

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

March 16, 2012

8:05 a.m.

MEMBERS PRESENT

Representative Alan Dick, Chair
Representative Lance Pruitt, Vice Chair
Representative Eric Feige
Representative Paul Seaton
Representative Sharon Cissna
Representative Scott Kawasaki

MEMBERS ABSENT

Representative Peggy Wilson

Other Legislators Present

Representative Bob Miller

COMMITTEE CALENDAR

CONFIRMATION HEARING(S):

University Of Alaska Board of Regents - Student Regent

Mari Freitag - Fairbanks

- CONFIRMATION(S) ADVANCED

PRESENTATION: SKAGWAY SCHOOL DISTRICT

- HEARD

SENATE BILL NO. 137

"An Act requiring suicide awareness and prevention training for certain school personnel."

- MOVED HCS SB 137(EDC) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 137

SHORT TITLE: SUICIDE AWARENESS & PREVENTION TRAINING

SPONSOR(S): SENATOR(S) DAVIS

01/17/12 (S) PREFILE RELEASED 1/6/12
 01/17/12 (S) READ THE FIRST TIME - REFERRALS
 01/17/12 (S) EDC, FIN
 01/23/12 (S) EDC RPT 4DP
 01/23/12 (S) DP: MEYER, THOMAS, STEVENS, DAVIS
 01/23/12 (S) EDC AT 8:00 AM BELTZ 105 (TSBldg)
 01/23/12 (S) Moved SB 137 Out of Committee
 01/23/12 (S) MINUTE(EDC)
 01/30/12 (S) FIN AT 9:00 AM SENATE FINANCE 532
 01/30/12 (S) Heard & Held
 01/30/12 (S) MINUTE(FIN)
 02/02/12 (S) FIN AT 9:00 AM SENATE FINANCE 532
 02/02/12 (S) Moved SB 137 Out of Committee
 02/02/12 (S) MINUTE(FIN)
 02/03/12 (S) FIN RPT 7DP
 02/03/12 (S) DP: HOFFMAN, STEDMAN, THOMAS, EGAN,
 MCGUIRE, ELLIS, OLSON
 02/13/12 (S) TRANSMITTED TO (H)
 02/13/12 (S) VERSION: SB 137
 02/15/12 (H) READ THE FIRST TIME - REFERRALS
 02/15/12 (H) EDC, FIN
 03/16/12 (H) EDC AT 8:00 AM CAPITOL 106

WITNESS REGISTER

MARI FREITAG, Appointee
 Student Regent
 University of Alaska (UA) Board of Regents
 Fairbanks, Alaska

POSITION STATEMENT: Testified as the Student Regent appointee to the University of Alaska Board of Regents.

DR. JEFFREY THIELBAR, Superintendent
 Skagway School District
 Skagway, Alaska

POSITION STATEMENT: Provided a PowerPoint presentation entitled, "Skagway School District" dated 3/14/12.

TOM OBERMEYER, Staff
 Senator Bettye Davis
 Alaska State Legislature
 Juneau, Alaska

POSITION STATEMENT: Presented SB 137, on behalf of Senator Davis, sponsor.

JEAN MISCHEL, Attorney

Legislative Legal Counsel
Legislative Legal and Research Services
Legislative Affairs Agency
Juneau, Alaska

POSITION STATEMENT: Answered questions during the hearing on SB 137.

ANN SCHAACK, Representative
North Star Behavioral Health;
The Jason Foundation
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 137.

CAROL WATERS, Executive Director
Alaska Association of Student Governments (AASG)
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 137.

J. KATE BURKHART, Executive Director
Statewide Suicide Prevention Council;
Alaska Mental Health Board;
Advisory Board on Alcoholism & Drug Abuse
Central Office
Division of Behavioral Health
Department of Health and Social Services
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 137.

JAMES BIELA, Representative
American Foundation for Suicide Prevention-Alaska Chapter
Bethel, Alaska

POSITION STATEMENT: Testified in support of SB 137.

CLARK FLATT, President/CEO
The Jason Foundation
Hendersonville, Tennessee

POSITION STATEMENT: Testified in support of SB 137.

SHARON STRUTZ NORTON, Nurse Practitioner;
Secretary and Field Advocate
American Foundation for Suicide Prevention (AFSP)
Homer, Alaska

POSITION STATEMENT: Testified in support of SB 137.

BARB ANGAIK, President
National Education Association-Alaska (NEA-Alaska)
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 137.

ACTION NARRATIVE

[8:05:05 AM](#)

CHAIR ALAN DICK called the House Education Standing Committee meeting to order at 8:05 a.m. Representatives Dick, Feige, and Seaton were present at the call to order. Representatives Pruitt, Cissna, and Kawasaki arrived as the meeting was in progress. Representative Miller was also present.

**CONFIRMATION HEARING(S): University of Alaska Board of Regents
- Student Regent**

[8:05:31 AM](#)

CHAIR DICK announced that the first order of business would be a confirmation hearing for the University of Alaska Board of Regents - Student Regent.

[8:05:52 AM](#)

MARI FREITAG, Appointee, Student Regent, University of Alaska (UA) Board of Regents, informed the committee she was born and raised in Ketchikan, and now attends the University of Alaska Fairbanks (UAF) studying political science with a minor in justice. She plans to attend law school after graduation and return to Alaska to practice law. Ms. Freitag has been involved in student governance through the Associated Students of the University of Alaska Fairbanks (ASUAF), serving two years as a senator, then as vice-president, and currently as president of student government. Her participation in the Coalition of Student Leaders introduced her to statewide student government and to the university board of regents, and she expressed her belief that as student regent she can represent university students at a higher capacity. She said she has enjoyed learning about and sharing information on the university system with the coalition, and with ASUAF.

[8:07:35 AM](#)

CHAIR DICK asked whether Ms. Freitag was sufficiently bold and articulate to speak directly to issues before the board of regents when necessary.

MS. FREITAG said that depends on the issue. Thus far she has been "quiet", but on issues such as tuition, she will have no trouble speaking for the students and relaying their reaction to the board. It is important to speak so that the regents do not "lose sight of the students."

CHAIR DICK asked whether Ms. Freitag will return to Alaska to practice law.

MS. FREITAG said her career is undecided, but she will return to the state to live.

[8:09:32 AM](#)

REPRESENTATIVE SEATON said the committee has recently concentrated on ways to improve the graduation rate at UA and for college and credential programs. The Higher Education/Career Readiness Task Force Committee incorporated a requirement that all campuses that accept the Alaska Performance Scholarships would also participate in an advisor advocate program for each student. He asked whether the board has brought completion rates and the advisor advocate program to the forefront.

MS. FREITAG said yes, and reported that there has been a lot of discussion on those topics; in fact, UA President Pat Gamble has focused on how to ensure students have a good experience and complete their education in a timely and cost-effective manner.

[8:11:26 AM](#)

REPRESENTATIVE SEATON suggested she review the recommendations made by the legislative task force on higher education in order to understand the intent of the legislature.

[8:12:31 AM](#)

REPRESENTATIVE FEIGE asked for the most frustrating aspect for students attending UA.

MS. FREITAG said a difficult problem for students is the lack of advisors to help plan prerequisites for the classes that are needed to satisfy a degree program. Also, cost is also a concern.

REPRESENTATIVE FEIGE asked whether problems with a student's class schedule are due to a failure of the student to properly plan, or a failure of the faculty to properly schedule classes.

MS. FREITAG acknowledged some fault is on the part of the student, although a shortage of faculty contributes to the problem.

REPRESENTATIVE SEATON spoke from personal experience, pointing out that advisors are knowledgeable about benefits of which students are unaware. He asked if UA has been proactive informing students of online classes that will satisfy their prerequisites.

MS. FREITAG expressed her belief that advisors do suggest options from other universities, but she was unsure.

8:17:35 AM

REPRESENTATIVE CISSNA cautioned that advisors may not be infallible, and relayed her personal experience that not all UA classes are transferrable within the UA system, but they should be. Representative Cissna observed that many of Alaska's residents live in rural areas, and transitions to urban areas for educational opportunities are difficult, especially at the college level. As there is little understanding by the urban area of the differences between rural and urban, she asked how this lack of understanding may affect the work of the appointee.

MS. FREITAG responded that UAF has an excellent rural advisory program, Rural Student Services. There are also programs through the Department of Residence Life, which provide separate housing to students from rural communities to assist with the transition. As an orientation leader, she has seen rural freshmen have difficulty. Ms. Freitag will be traveling to Bethel for commencement and to gain more information on rural students' perspectives.

REPRESENTATIVE CISSNA underscored that the knowledge base inherent to rural Alaskans needs to be understood and respected, and asked how this might be facilitated.

MS. FREITAG said the UAF program on Yupik culture and language is strong, and is offered along with required humanitarian and optional Native language courses. Support for these programs is an indication to rural communities that the campus feels Native

languages and culture are very important. Participation in cultural clubs is also supported.

[8:23:10 AM](#)

REPRESENTATIVE SEATON moved to advance the confirmation of appointee Mari Freitag to the University of Alaska Board of Regents - Student Regent, noting that each member's signature on the committee's report in no way reflects the member's vote during the joint floor session. There being no objection, the confirmation was advanced.

PRESENTATION: Skagway School District

[8:23:41 AM](#)

CHAIR DICK announced that the next order of business would be a presentation by Superintendent Dr. Jeffrey Thielbar of the Skagway School District.

[8:24:27 AM](#)

The committee took an at-ease from 8:24 a.m. to 8:25 a.m.

[8:25:15 AM](#)

DR. JEFFREY THIELBAR, Superintendent, Skagway School District, said Skagway has two seasons: the busy tourist season, and winter, when the population dwindles. He provided a PowerPoint presentation entitled, "Skagway School District" dated 3/14/21, and paraphrased from a prepared statement, which read as follows [original punctuation provided]:

Most people think of Skagway as a bustling port at the north end of the Lynn Canal, with people wandering up and down Broadway Street hoping to gain a glimpse of the days of 1898 and hearing about our most notorious villain, Soapy Smith.

However, after the tourist industry locks the doors and the last cruise ship has left the dock, a totally different Skagway emerges. Skagway becomes a quiet little town with one of the highest un-employment rates in Alaska. The diamond shops close down and all the money from the tourist industry transfers south only to return when tourist season starts 8 or 9 months later.

The district population for Skagway Schools has been dropping dramatically. Ten years ago the district had well over 120 students while today we have 58 during the winter. This is the official count during October. When we start school in August we boast 20% more students but by the time the official count period rolls around, Tourist Season is over and many of the seasonal workers move south.

Next year the district will have a total of 9.3 certified teachers. Every elementary teacher teaches multiple grades and every secondary teacher teaches multiple subjects.

In order to provide a free and appropriate public education to Skagway's students, we have become very adept at teaching classes in ways that were unheard of when you and I were in school. We use technology to a vast degree. Here you see middle school students using computers to access information, second and third grade students using interactive whiteboards to present information and kindergarteners using interactive computers to learn while their teacher gives the first grade class a lesson. Our high school students are taking classes in everything from social studies to math to health online so we can offer an abundance of classes as well as meet the requirements of the Alaska Performance Scholarship. However, this all costs money as well as takes a great teacher to monitor and assist the students while that teacher may be teaching other classes. By combining technology and excellent teaching we are able to offer classes like Calculus, AP Literature, AP Language, Physics, French and Spanish.

[8:30:07 AM](#)

CHAIR DICK asked how physics is taught.

DR. THIELBAR responded that physics and advanced placement classes are taught by a teacher in the classroom, while other students complete online courses. He then continued paraphrasing:

It is obvious that Skagway School is successful. Even though our enrollment is declining, our attendance and

graduation rate is well over 90 percent. It is very disheartening to hear comments from our Governor that supporting our schools to [a] higher degree is "wasted money." There are also comments from legislators that the system is broken and until graduation rates are increased there should be no increase in base formula funding. Mr. Chairman, I submit that not all schools are broken however this kind of thinking hurts all schools.

Another piece of evidence that all schools are not broken is our percentage of students that are proficient or above proficient on the state assessments. We routinely score over 90% of our students as proficient or above proficient.

This year the state has determined that Skagway School needs \$966,000 to provide a basic education. I will not go into how ridiculously low that that figure is, let's just suffice it to say that the state funding formula is antiquated and does not provide for a free and appropriate education for all Alaskan students. However, even considering the basic need allocated by the current funding formula, the State of Alaska only provides 41% of Skagway's basic need. That is the lowest percentage of any school district in the state. Some districts receive over 100% of their basic need from the state. This lack of state support places an undue hardship on the citizens of Skagway because they are forced to pay the difference if they want to maintain an adequate education for Skagway students. Increases in funding for transportation, or funding to Title One schools or funding for minority populations does not filter down to Skagway School due to our population demographics. We need support from the state by adding to the funding formula or adjusting the ISER so Skagway is fairly represented in the formula.

Thank you for your time allowing me to present to this committee. As you can see Skagway school is a special school district in Alaska. However, I am very concerned that by ignoring Skagway because it is special and allowing the state to fund such a low percentage of the basic need for the students of Skagway will make cause a substantial reduction in the performance of Alaska's best little school district.

8:32:53 AM

DR. THIELBAR then pointed out eight or nine months of the year Skagway receives no revenue from the tourist industry. Furthermore, the Municipality of Skagway Assembly must concentrate its funding to increase economic development - such as mining prospects. Even so, the assembly values the school district, and provides over 59 percent of the district budget. Dr. Thielbar restated that not all schools and school districts are broken; in fact, some are producing 95 percent and higher proficient students who continue on to a career, the military, or college. He concluded, saying the Skagway School District needs help from the legislature.

8:36:03 AM

CHAIR DICK noted the mission statement, and read: "Educating the Whole Child, Intellectually, Emotionally, Physically and Socially."

REPRESENTATIVE CISSNA observed that Skagway is an important shipping port for Yukon Territory, Canada. Because the population of the school district is declining, offering online courses is very important, and she asked how well that works.

DR. THIELBAR said the online classes are extensive; however, the biggest technological challenge is that the bandwidth of a microwave system limits the volume of data, and there is no fiber-optic network. Thus downloads, such as for Discovery Education, are handled in the evening to avoid slowing down the system during the day. In fact, there is not a strong pipeline of internet access coming into Skagway. In further response to Representative Cissna, he said 100 percent of the school population, from kindergarten to grade 12, uses online classes every day.

8:40:57 AM

REPRESENTATIVE SEATON cited a number of other districts that are also performing exceptionally well. He asked why state funding for the Skagway district is only 41 percent.

DR. THIELBAR explained that the 10-year-old Institute of Social and Economic Research (ISER), University of Alaska Anchorage (UAA) study assigned communities a "required local effort" percentage from property value assessments to pay for schools.

Because Skagway is a port community that is very busy in summer, the study did not reflect 10 percent unemployment in winter. In addition, income from the 2006 Alaska Shipping Tax Initiative is regulated, and cannot be used for schools. He suggested that the ISER study should be updated.

CHAIR DICK advised that topic is under discussion by the legislature.

[8:44:09 AM](#)

REPRESENTATIVE FEIGE asked about the district's facilities.

DR. THIELBAR said a K-12, single-building school was built in 1983 and has been well maintained by the municipality. The building was designed for a school of 180 students, so it is large for 58 students, and is a great facility.

SB 137-SUICIDE AWARENESS & PREVENTION TRAINING

[8:45:46 AM](#)

CHAIR DICK announced that the final order of business would be SENATE BILL NO. 137, "An Act requiring suicide awareness and prevention training for certain school personnel."

[8:46:32 AM](#)

TOM OBERMEYER, Staff to Senator Bettye Davis, Alaska State Legislature, presented SB 137, paraphrasing from the sponsor statement, which read as follows [original punctuation provided]:

This bill, short titled the Jason Flatt Act, requires mandatory youth suicide awareness and prevention training approved by the Commissioner, Department of Education and Early Development to each teacher, administrator, counselor, and specialist who is employed by a school district, regional educational attendance area, or department each year for services to students in grades 7-12. Training is important because suicide is the 3rd leading cause of death for ages 10-24 and the number one cause of death for Alaskans under the age 50 years.

Awareness and education are key to prevention. Tying suicide prevention efforts into teacher training has

proved very helpful in other states in reducing teen suicides. Most young people contemplating suicide show clear warning signs prior to the attempt. It is imperative that educators know how to recognize signs of at-risk youth and are prepared to intervene when they identify a problem.

Recognizing that Alaska has by far the highest rate of suicide per capita in the country, particularly among teens, young men, and Alaska Natives, the Alaska Mental Health Board and Advisory Board on Alcoholism and Drug Abuse, in partnership with the Statewide Suicide Prevention Council, the Alaska Association of Student Governments, the University of Alaska, and the Jason Foundation have established goals, training programs, and resources for teachers, coaches, and staff in suicide prevention.

The Alaska Bureau of Vital Statistics 2000-2009 reported the following suicide facts and statistics:

21.8 suicides per 100,000 Alaskans; vs. 11.5 suicides per 100,000 nationwide

56.1 suicides per 100,000 Alaskan young men ages 15-24, and 141.6 Native young men and 50.3 young women in same age group.

1369 suicides in 176 Alaska communities between 2000 and 2009; 11 per month; 2.6 per week

78% of suicides were committed by men and 22% by women who made twice as many but many more failed attempts

90% of suicide victims experience depression or have diagnosable and treatable mental health or substance abuse disorders

The 2011 Youth Risk Behavior Survey revealed that in the last 12 months:

12.8% Alaska High School students reported they seriously considered suicide

8.7% Alaska High School Students actually attempted suicide one or more times

2.7% Alaska High School Students - attempted suicide resulting in injury, poisoning, or overdose treated by a doctor or nurse

[8:50:15 AM](#)

MR. OBERMEYER interjected that this is a nationwide problem that represents a high cost to society. He then continued paraphrasing:

Just as "it takes a village to raise a child," it takes parents, teachers, mentors, and communities to support efforts to reduce suicides by developing environments of respect and connectedness among youth and adult role models. This will create in youth the needed hope, promise, and optimism to build healthy and appropriate relationships and behaviors. By requiring - and making resources available for - suicide prevention training for educators and school staff through this bill, the state of Alaska can ensure that youth at risk of suicide are more likely to be identified and receive help.

Alaska has many state agencies, non-profits, private citizens, health care providers, and policy makers working on this problem with programs and materials. This bill is but one part of suicide prevention which has proven successful in other states. The Jason Foundation which was named after the tragic loss of the founder's son to suicide has made available to Alaska and a limited number of other states its library of suicide awareness and prevention training materials free of charge.

Not only will this bill and community efforts reduce suicides, particularly among vulnerable youth, but it will also reduce the number of self-inflicted injuries occasioned in over 1200 hospitalizations per year due to suicide attempts at cost of \$9,000 per case excluding physicians' and specialists' fees, as researched and reported by the Alaska Mental Health Trust Authority in 2001-2002. The same research found 75% of the costs of Alaska suicide hospitalizations were paid through public funding sources and 15% were written off as losses by hospitals.

Suicides and attempted suicides have taken an incalculable toll on individuals and families in Alaska. The burden of this tragedy is shared by society as a whole. With all of our efforts the numbers have not decreased very much over the years. This bill, admittedly not a solution by itself, will help reduce the "silent epidemic" of youth suicide

through educational and awareness programs that equip young people, educators and parents with the tools and resources to help identify and assist at-risk youth.

[8:52:35 AM](#)

MR. OBERMEYER then directed attention to the statistics provided in the committee packet, and suggested that members review a report available online from the Statewide Suicide Prevention Council entitled, "Casting the Net Upstream: Promoting Wellness to Prevent Suicide," and accompanying written comments in the committee packet by J. Kate Burkhart, executive director.

[8:53:39 AM](#)

REPRESENTATIVE CISSNA asked what kind of work is being done to identify the community profiles and conditions for at-risk youth and adults.

MR. OBERMEYER, in response, read from page 17 of the aforementioned report as follows:

The school districts will implement broad screenings to identify not just ... imminent risk of suicide, but factors for suicide: substance abuse, violence, depression, et cetera.

MR. OBERMEYER advised the program put in place by the bill has been successful in reducing the number of suicides among young people by working through the schools. He said he was shocked at the number of suicides nationwide, and yet Alaska has the highest incidence in the country.

CHAIR DICK relayed a personal story of a foster child who appeared to be doing well, but his change in behavior was later revealed as a sign of his impending suicide. Chair Dick said, "Had I known that sign ... Our family, 25 or 28 years later, [is] still feeling the impact of that."

[8:57:08 AM](#)

REPRESENTATIVE KAWASAKI asked for data to support the statement that teacher training has proved helpful in other states.

MR. OBERMEYER deferred to Mr. Clark Flatt.

[8:58:05 AM](#)

REPRESENTATIVE SEATON observed the Alaska rates for suicide are significantly higher than those of other states, and that may be contributed to by its location in the Far North. He referred to HCR 5 - legislation passed by the Alaska State Legislature in April, 2011 - which recognized factors further advanced in the book titled, Environment, Mood Disorders, and Suicide. The book reveals an association between environment and suicide, including low vitamin D levels in five medical conditions related to suicide. Representative Seaton expressed his frustration with addressing this issue in the same way as it is handled in the Lower 48 - through counseling - when there is the possibility of a basic medical condition in Alaska, Canada, and all of the Far North. Recent research suggests that not treating an underlying medical condition, such as low vitamin D levels, associated with suicide may miss part of the problem, although the research supporting HCR 5 was directed to mood disorders and seasonal affected disorder. He expressed his support of prevention counseling, but wanted to ensure that the northern climate medical conditions are solved as well.

[9:01:29 AM](#)

MR. OBERMEYER agreed that climate and darkness have been proven to contribute to alcoholism in northern climates. He returned to Representative Kawasaki's question and said that Iowa, Maine, Maryland, New Hampshire, Rhode Island, Vermont, and Washington implement suicide prevention education in school curricula through "Gatekeeper" prevention training. He will make this and further information from the National Conference of State Legislatures (NCSL) available after the hearing.

[9:02:23 AM](#)

REPRESENTATIVE CISSNA agreed with Representative Seaton on the need to consider health issues. She spoke of the need to learn more about Alaska by profiling communities that face challenges in areas of health, environment, and others. She opined there is a need for prehistory analysis of the state, pointing out that one of the oldest living communities on earth is the village of Nikolski in the Aleutian Islands. Further study of the lifestyle in the communities that have survived in Alaska - even with dietary deficiencies - through all of the changes in time, is needed to understand "what's going on." Representative Cissna said this is a task for the education community.

MR. OBERMEYER expressed his belief that this is not just an educational problem, but is also being addressed by the Department of Health and Social Services (HSS) through behavioral health and mental health services.

[9:05:09 AM](#)

REPRESENTATIVE PRUITT moved Amendment 1, identified as 27-LS0994\M.1, Mischel, 2/16/12 which read:

Page 1, line 9, following "**training**":
Insert "**; immunity**"

Page 2, following line 7:
Insert new subsections to read:

"(c) A person may not bring a civil action for damages against the state or a school district, or an officer, agent, or employee of the state or a school district for a death, personal injury, or property damage that results from an act or omission in performing or failing to perform activities or duties authorized under this section. This subsection does not apply to a civil action for damages as a result of intentional misconduct with complete disregard for the safety and property of others. In this subsection, "school district" has the meaning given "district" in AS 14.17.990.

(d) The training provided or the failure to provide training under this section may not be construed to impose a specific duty of care on any person."

REPRESENTATIVE SEATON objected for the purpose of discussion.

MR. OBERMEYER explained the amendment addresses court immunity for teachers, school personnel, and school districts providing the service or receiving the training. Questions have arisen as to the responsibility of a teacher whose student commits suicide. The sponsor has been advised by Legislative Legal and Research Services, Legislative Affairs Agency, that the amendment assures personnel that they would not be responsible through negligence on their part or the district's part.

[9:07:09 AM](#)

REPRESENTATIVE SEATON read from the amendment as follows:

A person may not bring a civil action for damages ... for omission in failing to perform ... activities or duties authorized under this section.

REPRESENTATIVE SEATON surmised this language means action cannot be taken against a school district for not training its staff.

9:08:03 AM

JEAN MISCHEL, Attorney, Legislative Legal Counsel, Legislative Legal and Research Services, Legislative Affairs Agency, responded that the immunity provision is a standard negligence immunity which does not immunize the school district, the state, or their personnel from intentional misconduct. Section 2 of the bill is a mandatory training requirement thus if a district refuses, or has no basis for refusing to train, a causal connection could be made between a death or injury and the lack of training, and the district or state could be held liable.

REPRESENTATIVE SEATON asked, "So the wording 'intentional misconduct with complete disregard for the safety and property of others' ... if they decide not to have training this year because it is inconvenient, or don't get an online course, would that be considered misconduct with complete disregard for the safety or property of others?"

9:10:07 AM

MS. MISCHEL advised a court would need to review the factual evidence if this came to litigation. For example, if a school district made a financial decision that the training could not be afforded, or another valid or discretionary policy reason, the Alaska Statutes (AS) - Title 9 immunity would apply. The reasons for not providing the training would determine intentional misconduct. More importantly, the lack of the training must be found to be the cause of the injury or death, which is a high burden for a plaintiff, and that is also included in the amendment.

REPRESENTATIVE SEATON observed the immunity appears to be broad, and asked if the immunity language allowed districts "to avoid doing the purpose of the bill," which is to provide training for suicide prevention.

MS. MISCHEL said no, because there are other provisions in Title 14 that require school districts to comply with state law. The immunity provision pertains to those looking for money as an

enforcement mechanism; in fact, there are other ways the state can enforce the provision. She concluded that the liability is a policy call for the legislature to determine whether the civil lawsuit for monetary damages is the primary enforcement mechanism for this kind of training, and she did not anticipate school districts would deny employees training and disregard state law. Further, the Department of Education and Early Development (EED) can force districts to provide the training.

[9:14:33 AM](#)

REPRESENTATIVE SEATON understood that this immunity would not confound the purpose of the bill.

MS. MISCHEL agreed.

[9:15:21 AM](#)

REPRESENTATIVE CISSNA suggested that the amendment adds another layer of statutory requirements and additional cost to the school district.

MR. OBERMEYER said the immunity issue was initially brought up by the Anchorage School District and was followed by research that indicated other states have provided extra immunity. The intent is to ensure that districts participate in the program without concern that they may be held ultimately responsible. He acknowledged that the program is not a "fix all," but seeks to raise awareness. He pointed out that there is no fiscal note attached to the bill, as the program is provided free, and the teachers are not required to use class time, because the training can be part of their continuing education elective hours.

REPRESENTATIVE CISSNA said the amendment represents details of the law, but not the issue of the legislation. The issue is: surrounding our children with the idea of their importance in a world that makes sense. She concluded that this is not the proper approach.

[9:20:38 AM](#)

REPRESENTATIVE SEATON removed his objection.

REPRESENTATIVE CISSNA objected.

CHAIR DICK, in response to Representative Seaton, said the amendment offered was Amendment 1.

[9:21:10 AM](#)

A roll call vote was taken. Representatives Seaton, Pruitt, Kawasaki, and Dick voted in favor of Amendment 1. Representative Cissna voted against it. Therefore, Amendment 1 was adopted by a vote of 4-1.

[Although Chair Dick announced Amendment M.1 was adopted, the motion was to move Amendment 1, and it was clear the intent of the committee was to adopt Amendment 1.]

[9:22:27 AM](#)

CHAIR DICK opened public testimony.

[9:22:47 AM](#)

ANN SCHAACK, Representative, North Star Behavioral Health; The Jason Foundation, informed the committee North Star Behavioral Health provides children and adolescents from across the state with acute behavioral health services and residential treatment. Ms. Schaack said she also represents Alaska's first affiliate office of The Jason Foundation, which is dedicated to the prevention of youth suicide through education and awareness. She spoke in support of the bill, saying that school personnel are in a key position to identify at-risk youth, and to connect them with support. Her organizations look forward to the opportunity to equip educators and school personnel with the tools and resources to assist at-risk youth.

[9:23:52 AM](#)

CAROL WATERS, Executive Director, Alaska Association of Student Governments (AASG), stated AASG is a student-led organization which has been working for the prevention of youth suicide for three years, and is in strong support of the bill. She related that many students have asked for suicide prevention training for school personnel because they need support from teachers and other staff. Ms. Waters said that schools often offer counseling after a suicide, but support should be preventative.

[9:25:21 AM](#)

J. KATE BURKHART, Executive Director, Statewide Suicide Prevention Council; Alaska Mental Health Board; Advisory Board on Alcoholism & Drug Abuse, Central Office, Division of Behavioral Health, DHSS, said she was speaking on behalf of the aforementioned organizations. The Statewide Suicide Prevention Council supports SB 137, and she said the bill is a step forward to achieving one of the strategies in the state's suicide prevention plan: to provide suicide prevention and awareness training to all school personnel, from the janitor to the principal. She said the bill directs two hours of training to educators and support staff which will also provide her division with opportunity to evaluate the effectiveness of educator training. Ms. Burkhart pointed out that the bill has a zero fiscal note because there are resources available to school districts at no cost and with no burden to educators. The Jason Foundation also provides to school districts a library of resources on DVD, curricula appropriate for teacher in-services, and online training. Further, the Division of Behavioral Health offers the Gatekeeper program that was designed in Alaska and is currently in use by the Fairbanks North Star Borough School District. The Alaska Native Tribal Health Consortium and Southcentral Foundation both offer Applied Suicide Intervention Skills (ASIT) training at no cost. Ms. Burkhart emphasized that suicide has a "web" of causality: There is no one cause, and there is no one solution. However, SB 137 is part of a network of solutions, and will ensure that educators understand the warning signs of suicide. She expressed her concern over comments that living in rural Alaska, or being Alaska Native, are risk factors for suicide; in fact, the greatest number of suicides occur in the Anchorage area thus suicide should not stigmatize one ethnicity or one type of community. Instead, the focus should be to promote wellness and strengthen everyone's ability to resist life's challenges and respond in a healthy way.

[9:29:36 AM](#)

REPRESENTATIVE KAWASAKI noted that Ms. Burkhart's testimony referred to training for all school personnel; however, the bill language specifies that prevention training would be provided to each teacher, administrator, counselor, and specialist.

MS. BURKHART said the Statewide Suicide Prevention Council recommendation is that everyone affiliated in a school gets training, including coaches and maintenance people.

[9:30:30 AM](#)

REPRESENTATIVE CISSNA observed that the first Alaskans may have been the healthiest people to have ever lived here, as they survived for millennia. Western society has been in Alaska for about 200 years, yet is creating a cultural transformation with serious problems. She shared a personal story of suicide in her family and stressed the need to understand the web of causality affecting Alaskans of all ages.

[9:32:53 AM](#)

MS. BURKHART, in response to Representative Kawasaki, said the length of the training course mandated by the bill is two hours; however, online courses may last from one-half to three days, and the districts will be able to choose what courses to offer from a list approved by EED.

[9:34:04 AM](#)

JAMES BIELA, Representative, American Foundation for Suicide Prevention-Alaska Chapter, stated support for SB 137, paraphrasing from a prepared statement, which read [original punctuation provided]:

I am calling in support for SB137 on behalf of American Foundation for Suicide Prevention-Alaska Chapter as a Field Advocate. I am employed with the Lower Kuskokwim School District as Itinerant School Social Worker and I am a registered trainer with the Applied Suicide Intervention Skills Training, known as ASIST. I am assigned five villages across the district and work with families, students and school personnel. I am also used as a first responder to those villages when there is a suicide. Teachers and school employees are the main contacts for our students in the villages. Often teachers will refer students for sudden changes in behavior yet feel uninformed on the signs of suicide.

Back in Dec. 2010 an ASIST training was completed at one village school with teachers, students and community members. One teacher did not want to attend this particular training. Within 24 hours after this training the teacher was able to identify one student who was on the verge of committing suicide and contacted myself for assistance. We were able to secure an immediate referral to YK Behavioral Health. This student had his plan to commit suicide and if the

teacher did not have the skills to identify and intervene this one student could be deceased. The teacher now admits that this training was very valuable and was one of the best in-service trainings he had.

We just completed another training that involved our teachers and community members with the ASIST and we have 4 more scheduled in the next month in our school district. The trainings are done at no cost to the district. Although we are currently using the ASIST program, there are many more programs that can be done in less time. With the high rates of suicides in this area the more trainings for those who have consistent contact with the students will prevent further deaths. Finally today I was able to pull up my stats since august of 2011 and so far a total of 79 students have been seen in those five villages of which one attempt was made in the school setting. If it was not for the awareness of those teachers trained there could have been more attempts and possibly completed suicides. I encourage you to pass SB137 also known as the Jason Flatt Act. Finally I thank you for listening to my testimony on behalf of SB137.

[9:36:33 AM](#)

CLARK FLATT, President/CEO, The Jason Foundation, said on 7/16/97 he lost his youngest son to suicide. Later that year, in his son's memory, The Jason Foundation was begun, which today has 87 offices located in 33 states. When the affiliate office opened at North Star Behavioral Health in Anchorage, Mr. Flatt visited Alaska, and spoke with Senator Davis about the Jason Flatt Act. This legislation has now been passed in eight states, and the foundation continues to work with the American Foundation for Suicide Prevention to introduce the act in more states. In response to an earlier question regarding the impact of teacher training, Mr. Flatt advised the longest study in support of teacher prevention training has taken place in Tennessee, where the Jason Flatt Act was enacted in 2007. A report issued in 2010 revealed there was a 17 percent decrease in youth suicide during one year in that state. He agreed with previous testimony that the causes of suicide cannot be addressed by one endeavor, however, in Tennessee this is the fourth year in a row that 74,000 teachers have been trained, resulting in many instances of early recognition of suicidal ideation, "which is a key to a successful prevention." The Jason Foundation is proud to introduce the Jason Flatt Act and

to provide the successful model for legislation that is effective without a fiscal note through the support of many organizations working together. He concluded that this is not the complete answer, but can make an impact in Alaska.

9:40:08 AM

SHARON STRUTZ NORTON, Nurse Practitioner; Secretary and Field Advocate, American Foundation for Suicide Prevention (AFSP), disclosed that she is a member of the Statewide Suicide Prevention Council, and she was speaking on her own behalf as a family suicide survivor, and for AFSP. Ms. Strutz Norton stated support for SB 137, relating that in her work for suicide awareness and prevention she has been approached by several youth ranging in age from middle school to high school. These students shared stories of friends who are stressed or depressed for a variety of reasons, and talking of suicide. Since then, youth in Homer and throughout the state have attempted and completed the act of suicide. Ms. Strutz Norton has also heard from school counselors of the effect of grief on student survivors. She advised that the implementation of education training models has increased the likelihood that school staff members have the knowledge and confidence to approach an at-risk student and to assist them. Recent research from the University of Washington on eight hundred and eighty-three eighteen- to nineteen-year-olds who attempted suicide indicated that almost 40 percent made their first attempt before high school. Sadly, there were three suicides of young adult men in Seward, and although they were not students, she expressed her belief that passage of a bill mandating that all school personnel have suicide prevention education may have a significant impact on youth suicide outcomes.

9:43:09 AM

BARB ANGAIK, President, National Education Association-Alaska (NEA-Alaska), stated NEA-Alaska represents 13,000 educators across the state and is in strong support of SB 137. She opined there is no training more important or that would have more potential beneficial impact on every student. She observed that tragically, this issue affects every community in the state. She assured the committee there is a variety of effective programs available and she supported the idea that each school district would choose the most appropriate for its community. Ms. Angaik agreed with previous testimony that the program should be expanded to include every educator and all school workers; in fact, everyone with student contact in the public

education system needs this training. Often students at risk develop a strong relationship with school support staff thus everyone needs the training to ensure they have the expertise and knowledge to assist.

[9:46:39 AM](#)

CHAIR DICK closed public testimony.

REPRESENTATIVE SEATON said he has been encouraged by his constituents to broaden the bill to mandate training for all school employees, but he said he would not offer that amendment, explaining that the bill currently has a zero fiscal note; however, expansion of the bill's mandate to require that everyone is trained would require a fiscal note and threaten the passage of the bill. He expressed his hope the school districts will proceed with the training and offer it to the personnel in the school system.

[9:48:15 AM](#)

REPRESENTATIVE KAWASAKI directed attention to line 9 of the bill and read:

[A] school district, regional education attendance area and the department shall annually provide ...

REPRESENTATIVE KAWASAKI asked who would be ultimately responsible to provide the training.

[9:48:50 AM](#)

MR. OBERMEYER deferred to EED.

[9:49:57 AM](#)

MS. MISCHEL advised the bill requires the commissioner of EED to approve the training and that the school district, regional educational attendance area (REA) and EED each provide that training to its own employees. She added that EED would have the ability to require each district and REA to comply.

[9:50:50 AM](#)

REPRESENTATIVE KAWASAKI then asked whether a counselor or administrator working at a regional public health center would be required to take the training.

MS. MISCHEL, after ascertaining Representative Kawasaki was referring to employees of EED, said, "These are people who are employed by the state or school district or REA as a teacher, administrator, counselor or specialist. And the reason the department is listed separately is because they function as an employer of some of those individuals through the state boarding school and other statewide programs."

[9:51:59 AM](#)

REPRESENTATIVE PRUITT moved to report SB 137, Version 27-LS0994\M, as amended, out of committee with individual recommendations and the accompanying fiscal notes. There being no objection, HCS SB 137(EDC) was reported from the House Education Standing Committee.

ADJOURNMENT

[9:54:00 AM](#)

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:54 a.m.