

ALASKA STATE LEGISLATURE
SENATE EDUCATION STANDING COMMITTEE

April 4, 2014

8:00 a.m.

MEMBERS PRESENT

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

MEMBERS ABSENT

Senator Charlie Huggins

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."

- MOVED CSSB 216(EDC) OUT OF COMMITTEE

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)
04/02/14	(S)	Heard & Held
04/02/14	(S)	MINUTE(EDC)
04/04/14	(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 changes in SB 216 on behalf of the sponsor.

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

POSITION STATEMENT: Provided information related to SB 216.

SUSAN MCCAULEY, Director
Teaching and Learning Support
Department of Education and Early Development (DEED)
Juneau, Alaska

POSITION STATEMENT: Answered questions related to SB 216.

ACTION NARRATIVE

[8:00:50 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, Dunleavy, and Chair Stevens.

SB 216-SEXUAL ABUSE/ASSAULT PREVENTION PROGRAMS

[8:01:08 AM](#)

CHAIR STEVENS announced the consideration of SB 216. He asked for a motion to adopt the committee substitute (CS), version C.

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

CHAIR STEVENS objected for discussion purposes.

AMY SALTZMAN, Staff, Senator Lesil McGuire, Alaska State Legislature, Juneau, Alaska, presented changes in SB 216 on behalf of the sponsor. She highlighted language under subsection (a), lines 10 - 13, where the word "notice" was changed to "publication" in order to add clarity. Another change added a new subsection (d) on page 2. It allows parents to opt out of the training on behalf of their child. A change was made on page 2, which adds subsection (c), that the required training for educators can be a part of continuing education. The last change is on page 2, lines 15 - 18 and adds subsection (e), an option to provide the training required in SB 216 at the same time the training on domestic violence is held, in order to reduce time and cost to the district.

[8:05:58 AM](#)

MS. SALTZMAN noted a recommendation to add an effective date of June 1, 2016, in order to give districts time to implement the training and programs.

SENATOR DUNLEAVY asked about page 2, lines 11 - 13, and asked if there would be a notification sent out to parents about the training.

MS. SALTZMAN did not know, but offered to find out.

SENATOR DUNLEAVY stated that it is important to let parents know.

[8:08:00 AM](#)

SENATOR STEDMAN said he would not object to the inclusion of subsection (d), but he cautioned that it is sometimes the parent who is the perpetrator and that parent might object to the training. The concept of the bill is to protect the kids and this language might expose the child to problems. He shared a story about a family member and the tragic consequences. Language like this would have exempted that child from receiving the training.

CHAIR STEVENS asked for the logic behind allowing parents to exempt.

MS. SALTZMAN said the subsection was added at Senator Huggins' request to allow parents to have the choice. Typically, with sex education the district decides whether or not to allow parents to decline. The subsection could be removed and districts could make the decision.

CHAIR STEVENS asked in what other ways a school might determine if a child was being abused.

MS. SALTZMAN said it would be a red flag if a parent removed a child from the training. She said publications will be also distributed, such as the "Making Meaningful Connections," a guide from the U.S. Department of Health and Social Services.

[8:13:05 AM](#)

SENATOR GARDNER said she wished to offer an amendment.

[8:13:19 AM](#)

At ease

[8:14:23 AM](#)

CHAIR STEVENS reconvened the meeting and stated that discussion of SB 216 would continue before the committee considered an amendment. He asked which school employees receive sexual abuse prevention training and the continuing education option.

LAUREE MORTON, Executive Director, Council on Domestic Violence and Sexual Assault, Department of Public Safety, Juneau, Alaska, provided information related to SB 216. She said the bill refers to mandatory reporters, under AS 18.66.310, which are defined as school teachers and coaches, and not, for example, custodians.

[8:16:08 AM](#)

CHAIR STEVENS stated that continuing education would also apply to teachers and coaches.

He requested information about the effective date.

MS. SALTZMAN explained that moving the effective date to June 1, 2016, would provide time for school districts to implement a program.

SENATOR GARDNER asked Senator Dunleavy if a district really needs two years to do that.

SENATOR DUNLEAVY opined that it is best to allow adequate time with all the changes for districts recently.

CHAIR STEVENS removed his objection to adopting version C.

CHAIR DUNLEAVY moved to adopt Conceptual Amendment 1, changing the effective date to June 1, 2016. There being no objection, Conceptual Amendment 1 was adopted.

CHAIR STEVENS opened and closed public testimony.

[8:19:01 AM](#)

SENATOR GARDNER offered Conceptual Amendment 2: On page 2, lines 11 - 13, in new subsection (d), remove the words "decline," "or publications," and "on behalf of the child," and add the words "may participate in." She said her concern is that the children who are being victimized by a family might be removed from the training. It also might make the parents aware of abuse that is happening.

CHAIR STEVENS summarized that the amendment would remove that a parent could decline training.

SENATOR GARDNER said it allows the child to participate in the training provided in the section.

SENATOR DUNLEAVY noted it is a difficult subject. He agreed that parents are often the problem. However, the amendment allows the state to have precedence over the training of the child on this topic.

CHAIR STEVENS said that it is his interpretation that a parent could not decline.

SENATOR GARDNER stated that a parent can remove their child from anything, any time. The amendment provides that the parent is notified and given the opportunity to participate. Parents always have the option to keep their children out of the training. She maintained that most sexual assault is by someone the child knows.

CHAIR STEVENS asked the Ms. Saltzman to comment.

[8:23:16 AM](#)

MS. SALZMAN thought the sponsor would be fine with that amendment, since it would include parent notification. She pointed out that school districts make their own policies as to whether parents can opt out of these types of training.

MS. MORTON voiced concern about a child missing the lesson because it makes the secret stronger for the child. She said it is a difficult issue. In an ideal world, she would not include the amendment because school districts already provide that parents can opt in or out of programs. She worried that kids will feel more pressure to keep quiet.

SENATOR DUNLEAVY asked what struggles teachers would have with this concept.

SUSAN MCCAULEY, Director, Teaching and Learning Support, Department of Education and Early Development (DEED), Juneau, Alaska, answered questions related to SB 216. She offered that a district could choose to have a local policy to opt out of programs. She suggested that the language does not have to be in the bill. Districts put into place options and notifications regarding sensitive curriculum topics. If the wording is included in the bill, it requires an opt-out provision.

CHAIR STEVENS concluded that it is a matter of local control. He suggested striking subsection (d) and Conceptual Amendment 2 and leave the decision up to districts.

DR. MCCAULEY agreed. Many such policies are left up to the district. Without (d), the bill states that the curriculum must be in place, but would not require an opt-out provision.

[8:29:33 AM](#)

SENATOR GARDNER asked if the bill mandates that the curriculum is in place or that it is used.

DR. MCCAULEY reviewed the bill - "the governing body of each school district shall adopt and implement a policy establishing a mandatory training program for students" - and she concluded that schools must provide the education to children.

SENATOR GARDNER withdrew Conceptual Amendment 2.

CHAIR STEVENS stated that SB 216 is an important bill and it goes to the Senate Finance Committee next.

SENATOR GARDNER offered Conceptual Amendment 3, to strike subsection (d). There being no objection, Conceptual Amendment 3 was adopted.

[8:31:57 AM](#)

SENATOR DUNLEAVY moved to report the CS for SB 216, version C, as amended, from committee with individual recommendations and attached fiscal note.

CHAIR STEVENS reviewed the changes and asked if there was objection; finding none, he announced that CSSB 216(EDC) is reported from the Senate Education Standing Committee.

[8:32:23 AM](#)

At ease

[8:33:35 AM](#)

There being nothing further to come before the committee, Chair Stevens adjourned the Senate Education Standing Committee at 8:33 a.m.