

ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE

March 21, 2016

8:02 a.m.

MEMBERS PRESENT

Representative Wes Keller, Chair
Representative Liz Vazquez, Vice Chair
Representative Paul Seaton
Representative David Talerico
Representative Harriet Drummond
Representative Ivy Spohnholz

MEMBERS ABSENT

Representative Jim Colver

COMMITTEE CALENDAR

CS FOR SENATE BILL NO. 89(RLS) AM(EFD ADD)

"An Act relating to a parent's right to direct the education of a child; prohibiting a school district from contracting with an abortion services provider; prohibiting a school district from allowing an abortion services provider to furnish course materials or provide instruction concerning sexuality or sexually transmitted diseases; relating to physical examinations for teachers; and providing for an effective date."

- HEARD & HELD

HOUSE BILL NO. 156

"An Act relating to compliance with federal education laws; relating to public school accountability; and providing for an effective date."

- HEARING POSTPONED

PREVIOUS COMMITTEE ACTION

BILL: SB 89

SHORT TITLE: SCHOOLS: PARENT RTS; ABORT. PROVDRS LIMITS

SPONSOR(s): SENATOR(s) DUNLEAVY

03/25/15	(S)	READ THE FIRST TIME - REFERRALS
03/25/15	(S)	EDC, STA
03/31/15	(S)	EDC AT 3:30 PM BUTROVICH 205

03/31/15	(S)	Scheduled but Not Heard
04/02/15	(S)	EDC AT 3:30 PM BUTROVICH 205
04/02/15	(S)	Heard & Held
04/02/15	(S)	MINUTE (EDC)
04/07/15	(S)	EDC AT 3:30 PM BUTROVICH 205
04/07/15	(S)	Heard & Held
04/07/15	(S)	MINUTE (EDC)
04/09/15	(S)	STA AT 9:00 AM BUTROVICH 205
04/09/15	(S)	<Pending Referral>
04/09/15	(S)	EDC AT 3:30 PM BUTROVICH 205
04/09/15	(S)	Moved CSSB 89(EDC) Out of Committee
04/09/15	(S)	MINUTE (EDC)
04/10/15	(S)	EDC RPT CS 3DP 1DNP NEW TITLE
04/10/15	(S)	DP: DUNLEAVY, GIESSEL, HUGGINS
04/10/15	(S)	DNP: GARDNER
04/14/15	(S)	STA AT 8:00 AM BUTROVICH 205
04/14/15	(S)	Heard & Held
04/14/15	(S)	MINUTE (STA)
04/15/15	(S)	STA RPT CS 3DP 1AM NEW TITLE
04/15/15	(S)	DP: STOLTZE, COGHILL, HUGGINS
04/15/15	(S)	AM: WIELECHOWSKI
04/15/15	(S)	STA AT 8:00 AM BUTROVICH 205
04/15/15	(S)	Moved CSSB 89(STA) Out of Committee
04/15/15	(S)	MINUTE (STA)
02/24/16	(S)	RLS RPT CS 4DP 1DNP NEW TITLE
02/24/16	(S)	DP: HUGGINS, COGHILL, KELLY, MEYER
02/24/16	(S)	DNP: GARDNER
02/24/16	(S)	BILL REPRINTED 2/24/16
02/24/16	(S)	RLS AT 8:00 AM BUTROVICH 205
02/24/16	(S)	Moved CSSB 89(RLS) Out of Committee
02/24/16	(S)	MINUTE (RLS)
02/29/16	(S)	TRANSMITTED TO (H)
02/29/16	(S)	VERSION: CSSB 89(RLS) AM(EFD ADD)
03/04/16	(H)	READ THE FIRST TIME - REFERRALS
03/04/16	(H)	EDC, JUD
03/14/16	(H)	EDC AT 8:00 AM CAPITOL 106
03/14/16	(H)	Heard & Held
03/14/16	(H)	MINUTE (EDC)
03/16/16	(H)	JUD REFERRAL REMOVED
03/16/16	(H)	HSS REFERRAL ADDED AFTER EDC
03/21/16	(H)	EDC AT 8:00 AM CAPITOL 106

WITNESS REGISTER

SENATOR MIKE DUNLEAVY
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Presented SB 89, as prime sponsor.

ELISSA GRAVES, Legal Counsel
Alliance Defending Freedom
Scottsdale, Arizona

POSITION STATEMENT: Responded to questions during the hearing on SB 89.

MICHELLE HARTLINE
Nikiski, Alaska

POSITION STATEMENT: Testified in support of SB 89.

BILL HARTLINE
Nikiski, Alaska

POSITION STATEMENT: Testified in support of SB 89.

ED GRAY
Sitka, Alaska

POSITION STATEMENT: Testified in support of SB 89.

JULIE STROEMER
Sitka, Alaska

POSITION STATEMENT: Testified in support of SB 89.

KEITH KURBER II
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of SB 89.

ROBERT HOCKEMA
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 89.

RICARDA LEBMAN
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 89.

MOIRA PYHALA, President
Generation Action
Students for Reproductive Justice
University of Alaska Anchorage (UAA)
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 89.

JOY LYON
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 89.

CHRISTINE NIEME, Member
League of Women Voters
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to SB 89.

MARCI HAWKINS
Sutton, Alaska

POSITION STATEMENT: Testified in opposition to SB 89.

BARBARA HANEY
North Pole, Alaska

POSITION STATEMENT: Testified in support of SB 89.

ANDY HOLLEMAN, Representative
Anchorage Education Association
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to SB 89.

PAMELA SAMASH, President
Right to Life Interior Alaska
Nenana, Alaska

POSITION STATEMENT: Testified in support of SB 89.

DAVID NEES
Anchorage, Alaska

POSITION STATEMENT: Testified in support of SB 89.

DAVID BOYLE
(No address provided)

POSITION STATEMENT: Testified in support of SB 89.

KATHIE JOHNSON
Sitka, Alaska

POSITION STATEMENT: Testified in support of SB 89.

ACTION NARRATIVE

[8:02:19 AM](#)

CHAIR WES KELLER called the House Education Standing Committee meeting to order at 8:02 a.m. Representatives Keller, Seaton, Vazquez, Drummond, and Talerico were present at the call to order. Representative Spohnholz arrived as the meeting was in progress.

SB 89-SCHOOLS: PARENT RTS; ABORT. PROVDRS LIMITS

[Contains discussion of SB 191]
[Contains discussion of HB 44]

8:02:50 AM

CHAIR KELLER announced that the only order of business would be CS FOR SENATE BILL NO. 89(RLS) am(efd add), "An Act relating to a parent's right to direct the education of a child; prohibiting a school district from contracting with an abortion services provider; prohibiting a school district from allowing an abortion services provider to furnish course materials or provide instruction concerning sexuality or sexually transmitted diseases; relating to physical examinations for teachers; and providing for an effective date."

8:03:14 AM

SENATOR MIKE DUNLEAVY, Alaska State Legislature, named the three main components of SB 89, which are: parental rights, banning abortion providers from the schools, and physical examinations for teachers. The physical examination facet was included by request of school districts as a means to save resources, and was an aspect of the original HB 44, but not retained in the final version.

8:04:47 AM

SENATOR DUNLEAVY cited his background in the education field, from teacher to administrator, and said a growing concern exists regarding government infringement on parental rights by both federal and state entities. Furthermore, a number of things are occurring today in schools that many people disagree with, and evidence indicates that students are losing interest in attending neighborhood schools. Home schools are an area of major growth in Alaska, where two methods can be applied. One is devoid of any public program, and the other adopts part of a public program. However, family values are coming to the fore which make it difficult for many parents to remain satisfied with neighborhood school programs. He said he attended public schools throughout his educational career, and his children are enrolled in public school, but concerns exist for what is being provided in that forum, including what has been implemented under the No Child Left Behind Act (NCLB) and its reauthorization as Every Student Succeeds Act (ESSA). The concept of having abortion providers, in the schools, teaching children about sexuality, is also an issue, which is the basis for the bill.

[8:07:03 AM](#)

SENATOR DUNLEAVY said SB 89 does not prevent schools from teaching sex education; however, health class is the appropriate forum for such curricula. The bill does prohibit abortion providers from being contracted to present sex education. Additionally, SB 89 does not impinge on HB 44, Erin's Law and Bree's Law [Alaska Safe Children's Act], which will not require an opt-in approval, but will retain the parent's right to opt-out. He acknowledged that an argument has been brought that SB 89 is an attack on local control, and pointed out that over 227 pages of legislative generated statute exist, which establishes the parameters for what schools may teach, and how it can be presented. It is the job of the legislature to make general law that guides the schools. Recalling HB 44, he said it compelled law to implement training in dating violence and sexual awareness for children in all districts. Another example, of a compelling law was the ability to allow a parent to opt their student out of a classroom test. Thus, it is part of the legislature's job to periodically review issues that may require the establishment of compelling law.

[8:10:03 AM](#)

SENATOR DUNLEAVY acknowledged arguments that without the assistance of abortion providers, sex education classes could not be afforded; however, the cost has yet to be determined. He said:

We don't know what it costs. We don't know what's being taught. We don't know if the teacher is in the room when it's being taught.

SENATOR DUNLEAVY said every class has a teacher, who should be present at all times, and additional teachers would not need to be contracted for the specific course, thus, the majority of the cost is already covered. Criticism has also been fielded that the bill is unconstitutional, he reported, and opined that only a court can make that determination. Legislative Legal has expressed concern for the constitutionality; however, two states, Louisiana and Missouri, have similar laws which have not been challenged as unconstitutional.

[8:13:07 AM](#)

ELISSA GRAVES, Legal Counsel, Alliance Defending Freedom, addressed a number of questions, paraphrasing from a prepared

statement, which read as follows [original punctuation provided]:

I am an attorney for Alliance Defending Freedom, a non-profit legal organization. I am writing to advise you of the constitutionality of SB 89, which prohibits abortion services providers, or an employee or volunteer of an abortion services provider, to provide instruction or materials relating to human sexuality or sexually transmitted diseases.

1. SB 89 does not infringe on First Amendment rights.

SB 89 does not restrict the rights of teachers to speak outside of their employment, contrary to the allegations of opponents to this bill such as the American Civil Liberties Union of Alaska. It does not forbid teachers from volunteering or working with abortion services providers in their private capacity as citizens. Instead, SB 89 prohibits any abortions services provider, its employees or volunteers, from delivering instruction or materials relating to human sexuality or sexually transmitted diseases in the capacity as a representative of any abortion services provider. This means that teachers and other school personnel would, for example, be permitted to volunteer with an abortion provider to stuff envelopes, answer phone calls, educate women about their health, collect signatures for petitions, and speak at a rally supportive of abortion rights in their capacity as a citizen, while also being permitted to deliver instruction in sexual education in their capacity as a teacher ...

[Due to technical difficulties the remainder of this testimony was not heard. The complete text is available in the committee packet, as an undated letter with the letterhead, "Alliance Defending FREEDOM For Faith. For Freedom.", addressed to the House Education Committee, Alaska State Senate, State Capitol, Juneau, AK 99801, three pages.]

[8:14:38 AM](#)

REPRESENTATIVE DRUMMOND asked whether, during his career, the sponsor has to opt a child out of a class, and if there was any trouble in implementing the provision.

SENATOR DUNLEAVY said he opted his youngest child out of testing and there was no express trouble but some confusion and questions resulted. As a parent, with an understanding of the process and school law, he said he may have been more proactive than other parents.

REPRESENTATIVE DRUMMOND asked whether he has had to opt a child out of lessons.

SENATOR DUNLEAVY responded, "No."

REPRESENTATIVE DRUMMOND asked whether as an administrator he has found the opt-in and opt-out procedures burdensome.

SENATOR DUNLEAVY said he has not had the experience to report.

[8:17:04 AM](#)

REPRESENTATIVE SEATON turned to the Sec. 4, page 3, line 15, which read as follows:

(a) A school district may require physical examinations of teachers as a condition of employment. A school district may not pay the cost of physical examinations for teachers. This section does not affect the coverage of any health insurance benefits that a school district provides to teachers.

REPRESENTATIVE SEATON clarified that the intent is to allow a district to require the physical examination of its teachers, but prohibits the district from paying for the exam. He noted a possible disparity in the use of the terms may require and may not pay, particularly if health insurance benefits are provided, and asked how these terms work together.

SENATOR DUNLEAVY said the section was implemented at the request of educators, and using the term "may" versus "shall" might require consideration. However the intent is for the districts to be relieved of the examination costs.

REPRESENTATIVE SEATON asked whether the physical examination, includes fingerprinting and background checks.

SENATOR DUNLEAVY stated his understanding that it would not, and added that fingerprinting is handled through the certification renewal process via the office of public safety.

REPRESENTATIVE SEATON expressed concern for teachers in the Bush whose travel costs to comply with the requirement are not covered. It may represent a burden to many rural teachers, which could result in a loss of teachers.

SENATOR DUNLEAVY opined that recruitment and retention issues go beyond physical examination requirements.

[8:21:31 AM](#)

REPRESENTATIVE SEATON moved to Sec. 5, to ask whether a volunteer or an employee of an organization that is an abortion provider, may instruct a sex education course, if they are not acting specifically as an employee at the time.

SENATOR DUNLEAVY paraphrased from Sec. 5, page 3, lines 22-25, which read as follows:

(c) A school district may not permit an abortion services provider or an employee or volunteer of an abortion services provider to offer, sponsor, furnish course materials, or provide instruction relating to human sexuality or sexually transmitted diseases.

SENATOR DUNLEAVY said the intent is to bar anyone under the guise of an abortion provider from teaching sex education in schools.

REPRESENTATIVE SEATON clarified that an abortion service provider volunteer can offer instruction and materials in the classroom, as long as they are not employed by the organization for that service.

SENATOR DUNLEAVY stated, "No." An abortion services provider, and anyone employed by or who acts as an integral part of the organization may not be allowed to deliver sex education in schools. To a follow-up question, he said anyone associated with an abortion provider, would be disallowed from teaching sex education in schools.

CHAIR KELLER interjected that course materials, sourced from an abortion provider, are also disallowed.

SENATOR DUNLEAVY said, "Correct."

[8:26:57 AM](#)

MS. GRAVES said the section does not cover activities outside of public employment. The Sec. 5 language only applies if the volunteer or employee is acting as a representative of an abortion provider organization to deliver sex education in the school.

8:27:52 AM

REPRESENTATIVE SEATON turned to page 2, lines [23]-24, and paraphrased the language, which read as follows:

The policies adopted under (a)(3) of this section must require written permission from the child's parent before each separate activity, class, or program is provided to a child that includes content involving human reproduction or sexual matters.

REPRESENTATIVE SEATON stressed the language requiring written permission before each separate activity, and directed attention to earlier language that appears to be more broad; page 2, lines 4-[7], which read as follows:

(3) providing for parent notification not less than two weeks before any activity, class, or program that includes content involving human reproduction or sexual matters is provided to a child and requiring written permission from the child's parent before the child may participate in the activity, class, or program;

REPRESENTATIVE SEATON asked if the requirement is intended as a broad, inclusive approval, suggested by line 4, or an activity specific requirement, as indicated on line 24.

8:30:02 AM

SENATOR DUNLEAVY the intent is allow parents to have a full understanding of what to expect and have an opportunity for review. Often, he espoused, a visitor may be engaged to provide a presentation without prior planning.

REPRESENTATIVE SEATON theorized that the subjects would be provided to the parents, for review, at the beginning of the school year.

SENATOR DUNLEAVY said that class activity plans change throughout a school year, and this language is to eliminate the

element of surprise by requiring a two week advance notice. Parents need the opportunity to say no, he said, and provided a scenario to illustrate his point: Perhaps a biology curriculum is well known, but two days prior to a particular lesson, a [People for the Ethical Treatment of Animals (PETA)] representative is in town, and the teacher invites them to do a presentation. A parent may object to the PETA approach, and should have the opportunity to deny their child access via the opt-out or, as in what is being proposed, the opt-in process. Parents have cited the lack of control over these type of spontaneous situations, as one reason they are not sending their children to public schools, he reported.

REPRESENTATIVE SEATON surmised that written permission must be given two weeks prior to each activity.

SENATOR DUNLEAVY concurred, and added it applies to any changes from lesson plans provided at the beginning of the school year.

[8:35:58 AM](#)

REPRESENTATIVE VAZQUEZ returned page 3, lines 15-19, regarding the teacher's physical examinations, and asked whether these exams are not already occurring.

SENATOR DUNLEAVY reported that the section was adopted from the original HB 44, as a section that was removed in final passage.

REPRESENTATIVE VAZQUEZ asked to know what the current practices are, regarding physical examination requirements for teachers.

SENATOR DUNLEAVY said physical exams are required for any one new entering a district, and periodically throughout the teaching years. Basic physical exams, including tuberculosis screening, have been traditionally paid for by the districts. As proposed, Sec. 5 removes the cost burden from the districts. To a follow-up question he said a district may deem a physical exam unnecessary, such as a teacher transferring between districts who was recently examined.

[8:39:47 AM](#)

REPRESENTATIVE DRUMMOND directed attention to the committee packet handout titled, "Sectional Summary for CSSB 89 (Version F.A.)," and paraphrased the Section 4 language, which read as follows [original punctuation provided]:

Section 4. Prohibits school districts from paying the costs of physical examinations for teachers.

REPRESENTATIVE DRUMMOND pointed out that the bill language, which aligns with the above statement, utilizes the term "may," and opined that it seems permissive.

SENATOR DUNLEAVY offered to provide further information.

[8:41:02 AM](#)

REPRESENTATIVE VAZQUEZ maintained her concern for the lack of a required physical exam, and noted the issues it may cause in the Bush, where medical assistance may not be available. Contagious diseases are certainly a current problem, she stressed.

[8:42:29 AM](#)

REPRESENTATIVE SEATON directed attention to page 3, lines 5-10, which read as follows:

(5) "human reproduction or sexual matters" does not include curricula or materials for

(A) sexual abuse and sexual assault awareness and prevention training required under AS 14.30.355; or

(B) dating violence and abuse awareness and prevention training required under AS 14.30.356.

REPRESENTATIVE SEATON pointed out the terms "sexual matters" and "sexual abuse," and asked what salient criteria distinguishes these two terms in the presentation of materials.

SENATOR DUNLEAVY said it's defined under AS 14.30.355, and is specific to the Erin's Law curriculum that is being developed. Additionally, AS 14.30.356 is also excluded from paragraph (5) to satisfy specific law.

REPRESENTATIVE SEATON opined on the difficulty of segregating the topics these terms encompass, and the practicality of presenting them in a classroom in isolation of each other. Confusion and conflict may arise when parents are presented with the terms as they decide whether to have their student opt-in to sexual matters or sexual abuse programs. He suggested that the terms are subjective, and pondered how this scenario might play out for parents.

SENATOR DUNLEAVY said Erin's Law deals with dating violence and sexual abuse awareness, and not sex education and reproduction. What is referred to as Erin's and Bree's Law are not subject to the opt-in choice, as all students will receive those programs unless opted-out.

REPRESENTATIVE SEATON opined that the conflict for parents of sexual abuse may be more of an issue and problematic than the topic of how reproduction occurs.

[8:47:46 AM](#)

REPRESENTATIVE SEATON recalled public testimony which reported that 80 percent of the parents don't have sexual conversations with their children. Home schooling allows parents to have the ultimate involvement in a child's life. However, 80 percent of public school attendees apparently don't have that level of parental involvement. Thus, a large populace relies on information provided through school programs. Teachers are not necessarily comfortable presenting sexual education topics, and have, in turn, come to rely on outside organizations to provide the required, sensitive, information, and materials. If that resource is removed, he asked, will the teachers be required to develop materials and a supporting curriculum.

SENATOR DUNLEAVY responded that perhaps there is a larger problem that is not being addressed, if parental communication is lacking. The bill does not prevent sexual education in the schools, he said, and pointed out that certified teachers may review and propose curriculum, but the program may not be brought into the schools by abortion providers.

[8:51:08 AM](#)

CHAIR KELLER opened public testimony.

[8:51:38 AM](#)

MICHELLE HARTLINE stated support for SB 89, and said as a parent she considers the public schools to be a tool for teaching, not the primary instructor for her children. She opined that abortion providers may bring a bias to the classroom.

[8:54:48 AM](#)

BILL HARTLINE stated support for SB 89, echoing the sentiments of the previous witness to underscore the shared points of concern.

[8:56:17 AM](#)

ED GRAY stated support for SB 89, and said he protested the entry of Planned Parenthood in the public schools. The agency no longer exists in the Sitka area, and the schools have adopted other means for bringing sexual education to the classroom.

[8:58:52 AM](#)

JULIE STROEMER stated support for SB 89, and recalled how upsetting it was to have Planned Parenthood enter the public classroom. As a tax payer, she said this is not appropriate, however, she noted, her daughter has benefited from the opt-out provision.

[9:01:15 AM](#)

KEITH KURBER II, stated support for SB 89, underscoring the importance for the legislation, citing it as a means to prevent the erosion of parental rights concerning issues of profound importance.

[9:02:20 AM](#)

ROBERT HOCKEMA, stated opposition to SB 89, and said the level of unplanned pregnancies are on a decline at the national level. The more students who participate in sexual education classes, the better the situation will be served to deter unwanted pregnancies.

[9:04:44 AM](#)

RICARDA LEBMAN, stated opposition to SB 89, paraphrasing from a prepared statement, which read [original punctuation provided]:

I am writing to ask you not to support SB 89. The "opt-in" for sexual education was practiced in Texas when I went to school from 1961 to 1973. Sexual education was offered only once (in sixth grade) in all my primary grade years. The opt-in permission slip was given by teachers just one day prior to the program being presented (although the intent was to provide more notice, the reality was not). There were

about 15 of us who missed the program that next day because of the lack of time and due to the opt-in, instead of the opt-out, option which was new to the parents. Both my parents were dismayed that factual information approved and reviewed by professional educators, had to be "opted-in". This would be on the same scale as requiring opting-in for evolution education. Another science based, proven theory that endures educational conflict from biblical creation belief and political pandering.

As I listened to the concerns expressed by others on the teleconference, I was surprised at the number of people who spoke about fear. Fear that their children might learn from someone amoral and/or that hearing factual information from an "abortion provider" was somehow different than hearing the same material from a certified teacher. Where are the instances of such abuse or misinformation that support these claims? Aren't these the same arguments presented to attempt removal of gay teachers from their jobs? Who's next?

"Abortion Provider" is a term referring to a medical professional that performs just one legal medical procedure for women. This term should not be used in a Senate Bill to overshadow medical doctors, clinics and health providers (such as Planned Parenthood) whom perform mostly other medical services. I find this bill to be incendiary, intolerant and judgmental and not reflecting Alaskan Values.

[9:06:24 AM](#)

MOIRA PYHALA, stated opposition to SB 89, paraphrasing from a prepared statement, which read as follows [original punctuation provided]:

Without a sexual education program, students are at risk because they're in the dark about their own bodies. Without proper sex [education], students will revert to mislead information from both the internet, aka porn, along with their peers. Misinformation about sex leads to unhealthy relationships and situations. This is one of the leading causes of violence against women in our country today. These are also factors that Planned Parenthood is working every day to eliminate in our society. It's a known

fact that states without a sex [education] program implemented in their schools see higher levels of [sexually transmitted infections] and unintended pregnancies every year. If you truly wanted to help our state, it would be in everyone's best interest to focus on the state's fiscal issue and not dwell on unnecessary bills, such as SB 89. As a proud supporter of Planned Parenthood, president of Generation Action, Student's for Reproductive Justice at [University of Alaska, Anchorage], and a student myself, I ask that the committee does not support this bill and works on more important issues, such as regaining funding for our university. Please give students the tools they need to flourish, not endangering themselves and others. [SB 89] not supporting school districts, it's limiting them.

[9:08:16 AM](#)

JOY LYON stated opposition to SB 89, and recalled the brief statement her mother made to her as a child, along with a brochure that was handed out. The curriculum was minimal, at that time; however, she has since experienced a presentation that was more appropriate. Half of the pregnancies in Alaska are unintended, which indicates a lack of understanding among young people. The cost is borne through Medicaid, at a cost of \$44 million.

[9:11:49 AM](#)

CHRISTINE NIEME, Member, League of Women Voters, stated official opposition to SB 89, and, on behalf of the League of Women Voters, paraphrased from a statement, which read [original punctuation provided]:

The League of Women Voters of Alaska (LWVAK) strongly opposes both SB 89 and SB 191 based on the long-established (1983) League of Women Voters of the United States (LWVUS) Position on Reproductive Choices which state the follows: The LWVUS "believes that public policy in a pluralistic society must affirm the constitutional right to privacy of the individual to make reproductive choices."

In addition, the LWVUS Position on Health Care supports "a basic level of care that includes ... prenatal and reproductive health." This basic care

for reproductive health can have far-reaching positive effects including healthier babies and stronger and more financially stable families. Prenatal and reproductive care can also save public monies. The Guttmacher Institute reports that in 2010, Title-X supported reproductive health services resulted in a net savings in Alaska of \$17.9 million due to the prevention of unintended or closely spaced pregnancies, low birth weight babies, [sexually transmitted diseases (STD)] transmission, and cervical cancer cases.

This type of success is possible only when sexually active men and women have access to sound medical information and medical care. To ban the use of a Title-X funded reproductive health facility from teaching young men and women simply because in some cases they also provide, with private funding, abortion services is unwise. Such facilities have as one of their main purposes the prevention of unintended pregnancies.

And who might know better the difficulty in having to end a pregnancy than those who work with families facing that most difficult of decisions. It is a decision best left to a woman and her health care provider; it is a very private and personal and painful decision.

Those who oppose the teaching provided by Title-X funded reproductive health workers should experience the classes taught by them. Those parents who are uncomfortable with a science-based approach to sex education can always opt-out. But to most parents, education is not an activity to be avoided, especially when it comes to the important area of reproductive health.

LWVAK strongly urges the members of the Alaska Legislature to reject both of these bills.

[9:15:24 AM](#)

MARCI HAWKINS, Sutton, Alaska, stated opposition to SB 89, and said not everyone associated with Planned Parenthood are abortion providers. She said this is a delineation that needs to be clarified. The current programs are free, or at a minimal

cost, and the costs for replacing the curriculum have not been identified. The research alone, to ensure that any individuals presenting sexual information in schools are not affiliated with abortion providers, will require funding; nurses, doctors, and hospital employees. She encouraged the members to attend one of the classes, at a local school, to gain an understanding of what is actually being taught. As a mother of five, she reported having homeschooled two of her children due to issue that included, overcrowding, bullying, and rampant drug abuse, but not because of the sex education programs. The focus is on preventing abortions, and date related violence, and she opined that "sexual matters" is an inclusive term.

[9:20:37 AM](#)

BARBARA HANEY, stated support for SB 89, focusing on the opt-in aspect of the bill. She noted that the reported rise in Alaska's [sexually transmitted disease 9STD)] levels and other sexual issues, does not bode well for the effectiveness of what is currently being presented through Planned Parenthood.

[9:24:12 AM](#)

ANDY HOLLEMAN, Representative, Anchorage Education Association, stated opposition to SB 89, noting that many school employees work during the summer in medical offices, which may prohibit their ability to lead topical discussions in the classroom. Further, he paraphrased from a prepared document, which read as follows [original punctuation provided]:

I just want to strongly urge the committee to be sure and actually review the materials that are used in classes at all the age levels so that they know for certain what they are reacting to in considering this legislation.

Classes are not simply turned over to Planned Parenthood to "sell their ideas" to a captive audience. They are invited in for a particular reason because of their expertise on reproductive health and human sexuality. One caller suggested that home contact information for students was given to Planned Parenthood. Another asked if schools might allow the marijuana or alcoholic beverage industry in to promote their products.

Home contact information is absolutely off limits for any outside group. To my knowledge, no school does this, and certainly, they should not, now, without SB 89 becoming law.

I think we all know that we do not promote use of intoxicating products in schools. But it's also the case that we might allow the CEO of a beverage company to talk about accounting or shipping obstacles in Alaska. We wouldn't treat them like someone that should be shunned but we absolutely would not let them promote their products to students. We promote the sport of marksmanship and we instruct in gun safety without "promoting" students to carry weapons or engage in inappropriate or illegal activities, though some parents do object to those activities.

If there are schools legitimately violating parent rights, I hope you'll facilitate them being able to challenge their local school boards and schools on an individual basis. Across this state you have thousands of employees working hard to have students know what they need to know while respecting individual choices and values that vary widely.

SB 89 doesn't help us do that. It does create spike strips in conducting certain classes that educators will avoid by a large margin.

[9:27:21 AM](#)

PAMELA SAMASH, President, Right to Life Interior Alaska, stated support for SB 89, paraphrased from a prepared statement, which read as follows [original punctuation provided]:

Thank goodness for this wonderful bill, I support it because it puts parental rights first.

As a mother of 4 daughters, this bill is near and dear to me because 2 of my girls are in the public school system.

I do not want to see Planned Parenthood teaching sex Ed because first, I feel they are an organization that directly benefits from promoting sex. It doesn't make any sense to say the state wants to slow down the

spread of STD's and then to turn around and hire sex promoters in the classrooms.

Another issue I have is the parental opt out program. As an experienced public school mom, I would highly recommend that if this bill fails, the education department should focus on the communication style they use to contact parents. Presently the system is to send notes home with the kids and then to have the parents sign and then the kids return them. This process is not good enough because this issue is way to important and even dangerous in my opinion and kids are known for never even getting the notes home to their parents because they either forget or they don't want to be opted out and look weird to their friends. School social pressure is real and can be intense and trusting kids to handle this note responsibility is irresponsible in my experience. Instead, I would suggest to the education dept. that they implement a direct contact system from the school to the parents along with all the curriculum including the pornographic material given to the parents so they are fully aware and can make an informed choice of whether or not to have their kids participate in this sexual desensitization class. This is the only way to be sure that the parents really do know of what's going on.

[9:31:15 AM](#)

DAVID NEES, stated support for SB 89, citing the origination of Planned Parenthood and how it developed, from Irish roots, to what it represents today. He said the bottom line is who is in charge of our children, the government or parents.

[9:33:39 AM](#)

DAVID BOYLE, stated support for SB 89, and opined that the question is who has more rights over their child, the parents or government. He provided a scenario using marijuana as an example and how it might be handled given similar circumstances. Also, a situation arose in the Anchorage School District regarding transportation, which, using the permission slip method, did not have good success. The government is not a surrogate parent, he maintained, and urged passage of the bill.

[9:36:48 AM](#)

KATHIE JOHNSON, stated support for SB 89, paraphrasing from a prepared statement, which read:

As a parent and grandparent I have seen the devastating effects of sexual activity without boundaries.

Sexuality is a great gift that comes with responsibility not just in preventing pregnancy and STD's. We do our kids a disservice in teaching them that self-control is either not possible or not necessary. Are all teens going to exercise self-control? Of course not. But many more might if they were taught of the emotional, spiritual, and physical consequences.

Planned Parenthood will teach them about "safe" sex, how to use a condom, and give them birth control pills. If by chance there is a pregnancy they will offer an abortion. But the consequences are still there affecting individuals, families, and future generations. Planned Parenthood doesn't want to come into our schools because it is a benevolent charity who loves our children. It is a business with an ideology. A big business. Any person is free to walk into their office if they agree with the ideology and want their services. Not satisfied with that they want to influence all our kids. Don't let them into the schools.

[9:38:23 AM](#)

CHAIR KELLER closed public testimony.

[9:38:47 AM](#)

REPRESENTATIVE SEATON directed attention to the bill, page 1, lines [12] - 13 [and page 2, line 1], which read as follows:

(1) recognizing the authority of a parent and allowing a parent to object to and withdraw the child from a standards-based assessment or test required by the state;

REPRESENTATIVE SEATON reiterated his previous request and asked to have clarification of the required test, and how statutory compliance will be satisfied.

CHAIR KELLER noted he will be sure the sponsor receives that question.

REPRESENTATIVE SEATON asked whether Version I was the working document.

CHAIR KELLER responded that the committee adopted Version Y as the working document.

CHAIR KELLER announced SB 89 as held over.

9:42:00 AM

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:42 a.m.