling US energy dependence on oil. Like dealing with the US Supreme Court's Citizens United decision—that rules that virtual public slavery to corporate and special interests is constitutional. And what about government problems we now suffer from that have ready-made solutions available in the Anti-Federalist papers and Madison's notes on the US Constitutional Convention?

5) The greatest enabler of political corruption is ignorance. Why should we citizens suffer from general ignorance of the riches of our political heritage? Why should citizens called to public service— like you—have your honor compromised by fellow citizen ignorance? Haven't we citizens been tortured enough with betrayals of the dreams that founded our state and country? Why can't you legislators ride a tidal wave of People Power to glory and renown? This triumphant effort awaits public access to Constitutionalism.

Stuart Thompson /// PO Box 870702, Wasilla AK 99687 /// 1-877-950-7980 /// [lookitover@att.net](mailto:lookitover@att.net)

**ALASKA STANDARDS**

# STANDARDS

**FOURTH EDITION**

**CONTENT AND PERFORMANCE  
STANDARDS FOR ALASKA STUDENTS**

**REVISED MARCH 2006**

# GOVERNMENT AND CITIZENSHIP

## A

**A student should know and understand how societies define authority, rights, and responsibilities through a governmental process.**

A student who meets the content standard should:

- 1) understand the necessity and purpose of government;
- 2) understand the meaning of fundamental ideas, including equality, authority, power, freedom, justice, privacy, property, responsibility, and sovereignty;
- 3) understand how nations organize their governments; and
- 4) compare and contrast how different societies have governed themselves over time and in different places.

## B

**A student should understand the constitutional foundations of the American political system and the democratic ideals of this nation.**

A student who meets the content standard should:

- 1) understand the ideals of this nation as expressed in the Declaration of Independence, the United States Constitution, and the Bill of Rights;
- 2) recognize American heritage and culture, including the republican form of government, capitalism, free enterprise system, patriotism, strong family units, and freedom of religion;
- 3) understand the United States Constitution, including separation of powers, the executive, legislative, and judicial branches of government, majority rule, and minority rights;
- 4) know how power is shared in the United States' constitutional government at the federal, state, and local levels;
- 5) understand the importance of individuals, public opinion, media, political parties, associations, and groups in forming and carrying out public policy;
- 6) recognize the significance of diversity in the American political system;
- 7) distinguish between constitution-based ideals and the reality of American political and social life;
- 8) understand the place of law in the American political system; and
- 9) recognize the role of dissent in the American political system.

## C

**A student should understand the character of government of the state.**

A student who meets the content standard should:

- 1) understand the various forms of the state's local governments and the agencies and commissions that influence students' lives and property;
- 2) accept responsibility for protecting and enhancing the quality of life in the state through the political and governmental processes;

**C** (continued)

- 3) understand the Constitution of Alaska and Sec. 4 of the Alaska Statehood Act, which is known as the Statehood Compact;
- 4) understand the importance of the historical and current roles of Alaska Native communities;
- 5) understand the Alaska Native Claims Settlement Act and its impact on the state;
- 6) understand the importance of the multicultural nature of the state;
- 7) understand the obligations that land and resource ownership place on the residents and government of the state; and
- 8) identify the roles of and relationships among the federal, tribal, and state governments and understand the responsibilities and limits of the roles and relationships.

**D**

**A student should understand the role of the United States in international affairs.**

A student who meets the content standard should:

- 1) analyze how domestic politics, the principles of the United States Constitution, foreign policy, and economics affect relations with other countries;
- 2) evaluate circumstances in which the United States has politically influenced other nations and how other nations have influenced the politics and society of the United States;
- 3) understand how national politics and international affairs are interrelated with the politics and interests of the state;
- 4) understand the purpose and function of international government and non-governmental organizations in the world today; and
- 5) analyze the causes, consequences, and possible solutions to current international issues.

**E**

**A student should have the knowledge and skills necessary to participate effectively as an informed and responsible citizen.**

A student who meets the content standard should:

- 1) know the important characteristics of citizenship;
- 2) recognize that it is important for citizens to fulfill their public responsibilities;
- 3) exercise political participation by discussing public issues, building consensus, becoming involved in political parties and political campaigns, and voting;
- 4) establish, explain, and apply criteria useful in evaluating rules and laws;
- 5) establish, explain, and apply criteria useful in selecting political leaders;
- 6) recognize the value of community service; and
- 7) implement ways of solving problems and resolving conflict.

**F**

**A student should understand the economies of the United States and the state and their relationships to the global economy.**

A student who meets the content standard should:

- 1) understand how the government and the economy interrelate through regulations, incentives, and taxation;
- 2) be aware that economic systems determine how resources are used to produce and distribute goods and services;
- 3) compare alternative economic systems;
- 4) understand the role of price in resource allocation;
- 5) understand the basic concepts of supply and demand, the market system, and profit;
- 6) understand the role of economic institutions in the United States, including the Federal Reserve Board, trade unions, banks, investors, and the stock market;
- 7) understand the role of self-interest, incentives, property rights, competition, and corporate responsibility in the market economy;
- 8) understand the indicators of an economy's performance, including gross domestic product, inflation, and the unemployment rate;
- 9) understand those features of the economy of the state that make it unique, including the importance of natural resources, government ownership and management of resources, Alaska Native regional corporations, the Alaska Permanent Fund Corporation, the Alaska Housing Finance Corporation, and the Alaska Industrial Development and Export Authority; and
- 10) understand how international trade works.

**G**

**A student should understand the impact of economic choices and participate effectively in the local, state, national, and global economies.**

A student who meets the content standard should:

- 1) apply economic principles to actual world situations;
- 2) understand that choices are made because resources are scarce;
- 3) identify and compare the costs and benefits when making choices;
- 4) make informed choices on economic issues;
- 5) understand how jobs are created and their role in the economy;
- 6) understand that wages and productivity depend on investment in physical and human capital; and
- 7) understand that economic choices influence public and private institutional decisions.

# HISTORY

## A

**A student should understand that history is a record of human experiences that links the past to the present and the future.**

A student who meets the content standard should:

- 1) understand chronological frameworks for organizing historical thought and place significant ideas, institutions, people, and events within time sequences;
- 2) know that the interpretation of history may change as new evidence is discovered;
- 3) recognize different theories of history, detect the weakness of broad generalization, and evaluate the debates of historians;
- 4) understand that history relies on the interpretation of evidence;
- 5) understand that history is a narrative told in many voices and expresses various perspectives of historical experience;
- 6) know that cultural elements, including language, literature, the arts, customs, and belief systems, reflect the ideas and attitudes of a specific time and know how the cultural elements influence human interaction;
- 7) understand that history is dynamic and composed of key turning points;
- 8) know that history is a bridge to understanding groups of people and an individual's relationship to society; and
- 9) understand that history is a fundamental connection that unifies all fields of human understanding and endeavor.

## B

**A student should understand historical themes through factual knowledge of time, places, ideas, institutions, cultures, people, and events.**

A student who meets the content standard should:

- 1) comprehend the forces of change and continuity that shape human history through the following persistent organizing themes:
  - a. the development of culture, the emergence of civilizations, and the accomplishments and mistakes of social organizations;
  - b. human communities and their relationships with climate, subsistence base, resources, geography, and technology;
  - c. the origin and impact of ideologies, religions, and institutions upon human societies;
  - d. the consequences of peace and violent conflict to societies and their cultures; and
  - e. major developments in societies as well as changing patterns related to class, ethnicity, race, and gender;

**B** *(continued)*

- 2) understand the people and the political, geographic, economic, cultural, social, and environmental events that have shaped the history of the state, the United States, and the world;
- 3) recognize that historical understanding is relevant and valuable in the student's life and for participating in local, state, national, and global communities;
- 4) recognize the importance of time, ideas, institutions, people, places, cultures, and events in understanding large historical patterns; and
- 5) evaluate the influence of context upon historical understanding.

**C**

**A student should develop the skills and processes of historical inquiry.**

A student who meets the content standard should:

- 1) use appropriate technology to access, retrieve, organize, and present historical information;
- 2) use historical data from a variety of primary resources, including letters, diaries, oral accounts, archeological sites and artifacts, art, maps, photos, historical sites, documents, and secondary research materials, including almanacs, books, indices, and newspapers;
- 3) apply thinking skills, including classifying, interpreting, analyzing, summarizing, synthesizing, and evaluating, to understand the historical record; and
- 4) use historical perspective to solve problems, make decisions, and understand other traditions.

**D**

**A student should be able to integrate historical knowledge with historical skill to effectively participate as a citizen and as a lifelong learner.**

A student who meets the content standard should:

- 1) understand that the student is important in history;
- 2) solve problems by using history to identify issues and problems, generate potential solutions, assess the merits of options, act, and evaluate the effectiveness of actions;
- 3) define a personal position on issues while understanding the historical aspects of the positions and roles assumed by others;
- 4) recognize and demonstrate that various issues may require an understanding of different positions, jobs, and personal roles depending on place, time, and context;
- 5) base personal citizenship action on reasoned historical judgment with recognition of responsibility for self and others; and
- 6) create new approaches to issues by incorporating history with other disciplines, including economics, geography, literature, the arts, science, and technology.

# 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 10

### CS for House Bill 30 Sponsor Statement

**"An Act requiring school districts to develop and require completion of a history of American constitutionalism curriculum segment; 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." That statement today is critical to the future of our country. No longer do our youth not remember our past it is often completely overlooked by the education system. CS for House Bill 30 is written to return America's historical documents to the classroom.

CS for House Bill 30 will require the Alaska's Department of Education and/or organized school districts to implement curriculum segments within civic or history courses centering on 15 years of American History critical to the creation of our country. The program will concentrate on the documents that so many people have lived and died for over the past 239 years. Included in the course work will be an understanding of the Declaration of Independence, first state constitutions, Articles of Confederation, and the U.S. Constitution.

What this will accomplish is students who understand America, understand when we are being wronged, and understand why we proudly salute the Red, White, and Blue. This will be accomplished through a normal established education process determined at the local level.

While several school districts around the state are already teaching these documents in their established coursework, others are not. CS for House Bill 30 is legislation necessary to assure the principals that has made America and Alaska strong continues, despite the growth of opposition to our country and what it stands for from both foreign and domestic sources. Support of CS for House Bill 30 will make them aware that we understand our roots and will not repeat past mistakes.

E-Mail: [Representative.Wes.Keller@akleg.gov](mailto:Representative.Wes.Keller@akleg.gov)  
Call Juneau Toll free: (800) 468-2186  
Website: [www.housemajority.org/keller/](http://www.housemajority.org/keller/)

# Fiscal Note

State of Alaska  
2015 Legislative Session

Bill Version:	CSHB 30(EDC)
Fiscal Note Number:	1
(H) Publish Date:	2/27/2015

Identifier: HB030-EED-SSA-1-29-15  
 Title: CONSTITUTIONAL HISTORY CURRICULUM  
 Sponsor: \*\* KELLER, SADDLER  
 Requester: House Education Committee

Department: Department of Education and Early Development  
 Appropriation: Teaching and Learning Support  
 Allocation: Student and School Achievement  
 OMB Component Number: 2796

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2016 Request	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
<b>OPERATING EXPENDITURES</b>	<b>FY 2016</b>	<b>FY 2016</b>					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

**Change in Revenues**

--	--	--	--	--	--	--	--

**Estimated SUPPLEMENTAL (FY2015) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2016) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes  
 If yes, by what date are the regulations to be adopted, amended or repealed? 12/31/15

**Why this fiscal note differs from previous version:**

Not applicable, initial version.
----------------------------------

Prepared By: Dr. Susan McCauley  
 Division: Director, Teaching and Learning Support  
 Approved By: Mike Hanley  
 Agency: Commissioner

Phone: (907)465-2857  
 Date: 01/20/2015 04:20 PM  
 Date: 01/29/15

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2015 LEGISLATIVE SESSION**Analysis**

Section 3 of HB30 amends AS 14.14.095 by adding a new section requiring a specific topic of American constitutionalism history to be imbedded within an appropriate existing district course. The bill places the responsibility with the local school districts to develop and review the curriculum segment. A student must successfully complete a course in which the curriculum segment is taught in order to receive a diploma. A district may not grant a student waiver of this requirement.

This bill requires no oversight by the Department of Education and has no fiscal impact on the department as written.

Section 4 provides for an effective date of July 1, 2015.

# 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 10 MEMO

To: Members of the Alaska Legislature

Fm: Representative Wes Keller

Date: March 2, 2015

A handwritten signature in cursive script that reads "Wes Keller".

Re: Sectional for HB 30 (29-LS0186\W)

---

House Bill 30 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 as part of an existing civics or history course a segment that includes study of the documents and their historical context.
4. Effective date

Please note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

E-Mail: [Representative.Wes.Keller@akleg.gov](mailto:Representative.Wes.Keller@akleg.gov)  
Call Juneau Toll free: (800) 468-2186  
Website: [www.akrepublicans.org/keller/](http://www.akrepublicans.org/keller/)

## Civics Education in the MSBSD

### MSBSD School Board Update

#### Mike Vrvilo, Executive Director of Education

- 30 years ago Civics was 8th grade Social Studies curriculum
- In the late 1980's Civics was replaced by 8th grade U.S. Studies
  - 6<sup>th</sup> Grade: Western Hemisphere Geography
  - 7<sup>th</sup> Grade: Eastern Hemisphere Geography
  - 8<sup>th</sup> Grade: US Studies (pre-Colonial through Civil War)
- At roughly the same time, a 9th grade Social Studies requirement called Law Related Studies was added. At that time the 3 credit Social Studies requirement for graduation consisted of:
  - Law Related Studies (9<sup>th</sup> Grade) .5 credit
  - World History (10<sup>th</sup> Grade) 1 credit
  - 11th grade--U.S. History 1 credit
  - 12th grade--U.S. Government .5 credit
  - Total 3 credits
- In 2004 the State Legislature passed a law that required the teaching of Alaska History as part of the 3 credit Social Studies requirement, beginning with the class of 2009
- A group of Mat-Su Social Studies educators began to meet to discuss ways of making this new requirement happen. The original proposal was an increase in the Social Studies credit requirement to 4 credits consisting of:
  - World History 1 credit
  - U.S. History 1 credit
  - Alaska History .5 credit
  - U.S. Government .5 credit
  - Approved elective 1 credit
  - Total 4 credits
- This proposal was initially accepted by the district and the School Board, but when the budgetary impact of adding more sections and thus more teachers was realized, the Board rescinded the new 4 credit requirement. In doing so, it became apparent that we would have to replace Law Related Studies with Alaska History.
- There were then some suggestions to rename Law Related Studies to Civics. This also proved problematic as a standard Civics class is much broader than Law Related Studies. One definition of a Civics class is the “study of the workings of the national and local government especially as the subject of a secondary school course suited as training for citizenship.” While there are some elements of civic education in Law Related Studies, simply changing to name to Civics would have been misleading.

## Civics Education in the MSBSD

### MSBSD School Board Update

#### Mike Vrvilo, Executive Director of Education

- In 2007 a discussion among some social study teachers regarding Civics took place which prompted an investigation into what defines “Civics”. From those discussions a teacher brought Civics as a class forward to the curriculum council. The council approved and made the recommendation to the school board for the course to be approved. The school board approved the course shortly after in 2007.
- Currently there are no sections of Civics being taught in the Mat-Su School District.
- However, elements of Civics are embedded in 8<sup>th</sup> grade US Studies, 11<sup>th</sup> grade US History, Government (12<sup>th</sup> grade)
- Currently we still have 3 graduation requirements for social studies. They consist of:
  - World History (Grade 10)     1 credit
  - US History (Grade 11)       1 credit
  - Government (Grade 12)     .5 credit
  - Alaska History (Grade 12)   .5 credit
  - Total                                3 credits

**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 Byrd, 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

## CONSTITUTIONALISM

As described by political scientist and constitutional scholar David Fellman:

“ "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."<sup>1</sup>

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

**Philip P. Wiener, ed., "Dictionary of the History of Ideas: Studies of Selected Pivotal Ideas",**

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.**

## **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**

1. 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).***

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](http://washingtonexaminer.com)*

## Helen Phillips

---

**From:** Jim Pound  
**Sent:** Wednesday, March 18, 2015 11:45 AM  
**To:** House Finance Legislation  
**Subject:** FW: HB 30

Please add to packet.

Thanks

Jim

**From:** Rep. Wes Keller  
**Sent:** Wednesday, March 18, 2015 10:17 AM  
**To:** Jim Pound  
**Subject:** FW: HB 30

**From:** Brandon Wall  
**Sent:** Wednesday, March 18, 2015 1:46 AM  
**Subject:** HB 30

Every time that I see Representative Keller, I make sure to tell him how much I appreciate his introduction of bills relating to teaching the Constitution and Civics. I've been truly devastated by the lack of attention and time spent teaching our kids how our system of government works.

Not to be a doomsayer, but our State and our Republic are in serious jeopardy because of the lack of knowledge that my generation has of the Constitution and Civics. Based on what is now being taught in schools (or not taught), my children's generation is going to be far worse off.

Civics education should be taught early and often. It is a curriculum that should empower students to the realization that citizens are in control of government and to know how that government works.

I understand that it is unusual for the legislature to dictate curriculum, a job normally delegated to the Board of Education, but this is an important one.

I also hear the argument that the constitution is covered in US History. Well yes, it receives a cursory glance, but not the full attention that it deserves. I would argue that teaching US History without a base understanding of the Constitution and Civics is similar to teaching physics without a base understanding of higher math. So much of US History can be traced back to the ideas in our founding documents or the ideas that were left out.

I've put an example of what I'm talking about below my signature line. This is by far my favorite quote from any speech ever - I still can't read it without getting goosebumps. But without a good understanding of the ideology behind our founding documents, this quote loses the historical reference that the speaker intended it to have.

Thanks for the consideration,

Brandon Wall  
Wasilla, AK

*"In a sense we've come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men, yes, black men as well as white men, would be guaranteed the "unalienable Rights" of "Life, Liberty and the pursuit of Happiness." It is obvious today that America has defaulted on this promissory note, insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked "insufficient funds."*

*But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. And so, we've come to cash this check, a check that will give us upon demand the riches of freedom and the security of justice."*

*- Dr. Martin Luther King Jr.*