

**ALASKA STATE LEGISLATURE  
HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES  
STANDING COMMITTEE**

April 3, 2001  
3:03 p.m.

**MEMBERS PRESENT**

Representative Fred Dyson, Chair  
Representative Peggy Wilson, Vice Chair  
Representative John Coghill  
Representative Gary Stevens  
Representative Vic Kohring  
Representative Sharon Cissna  
Representative Reggie Joule

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

HOUSE BILL NO. 99

"An Act relating to school discipline and safety programs; and providing for an effective date."

- MOVED CSHB 99(HES) OUT OF COMMITTEE

HOUSE BILL NO. 96

"An Act relating to acquisition and development of the Jesse Lee Home; and providing for an effective date."

- MOVED CSHB 96(HES) OUT OF COMMITTEE

HOUSE BILL NO. 160

"An Act requiring the reporting of induced terminations of pregnancies."

- MOVED CSHB 160(HES) OUT OF COMMITTEE

HOUSE BILL NO. 164

"An Act prescribing the rights of grandparents related to child-in-need-of-aid hearings; and amending Rules 3, 7, 10, 15, and 19, Alaska Child in Need of Aid Rules."

- MOVED CSHB 164(HES) OUT OF COMMITTEE

**PREVIOUS ACTION**

BILL: HB 99

SHORT TITLE: SCHOOL DISCIPLINE AND SAFETY

SPONSOR(S): REPRESENTATIVE(S) MCGUIRE

Jrn-Date	Jrn-Page		Action
01/31/01	0212	(H)	READ THE FIRST TIME - REFERRALS
01/31/01	0212	(H)	EDU, HES, FIN
02/28/01		(H)	EDU AT 8:00 AM CAPITOL 106
02/28/01		(H)	Heard & Held
02/28/01		(H)	MINUTE(EDU)
03/07/01	0500	(H)	COSPONSOR(S): DYSON
03/07/01		(H)	EDU AT 8:00 AM CAPITOL 106
03/07/01		(H)	Scheduled But Not Heard
03/20/01	0668	(H)	EDU REFERRAL WAIVED
04/03/01		(H)	HES AT 3:00 PM CAPITOL 106

BILL: HB 96

SHORT TITLE: ACQUIRING JESSE LEE HOME

SPONSOR(S): REPRESENTATIVE(S) LANCASTER

Jrn-Date	Jrn-Page		Action
01/26/01	0174	(H)	READ THE FIRST TIME - REFERRALS
01/26/01	0174	(H)	HES, FIN
03/27/01		(H)	HES AT 3:00 PM CAPITOL 106
03/27/01		(H)	Heard & Held
			MINUTE(HES)
04/03/01		(H)	HES AT 3:00 PM CAPITOL 106

BILL: HB 160

SHORT TITLE: REPORTING OF ABORTIONS

SPONSOR(S): REPRESENTATIVE(S) COGHILL

Jrn-Date	Jrn-Page		Action
03/09/01	0514	(H)	READ THE FIRST TIME - REFERRALS
03/09/01	0514	(H)	HES, JUD, FIN
03/22/01	0697	(H)	COSPONSOR(S): JAMES, KOTT
03/23/01	0711	(H)	COSPONSOR(S): WILSON, MEYER
03/29/01		(H)	HES AT 3:00 PM CAPITOL 106
03/29/01		(H)	Heard & Held
			MINUTE(HES)
04/03/01		(H)	HES AT 3:00 PM CAPITOL 106

BILL: HB 164

SHORT TITLE: GRANDPARENTS' RIGHTS REGARDING CINA

SPONSOR(S): REPRESENTATIVE(S) DYSON

Jrn-Date	Jrn-Page		Action
03/09/01	0515	(H)	READ THE FIRST TIME - REFERRALS
03/09/01	0515	(H)	HES, JUD, FIN
03/27/01		(H)	HES AT 3:00 PM CAPITOL 106
03/27/01		(H)	Heard & Held MINUTE(HES)
03/29/01		(H)	HES AT 3:00 PM CAPITOL 106
03/29/01		(H)	Heard & Held MINUTE(HES)
03/30/01	0793	(H)	COSPONSOR(S): COGHILL, CISSNA
04/03/01		(H)	HES AT 3:00 PM CAPITOL 106

**WITNESS REGISTER**

REPRESENTATIVE LESIL McGUIRE

Alaska State Legislature  
Capitol Building, Room 418  
Juneau, Alaska 99801

POSITION STATEMENT: Testified as sponsor of HB 99.

DEBBIE OSSIANDER

Anchorage School Board  
PO Box 670772  
Chugiak, Alaska 99567

POSITION STATEMENT: Testified in support of HB 99.

ROBERT BUTTCANE, Legislative & Administrative Liaison

Division of Juvenile Justice  
Department of Health & Social Services  
PO Box 110635  
Juneau, Alaska 99811

POSITION STATEMENT: Testified on HB 99.

VERNON MARSHALL, Executive Director  
National Education Association-Alaska  
114 2nd Street  
Juneau, Alaska 99801

POSITION STATEMENT: Testified in support of HB 99.

HELEN DONAHUE, Staff

to Representative Ken Lancaster  
Alaska State Legislature

Capitol Building, Room 421  
Juneau, Alaska 99801

POSITION STATEMENT: Testified on behalf of the sponsor of HB 96.

RAY GILLESPIE

(No address provided)  
Seward, Alaska 99664

POSITION STATEMENT: Testified on behalf of himself in support of HB 96.

JIM STRATTON, Director  
Division of Parks and Outdoor Recreation  
Department of Natural Resources  
550 West 7th Avenue  
Anchorage, Alaska 99501

POSITION STATEMENT: Testified in support of HB 96.

DANIELLE SERINO, Staff  
to Representative John Coghill  
Alaska State Legislature  
Capitol Building, Room 102  
Juneau, Alaska 99801

POSITION STATEMENT: Testified on behalf of the sponsor of HB 160.

WESLEY KELLER, Staff  
to Representative Fred Dyson  
Alaska State Legislature  
Capitol Building, Room 104  
Juneau, Alaska 99801

POSITION STATEMENT: Testified on behalf of the sponsor of HB 164.

SHARON LEE SHIELDS  
Grandparents Rights Organization  
PO Box 7347  
Palmer, Alaska 99645

POSITION STATEMENT: Testified in support of HB 164.

ED STREMAN, Vice President  
Grandparents Rights Organization  
(No address provided)

POSITION STATEMENT: Testified in support of HB 164.

JOANNE GIBBENS, Program Administrator  
Division of Family & Youth Services

Department of Health & Social Services  
PO Box 110630  
Juneau, Alaska 99811  
POSITION STATEMENT: Testified in support of HB 164.

**ACTION NARRATIVE**

TAPE 01-40, SIDE A  
Number 0001

CHAIR FRED DYSON called the House Health, Education and Social Services Standing Committee meeting to order at 3:03 p.m. Members present at the call to order were Representatives Dyson, Coghill, Stevens, and Joule. Representatives Wilson, Kohring, and Cissna joined the meeting as it was in progress.

HB 99-SCHOOL DISCIPLINE AND SAFETY

CHAIR DYSON announced that the committee would hear HOUSE BILL NO. 99, "An Act relating to school discipline and safety programs; and providing for an effective date."

Number 0080

REPRESENTATIVE LESIL MCGUIRE, Alaska State Legislature, came forth as sponsor of HB 99. She stated that violence prevention requires many "partners," which should include the state and the school districts. She explained that HB 99 would do two things. The first is it would ask school districts to adopt policies for implementing dispute resolution strategies. She added that it is her understanding that this is already in place in many of the schools, particularly on the elementary and junior high levels; however, her target is primarily high school.

REPRESENTATIVE MCGUIRE explained that high schools seem to lack [dispute resolution programs], with one notable exception. She stated that Chugiak High School has formed the Peaceable School Project, which has had tremendous success in lowering violence in the school. Chugiak started its program by putting policies into place. She stated that she is asking for these same policies in HB 99 - getting parents, students, and teachers to talk about what they have in place already in order to address the nonviolent resolution of conflicts.

REPRESENTATIVE MCGUIRE continued, stating that the second component is that she would like to see specially trained people in the schools wherever possible. She noted that she has

requested for a pilot program to be created within the Anchorage School District. She remarked that she thinks this should already be happening in the school districts since the incidence of school violence has escalated. Alaska has led the way with the shooting in Bethel, which was followed by Columbine [High School, in Colorado] and other notable shootings. However, more recently within the Anchorage School District there have been cases of fights in which a baseball bat has been used, a stabbing, and bomb threats.

REPRESENTATIVE McGUIRE expressed that she believes this is an area of education that's as important as math, reading, and writing because if there isn't a safe school for children to go to, it doesn't matter what is taught inside. She concluded that this is her attempt to get teachers, students, and parents to focus on this epidemic of violence and start coming up with creative solutions and strategies within the schools. She added that there are grant funds available at the state level.

Number 0590

REPRESENTATIVE WILSON asked how many schools do and how many don't have [programs] like this.

REPRESENTATIVE McGUIRE answered that she doesn't have figures, but, in her cursory study, she hasn't found an elementary or junior high school that doesn't. However, the high schools tend to not focus as much on this area. She added that one of the ways these types of bills prove to be educational is that a policy manual update [is distributed] throughout the school districts, which [explains] what the law is. It states: "Districts should meet with students, parents, guardians, teachers, school administrators, and advisory school boards in each community to review existing policies and determine if changes, additions, or deletions are required in order to meet the law." She stated that she hopes this will encourage a refocusing.

Number 0535

REPRESENTATIVE CISSNA asked if any of the [bill's] language would require schools that are already implementing programs like this to do more.

REPRESENTATIVE McGUIRE answered no. She stated that one of her concerns is to not cause additional financial burdens. She explained that this is using existing resources and refocusing.

Number 0568

CHAIR DYSON announced that the [proposed committee substitute (CS) for HB 99, Version J, 22-LS0478\J, Ford, 4/2/01] was adopted as a work draft.

REPRESENTATIVE COGHILL asked if the differences between [Version J] and [the original bill] is that Version J just calls for a strategy rather than a program.

REPRESENTATIVE McGUIRE answered, "Exactly." She stated that the purpose in the changes was to avoid passing a large unfunded mandate.

Number 0634

REPRESENTATIVE JOULE remarked that [the bill] doesn't require the teachers to go through an in-service. He noted that on page 2, line 14, paragraph (7) states: "policies for implementing a student conflict...." He asked if these polices need to be adopted or can be made inactive if there isn't a vehicle for the training to go with it.

REPRESENTATIVE McGUIRE replied that the problem is that there are some fiscal restraints. Therefore, she said, she had tried to figure out what could be a starting point. She remarked that various teachers in the district are concerned that they have limited in-services as it is, and that adding another subject area would take away from what's required. She stated that she is hoping that once teachers, students, and parents start talking about this, there will be a move to shift away some resources from other areas. She added that Chugiak sends a survey to all of the teachers asking: "Can you identify one way that you can help with our Peaceable School Project?" All of these ways require no money; they include talking to the students and teaching cultural values, attending one student government or athletic event a month, or participating in a faculty forum to bring up the subject of school mediation.

Number 0886

REPRESENTATIVE WILSON made a motion to move the CS for HB 99, version 22-LS0478\J, Ford, 4/2/01, from committee with individual recommendations and the attached zero fiscal notes.

Number 0945

DEBBIE OSSIANDER, Anchorage School Board, testified via teleconference in support of HB 99. She stated that the first priority of the school board is safe schools. [The Anchorage School Board] has been working toward better ways to resolve student conflict for some time, particularly by adopting a program at the elementary level called Resolving Conflict Creatively. She added that [the Anchorage School Board] has been primarily trying to implement this through actively soliciting grant funding in order to obtain training for the staff and coordinators.

REPRESENTATIVE STEVENS asked how the teachers are prepared in order to present programs to their students.

MS. OSSIANDER replied that if this bill passes, [the Anchorage School Board] would integrate this particular direction in the students' rights and responsibilities document in the policy manual. She noted that every year the principals run through the students' rights and responsibilities document, giving direction to staff on how best to handle student discipline issues.

REPRESENTATIVE STEVENS asked if this would be a subject for a teacher in-service.

MS. OSSIANDER answered that in the beginning of the year specific time is set aside to acquaint teachers with the Students Rights and Responsibility document; however, there would not be a specific day of in-service.

ROBERT BUTTCANE, Legislative & Administrative Liaison, Division of Juvenile Justice, Department of Health & Social Services, came forth to testify in support of HB 99. He remarked that in juvenile justice over the last couple of years there has been seen an increasing propensity to resolve conflicts through violence. He stated that this bill interrupts that and teaches students a new way of dealing with interpersonal conflict. The office of Juvenile Justice and Delinquency Prevention has done a number of research studies and has developed a program guide. He quoted [from this guide]:

The tenets of conflict resolution present a new model of interacting with and thinking about other people, one that challenges us to go beyond stereotypes, to consider the other's point of view, and to reach mutually satisfactory agreements in which all parties

win. If we can succeed in teaching our youth this framework for solving their disputes, the results for them and for our society could be profound.

Number 1172

REPRESENTATIVE STEVENS asked how teachers are trained so that they could help their students in [nonviolence and conflict resolution].

MR. BUTTCANE answered that in his experience as a juvenile probation officer working with schools that do this, some have very specific programs that individual teachers are responsible for. Other teachers would then refer students to those teachers who have that expertise. He stated that other schools might have policies that vest a lot of that work with assistant principals or the principal of the school. He added that he thinks the sponsor's intent of encouraging schools or requiring schools to develop policies would [allow schools to] develop those policies and subsequent programs or actions that would fit or respond to their unique situations.

CHAIR DYSON stated that he thinks Ms. Ossiander said that it would be addressed in the pre-school meetings of the faculty in a broader context.

REPRESENTATIVE CISSNA stated that she has met with people in some schools that have programs similar to this. She remarked that this is exactly what schools ought to be doing because if children cannot get through school without learning how to solve problems peaceably, they are not going to be fit for the workplace. She asked if this is put in place, what would be taken away.

MS. OSSIANDER replied that [the Anchorage School Board] believes that this is important and has been trying to get the money for this. She noted that the board has been fairly successful by working through grants and using the federal Safe and Drug Free Schools money. She stated that [the Anchorage School Board] is going to try to provide training for everyone and have addenda so there are specific mediators on staff. She added that [the Anchorage School District] has been fortunate to have many teachers who are willing to do this without additional addenda because of their interest and belief in the importance of this program.

Number 1400

VERNON MARSHALL, Executive Director, National Education Association-Alaska (NEA-Alaska), came forth to testify in support of HB 99. He stated that [NEA-Alaska] has committed its dues dollars to providing in-services and training opportunities, offered through the union, for teachers in this critical area. The areas of safe schools, discipline, and the changed environment in which many teachers find themselves have forced [NEA-Alaska] to realize that more can be accomplished in a safe classroom, in terms of education. He stated that [Alaska] is paying [for the conflicts that occur in schools]. For example, [recently] there was a bomb scare in a school, the school was shut down, and a 16-year-old boy was arrested. He stated that there were costs associated with the search for the bomb, and with the actual shutting down of the school. He concluded that it is necessary to learn at the school level how to get along with one another, and to figure out the best means to allow relief of aggression.

REPRESENTATIVE JOULE asked if NEA-Alaska would fund the in-service training for this once [the policies] are implemented.

MR. MARSHALL answered yes. He stated that right now NEA-Alaska has budgeted \$25,000 for Safe School training. There is already a staff in place, and much of the material has been purchased.

REPRESENTATIVE JOULE asked if NEA-Alaska would provide the training at each district's site as each school district completes these policies and gets ready for implementation.

MR. MARSHALL responded that [NEA-Alaska] would provide the training from one of the regional offices and work with the local school district. For example, when the tragedy happened in Bethel, [NEA-Alaska] secured a team from California that was trained in critical crisis intervention to go to Bethel and deal with those who were grieving.

Number 1677

CHAIR DYSON asked the committee if there was any objection to Representative Wilson's motion [to move the CS for HB 99, version 22-LS0478\J, Ford, 4/2/01] from committee. There being no objection, CSHB 99(HES) moved from the House Health, Education and Social Services Standing Committee.

HB 96-ACQUIRING JESSE LEE HOME

CHAIR DYSON announced that the committee would hear HOUSE BILL NO. 96, "An Act relating to acquisition and development of the Jesse Lee Home; and providing for an effective date."

Number 1719

HELEN DONAHUE, Staff to Representative Ken Lancaster, Alaska State Legislature, came forth on behalf of the sponsor for HB 96. She explained the changes made in the proposed committee substitute (CS) for HB 96, version 22-LS0451\F, Lauterbach, 4/3/01. First, on page 2, line 7, she said [the date] has been changed to November 1, 2002 [from November 1, 2001]. Second, after hearing that the museum organization would not have the ability to carry out the terms of the bill, [Representative Lancaster's office] had contacted the Department of Natural Resources. Therefore, on page 2, line 5, of the bill it now states that the Department of Natural Resources will do the study of the Jesse Lee Home. Finally, subsection (c) provides flexibility for [the Department of Natural Resources] to put dollar amounts on the project.

Number 1825

RAY GILLESPIE came forth to testify on behalf of himself in support of HB 96. He stated that he and his wife were born and raised in Seward. His wife's family is Aleut, and her family was taken into the Jesse Lee Home in the early 1920s when it was in Unalaska. He said his wife's grandmother became a houseparent and raised her family there. He expressed that the Jesse Lee Home is a beautiful and unique piece of history, and should be preserved.

CHAIR DYSON asked Jim Stratton, Director of the Division of Parks and Outdoor Recreation, if it is correct for [the committee] to assume that [the Department of Natural Resources] is capable of handling this responsibility.

JIM STRATTON, Director, Division of Parks and Outdoor Recreation, Department of Natural Resources, testified via teleconference. He responded that [the Department of Natural Resources] is capable of handling this responsibility, is not against it, and is working on a fiscal note to make it possible.

Number 1928

REPRESENTATIVE WILSON made a motion to move CS for HB 96 [version 22-LS0451\F, Lauterbach, 4/3/01] out of committee with

individual recommendations and attached fiscal notes. There being no objection, CSHB 96(HES) was moved from the House Health, Education and Social Services Standing Committee.

HB 160-REPORTING OF ABORTIONS

CHAIR DYSON announced that the next order of business would be HOUSE BILL NO. 160, "An Act requiring the reporting of induced terminations of pregnancies."

Number 1972

DANIELLE SERINO, Staff to Representative John Coghill, Alaska State Legislature, came forth on behalf of the sponsor of HB 160. She explained that the proposed committee substitute (CS) for HB 160 [version 22-LS0457\F, Lauterbach, 4/2/01] addresses some of the concerns that were raised in the previous committee hearing. She stated that on page 1, lines 6, and 12 the time the report is to be submitted was changed from 3 days to 30 days. On page 2, the previous subsection, (e)(2), was deleted in its entirety.

REPRESENTATIVE COGHILL speaking as the sponsor of HB 160, stated that this is a change that he reluctantly made. He said he is still looking for ways to get specific reporting information; however, that is rather problematic.

Number 2108

CHAIR DYSON asked if there was any objection to adopting the proposed CS for HB 160, 22-LS0457\F, Lauterbach, 4/2/01, as a working document. He announced that there being no objection, CSHB 160 was before the committee.

REPRESENTATIVE COHGILL made a motion to move the CS for HB 160 22-LS0457\F, Lauterbach, 4/2/01, from committee with individual recommendations and the attached zero fiscal note. He explained that his reasoning behind [the zero fiscal note] was that with some of the things taken out [of the bill], he thinks the Department of Health and Social Services (DHSS) already does much of what is asked. He said he would rather let the House Finance Committee struggle with [DHSS] than [the House Health, Education and Social Services Standing Committee].

Number 2170

REPRESENTATIVE WILSON made a motion to adopt the proposed zero fiscal note. There being no objection, the zero fiscal note was adopted.

Number 2170

REPRESENTATIVE COGHILL renewed his motion to move the CS for HB 160 22-LS0457\F, Lauterbach, 4/2/01, from committee with individual recommendations and the attached zero fiscal note. There being no objection, CSHB 160(HES) moved from the House Health, Education and Social Services Standing Committee.

HB 164-GRANDPARENTS' RIGHTS REGARDING CINA

CHAIR DYSON announced that the final order of business would be HOUSE BILL NO. 164, "An Act prescribing the rights of grandparents related to child-in-need-of-aid hearings; and amending Rules 3, 7, 10, 15, and 19, Alaska Child in Need of Aid Rules."

Number 2215

WESLEY KELLER, Staff to Representative Fred Dyson, Alaska State Legislature, came forth on behalf of Representative Dyson, the sponsor of HB 164. He explained that the bill inserts the word "grandparents" to the list of people who should be notified when there is a child-in-need-of-aid (CINA) or custody hearing. He stated that the new Section 5 inserts Court Rule 17 into the bill because the court rules use a different term - disposition hearing - that has to do with child custody. By adding this in, the bill can be amended.

MR. KELLER informed members that there was a proposed committee substitute,(CS), Version C [22-LS0693\C, Lauterbach, 3/30/01]. Although the aforementioned change is in Section 5, the essence of the change is from Section 6, on the last page, which has a list of court rules that are amended.

Number 2310

REPRESENTATIVE STEVENS stated that with blended families and divorces there could be six or more grandparents. He asked if all of those people have the same rights, whether or not they are biologically [related].

MR. KELLER responded that the [the Department of Health & Social Services] brought that up last year. To qualify that, Section 2

in the bill puts the burden on the grandparents; therefore, the bill assumes that grandparents who are concerned about their grandkids will take the initiative to contact the department.

REPRESENTATIVE COGHILL asked what discretion judges may have when working with grandparents.

TAPE 01-40, SIDE B

MR. KELLER answered that that already exists in law; therefore, it is not a change in [the bill]. He stated that the court can make restrictions that are in the best interest of the child.

CHAIR DYSON noted that this is referenced on page 2, line 25.

REPRESENTATIVE CISSNA stated that she is a foster grandmother and asked if she would have standing.

MR. KELLER answered no, a foster parent would have rights, but not a foster grandparent.

Number 2282

SHARON LEE SHIELDS, Grandparents Rights Organization, testified via teleconference. She stated:

My grandchild is a daughter in need. The mother of my granddaughter is my younger child. My daughter was put on a pedestal all her life and she was supported as a child, young adult, and now-grown adult. I supported her so much that I'm satisfied that there was nothing more I could have given her or done to make her life happy and provide her with a direction for great opportunities in her life.

Then, in 1993, my daughter became pregnant and had my first granddaughter in January of '94. My daughter was and still [is] a single mother, and the father of my granddaughter is [in the] military. The father was transferred out of Alaska when my granddaughter was just over a year old, and has recently been transferred back to Alaska ... after being absent for six years. In the beginning of my granddaughter's life, my daughter and the military-father moved in together and for a short time stumbled through making an effort at being parents. They depended on [me to

support] them, along with my granddaughter, physically, financially, and emotionally.

Up to that point my daughter had only babysat one time in her entire life before having my granddaughter. In her teenage years and as a young adult she didn't have time for children and was impatient around them. So, I knew what her child was up against - the mother with a day's training and [who was] self-absorbed. Currently, my granddaughter has lived through six live-in-boyfriend relationships with my daughter.

I had no plans of raising another child, but as time went on I knew she was a child in need. So I just assumed the position of the absent parents, and became a psychological, emotional, physical, and financial parent to my granddaughter. And I had my granddaughter 80 percent of her life, up to November 5, 2000. That time is well documented, as I am a writer. The documentation started out as a diary of fun days and events with my granddaughter. And then last May 2000 the diary turned into documentation of horrible physical and mental abuses reported to me by my granddaughter.

Number 2201

MS. SHIELDS continued, stating:

My granddaughter reported on May 23, 2000, that my daughter slapped her across the face so hard it knocked her off her feet. And because she cried too loud my daughter ordered her to go to the bathroom until she quit crying. My granddaughter reported that she lay on the bathroom rug until it quit hurting so badly and she quit crying. The next morning when my daughter dropped her off to me again, the big red mark/handprint on her face was still visible. The [next] reported incident was that my granddaughter then was slugged in the back, over her kidneys, by my daughter's sixth live-in boyfriend. And the red mark across her kidneys was still on her back the next day after school when she came to my house. Food has been withheld from my granddaughter and warm clothing not sent to school when the weather was cold.

During the past seven years my heart has ached each time my granddaughter, as a small child, was dropped off to me at my home after she had spent time with her mother. Because she acted out so dramatically - yelling and screaming at other children - it took a few days for her to calm down again. The stress and sadness in my granddaughter's eyes told me of the results of her stay with mommy.

My daughter has a history of impatience and violence when she doesn't get her way, and I had suspicions that she wasn't capable of providing my granddaughter with a loving, nurturing environment, but I always kept hope. So there I was, a brand-new grandmother already with a child-in-need. I don't know where the seven years have gone, but during that time my granddaughter was provided a normal life because of my elder daughter, her family, and me. ... As the years passed it just became natural that my granddaughter was a part of my elder daughter's family and my life and included in our plans from the day, the week, the month, and then the years. Time has slipped away, and out of love and caring the end result of time was that we have given my granddaughter a normal, happy life.

Number 2120

MS. SHIELDS continued, stating:

At the time my granddaughter started reporting the abuses, I tried addressing those issues with my daughter because I had knowledge of the way the DFYS (Division of Family and Youth Services) operated and I didn't want my granddaughter dumped into an already non-functioning system. And, of course, my daughter threatened me with the system I feared, telling me that I'd better be careful because I had no rights. And from that time on, when I addressed the abuse issues with my daughter, she threatened withholding my granddaughter from me; and she threatened my granddaughter to keep secret what went on within her home or she wouldn't be able to see grandma again. My granddaughter became confused because I had always been the person whom she confided in and depended on; now I was getting her in trouble.

Then, when my granddaughter was dropped off on Monday mornings for the week, she would scold me in her own young words, telling me how disappointed she was by me getting her in trouble with mommy, and that she couldn't talk to me anymore because I got her in trouble. Perhaps only an hour would lapse and she'd tell what was going on because it hurt her and she had to have someone to confide in. So there I was, my granddaughter's guardian angel, handcuffed by the system. I had all the responsibility of my granddaughter for seven years, but no authority, and a daughter very well versed in the fact that I had no rights.

Last year I took my granddaughter to school almost every day and volunteered in the classroom at least three times a week. I even got a volunteer award. My elder daughter and I baked cookies for every child in all the kindergarten classes at Tanaina Elementary School. My granddaughter was one of the top students in her classroom, and she looked forward to me and depended on me participating in her learning and her life.

On November 5, 2000, the reports of abuse from my granddaughter got so bad. And the father would do nothing after many pleas for his help from many outside people. He didn't want to get involved, he said. So, I was forced to address the issues with my daughter, knowing how risky it was and the consequences, but I couldn't ignore my granddaughter's pleas for help, seeing her desperation, and knowing helplessness.

On November 5, I tried to do an intervention with my daughter. After many repeated attempts to sit down and talk with her, to no avail, I finally demanded that she meet with me. But the intervention blew up in my face. She brought the father and a friend of hers from the social services department on Sunday, in an elaborate scheme to squelch any of my efforts to resolve this with my daughter or to protect my granddaughter. I was threatened by the social service worker and the father and told to keep my mouth shut. I recorded the intervention and had it transcribed by a court reporter because it proved negligence by both parents and the social service worker.

The consequences of my efforts were that my granddaughter was taken out of my life. Immediately, the parents went to the school and revoked all my volunteer privileges and access to any classroom. And I have not been allowed access to volunteering since that date. I have not been allowed to see or talk to my granddaughter since December 3, when I was allowed to see her for six hours. My granddaughter was frantic then, and I can't imagine how she is doing now.

Back when my granddaughter started talking and my daughter would come to take her for the weekend or a day, my granddaughter always asked me ... when she was coming back to my house. Now, I can't talk to her on the phone, she can't come to my home, she can't spend the night with me, and I can't volunteer in her classroom. I'm allowed no contact with her because I tried to protect her. That's not even the beginning; my granddaughter cannot see anyone whom she depended on and loves - her aunt, uncle, or new cousin. We, her family, have not been allowed by the parents to have a Thanksgiving, Christmas, celebrate her birthday, or Valentine's day. This is not a normal life for my granddaughter. My granddaughter's life has been turned upside down by the parents, and they [couldn't] care less for my granddaughter's welfare or feelings as long as they have control over the family.

Number 1947

MS. SHIELDS continued, stating:

My daughter works for the system and lives in the Valley. Palmer/Wasilla is a small community, and my daughter has many friends within the social services departments in the Valley. She has been given confidential information about my contacts with the DFYS in the Valley. That fact alone has been the most damaging factor in my efforts to see and protect my granddaughter. As so many grandparents have discussed in our Grandparents Rights Organization, the most helpless and hopeless feeling we have in the world, after loving, caring, and nurturing our grandchildren, is when we are forced by our abusive children to go to the system for help and the response is always: "If

the child is not in immediate danger at the very moment, they say the child is safe," meaning that the child is not in an emergency room with internal damages, or broken limbs, or in a morgue waiting to be identified at the time of reporting the abuse, because the child is not in immediate danger.

As I appear before you, I still struggle with the system and the parents to see my granddaughter whom I have not seen in five months now. I can't even think about what she's gone and [is] going through. But, according to the law, I have no rights to know that either. House Bill 164 is the beginning effort that should be made in securing rights for grandparents who have been active in raising their grandchildren and would like to have the opportunity to know what is happening to their grandchildren. Since when does the family unit not include grandparents? We are sick of being looked upon as the reason our children - the parents - are the way they are, because that is just not the truth. The majority of grandparents in our group are educated, loving, ... and caring people who have loved their children and now their grandchildren. I think it's time to move DFYS's rules and its budget out of the way and gather our morals and our scruples and our common sense, and put grandparents back in the family picture.

Number 1854

CHAIR DYSON stated that Ms. Shields is probably in Representative Ogan's area and that a law passed about three years ago that allows legislators to see the files as a kind of appeal for parties in a case who feel they are not being treated fairly. He asked if she has reported [her granddaughter's] physical abuse to DFYS.

MS. SHIELDS responded yes. She stated that DFYS got involved in this because she had taped the intervention. She said she sent them a copy of the tape because [DFYS] was concerned about their employee being involved in something that he or she shouldn't have been. However, the women running the agencies [where she lives] are friends with her daughter.

Number 1757

ED STREMAN, Vice President, Grandparents Rights Organization, testified via teleconference. He stated:

Although I haven't had any dealings with DFYS personally, I have met with quite a few people in our group [who] have had problems. ... I find it personally appalling that the DFYS is allowed to get away with some of the ways that they treat different people in the families. An organization that was formed to maintain the welfare of our families and our youth needs to rethink what they stand for and remember what their real job is. In their own bylaws, DFYS is supposed to place the children [who] are taken out of a dysfunctional family with a direct family member as soon as possible. And 48 hours is that rule. That being the case, then, why does it take weeks, even months, to get the DFYS to even consider investigating family members for appropriate placement.

Placing children in ... foster care is a very traumatic thing for a young child who does not understand what is happening to [him or her]. First, they are taken out of the only home that they know and placed in a home where they don't know anyone. Next, the grandparents and other family members are denied any visitation with these children. ... The children of a dysfunctional family need all the support that is available to them, and getting them into a familiar setting as soon as possible should be utmost on the minds of all lawmakers in this country. Not all children can be placed with family members, but all children deserve the right to have that opportunity.

CHAIR DYSON asked Mr. Streman, if this bill becomes law, to pass out information to the grandparents group [explaining] that if there is a report of harm or neglect regarding the child, the grandparents need to immediately notify DFYS formally so they can be contacted when there's a court hearing on the disposition of the child.

MR. STREMAN stated that the Grandparents Rights Organization had a meeting last night and received information. If a parent is reported to DFYS, he said, a lot of times the first report is not acted on; sometimes the second report is not acted on either.

CHAIR DYSON asked what [DFYS's] position is on the bill as it is now modified.

JOANNE GIBBENS, Program Administrator, Division of Family & Youth Services, Department of Health & Social Services, came forth and stated that [DFYS] supports Version C of the bill.

Number 1592

CHAIR DYSON asked if there was any objection to adopting [the proposed CS for HB 164, 22-LS0693\C, Lauterbach, 3/30/01, as a work draft]. There being no objection, Version C was before the committee.

REPRESENTATIVE COGHILL made a motion to move CSHB 164, 22-LS0693\C, Lauterbach, 3/30/01, out of committee with individual recommendations and the attached zero fiscal note. There being no objection, CSHB 164(HES) moved from the House Health, Education and Social Services Standing Committee.

#### **ADJOURNMENT**

There being no further business before the committee, the House Health, Education and Social Services Standing Committee meeting was adjourned at 4:10 p.m.