

ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE

April 2, 2014
8:00 a.m.

MEMBERS PRESENT

Senator Gary Stevens, Chair
Senator Mike Dunleavy, Vice Chair
Senator Bert Stedman
Senator Charlie Huggins
Senator Berta Gardner

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 216

"An Act relating to sexual abuse and sexual assault awareness and prevention efforts in public schools; establishing a task force in the Council on Domestic Violence and Sexual Assault; and providing for an effective date."

- HEARD & HELD

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 162(EDC) AM

"An Act relating to tenure of public school teachers; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: SB 216

SHORT TITLE: SEXUAL ABUSE/ASSAULT PREVENTION PROGRAMS

SPONSOR(S): RULES

03/28/14	(S)	READ THE FIRST TIME - REFERRALS
03/28/14	(S)	EDC, FIN
03/31/14	(S)	EDC WAIVED PUBLIC HEARING NOTICE, RULE 23
04/02/14	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)

BILL: HB 162

SHORT TITLE: TEACHER TENURE

SPONSOR(s): T.WILSON

03/11/13	(H)	READ THE FIRST TIME - REFERRALS
03/11/13	(H)	EDC
03/22/13	(H)	EDC AT 8:00 AM CAPITOL 106
03/22/13	(H)	Heard & Held
03/22/13	(H)	MINUTE(EDC)
03/27/13	(H)	EDC AT 8:00 AM CAPITOL 106
03/27/13	(H)	Moved CSHB 162(EDC) Out of Committee
03/27/13	(H)	MINUTE(EDC)
03/28/13	(H)	EDC RPT CS(EDC) 3DP 4NR
03/28/13	(H)	DP: SADDLER, P.WILSON, GATTIS
03/28/13	(H)	NR: LEDOUX, DRUMMOND, REINBOLD, SEATON
04/04/13	(H)	AM NO 3 TABLED Y28 N8 E4
04/04/13	(H)	PASSAGE OF BILL NOT IN ORDER MOTION WITHDRAWN
04/04/13	(H)	TRANSMITTED TO (S)
04/04/13	(H)	VERSION: CSHB 162(EDC) AM
04/05/13	(S)	READ THE FIRST TIME - REFERRALS
04/05/13	(S)	EDC
03/31/14	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)
03/31/14	(S)	Heard & Held
03/31/14	(S)	MINUTE(EDC)
04/02/14	(S)	EDC AT 8:00 AM BELTZ 105 (TSBldg)

WITNESS REGISTER

AMY SALTZMAN, Staff
Senator Lesil McGuire
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SB 216 on behalf of the sponsor.

SENATOR LESIL MCGUIRE
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Sponsor of SB 216.

LAUREE MORTON, Executive Director
Council on Domestic Violence and Sexual Assault
Department of Public Safety
Juneau, Alaska

POSITION STATEMENT: Presented information related to SB 216.

JESSICA LAMASTER, Executive Director
Haven House
Homer, Alaska

POSITION STATEMENT: Testified in support of SB 216.

FLORA RODDY, Member
Education Support Staff Association
Fairbanks North Star School District
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 216.

CAREN ROBINSON, Executive Director
Alaska Women's Lobby
Juneau, Alaska

POSITION STATEMENT: Testified in support of SB 216.

LES MORSE, Deputy Commissioner
Department of Education and Early Development (DEED)
Juneau, Alaska

POSITION STATEMENT: Answered questions related to HB 162.

DIANE HIRSHBERG, Director
Center for Alaska Education Policy Research
Institute of Social and Economic Research (ISER)
University of Alaska-Anchorage
Anchorage, Alaska

POSITION STATEMENT: Provided information related to HB 162.

ACTION NARRATIVE

[8:00:49 AM](#)

CHAIR GARY STEVENS called the Senate Education Standing Committee meeting to order at 8:00 a.m. Present at the call to order were Senators Gardner, Stedman, Huggins, Dunleavy, and Chair Stevens.

SB 216-SEXUAL ABUSE/ASSAULT PREVENTION PROGRAMS

[8:01:21 AM](#)

CHAIR STEVENS announced the consideration of SB 216. He noted that version N was before the committee.

SENATOR DUNLEAVY moved to adopt the CS for SB 216, labeled 28-LS1617\N, as the working document before the committee.

CHAIR STEVENS objected for discussion purposes.

AMY SALTZMAN, Staff, Senator Lesil McGuire, Alaska State Legislature, Juneau, Alaska, presented SB 216 on behalf of the

sponsor. She said the only change in version N is the removal of the task force. She read the sponsor statement:

SB 216, or Erin's Law, addresses a devastating epidemic of child abuse. It will help to empower our communities by educating children, parents, and teachers, and give them the opportunity to speak out. This bill does this by requiring school districts to develop age-appropriate sexual abuse and assault awareness and prevention from age kindergarten through twelfth grade. This bill is part of a national effort that has been spearheaded by Erin Merryn, an advocate and sexual abuse survivor. She has made it her mission to enact this legislation in all fifty states. To date, there are versions of Erin's Law that have been enacted in eight states. Twenty-five states, including Alaska, are considering a version of the bill.

MS. SALTZMAN related that Erin Merryn, sponsor of the bill, recently visited Alaska. She noted testimony by Ms. Merryn available to the committee. She shared statistics, noting the devastating problem of sex abuse in Alaska.

[8:04:41 AM](#)

SENATOR LESIL MCGUIRE, Alaska State Legislature, Juneau, Alaska, sponsor of SB 216, introduce a video of the writer of the bill, Erin Merryn. In the video, Ms. Merryn shared her personal story and the reasons she has brought forth the bill. She listed the reasons that she made it her mission to ensure that all states have a law that requires school districts to develop age-appropriate sexual abuse and assault awareness and prevention from kindergarten through twelfth grade.

[8:10:56 AM](#)

She said that kids are not taught about the people they know and trust that can hurt them. She referred to the Jerry Sandusky story. She shared statistics about the survivors of sexual abuse. She said she has made it her life mission to make her voice heard and turn her experience into a positive situation. She maintained that sexual abuse is a national epidemic. She shared that she found her voice when she discovered her sister was also being abused.

She related that there are 26 states that are considering this legislation. She said that health teachers, counselors, and psychologists in schools can provide this curriculum as they have been doing in Anchorage for 15 years. She hoped the law

will end the horror of child abuse. She urged support for the bill.

[8:15:50 AM](#)

CHAIR STEVENS thanked the sponsor.

SENATOR MCGUIRE said Ms. Merryn is a remarkable person and a survivor. She emphasized that educating young people does work. She listed several components of the curriculum. She said Alaska leads the nation in child abuse. Under Title 18, educators are already trained in domestic violence awareness and sexual assault and it is appropriate to train teachers in this subject.

[8:18:48 AM](#)

SENATOR MCGUIRE spoke of other training programs for other subjects in school curriculum, but the lack of training about sexual abuse. She described a case in Illinois where after the "swimsuit" lesson was taught, six kids told the health teacher that they had been the victims of sexual abuse. She said the consequences of sexual abuse leads to drug abuse, incarceration, and other problems. She stressed that we need to do all that we can to prevent sexual abuse from happening. She encouraged legislators to pass the bill.

[8:22:21 AM](#)

SENATOR HUGGINS asked why Alaska leads the nation.

SENATOR MCGUIRE related that northern climates lead the nation in sex abuse, alcohol and drug addiction, and suicide rates. Also, isolation, which Alaska has, makes it easy for perpetrators. High levels of drug and alcohol addictions lead to a higher rate of sexual abuse and assault. She noted some of the solutions to these problems are found in the healing of addictions, providing hope for economic opportunities, having safe houses, and adopting prevention curriculum.

[8:25:51 AM](#)

SENATOR HUGGINS questioned whether treatment is effective for sex abusers.

SENATOR MCGUIRE said the recidivism rate of child sexual assault is very high - above 80 percent. Oregon has had some success with a containment program using electronic monitors and lie detector tests. Recidivism rates are lower with younger people, but still not good. By the time perpetrators are caught, the odds that they have assaulted many more children is very high.

SENATOR HUGGINS asked if those who abuse were abused.

SENATOR MCGUIRE said she has read a lot of literature on this subject. She concurred that this is almost always the case. The cycle of abuse repeats itself, which highlights why intervention is needed early on. Abusers become perpetrators and the cycle repeats, especially in Alaska with alcohol addiction and abuse.

[8:30:46 AM](#)

SENATOR HUGGINS asked about the gender factor.

SENATOR MCGUIRE said overwhelmingly it is males who are the perpetrators. Seldom do women abuse. Males are the perpetrators against both young women and young men. She voiced appreciation for the leadership of legislators to help break the cycle of violence.

[8:33:05 AM](#)

CHAIR STEVENS asked how parents can help promote this message.

SENATOR MCGUIRE commented that some parents are not involved in their child's education and lives. She said parents need to be part of the conversation. She suggested age-appropriate PSA's. She said she is open to adding more ideas for involving parents on page 2, line 5.

[8:36:44 AM](#)

SENATOR HUGGINS noted that some parents prefer that their children not be exposed to sexual abuse prevention.

SENATOR MCGUIRE understood that parents are allowed to opt out of sex education and the bill's curriculum would fall under that category.

CHAIR STEVENS pointed out that a parent could be the perpetrator.

SENATOR MCGUIRE agreed it is a complex issue. She said PSA's might work. She noted it is a crime of silence, as Ms. Merryn stated.

[8:39:43 AM](#)

SENATOR GARDNER talked about how kids are put in the position of protecting their family. It is not unusual for parents to also be victims. She noted denial is generational. Allowing parents to opt out might impact a child's ability to hear an important lesson. She opined that the lessons could be taught delicately.

SENATOR HUGGINS said he supports the bill, but some people are not delicate. He said he is sensitive to parental prerogative.

CHAIR STEVENS wished to work more on parental involvement and parental rights.

[8:42:42 AM](#)

LAUREE MORTON, Executive Director, Council on Domestic Violence and Sexual Assault, Department of Public Safety, Juneau, Alaska, presented information related to SB 216. She shared that the Council helps to develop curricula for these topics. She shared information about an initiative that started last year through the Governor's Choose Respect Initiative, where the Network on Domestic Violence and Sexual Assault and the Council went out into the state and held focus groups of parents. They asked how they could support parents in having conversations with their children and create a safer space for them. She handed out a brochure with a campaign slogan of "Talk Now, Talk Often" to help parents get familiar with what is going on in their kids' lives. The questions in the brochure get the conversation going. Future questions will be more sensitive in nature. She emphasized that there are parents who are interested in helping their children cope with unsafe situations. She noted a website with the same name.

MS. MORTON mentioned a conference in Anchorage that provided various educational programs to parents and teachers. She said the current law says "encourages" such programs; Erin's Law will "require" them. She said the department stands ready to assist school districts with skills development for teaching the curriculum. She understood that cost is a concern to districts. She offered that on the Office of Children's Services website there is curriculum called "Reporting Child Abuse in Alaska," a lesson for mandated reporters of child abuse.

MS. MORTON related that for the past six months, a workgroup made up of the Council, the Network, DEED, DHSS, the Association of Alaska School Boards, and other community representatives has been looking at K-5 curriculum. The goal is to come up with two to three choices of best practices for the state. There are evidence-based curricula available nationally. She said the "Fourth R" - relationships - is the name of a Canadian, evidence-based curriculum for students in grades 7 - 9 that has been adapted for use in Alaska schools. Over 53 schools have sent teachers for this training. Selected schools are being evaluated for this project and this summer the findings will be

available. She concluded that the Council has been very thoughtful about encouraging districts in implementing curricula.

8:50:20 AM

CHAIR STEVENS asked who are mandated reporters.

MS. MORTON said that there is a list under Title 47 that includes teachers, health care professionals, victim service providers, police officers, and others. She offered to provide that information.

SENATOR HUGGINS asked about bullying.

MS. MORTON agreed it is a serious problem. There are peer educators who are good mentors to younger students. "Coaching Boys into Men" promotes respectful treatment of women and girls. There are PSA's that address high school dating violence and bullying behavior.

8:53:20 AM

SENATOR GARDNER said when she visited schools she asked if they were in compliance with the newly mandated suicide prevention training and what strategies they were using to deal with bullying. The schools said they were working with the Social and Emotional Learning (SEL) program that focuses on helping kids identify their own emotional state and to understand other's emotional states. She read the list of who is mandated to report under AS 47.17.020.

8:55:33 AM

JESSICA LAMASTER, Executive Director, Haven House, Homer, Alaska, testified in support of SB 216. She said she is a member of the Alaska Network on Domestic Violence and Sexual Assault, chair of the Alaska Children's Alliance, and a mother of a toddler. She said she has interviewed hundreds of sexually abused children and it is their voices that compel her to testify in support of the bill. She related that some children do not have safe adults in their lives or they do not know how to talk about their abuse. Erin's Law will reduce the stigma of talking about sexual abuse and teach children that it is ok to tell, that adults care and will protect them.

CHAIR STEVENS thanked her for her work. He said he is surprised that some children have no one safe to talk to.

SENATOR GARDNER said she knows of children who come into state custody and the adults in their family cannot think of a safe person to take care of them.

[8:59:19 AM](#)

FLORA RODDY, Member, Education Support Staff Association, Fairbanks North Star School District, Fairbanks, Alaska, testified in support of SB 216. She said she is also a member of NEA and NEA-Alaska, which supports the bill. She shared a personal story of abuse. She said this legislation is important because it touches many lives. "All children need to know how to find someone they can trust to tell and make this stop."

CHAIR STEVENS appreciated Ms. Roddy's testimony.

CAREN ROBINSON, Executive Director, Alaska Women's Lobby, Juneau, Alaska, testified in support of SB 216. She related that many Lobby members helped to develop some of the early programs designed to use in schools. She spoke highly of the support of the Governor and Lauree Morton, as well as the Council on Domestic Violence staff's ability to help carry out this policy.

She provided history of Alaska's efforts to combat domestic violence and sexual assault and shared how far Alaska has come. She recalled past efforts to stop domestic violence through education and by developing a curriculum to address it. She shared a three-pronged approach; teacher training, parent training, children training. She highlighted strong education programs in Bethel, Kenai, Fairbanks, and Juneau.

She told stories of discovering who the perpetrators were; the director of a youth program in Juneau, the assistant attorney general, the president of the school board, the director of Big Brothers, Big Sisters, ministers, and family members, as well as the lead sexual assault investigator. Since then, the statute of limitations law has been eliminated as it pertains to child sexual assault.

She reported that today physicians ask children if they are safe at home, teachers are required to report, many children learn about good touch and bad touch, reports of domestic violence result in arrests, offenders are locked up, shelters exist, and people are telling their stories. The Governor and others have responded and victims are not alone in the state any more. She stressed that it is time to put a curriculum in all schools and have systems in place to prosecute cases that come to light.

[9:08:43 AM](#)

CHAIR STEVENS thanked Ms. Robinson. He inquired if good reporting yields high rates of abuse.

MS. ROBINSON commented that there is a strong reporting system in Alaska now. The Council and its executive director are strong. She related that the Council was set up under Governor Hammond and Terry Miller. It was supposed to be made up of five members with commissioners at the table. She opined that experts and commissioners need to sit at the table. There is a strong shelter network with 21 programs. This issue has been brought to the forefront by domestic violence programs.

[9:12:25 AM](#)

SENATOR HUGGINS stated that society is an observer of this problem, noting the recidivism rate is 80 percent. He said Governor Parnell has made this issue a cornerstone of his administration. He requested stronger support for his goals.

He asked Ms. Robinson to name two priorities surrounding this problem.

MS. ROBINSON agreed that the Governor has been a strong leader in this issue, as well as have past governors. She referred to working with then-Senator Parnell to help pass the 1996 Domestic Violence Laws. She stressed the importance of taking this issue seriously and funding support systems; there must be support services in place. She shared a personal story. She encouraged bringing the victims to the table and allowing them to have their say.

[9:16:59 AM](#)

SENATOR HUGGINS stated his belief in capital punishment. He submitted that sexual abusers have "taken a life". He spoke of the cycle of abuse. He suggested that sexual abuse is worse than taking a life.

MS. ROBINSON suggested that, "We have to get to our boys early." She said it is important to have programs in school to get young men into counseling. She shared a personal story about abuse in her family. It is important to make sure young boys learn to make better choices.

SENATOR GARDNER commented about a possible repercussion of capital punishment; a child could be told, "If you tell, something very bad will happen." She questioned what would happen if daddy is the perpetrator. She said it involves

complicated emotions and the abuse is not the entire person. She maintained that the consequences should be swift and complete, but execution is not the answer.

MS. ROBINSON shared a story and concluded that when the perpetrator gets out of jail, access to young boys must stop.

[9:22:37 AM](#)

CHAIR STEVENS closed public testimony. He said he wants to hear from school districts, deal with the fiscal note, and take up the amendments in a new committee substitute.

CHAIR STEVENS held SB 216 in committee.

HB 162-TEACHER TENURE

[9:23:33 AM](#)

CHAIR STEVENS announced the consideration of HB 162.

LES MORSE, Deputy Commissioner, Department of Education and Early Development (DEED), Juneau, Alaska, answered questions related to HB 162.

SENATOR GARDNER asked if the department has a position on the bill.

MR. MORSE said the department does not have a stance on the bill because tenure does not affect the department. It does affect teachers and districts.

SENATOR HUGGINS asked if tenure is portable after a teacher moves to a new district.

MR. MORSE said there is a two-year waiting time after moving to a new district.

SENATOR HUGGINS asked about the psychology of that provision.

MR. MORSE explained that the statute provides that the teacher must meet the performance standards of the new school district. Local boards can check to see that these are met.

[9:28:04 AM](#)

CHAIR STEVENS asked if the bill affects that 2-year tenure provision.

MR. MORSE said the provision is currently in statute.

CHAIR STEVENS noted Representative Wilson suggested that tenure should be up to the district.

[9:28:57 AM](#)

DIANE HIRSHBERG, Director, Center for Alaska Education Policy Research, Institute of Social and Economic Research (ISER), University of Alaska-Anchorage, Anchorage, Alaska, provided information related to HB 162. She referred to a survey about whether tenure would affect teachers' perception about their jobs. She described the parameters of the survey, which had close to 1,600 responses. For rural first-year teachers, 155 out of 558, or 19 percent, said tenure rules would impact their decision to stay or go. Another 39 percent said "maybe." She assumed many of those teachers don't understand the impact of tenure rules. She pointed out that teacher turnover rates are very high in rural districts.

She related that when surveying teachers in the five urban districts, of 890 teachers, 16 percent said tenure rules would affect their views, and 22 percent said they were not familiar with the proposal. Of 109 first year teachers, 20 percent said it would affect their views, 30 percent said they did not know enough, and 18 percent said "maybe." She concluded that the 20 percent was significant in there is currently not a turnover problem in urban districts.

She opined that measuring the quality of teachers needs to be done in partnership with the university and with districts without making teachers more anxious. She said many teachers left the profession when the teacher evaluation video taping system was initiated. She emphasized that changes do affect how teachers view whether or not they will stay on the job.

She questioned if teacher support should be part of the bill, such as strengthening professional development.

[9:34:52 AM](#)

CHAIR STEVENS thanked Dr. Hirshberg. He noted public testimony would be continued at a later date.

CHAIR STEVENS held HB 162 in committee.

[9:35:39 AM](#)

There being nothing further to come before the committee, Chair Stevens adjourned the Senate Education Standing Committee at 9:35 a.m.