

**ALASKA STATE LEGISLATURE  
HOUSE SPECIAL COMMITTEE ON EDUCATION**

April 27, 2005

1:07 p.m.

**MEMBERS PRESENT**

Representative Mark Neuman, Chair  
Representative Bob Lynn  
Representative Bill Thomas  
Representative Peggy Wilson  
Representative Woodie Salmon

**MEMBERS ABSENT**

Representative Carl Gatto  
Representative Les Gara

**COMMITTEE CALENDAR**

HOUSE BILL NO. 233

"An Act relating to preventing harassment, intimidation, or bullying in public schools; and providing for an effective date."

- MOVED CSHB 233(EDU) OUT OF COMMITTEE

**PREVIOUS COMMITTEE ACTION**

BILL: HB 233

SHORT TITLE: PREVENTING HARASSMENT IN SCHOOLS

SPONSOR(S): REPRESENTATIVE(S) SALMON

03/23/05	(H)	READ THE FIRST TIME - REFERRALS
03/23/05	(H)	EDU, JUD, FIN
04/19/05	(H)	EDU AT 11:00 AM CAPITOL 106
04/19/05	(H)	-- Meeting Canceled --
04/21/05	(H)	EDU AT 11:00 AM CAPITOL 106
04/21/05	(H)	Scheduled But Not Heard
04/27/05	(H)	EDU AT 1:00 PM CAPITOL 106

**WITNESS REGISTER**

REPRESENTATIVE WOODIE SALMON  
Alaska State Legislature  
Juneau, Alaska

POSITION STATEMENT: Spoke as the sponsor of HB 233.

REPRESENTATIVE SHARON CISSNA

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Spoke as the co-sponsor of HB 233.

MARY MCMAHON, Interim Superintendent

Kashunamiut School District

Chevak, Alaska

POSITION STATEMENT: During discussion of HB 233, emphasized the need to have a policy to address bullying in place.

MOIRA SMITH, Staff

to Representative Woodie Salmon

Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: During discussion of HB 233, answered questions.

MICHAEL BYER, Principal

Hoonah City School

Hoonah, Alaska

POSITION STATEMENT: During discussion of HB 233, emphasized the need for there to be research-based programs to help students learn how to behave with each other.

#### **ACTION NARRATIVE**

**CHAIR MARK NEUMAN** called the House Special Committee on Education meeting to order at [1:07:53 PM](#). Representatives Thomas, Wilson, and Salmon were present at the call to order. Representative Lynn arrived as the meeting was in progress. Representatives Gatto and Gara were excused.

#### **HB 233-PREVENTING HARASSMENT IN SCHOOLS**

CHAIR NEUMAN announced that the only order of business would be HOUSE BILL NO. 233, "An Act relating to preventing harassment, intimidation, or bullying in public schools; and providing for an effective date."

[1:08:45 PM](#)

REPRESENTATIVE WILSON moved to adopt CSHB 233, Version 24-LS0804\F, Mischel, 4/19/05, as the working document. There being no objection, Version F was before the committee.

1:09:50 PM

REPRESENTATIVE WOODIE SALMON, Alaska State Legislature, sponsor, began by thanking the committee for hearing HB 233. He explained that HB 233 addresses a serious problem in Alaska's schools, bullying. Representative Salmon acknowledged that there is no simple way to stop bullying, but this legislation is necessary for the following reasons. First, the legislation allows the legislature to take a strong policy stand against bullying. Second, this legislation requires that every school district in the state adopt anti-bullying policies and the State Board of Education to develop a model policy that districts can follow when developing their own. Representative Salmon closed by urging the committee's support for HB 233.

1:11:56 PM

REPRESENTATIVE WILSON opined that this is fabulous legislation.

1:13:59 PM

CHAIR NEUMAN noted the presence of Representative Cissna, a co-sponsor of the legislation.

1:14:18 PM

REPRESENTATIVE LYNN expected that everyone in this room has dealt with bullies in school at some point in time. He informed the committee that bullying by definition is misbehavior. Drawing upon his experience as a former teacher, Representative Lynn opined that misbehavior is sometimes allowed to take place in the classroom because teachers hands have been tied by various forces. Representative Lynn agreed that the intent of HB 233 is excellent, although he wasn't sure that it will have the impact everyone desires.

1:16:13 PM

REPRESENTATIVE SHARON CISSNA, Alaska State Legislature, co-sponsor of HB 233, thanked Representative Salmon for introducing HB 233. She informed the committee that she spoke with the Anchorage superintendent in order to understand the implications it would have for the Anchorage School District. The Anchorage School District, she noted, has a policy within which this policy would fit. Anchorage's policy refers to harassment, and amounts to very much the same subject as HB 233. Representative

Cissna explained that [under HB 233] a formal procedure would be created with strategies so that children are identified and schools know what they should do with each problem. She concluded by noting her support of HB 233.

[1:18:18 PM](#)

REPRESENTATIVE LYNN commented that teachers in schools should have instant reactions to any misbehavior. He questioned whether laws are necessary to tell teachers and schools to stop misbehavior. "Are there not guidelines already," he asked.

REPRESENTATIVE CISSNA noted the increasing class sizes. She then emphasized the need for a policy to be in place for teachers.

REPRESENTATIVE LYNN informed the committee that when he began teaching in 1959, he had a class of 43 students. When there was a problem in the classroom, he knew actually who was causing it. Although he supported smaller class sizes, he opined that any teacher should know who is causing the problem. Again, Representative Lynn applauded the intent of HB 233.

[1:21:19 PM](#)

MARY MCMAHON, Interim Superintendent, Kashunamiut School District, related that [bullying] has been a big concern for the Kashunamiut School District this year. Many times districts aren't prepared to deal with this issue as they should. Therefore, if policies were in place and the districts had something in place, the situation would be one that is proactive rather than reactive.

[1:22:06 PM](#)

REPRESENTATIVE LYNN inquired as to why legislation would be necessary for schools to put a policy in place to control misbehavior.

MS. MCMAHON said that she didn't know whether it's the role of the legislature to do this, but she opined that it's good legislation. Furthermore, the legislation addresses a big issue that's found in all school districts.

REPRESENTATIVE WILSON related her belief in limited government. However, perhaps a school district hasn't even thought of addressing this matter. These [bullying situations] are

[situations] that can result in life and death situations. She also pointed out that kids today are different in that many kids don't know how to be respectful of others. Representative Wilson opined that if [school districts] don't have policies similar to that proposed in HB 233, then they should.

[1:24:11 PM](#)

REPRESENTATIVE LYNN questioned whether legislation should be introduced requiring school districts to initiate a program to respect others.

REPRESENTATIVE WILSON opined that part of "that" is teaching kids to handle their feelings in acceptable ways. If it has to be taught in school in order to avoid kids being killed in schools, then it's worth it, she further opined.

CHAIR NEUMAN acknowledged that in a perfect world, legislation such as this wouldn't be necessary. This legislation instructs school districts to start applying rules with the help of the Department of Education and Early Development. He recalled being informed that of the 53 school districts in Alaska that were asked what they have in the way of policies [including bullying] only 17 responded. Chair Neuman interpreted the aforementioned to mean that there has to be something telling the school districts that [policies addressing bullying] need to be in place.

REPRESENTATIVE LYNN inquired as to the disciplinary policies of the state's school districts.

[1:26:16 PM](#)

MOIRA SMITH, Staff to Representative Woodie Salmon, Alaska State Legislature, said that Representative Salmon is very concerned with HB 233 being an unfunded mandate, which is why he has spent much time working with the Alaska Association of School Boards (AASB) and the Alaska Council of School Administrators to ensure that they didn't view HB 233 as useless or an unfunded mandate. From AASB Ms. Smith said she learned that it has a model policy on bullying. Furthermore, AASB has, through its own research, determined that 40 of Alaska's school districts do have policies that either address bullying as a separate issue or intimidation and harassment in a way that satisfies AASB. The legislation, HB 233, adopts AASB's policy and recommends that the Alaska State Board of Education adopt it as its policy and mandates that every school district have a policy. Therefore, if a

school district has a policy that is in compliance with what HB 233 mandates, nothing is required. As to the earlier comments questioning [whether it's necessary for HB 233 to be law], parents have related to the sponsor that it's important to have a policy in place in every school district. Moreover, by passing legislation on bullying, the legislature is taking a policy stand against it and bolstering the efforts of teachers and administrators as they address this matter.

REPRESENTATIVE LYNN said that he wholly supports the aforementioned. He opined that schools need to return to discipline in the classroom in order that education can occur and the money sent to schools can be used to teach kids.

[1:29:25 PM](#)

MICHAEL BYER, Principal, Hoonah City School, related that the Hoonah City School is dealing with bullying issues. He agreed that there have been various forms of harassment in schools over the years, but he emphasized the need for there to be research-based programs to help students learn how to behave with each other.

REPRESENTATIVE WILSON moved to report CSHB 233, Version 24-LS0804\F, Mischel, 4/19/05, out of committee with individual recommendations and the accompanying zero fiscal note. There being no objection, CSHB 233(EDU) was reported out of the House Special Committee on Education.

#### **ADJOURNMENT**

There being no further business before the committee, the House Special Committee on Education meeting was adjourned at [1:31:40 PM](#).