

**ALASKA STATE LEGISLATURE  
HOUSE EDUCATION STANDING COMMITTEE**

April 6, 2015

8:03 a.m.

**MEMBERS PRESENT**

Representative Wes Keller, Chair  
Representative Liz Vazquez, Vice Chair  
Representative Jim Colver  
Representative Paul Seaton  
Representative David Talerico  
Representative Harriet Drummond

**MEMBERS ABSENT**

Representative Jonathan Kreiss-Tomkins

**COMMITTEE CALENDAR**

HOUSE BILL NO. 44

"An Act relating to sexual abuse and sexual assault awareness and prevention efforts in public schools."

- HEARD & HELD

HOUSE BILL NO. 85

"An Act relating to college and career readiness assessments for secondary students; and relating to restrictions on the collection, storage, and handling of student data."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: HB 44

SHORT TITLE: SEXUAL ABUSE/ASSAULT PREVENTION PROGRAMS

SPONSOR(S): REPRESENTATIVE(S) MILLETT

01/21/15	(H)	PREFILE RELEASED 1/9/15
01/21/15	(H)	READ THE FIRST TIME - REFERRALS
01/21/15	(H)	EDC, FIN
04/06/15	(H)	EDC AT 8:00 AM CAPITOL 106

BILL: HB 85

SHORT TITLE: STUDENT DATA & ASSESSMENTS

SPONSOR(S): REPRESENTATIVE(S) REINBOLD

01/28/15 (H) READ THE FIRST TIME - REFERRALS  
01/28/15 (H) EDC, FIN  
04/06/15 (H) EDC AT 8:00 AM CAPITOL 106

**WITNESS REGISTER**

REPRESENTATIVE CHARISSE MILLETT  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Speaking as the sponsor, introduced HB 44.

GRACE ABBOTT, Staff  
Representative Charisse Millett  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Speaking on behalf of Representative Millett, sponsor, presented the changes contained in the proposed committee substitute for HB 44.

CINDY MOORE  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 44.

BUTCH MOORE  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 44.

POLLY ANDREWS  
Southcentral Foundation  
Anchorage, Alaska

**POSITION STATEMENT:** Testified during the hearing on HB 44.

JEFF JESSEE, Chief Executive Officer  
Alaska Mental Health Trust Authority  
Anchorage, Alaska

**POSITION STATEMENT:** Testified in support of HB 44.

MIKE HANLEY, Commissioner  
Department of Education and Early Development  
Juneau, Alaska

**POSITION STATEMENT:** Stated the Department of Education and Early Development's support for HB 44 and answered questions.

REPRESENTATIVE LORA REINBOLD  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Speaking as the sponsor, introduced HB 85.

**ACTION NARRATIVE**

[8:03:12 AM](#)

**CHAIR WES KELLER** called the House Education Standing Committee meeting to order at 8:03 a.m. Representatives Keller, Vazquez, Seaton, Talerico, and Drummond were present at the call to order. Representative Colver arrived as the meeting was in progress.

**HB 44-SEXUAL ABUSE/ASSAULT PREVENTION PROGRAMS**

[8:04:03 AM](#)

CHAIR KELLER announced that the first order of business would be HOUSE BILL NO. 44, "An Act relating to sexual abuse and sexual assault awareness and prevention efforts in public schools."

[8:04:23 AM](#)

REPRESENTATIVE CHARISSE MILLETT, Alaska State Legislature, speaking as the sponsor, introduced HB 44, paraphrasing from the sponsor statement which read as follows [original punctuation provided]:

Alaska has a crucial need for increased education and awareness of the devastating problem of child sexual abuse. According to the Office of Children's Services in 2014, there were 2,640 allegations of child sexual abuse with 2,110 unique victims. 897 of these cases were sent to law enforcement and OCS went on to assess 1,028 allegations. This a problem that will only improve with the attention and dedication of all Alaskans, and this includes those Alaskans working in and attending our schools.

Named in honor of child sexual abuse survivors across the state of Alaska, this bill empowers schools to implement a program to educate and provide resources for students, staff, and parents about how to recognize the warning signs of child sexual abuse. In recognizing that every community has their own unique needs, The Alaska Safe Children's Act allows Alaska public schools to create age-appropriate curricula and trainings that are the most beneficial to their population.

Curricula should include the warning signs of sexual abuse, referral and resource information, counseling and educational support, methods for increasing awareness of issues regarding sexual abuse of children, a method through which a parent can excuse their child from this curricula, and actions a child may take to prevent and report sexual abuse or sexual assault.

By utilizing the wisdom of our communities, the experience of experts, and strengthening individuals' knowledge and skills we can collectively work towards an end to child sexual abuse.

[8:07:03 AM](#)

REPRESENTATIVE VAZQUEZ moved to adopt the proposed committee substitute (CS) for HB 44, labeled 29-LS0258\E, Strasbaugh/Glover, 4/1/15, as the working draft.

[There being no objection, Version E was before the committee.]

[8:07:25 AM](#)

GRACE ABBOTT, Staff, Representative Charisse Millett, Alaska State Legislature, speaking on behalf of Representative Millett, presented the changes in the proposed committee substitute to HB 44, labeled Version E. Ms. Abbott said in Version E, the bill short title becomes "the Alaska Safe Children's Act" in section 1. Section 2 provides that a school district's school board or governing body adopt child sexual assault prevention curriculum as well as training for staff, and parental notices. Section 3 requires that schools provide age-appropriate information, warning signs of abuse, resources, counseling, and opt-out provisions for parents. Additionally, this section provides for the adoption of dating violence and abuse prevention curriculum for teens. Ms. Abbott closed, saying research shows that at least 21 school districts in Alaska have already adopted related curricula, which is available at no cost; for example, the Anchorage School District includes teen dating violence and child sexual abuse prevention with its health curriculum.

[8:10:18 AM](#)

REPRESENTATIVE MILLETT informed the committee Alaska school districts that have already adopted the Alaska Safe Children's Act include Anchorage School District, Mat-Su Borough School District, Fairbanks North Star Borough School District, Alaska

Gateway School District, Aleutian Region School District, Aleutian East Borough School District, Chugach School District, Craig City School District, Delta-Greely School District, Juneau Borough School District, Kashunamiut School District, Kenai Peninsula Borough School District, Ketchikan Gateway Borough School District, Kodiak Island Borough School District, Lower Kuskokwim School District, Nenana City School District, North Slope Borough School District, Petersburg Borough School District, Sitka School District, Unalaska City School District, and Valdez City School District. She opined the variety of school districts shows that the program can be implemented at minimal cost. Although data has not yet shown the curriculum has lowered the number of assaults, it is important in conjunction with other prevention programs around the state.

MS. ABBOTT added that the participating school districts have information online that can be modeled by other school districts.

REPRESENTATIVE DRUMMOND asked for the longest period that a district has had the curricula in place.

REPRESENTATIVE MILLETT said she did not have dates.

MS. ABBOTT told of her personal experience while attending school in the Anchorage School District about 10 years ago. At that time, as now, the curriculum was provided by the Great Body Shop.

REPRESENTATIVE DRUMMOND asked if it is known whether other unfunded mandates would be eliminated in order to allow time and funding for the program mandated by the bill.

REPRESENTATIVE MILLETT said she was unsure; however, these are options on which school boards decide on a local level.

[8:15:05 AM](#)

REPRESENTATIVE SEATON acknowledged that a number of school districts have policies in place, and asked whether the passage of HB 44 would require those districts to revamp existing curricula.

REPRESENTATIVE MILLETT advised that most of the school districts have policies in place that mirror the proposed legislation.

REPRESENTATIVE SEATON asked whether there are statistics available comparing sexual abuse or teen date violence between districts which do, or do not, have policies in place.

MS. ABBOTT stated that the anticipated data will be anecdotal through teachers' experience or through mandatory reporters. She stressed that the intent of the bill is for prevention.

REPRESENTATIVE SEATON surmised data has been requested from the school districts.

MS. ABBOTT said absolutely; however, due to privacy concerns, data will not be widely available.

REPRESENTATIVE VAZQUEZ referred to the sponsor statement and asked what is meant by the term "unique victims."

MS. ABBOTT explained "unique victims" refers to the children who experienced abuse, and the numbers indicate that the children may have been abused more than once. In further response to Representative Vazquez, she said of the 834 cases sent to law enforcement, she did not have information on how many were prosecuted.

REPRESENTATIVE VAZQUEZ reread the statistics provided by the Office of Children's Services (OCS), Department of Health and Social Services (DHSS), and questioned their meaning.

MS. ABBOTT offered to obtain further information from OCS.

[8:21:04 AM](#)

REPRESENTATIVE SEATON directed attention to the bill on page 2, line 10 which read:

a procedure allowing a student to be excused

REPRESENTATIVE SEATON asked whether the intent is if a parent requests, it is mandatory that the student is excused, or "is that optional by the district to have in their policy."

REPRESENTATIVE MILLETT said the foregoing opt-out provision was written by Legislative Legal Services for parents, and that the provision recognizes parental rights. This language will be "mimicked" in school district policy for a parent to allow their child to opt out.

REPRESENTATIVE SEATON surmised that the idea is that the procedure to allow a student to be excused means: If an excuse is requested, it must be granted.

REPRESENTATIVE MILLETT said correct. She returned to the earlier discussion of statistics and added that statistics around child sexual assault are difficult to compile. Due to court proceedings, it is hard to identify what victims are in the reporting requirements because of the nature of the crime, what is prosecuted, and what is settled with plea bargains. One of the difficulties in bringing legislation has to do with determining the best way to teach and identify what school teachers, social workers, and school nurses report hearing from children. Any possibility of child sexual abuse must be reported based on the school's requirements.

REPRESENTATIVE SEATON directed attention to page 2 of the document found in the committee packet provided by OCS and entitled "For State Fiscal Year 2014 Source: State of Alaska Office of Childrens Services" and subtitled, "Allegations of Sexual Abuse Screened In." He noted allegations of sexual abuse screened in numbered 1,028, with 165 substantiated, 808 not substantiated, and 55 closed without finding. Representative Seaton asked whether total sexual abuse numbers reported in national standings are based on substantiated cases or on reports of sexual abuse.

MS. ABBOTT said OCS is required to gather information on all of the cases and then they are screened.

REPRESENTATIVE SEATON observed that the state has a very broad category of mandatory reporters. He asked whether state-to-state comparisons are based on substantiated allegations.

MS. ABBOTT stated her understanding that it represents all of the allegations, but she will obtain confirmation for the committee.

[8:26:11 AM](#)

REPRESENTATIVE VAZQUEZ returned attention to page 2 of the document found in the committee packet provided by OCS entitled, "For State Fiscal Year 2014 Source: State of Alaska Office of Childrens Services" and subtitled, "Unique Victims in Allegation of Sexual Abuse Screened In." She questioned whether 152 was the number in the OCS screening process, or in the prosecutorial screening process. Representative Vazquez agreed that these

cases are extremely difficult to prosecute; there is a special team in the District Attorney's office, special counselors, special paralegals, and prosecutors who specialize in this delicate area. She further questioned the source and meaning of the statistics. She said this is a very good bill, but she is "thinking about other issues that dovetail."

MS. ABBOTT said she would obtain from OCS more information in regard to screening and the process, and possibly more information on the screening to actual prosecution.

REPRESENTATIVE VAZQUEZ inquired as to whether any delays that impede the prosecution of these cases are attributable to the backlog at the state crime lab.

MS. ABBOTT deferred to OCS.

[8:28:51 AM](#)

CINDY MOORE stated that she has lived in Alaska for 30 years, and raised three daughters. She asked the committee to vote in favor of HB 44, the Alaska Safe Children's Act. Ms. Moore paraphrased from her 3/11/15 letter to Senator Mike Dunleavy, found in the committee packet, as follows [original punctuation provided]:

This new bill will require for school districts to set up a policy and training program for staff, students, and parents on the topics of sexual assault and dating violence (combining the ideas of Erin's Law and Bree's Law.) Despite its alarmingly high incidence and proven negative impact on healthy development and education of our youth, Alaska law does not mandate schools to address dating abuse. The fact is, patterns of dating violence that start early escalate over time and carry over into adult relationships. As this cycle of violence continues, it deteriorates the fabric of our families and communities. Our state is a perfect example of this; our shockingly high rate of domestic abuse, rape, and murder prove that we need to take immediate action to change the social norms about the acceptability of domestic violence. Now is the time for us to protect our children. Now is the time to stop the violence.

Teen dating violence has affected my family in a profound and life changing way. About 6:00 am on June

26, 2014, my husband, pale and barely able to speak, awakened me. His hands were shaking and in an almost inaudible whisper he said, "Cindy, you need to come downstairs right now!" At the bottom of the stairs, stood two uniformed police officers, who somberly broke the horrifying news; that our daughter Breanna had been killed, by a single gunshot wound to the head, at the hands of her boyfriend.

Since that fateful day, our lives have been forever changed and with so many unanswered questions. How could have happened to such a strong, beautiful, and independent young woman? Why didn't she say something about the continuing abuse we later discovered? Why did she stay? Why did she not seek help? As parents, we did we not see the signs? What I am learning, is that these are all questions that can and need to be answered. I am hoping that through the loss of my daughter, that I can inspire the leaders of our state to spare our young people the pain and lasting detrimental effects of abuse. You have the power to change this! Please fight for every young person in our state. Doing nothing is unacceptable, as it puts our children at increased risk of substance abuse, depression, poor academic performance, suicide, future violence and death.

Please think of your own daughters & sons, granddaughters & grandsons, nieces & nephews, as I share with you some staggering national statistics on teen dating violence:

Girls and young women between 16-24 are four times more likely than the general population to be victims of partner violence.

Dating violence is the leading cause of injury to women.

As intimate partner committed 22% of all homicides against females 16-19.

100% of middle-schoolers thought that possessiveness and jealousy are part of true love. Based on testing done by Dr. Elizabeth Miller, a leading expert on teen dating violence.

80% of girls who have been physically abused in their intimate relationships continue to date the abusers.

The appalling statistics here in Alaska are proof we desperately need to shift our focus to prevention; because how our state is currently handling domestic violence awareness is not working! This is clearly shown by the statistics:

Alaska most dangerous state in America. Alaska has replaced Tennessee as the most dangerous state in the United States in 2015. Based on FBI's four major violent crime categories: murder, aggravated assault, robbery, and incidents of forcible rape.

Anchorage and Fairbanks are #2 and #3 on a Forbes list of the nation's most dangerous cities for women.

Alaska leads the nation in rapes per capita - three times national average.

Alaska has the nation's highest rate of women murdered by men - two times the national average.

Physical teen dating violence for high school students in Alaska is 30% higher than the national average, based on most current 2013 "Alaskan Dashboard" data.

Sexual teen dating violence for high school students in Alaska is 20% higher than the national average, based on most current 2013 "Alaskan Dashboard" data.

Alaska also has the highest rate of suicide per capita in the country.

UAA Justice Center survey concluded that almost 59% of women in Alaska had experienced physical violence, threats of it, or sexual violence from a partner at some point in their lives.

I wish teen dating violence awareness had been mandatory curriculum for my daughter, Breanna Moore, in grades 7-12. If she knew what signs and patterns to look for, that it's ok to talk about domestic violence, and where to go to help, she might still be alive today.

As a mother who has lost a daughter to teen dating violence, I hope to open the eyes of others - this is a preventable epidemic! What cost do we put on saving an innocent human life; from saving a family from the heartache and tragedy of losing a loved one to dating violence? If we save one life - one family from this fate - the return? What value do you put on your child's life?

8:34:52 AM

BUTCH MOORE said he is Breanna Moore's father. He advised that after his daughter was murdered, four of her friends said they were aware that Breanna was being abused by her boyfriend. They said they had seen her three to four different times with black eyes, and each one expressed they didn't know what to do, or what they could do, or what to say, and had they done something or said anything she might be alive today. He said that the education Breanna had in terms of teen dating violence was potentially in 7th or 8th grade in one class. Should this education have been in place, ten or twenty years ago, educating both men, women, boys, and girls in high school, Breanna might be alive today. He directed attention to [Version E] on page 2, lines 6 and 7 which read:

(5) methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children;

MR. MOORE requested the addition of specific language explaining what to do if one is aware of teen dating violence. He suggested the following language:

measures to prevent and stop dating violence and abuse, and what to do when someone witnesses or knows of a case of violence.

MR. MOORE restated that Breanna's friends were aware, but did not know what to do. Referring to the "opt-out" procedures, he acknowledged the rights of parents and children, and repeated a question heard during debate in the Alaska State Senate, "who would not want their child to receive this education. And if someone was abusing their child, wouldn't they opt out?" Mr. Moore turned to the subject of the time and cost of mandating education, and advised that in 2007, Rhode Island implemented the Lindsay Ann Burke Act for grades 7-12, which educates students about teen dating violence. After seven years, the physical teen dating violence in Rhode Island dropped by one-half. Although there has been testimony from school administrators regarding the cost, time, and energy required of educational mandates, there has also been testimony from a sexual assault victim that this is an emergency which requires immediate action, and if there is a mandate of lesser importance, to take it out and make room for this one. Mr. Moore reminded the committee that in 1960 the National

Transportation Safety Board declared that seat belts reduced serious crash-related injuries and death by approximately one-half. When reviewing Rhode Island and the fact that teen dating violence has been cut in half, the question becomes "what is the value that we place on our children?" He stated that his daughter was murdered and her boyfriend will probably spend the rest of his life in prison; however, with the proposed education, there could have been an entirely different situation today. Mr. Moore restated that education has been shown to work when implemented in grades 7-12. He opined that no school superintendent would advocate that their children, their students, and parents not wear their seat belts or not use child safety seats, because it is known that seat belts are effective, as is education.

[8:40:13 AM](#)

POLLY ANDREWS, Southcentral Foundation, said she is originally from Chevak and works as an outreach advocate with the Family Wellness Warriors Initiative (FWWI), a department of Southcentral Foundation, which provides education and training programs for healthy relationships, in leadership development, parent education, and family and continued support. She observed that there are other forms of harm that children experience besides sexual abuse, such as domestic violence and neglect, and advised there is a larger scope to the issue of addressing sexual abuse awareness and prevention, and giving children a voice. Ms. Andrews recalled statistics that Alaska is "number one," and that sexual harm is at an epidemic level; in fact, in the villages of Chevak and Lower Kalskag, most families have been impacted by sexual harm and the message to children has been to remain silent. In her personal experience, Ms. Andrews said her trusted relatives protected those who did harm, and her abuser told her to keep "a very dark and heavy secret." Between four and six years of age, she said it was instilled in her that she was bad and shameful. She said if as a little girl, she had the tools for what to do and where to find a trusted adult for help, it could have changed her childhood. At the age of ten, she was in a court room with her abuser and a jury of strangers, and for two years had to tell her story in a frightening setting. Children should be protected so this never happens. Ms. Andrews expressed her support of HB 44 and stressed that the curriculum needs to be culturally competent; Alaska Native leaders need to be involved with the curriculum design and all cultural groups should have a voice. Further, schools need to be ready so that when the training starts and there are disclosures of emotional and

physical harm, children and families will receive needed support. Teachers and first responders need training in safe language and safe approaches. She offered assistance from Southcentral Foundation, and closed, saying the bill will change lives, create safety for children, and ensure that her experience will not be repeated.

CHAIR KELLER credited the witness with originating several programs for training and education, and thanked her.

8:49:00 AM

JEFF JESSEE, Chief Executive Officer, Alaska Mental Health Trust Authority (the Trust), stated his organization's support for HB 44 and said it has been established that early trauma has a lifelong effect on a child, which may translate into adult life as depression, substance abuse, as well as health issues such as diabetes and heart problems. He recalled the Bring the Kids Home initiative, a partnership of the Trust and DHSS, which also enlisted schools as partners; in fact, the two bureaucracies that are the most challenged to meet their missions are schools and the Office of Children's Services. Their missions are complicated by issues of trauma, substance abuse, and mental health issues, and when children come to school not psychologically ready to learn, it is a problem for school districts. Mr. Jessee said the intent was not to make schools the state's response to child sexual abuse, dating violence, or domestic violence, but to engage the educational system as an "early warning system" and to prevent and identify trauma so other agencies can intervene. He disagreed that the proposed bill is an unfunded mandate, noting that preventing these problems would save school districts a lot of time and effort, and the bill would assist schools in being proactive. Also, children who are sexually abused or experience domestic violence often display behavioral issues in a classroom which are misinterpreted. Mr. Jessee stressed that without understanding, a teacher or principal risks taking an inappropriate disciplinary approach to a student's behavior. On a national basis, schools that are utilizing a trauma-informed approach to discipline have found success and better performance from students. He restated the Trust's support of the bill and urged for the committee to move the bill forward.

REPRESENTATIVE SEATON requested information about case studies or data related to trauma-informed [discipline].

MR. JESSEE agreed to provide further information.

8:56:52 AM

MIKE HANLEY, Commissioner, Department of Education and Early Development (EED), stated EED's support for HB 44.

REPRESENTATIVE SEATON asked whether the teen dating violence and healthy relationship programs that are currently offered in some schools differ from the programs required by the bill.

COMMISSIONER HANLEY advised that the districts with those programs would best speak to whether the programs address the items in the bill.

REPRESENTATIVE SEATON inquired as to any duplication or extra effort that this legislation may cause districts that already have programs and policies in place. Statistical information is not necessary, but an understanding of the curriculum would be helpful.

COMMISSIONER HANLEY agreed to provide the requested information.

8:59:29 AM

REPRESENTATIVE VAZQUEZ referred to the proposed CS for HB 44, Version E, on page 1, lines 11-13 which read:

(a) The governing body of each school district shall adopt and implement a policy, establish a mandatory training program for employees and students, and provide parent, student, and staff notices relating to sexual abuse and sexual assault awareness

REPRESENTATIVE VAZQUEZ asked what is meant by the foregoing language.

MS. ABBOTT directed attention to an example of a parent information notice from the Anchorage School District found in the committee packet entitled, "Parent Information Child Sexual Abuse Prevention Instruction from the GBS." The notice included information on the units of instruction and provided a brief description; for example, in kindergarten, Unit 1 is called "How to Stay Safe," and Unit 5 is called "My Body is Special." The parent information is available on the school district web site and serves "as a model of the intent." This information fits in with the opt-out provision in the bill, so parents can be aware

of what is being instructed in the classroom, and can base their decision on this information.

REPRESENTATIVE VAZQUEZ pointed out that line 12 identified a mandatory training program for employees and students, yet line 13 identified notices for parent, student, and staff. She asked whether there was a distinction between these two groups.

MS. ABBOTT expressed her understanding that this is conforming language. She was unsure of the purpose.

REPRESENTATIVE VAZQUEZ turned attention to two sponsor statements that are found in the committee packet and that reflect varying statistics. She assumed that the differences may relate to the timeframe in which the statement was authored, and asked for the specific timeframe pertaining to each sponsor statement.

MS. ABBOTT explained the updated sponsor statement is entitled "House Bill 44: 'The Alaska Safe Children's Act'" and contains information from OCS, updated by one month.

[9:03:46 AM](#)

REPRESENTATIVE VAZQUEZ asked what agency keeps records of mandatory reports filed by school employees.

MS. ABBOTT answered the Department of Public Safety (DPS), and the training is through the Council on Domestic Violence and Sexual Assault, DPS. In further response to Representative Vazquez, she said a report is required to be submitted to law enforcement.

REPRESENTATIVE VAZQUEZ said it would be helpful to understand the data to know if the procedures are making a difference and if so, in what way.

COMMISSIONER HANLEY said a mandatory report is submitted to OCS, and "there is a connection to Public Safety, as well." The records are kept by the school district to confirm that a mandatory reporter reported a concern of potential harm. It is not reported for data. Commissioner Hanley said from his personal experience at the Anchorage School District, the purpose of maintaining the records is to prove that the requirements regarding records of instances of potential harm have been met.

[9:06:50 AM](#)

REPRESENTATIVE MILLETT said it is a parent's choice to opt out as parents do have the ultimate responsibility. In the absence of parents who are involved, the bill provides a safety net for kids who do not have parents who are making "the ultimate good decisions we hope all parents do." She described a situation in which loving parents did not recognize what was happening to their child. This is a difficult situation to discuss, especially in certain cultures - although there have been changes - and the bill attempts to start conversations between generations. Representative Millett stated the intent is also to allow parents enough comfort to talk about their children without fear of consequences. The bill is an avenue to continue the conversation and hopefully save a child from trauma. She welcomed further discussion to improve the bill and stressed that the health and safety of children is paramount to healthy communities.

CHAIR KELLER said the Family Wellness Warrior Initiative visit was powerful, and he said male elders in rural Alaska have addressed this issue. He encouraged parents, who have the ultimate responsibility, to be unafraid of the issue and to talk within their communities.

[9:11:44 AM](#)

[Further discussion of HB 44 followed the next agenda item.]

**HB 85-STUDENT DATA & ASSESSMENTS**

[9:11:52 AM](#)

CHAIR KELLER announced that the next order of business would be HOUSE BILL NO. 85, "An Act relating to college and career readiness assessments for secondary students; and relating to restrictions on the collection, storage, and handling of student data."

[9:12:13 AM](#)

REPRESENTATIVE LORA REINBOLD, Alaska State Legislature, introduced HB 85, paraphrasing from the sponsor statement, which read as follows [original punctuation provided]:

Article I Section 22 of the Alaska State Constitution states that, "The right of the people to privacy is

recognized and shall not be infringed." As the educational system merges into the Digital Age it is our legislative duty to diligently continue to protect the privacy, security, and confidentiality of our citizens, including their student data. Throughout Alaska, and our country as a whole, there has been growing public concern about the collection of personal data. House Bill 85 addresses these concerns, strengthens student digital privacy laws and eliminates unnecessary costs.

House Bill 85 will enhance data collection transparency to parents and guardians by requiring the State Board of Education to make publicly available an inventory and index of all data elements with definitions of individual student data fields currently in the statewide longitudinal data system. This legislation will also require the establishment of a comprehensive state-wide data security plan.

In addition to enhancing security, House Bill 85 will prohibit the sharing of personally identifiable information for commercial purposes.

REPRESENTATIVE REINBOLD added that the Family Educational Rights and Privacy Act (FERPA) defines personally identifiable information (PII) as any information that directly identifies a student, a parent, or a family member. Indirect identifiers are data such as mother's maiden name. Further, FERPA defines education records as anything directly related to a student's education and maintained by an agency or a party acting for an agency.

[9:16:03 AM](#)

REPRESENTATIVE VAZQUEZ moved to adopt the committee substitute (CS) for HB 85 labeled 29-LS0301\P, Glover, 3/26/15, as the working document.

[There being no objection, Version P was before the committee.]

[9:16:28 AM](#)

REPRESENTATIVE REINBOLD noted that the proposed bill was previously heard in the 28th Alaska State Legislature. She then read from a prepared sectional summary of HB 85, Version P as follows:

Section 1 amends AS 14.03.075(a) to allow students to opt out of college and career readiness assessment.

Section 2 adds a new section requiring the Department of Education and Early Development to provide the legislature an annual "Data Security Report."

[9:17:20 AM](#)

The committee took a brief at ease.

[9:19:34 AM](#)

REPRESENTATIVE REINBOLD continued as follows:

Section 3 amends AS 14.03.115 to allow a parent or guardian to request a written or electronic copy of their child's record.

Section 4 adds new subsections.

(b) Prohibits the use of personally identifiable data for a commercial purpose.

(c) Requires parental consent prior to sharing personally identifiable student data with a consortium or interstate educational organization.

(d) Defines "consortium."

Section 5 adds a new section requiring each school district to adopt a data security plan and to inform parents of the student data that is collected.

Section 6 adds a new section defining "student data."

Section 7 amends AS 14.07.020(a) to direct the department to set in place a policy allowing students to opt out of any statewide assessment.

Section 8 amends AS 14.07.165 to direct the State Board of Education & Early Development to adopt policies and procedures to protect student data.

Section 9 repeals AS 14.03.075(b), 14.03.075(c), and 14.03.078(a).

[9:21:33 AM](#)

CHAIR KELLER announced HB 85 was held over.

**HB 44-SEXUAL ABUSE/ASSAULT PREVENTION PROGRAMS**

9:22:00 AM

CHAIR KELLER announced that HB 44 would be taken up for further consideration.

REPRESENTATIVE COLVER requested that OCS testify with further information on the statistics that have been provided on the number of cases reported, and on the disposition of said cases in 2014 and through March, 2015.

CHAIR KELLER clarified that the document referred to was found in the committee packet [entitled "For January through March, 2015; Source: State of Alaska Office of Childrens Services"].

REPRESENTATIVE DRUMMOND expressed alarm at nearly 800 allegations of sexual abuse for the first quarter of 2015. She requested seasonal information from winters of previous years in order to determine whether there is a correlation, or whether the statistics for 2015 are unusual.

CHAIR KELLER announced HB 44 was held over.

9:24:54 AM

**ADJOURNMENT**

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:25 a.m.