

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

April 6, 2016

8:05 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
Representative Ivy Spohnholz

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

HOUSE BILL NO. 352

"An Act relating to disciplinary sanctions imposed by the State Medical Board; restricting employees and representatives of abortion services providers, and affiliates of abortion services providers, from delivering instruction or distributing materials in public schools and providing civil penalties for violations; relating to revocation or suspension of teacher certificates; relating to the receipt of state funds by teachers and school board members; and providing for an effective date."

- HEARD & HELD

PREVIOUS COMMITTEE ACTION

BILL: HB 352

SHORT TITLE: LIMIT ABORTION SERV. PROVIDERS IN SCHOOLS

SPONSOR(S): REPRESENTATIVE(S) GATTIS

02/24/16	(H)	READ THE FIRST TIME - REFERRALS
02/24/16	(H)	EDC, L&C
04/06/16	(H)	EDC AT 8:00 AM CAPITOL 106

WITNESS REGISTER

REPRESENTATIVE LYNN GATTIS
Alaska State Legislature

Juneau, Alaska

POSITION STATEMENT: Presented HB 352 as prime sponsor.

ANDY HOLLEMAN, Spokesperson
Anchorage Education Association (AEA)
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

JUDY ANDREE, Spokesperson
League of Women Voters
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

CHRISTINE NIEMI
Douglas, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

JANE ANDREEN, President, Alaska Public Health Association (APHA)
Chair, Statewide Steering Committee for the
Alaska Women's Lobby (AWL)
Douglas, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

ALYSON CURRY, Representative
Planned Parenthood Votes Northwest and Hawaii
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

LISA EAGAN LAGERQUIST
Douglas, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

DEBI BALLAM, RN
Juneau, Alaska

POSITION STATEMENT: Testified in opposition to HB 352; her statement was read into the record by Lisa Eagan Lagerquist.

AURORA HOEFFERLE
Dillingham, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

ROBIN SMITH
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

CATHY CLORNEN
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

JESSICA CLER
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

KENNI PSENAK-LINDEN
Palmer, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

ANNA MEREDITH, Program Manager
Youth Health Education
Kachemak Bay Family Planning
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

CATRIONA REYNOLDS
Clinic Manager
Kachemak Bay Family Planning
Homer, Alaska

POSITION STATEMENT: Testified in opposition to HB 352

BUTCH MOORE
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

LANCE ROBERTS
Fairbanks, Alaska

POSITION STATEMENT: Testified in support of HB 352.

MARY JAY TOUTONGHI
Soldotna, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

MARCI HAWKINS
Sutton, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

JOSHUA DECKER, Attorney
Executive Director
American Civil Liberties Union (ACLU)
Anchorage, Alaska

POSITION STATEMENT: Testified in opposition to HB 352.

PAMELA SAMASH
Right to Life Interior Alaska
Tanana, Alaska

POSITION STATEMENT: Testified in support of HB 352.

ED GRAY
Sitka, Alaska

POSITION STATEMENT: Testified in support of HB 352.

RICHARD STOFFEL
Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 352.

CHRIS KURKA
Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 352.

WHITNEY DWIGREN
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 352.

DALE JUDGE
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 352.

HALEY KIRKA
Palmer, Alaska

POSITION STATEMENT: Testified in support of HB 352.

CAROLE HART
Anchorage, Alaska

POSITION STATEMENT: Testified in support of HB 352.

ACTION NARRATIVE

[8:05:56 AM](#)

CHAIR WES KELLER called the House Education Standing Committee meeting to order at 8:05 a.m. Representatives Keller, Colver, Vazquez, Drummond, Spohnholz, Talerico, and Seaton were present at the call to order.

HB 352-LIMIT ABORTION SERV. PROVIDERS IN SCHOOLS **[Contains discussion of SB 191]**

[8:06:34 AM](#)

CHAIR KELLER announced that the only order of business would be HOUSE BILL NO. 352, "An Act relating to disciplinary sanctions

imposed by the State Medical Board; restricting employees and representatives of abortion services providers, and affiliates of abortion services providers, from delivering instruction or distributing materials in public schools and providing civil penalties for violations; relating to revocation or suspension of teacher certificates; relating to the receipt of state funds by teachers and school board members; and providing for an effective date."

8:07:33 AM

CHAIR KELLER referred to the committee packet and the memo from Legal Services, from Kate S. Glover, Legislative Counsel, dated 4/5/16

8:08:44 AM

REPRESENTATIVE LYNN GATTIS, Alaska State Legislature, presented HB 352, paraphrasing from a prepared statement, which read as follows [original punctuation provided]:

A public school should be a place for students to learn skills, gain knowledge, and receive instruction.

However, there are special interest groups that would like to use schools to promote their ideas and beliefs to a captive, young audience. Many parents have become alarmed at what is occurring within the public school system, that they are withdrawing their children from neighborhood schools in record numbers. The values of the family should be protected from outside special interest groups with an agenda.

The purpose of House Bill 352 is to restrict the access of abortion services providers and their affiliates to public schools. To be perfectly clear, this bill does not ban sex education from the classroom. It will not in any way hinder districts, schools or teachers from instructing students on human sexuality. The legislation before us simply states that abortion service providers or affiliates may not present information or provide their materials to a captive audience of students.

As a society, we seem to be putting more and more onto the school's plate when it comes to teaching our kids. As a result, parents have not been made aware about

the various groups that are coming into the public schools to teach their children. Mr. Chair, this HAS to change—parents deserve to know what's going on in the classroom, and they NEED to know that special interest groups aren't using school hours to advocate their beliefs and practices.

By prohibiting abortion service providers access to public schools, our schools can focus on what is important and leave private, sensitive matters where they belong: in the hands of parents.

[8:11:16 AM](#)

CHAIR KELLER noted the similar bill, SB 191, to point out the constitutional questions that have arisen, as well as the amendments offered by the Senate members, which he suggested be reviewed by the committee to consider the alignment with HB 352.

[8:12:55 AM](#)

The committee took an at-ease from 8:12 a.m. to 8:14 a.m.

[8:14:48 AM](#)

REPRESENTATIVE DRUMMOND expressed concern for not having a representative from the sponsor's office to address the bill being put before the committee.

[8:15:13 AM](#)

CHAIR KELLER opened public testimony.

[8:16:09 AM](#)

ANDY HOLLEMAN, Spokesperson, Anchorage Education Association (AEA), paraphrased from a prepared statement, which read as follows [original punctuation provided]:

I'm speaking on behalf of the members of the Anchorage Education Association. We are the over 3,000 certificated individuals that staff the Anchorage School District.

Because I believe our local school boards are better suited to make choices for their communities, I'm

generally opposed to this bill, but there's a specific technical problem I'd like to call to your attention.

My understanding is the Legislature would like to keep Planned Parenthood and their representatives out of public schools, and that's why we have the language: An employee or representative of an abortion services provider or of an affiliate of an abortion services provider may not (1) present or deliver any instruction or program on any topic to students at a public school; (2) distribute materials to or display materials for students at a public school; or Later on a provider is defined as "(1) "abortion services provider" means a person who performs elective abortions;"

That would seem to indicate that someone would have to represent a PERSON that actually performed abortions for this law to prohibit them from presenting in the classroom. But Planned Parenthood is an ENTITY...not a person. If someone works for PP, they don't work for "a person" that performs abortions.

But if your law DOES prohibit someone that works for PP from presenting material "on any subject" in a classroom, then it most certainly would also prohibit any person that works at Regional Hospital in Anchorage from doing so as well. They are a provider of elective abortion services no question.

So first, on behalf of my members that are school nurses, a surprising number of them work shifts in local hospitals, including Regional, for the best of reasons. It keeps their skills very sharp and makes them better nurses at school, as well earns extra money. Are they now prohibited from speaking to a class aboutANYTHING? Can they even speak to students that come to them when they're ill? I don't think this is the intent, but this IS the language.

If I, as a biology teacher, invite a doctor from Regional Hospital to talk to my class about cancer research or comparative anatomy, am I at risk for losing my certificate? As I read it, I am, or I could be.

I don't think that's your intent, but that's how it reads. This often happens when you want to do something, but you can't say exactly what it is you're trying to do, so you have to talk in more general terms. The more general terms are very problematic. Please, leave this to your local boards, or please, say exactly what you mean to do.

But in this moment when the economic future of our state is on the line, please do not pass a bill that invites a lawsuit, a lawsuit the State will have to defend, with the careers of good Alaskans in the balance, when we have much more pressing issues.

We are not recruiting students to have elective abortions in our classrooms. We're not. We are trying to prevent unwanted pregnancies and the spread of disease, period. We're trying to be sure that students understand the real dangers and consequences of certain types of relationships and actions, by themselves and by others, in the hope of making this a safer more humane place for everyone to grow and learn.

Please help us. Please be clear, and please be accurate. Please work with us rather than putting out speedbumps and traps. I'm asking you to please clarify this bill or otherwise not to pass it from your committee until this specific issue is fixed.

[8:20:08 AM](#)

JUDY ANDREE, Spokesperson, League of Women Voters, stated opposition to HB 352, and directed attention to the committee packet letter from the League of Women Voters (LWV), Hetty Barthel, Secretary, dated 4/6/16, providing the stance from the national LWV organization, to paraphrase the position, which read as follows [original punctuation provided]:

The League of Women Voters of Alaska (LWVAK) strongly opposes HB 352 (companion to SB 191) based on the long-established (1983) League of Women Voters of the United States (LWVUS) Position on Reproductive Choices which states the following: The LWVUS "believes that public policy in a pluralistic society must affirm the constitutional right to privacy of the individual to make reproductive choices."

MS. ANDREE reported having raised five adopted children who have all attended Juneau public schools. The bill attacks the teaching profession, she opined, when language such as "captive audience" is invoked, and said students are not a captive audience due to the opt-out choice. Having polled her, now adult, children, she reported that their health classes did not mention abortion, nor was there any trolling by the agency for future clientele. As a parent concerned for the education of her children, she said it is her right to expect to have a qualified person, using science based information, medical acuity, and with the intent to prevent unintended pregnancies, provide this instruction. Further, a safe pregnancy termination is legal and should be available to an individual, appropriately counseled. Planned Parenthood is not trolling for clients but rather supporting anyone in the situation who requires assistance in having a safe termination of a pregnancy. The bill is being presented as a parent's rights bill and, she pointed out, parents also have the right of ensuring a medically sound education for their children.

[8:24:32 AM](#)

CHRISTINE NIEMI, stated opposition to HB 352, paraphrasing from a prepared statement, which read as follows [original punctuation provided]:

We dissolved the (S.O.S) State Operated Schools in 1976 to provide for local control of our schools. It should be up to local staff and parents to decide what programs, curriculum and persons to invite into local schools.

The uninvolved parent is less likely to sign permission so, "the opt-in" places undue burden on the youth who may need the health information most.

It is not OK to threaten people with losing their jobs and licenses ... their livelihood, that our state's health statistics indicate is vitally needed.

The attempt at the level of control in HB 352 and SB 89 is alarming! We need to work together with willing agencies to give our kids the tools to make healthy choices.

Please do not support this bill.

Planned Parenthood provides [sexually transmitted diseases (STD)] testing, health education, rape counseling, cancer screening and family planning. Many parents do not object to [Planned Parenthood].

[8:26:09 AM](#)

JANE ANDREEN, President, Alaska Public Health Association (APHA); Chair, Statewide Steering Committee Alaska Women's Lobby (AWL), stated opposition to HB 352, and, recalling her own youth, said teenage decisions are often based on hormones and peer pressure/culture. Because of these influences, she stressed it is important for teens to receive appropriate information regarding safe sex, STD prevention, and avoidance of unintended pregnancies. These are the very topics that Planned Parenthood covers, utilizing the best, evidence based, information available and geared towards a delivery that helps students make individual, personal decisions for a long term, healthy life style. On behalf of both of the organizations she represents, she said the passage of HB 352 is opposed.

[8:27:47 AM](#)

ALYSON CURRY, Representative, Planned Parenthood Votes Northwest and Hawaii, stated opposition to HB 352, paraphrasing from a prepared statement, which read as follows [original punctuation provided]:

Planned Parenthood has been a trusted expert and provider of medically-accurate sexual health education in Alaska for more than 20 years and we are filling in a much needed gap left by the state's inaction. Alaska currently does not have any state standards for sexual health education and the negative implications are evident by the state's epidemic of sexually transmitted infections, particularly among teens, ages 15-19, and teen pregnancy rates which are higher than the national average. In the 2013-2014 school year, less than a quarter of schools provided the recommended STD, [human immunodeficiency virus (HIV)] and pregnancy prevention topics in required courses. Clearly what the state is currently doing is not cutting it. Our youth need access to medically-accurate information to make healthy decisions about their lives.

The overall goal of sexual health education is to delay the onset of sexual activity, as well as reduce risky sexual behaviors that lead to contracting STDs and teen pregnancy among teens already sexually active. When invited, Planned Parenthood works closely with some schools, social service organizations, and public health nurses in communities across the state, including Fairbanks, Juneau, the Kenai Peninsula, Anchorage and the Mat-Su Valley. We provide direct education to over 2000 youth each year, at zero cost to schools, and have also provided training and skill building for teachers and school based nurses working with youth around healthy sexuality and prevention.

Our curriculum has been vetted and approved by the Office of Adolescent Health for medical accuracy and reviewed by local school staff for curriculum alignment, as well as age and cultural appropriateness to fit the needs of each community. Additionally, our education programs aim to complement the conversations that happen at home with families, they do not replace them. To be clear, parents already have the right to remove their child from sexual health instruction. Parents may also review curriculum with a teacher prior to a Planned Parenthood educator entering the classroom. This is standard school protocol and Planned Parenthood educators follow all school policies and protocols.

It is disappointing that this body would entertain passing legally questionable laws that threaten the livelihood of teachers and health care providers in order to score political points because of its objection to abortion, a safe and constitutionally protected procedure. HB 352 does absolutely nothing to improve the health and safety of Alaskan youth. Please oppose this bill.

[8:30:54 AM](#)

LISA EAGAN LAGERQUIST, stated opposition to HB 352, and provided a self-initiated petition of 125 local names opposing the legislation. Despite opposition, she observed, that both [SB 191 and HB 352] appear to be passing forward, and expressed distress over the continued legislative action. She continued,

and paraphrased from a prepared statement which read as follows [original punctuation provided]:

Since I testified last time, so many people have stopped me on the street to say, "You were the one who testified right?" I never know if they are for or against so it makes me nervous. But every time they've said, "Thank you so much! You said exactly what I feel."

What I said is this bill is crazy! With all the funding cuts why would you ever consider cutting a free wonderful service?

Also, since my testimony, I started a petition in opposition to this bill. I bring you 121 names of people who also oppose this bill.

In response to the sponsor's statement. They say not opposed to sex education, just opposed to abortion providers providing it. Well, banning [Planned Parenthood] from schools, will limit sex [education]. Teachers aren't as prepared to present it and don't want to.

Students prefer it's not their teacher that they see every day.

Random parent volunteers? Not what I want.

The people of Juneau, students, parents, grandparents, teachers, health care providers want Planned Parenthood. We trust them and they've proven affective.

Many students will choose not to have sex during high school, but just like my parent's generation, my grandparents, my great grandparents many will choose to have sex while in high school. None of us can deny this. Some students will have sex. [Let's] help keep them safe and do all we can to prevent unintended pregnancies.

Again. This bill is crazy. We have a free wonderful medically-accurate age appropriate [program] provided to schools who want it. Why would you ban this? If

you pass this bill you are limiting student's access to sex education.

DEBI BALLAM, RN, opposing HB 352 was read by Lisa Eagan Lagerquist as follows [original punctuation provided].

As a nurse I have cared for many teenagers with unintended pregnancies, most of whom were ill equipped to parent a child, and the cost to society is high and gets passed on generation after generation. Most of the teens had painfully little knowledge of their bodies and how to prevent pregnancy or even how to say no. The cost of education is low, this education includes HOW to say no, I have heard what is covered and would wish all young people to have the opportunity of hearing this information. I oppose SB 89 and 191! And I believe if everyone actually heard what was being taught versus assuming what their child is hearing, this bill would never have been taken up.

[8:35:55 AM](#)

The committee took an at-ease from 8:35 a.m. to 8:36 a.m.

[8:36:50 AM](#)

AURORA HOEFFERLE stated opposition to HB 352, and said sex education is not a standard academic class, and opined that Planned Parenthood is an essential agency to provide this information. Many courses are taught to young people, but perhaps the most practical and useable are the health and sex education classes. The math theories are nothing that she applies on a regular basis, she reported, however conversely, what she learned in sexual education has proven very helpful, and what was omitted from the class presentation has been regretfully learned. As the largest non-profit, sexual education provider in Alaska, she opined that Planned Parenthood is well qualified to deliver this essential health information. Training the existing teachers to present the sex education material does not seem plausible, she conjectured. Less than a quarter of Alaskan secondary school districts taught the recommended HIV, STD, and pregnancy prevention topics in 2013 and 2014. She conjectured what would happen if less than a quarter of Alaska's secondary schools taught the recommended topics for algebra, and questioned whether the law makers would be considering a bill to place additional burdens on teachers to fill such a void. Sexual education is useful for everyone,

unlike higher math theories, she pointed out. Communities and schools should be allowed to decide the particulars for the ways and means that sex education is provided to their students. To use abortion as the deciding factor in determining an appropriate source for presenting this essential health information is short sided, she maintained, and suggested that it only serves to stigmatize and demonize legal providers and clients. She suggested the deciding factors for the instructional service should be determinants such as accuracy, effectiveness, and reputation. This is essential, lifesaving, information, she finished, and said the surrounding politics need to be extracted from the issue.

[8:40:31 AM](#)

ROBIN SMITH stated opposition to HB 352, and said sex education is a difficult topic to broach and one which many parents ignore. Further, in parental surveys the outcomes indicate an interest in having sex education provided by a third party as many parents consider the school programs to be a supplement to, not a supplanting of, their home discussions. She stressed that the school programs don't represent an either-or situation but rather a team effort for providing essential instruction for building healthy, intimate relationships. Alaska lacks a standardized curriculum for providing a comprehensive sexual education, or a requirement for including such a program; and now there is no funding available. Teens report their primary source of sex education as being television, movies, internet access, and social media. Today's young people are coming of age in a very different world, she stressed, one where oral sex is considered kissing. She provided a number of national statistics to illustrate her point, which included the sexual content of television programs, sexual predation numbers, and the influence of certain music genres. The biggest users of on line pornography are 12-17 year old boys, she reported. Having a third party, who is not the classroom teacher, allows for an optimal dialogue exchange without compromising existing classroom social structures, she said. The third party role is what Planned Parenthood has been entrusted with for the last 20 years in Alaska and nationally for 100 years, as it was the initial reason the organization was formed. Communities continue to turn to Planned Parenthood for nonjudgmental, medically accurate, curriculum on reproductive health and relationships. She finished, stating that teens should not be denied delivery of this important information due to a legislator's political bias against legal abortions.

8:45:56 AM

CATHY CLORNEN stated opposition to HB 352, and said many concerns are raised through this legislation. She cited her background in education, which includes the Alaska Pacific University where she taught health care policy, economics, finance and administration. As a health care leader and educator, she said it is imperative to not restrict access to important information that is vital to good healthy decision making. As a mother of three daughters, now adults, she opined that sex education should begin at home; however, as a professional, she reported, this doesn't always happen. Long term personal and financial costs occur to youth and family members when teens make poor decisions regarding drugs, alcohol, and sexual activity. Planned Parenthood has provided free sexual education in the schools of Alaska for over 20 years. She asked the committee a rhetorical question: "What problems have you seen in the last 20 years, with Planned Parenthood providing this service in the schools." As an administrator, she said, changes are made to correct specific issues, but what issues have arisen around Planned Parenthood. Who will provide this service and what will be the cost, if Planned Parenthood is denied access, she pondered. She urged the committee to not pass HB 352.

8:48:28 AM

JESSICA CLER stated opposition to HB 352, and urged members to concentrate on other, more pressing issues, facing Alaskans. She paraphrased from a prepared statement, which read as follows:

As a graduate of our public system, I know firsthand the lack of access to comprehensive, medically accurate, sexual health education in our state. Alaska has no state standards for sexual health education and yet an epidemic of sexually transmitted infections, the highest rate of reported rape in the country, and child sexual assault/rape [is] six times the national average. I know that myself and my peers would have greatly benefited from the kind of education that Planned Parenthood provides on prevention, on consent, and on healthy relationships. Studies consistently show that comprehensive sex education is highly effective at reducing STI's delaying initiation of sexual activity, and lowering teen pregnancy rates. Planned Parenthood fills an

important gap left by the state's inaction on insuring students have access to the information they need. In a time when our education system is facing unprecedented budget cuts, we should be encouraging district's to use every resource available to educate its students, not limiting districts options for local programing. Parents are already notified and already have the option to opt their students out. This bill strips the rights of parents in local school districts to make the decisions that are right for our youth. It goes a step further, unfairly penalizing teachers, school districts, and doctors. This is a politically motivated, illegal attempt to target Planned Parenthood at the expense of the health of Alaska's students. Instead of creating more barriers to education we should be working together to ensure that our youth have the resources and information needed to lead healthy and productive lives; HB 352 does the opposite.

[8:50:38 AM](#)

KENNI PSENAK-LINDEN stated opposition to HB 352, paraphrasing from a prepared statement, which read as follows:

HB 352 creates harmful and unnecessary boundaries to accessing essential, comprehensive, and scientifically accurate, reproductive health education. Curriculum standards already prevent abortion from being addressed within the classroom, which means that HB 352 is misguided, likely unconstitutional, and it actively undermines the purview of teachers and local educators to have local control and teach to the needs of their students. These needs include information on healthy relationships and consent. I wish that my health education in the Mat-Su Valley and the health education of my assailant, had included these key lessons, which may have prevented the trauma I experienced after being sexually assaulted at 15 years old. I'm lucky that I came away from that experience with [post-traumatic stress syndrome (PTSD)] and not STI's or pregnancy. I appreciate that Planned Parenthood, as an organization, has stepped in to fill the gap and provide lifesaving, evidence based education. Parents have the opportunity to opt-out of any education that does not align with their values. Please do not create additional barriers for families

that do want qualified and experienced educators in the classroom. As a future parent myself, my husband and I have discussed the need and our overwhelming desire that our children will receive better sex education than we did, both at home and in their classroom. Please oppose HB 352, thank you.

8:53:25 AM

REPRESENTATIVE SPOHNHOLZ asked about the availability of testimony from SB 191, versus the listed names in the committee packet.

CHAIR KELLER said it is available on BASIS, and offered to provide hard copies to members.

8:54:08 AM

ANNA MEREDITH, Program Manager, Youth Health Education, Kachemak Bay Family Planning, stated opposition to HB 352, and said she works closely with professionally trained peer educators to co-facilitate a comprehensive safer sex and abstinence program in the Kenai Peninsula school district. The Kachemak Bay Family Planning Clinic provides reproductive services and educational outreach throughout the southern Kenai Peninsula. She said the Kachemak Bay clinic does not provide abortion services, which differentiates it from the associated clinics in the Anchorage area; however, it is similar in being recognized as the experts in the community regarding sexual and reproductive health. Staying abreast of the changes in the field of reproductive health is a challenge, and to add that challenge to the work of a classroom teacher would be burdensome, she opined. Most recently, a music teacher in a small rural school hosted a sexual health program. She quoted the teacher and continued, to state:

"I'm so glad that your peer [education] team is here. These kids do not want to hear this from someone that they see every day." We constantly hear that from teachers. They're not equipped and trained to teach sexual health, and therefore they're very thankful that we're able to come in as the experts in the community and that burden is lifted from them; although, they stay in the classroom the entire time. I appreciate that they listen and that they have a very close working relationship with us. So they're

learning as we are teaching, as well, and they reach out to us. ...

8:57:10 AM

CATRIONA REYNOLDS, Clinic Manager, Kachemak Bay Family Planning, stated opposition to HB 352, and said abortion is legal and safe and this bill is seeking to impose ideologically and politically motivated constrictions on a communities' ability to provide the best education for its children. She pointed out that Alaska is higher than the national rate in STD's and teen pregnancies. On the southern Kenai Peninsula, where the Kachemak Bay clinic has been teaching in the schools for over a decade, the rates have been significantly lowered. She said this is attributable to students learning how to take good care of their health and avail themselves of the community services. A collaborative medical team has organized in Kenai under the Mobilizing for Action Through Planning and Partnership (MAPP) program to direct teens to whatever help they seek to remain healthy young adults.

8:59:33 AM

BUTCH MOORE stated opposition to HB 352, and said it is similar to SB 191, which is being scrutinized regarding constitutionality. Further, the make-up of the legislature may change. He cautioned that passage of the bill may establish a precedent which would hold future political sway, perhaps preventing a gun retailer from participating in a school setting. He suggested that an effective bill could ban the teaching of abortion in schools, thus restricting the topic. Otherwise, he opined, the bill is a rabbit hole and time spent arguing it could be better directed to other productive legislative issues, such as the budget. As an advocate for parental rights and education of children, he said it is up to each district to determine curricula, none of which include discussion or teachings about abortion. Current health and human social topics are what is being covered by Planned Parenthood, and yet the organization is being singled out. He also, reported that his daughters have found the courses to be helpful and professionally presented.

9:06:03 AM

CHAIR KELLER said Mr. Moore's point for setting precedent is well taken, and reported that SB 191 has been amended to stipulate: those who act on behalf of the service provider.

[9:07:18 AM](#)

LANCE ROBERTS stated support for HB 352 and opined that it disallows a group into the schools who have an established agenda. He speculated that the presence of Planned Parenthood encourages teen sex and abortions.

[9:10:45 AM](#)

MARY JAY TOUTONGHI stated opposition to HB 352 and SB 191, and paraphrased from a prepared, which read as follows [original punctuation provided:

These bills are questionable at best, and appalling at worst. Alaska has the highest rate of STD's in the country. Education has taken a hit this year that would make the angels cry. Our legislators should be focusing on improving student's health and access to accurate information to inform them with regard to their sexuality. Alaska has the worst record of STD and sexual abuse in the country. Young people are impacted by these issues. A poor decision can change the course of their lives. We are impacted financially as a state in our health care and our education as these issues manifest themselves. Less than a quarter of Alaska's secondary schools have taught all of the recommended HIV, STD, and pregnancy prevention topics. Only three states have less access to this information. Students in Alaska are in dire need of real information about sexual health and healthy relationships. Our legislators should be focusing on improving student's health, not destroying their rights to accurate information, as well as threatening teachers, doctors, and other professionals and care takers. I am most certainly in opposition to these two bills.

[9:12:43 AM](#)

MARCI HAWKINS stated opposition to HB 352, and said volunteering at Plan Parenthood might jeopardize her ability to teach. Further, she conjectured, the costs for replacing the agencies free educational programs, and the probable ensuing legal fees, may be burdensome to the state. Implementation and enforcement of this type of bill could be better directed, she opined, and pointed out that parental options exist for removing a student when appropriate.

9:18:18 AM

JOSHUA DECKER, Attorney, Executive Director, American Civil Liberties Union (ACLU), stated opposition to HB 352, and said the amendments to SB 191, even if applied to this bill, would not solve the issues that it raises. A group of people are being singled out, based on their activities which are protected under due process. In any form, HB 352 impinges on free speech and free association rights. The schools are open to teach appropriate curricula, and human health and sex relations have been identified as such.

9:21:42 AM

CHAIR KELLER asked for confirmation of comments being circulated which intimate that the ACLU is prepared to take the measure to court, and expects to prevail, should the legislation pass as written.

MR. DECKER responded that the bill poses deep and multiple constitutional problems. The ACLU hopes the legislature would not find it reasonable to pass a bill that is so profoundly, unconstitutionally infirm.

9:23:35 AM

PAMELA SAMASH, Right to Life Interior Alaska, testified in support of HB 352 and SB 191, stating that sex education taught in schools, especially by an organization that benefits from sex, poses a danger to Alaska's communities. She conjectured that STD levels are soaring in communities where Planned Parenthood maintains a presence because the organization removes the spiritual and emotional aspects of sex. Ignoring these components is a tragedy, she opined, because that is the part that creates the natural barriers that limit promiscuous sex. When sex is taught to general teen populations as a physical act, the result is an overall increase in sexual behavior, increased STD's, and pregnancies. Thus, Planned Parenthood causes the result which they espouse to prevent. She said, "STD's and teen pregnancies were basically non-existent years ago before Planned Parenthood ever existed. That's because sex encounters were taught as a huge morale issue." Planned Parenthood teaches the opposite of morals and keeping them in the schools only serves to hurt the children sexually, spiritually, and emotionally. She threatened to remove her

children from enrollment should the organization ever enter their school.

[9:26:00 AM](#)

ED GRAY stated support for HB 352, and said Planned Parenthood entered the Sitka schools in 2013 but were subsequently removed by community activism. The parents wrote the policy that is being considered under SB 89, originally crafted as school policy. When the school district refused to hear the proposal the policy was redirected to the legislature. Louisiana and at least one other state, have adopted similar laws without court challenge. Additionally, he said Planned Parenthood creates partnerships with schools, which includes having a staffed office three days per week in order to provide students with a full range of agency services, not only sexual education as touted.

[9:29:30 AM](#)

RICHARD STOFFEL stated support for HB 352, and said it is unbelievable that this agency would be allowed into the schools to teach students how to kill babies, spill innocent blood, and present appalling sexual education. "I'm sick and appalled inside," he said, and urged passage of HB 352.

[9:30:46 AM](#)

CHRIS KURKA stated support for HB 352, and noted that Planned Parenthood has been in the schools for 20 years, and yet the STD levels and teen pregnancies have not diminished. He opined that the organization's mission is to indoctrinate students who will then become future consumers of Planned Parenthood services. He pointed out that other vendors exist who could provide sex education and should be considered.

[9:33:23 AM](#)

WHITNEY DWIGREN stated support for HB 352, and said her parents removed her from the class when it was offered. As a parent now, she finds it disturbing that this is still being brought to the classroom. Removing Planned Parenthood from schools is necessary, she opined, and said it may be one of the determinations she uses when considering sending her children to public school.

[9:36:55 AM](#)

DALE JUDGE stated support for HB 352, and said as a retired teacher, he now has many grandchildren in the Anchorage School District. Although sex education is important, having the Planned Parenthood agency in schools, is objectionable.

[9:40:30 AM](#)

HALEY KIRKA stated support for HB 352, and reported, having reviewed the curricula that Planned Parenthood and other abortion providers are presenting. The material, that is considered medically accurate and age appropriate, is disturbing, she opined, and reported that it contains 10 year olds, depicted by cartoon characters, having sex. She added that it also teaches them not to disclose to a partner whether they have an STD. It is incumbent on the legislature to look into and protect Alaska's children from the marketing and pornography that is brought into the schools by abortion service providers, such as Planned Parenthood.

[9:42:11 AM](#)

CAROLE HART stated support for HB 352, and concurred with the previous speaker to echo the inappropriateness of the pornographic material presented by Planned Parenthood.

[9:43:31 AM](#)

CHAIR KELLER asked for an estimate of how many abortions Planned Parenthood provides in a given year.

[9:43:51 AM](#)

MS. CURRY said less than 10 percent of the services provided are abortions, 90 percent are other services, and she agreed to provide further information.

CHAIR KELLER asked to have her response include whether Planned Parenthood pregnancy preventative services include abortions, and what percentage of the agencies revenue is made up of government funds.

[9:46:14 AM](#)

REPRESENTATIVE SPOHNHOLZ asked if Planned Parenthood teaches ten year olds to have sex.

MS. CURRY replied, "No."

REPRESENTATIVE SPOHNHOLZ asked whether Planned Parenthood provides instruction to avoid disclosing an STD to a sexual partner.

MS. CURRY replied, "No."

[9:47:05 AM](#)

MS. CURRY said Planned Parenthood, in Alaska, primarily presents sex education classes in high schools. Some curriculum exists for middle school students and puberty education is available for fifth and sixth grade middle school students. The agency provides services when it receives an invitation from a school. The high school curriculum that can be requested may include: reproductive anatomy, abstinence and birth control; healthy relationships and consent; and prevention of HIV, acquired immunodeficiency syndrome (AIDS), and STD's. Lesson plans are also available for media literacy, bullying, drug and alcohol awareness, and suicide prevention. The most requested of these topics is for healthy relationships and consent. The curriculum has been vetted for medical accuracy based on national standards, through the office of adolescent health. The internal curriculum adopted by Planned Parenthood of the Great Northwest is provided by credible sources such as the Centers for Disease Control (CDC), the Mayo Clinic, the National Network on STD Prevention, and training centers. She recalled testimony suggesting that other curriculum could be obtained, and pointed out that the same sources would be incorporated. Additionally, the curriculums are provided at cost. Thus, the curriculum for Becoming a Responsible Teen could be purchased for \$350.00, which does not include teacher training or materials.

CHAIR KELLER asked about the non-profit standing of the national organization and the number of affiliates using the described curriculum.

MS. CURRY said her comments are limited to speaking on the specifics of the curriculum presented by the Planned Parenthood of the Great Northwest, which encompasses Alaska and the Hawaiian Islands. She offered to provide further information.

[9:49:58 AM](#)

REPRESENTATIVE DRUMMOND asked what the media literacy curriculum involves.

MS. CURRY offered to provide a detailed lesson plan.

[9:51:32 AM](#)

REPRESENTATIVE SEATON said curriculum was provided to his office for review, and asked whether it was made generally available.

MS. CURRY offered to accommodate any member requesting a curriculum review.

REPRESENTATIVE SEATON ascertained that the agency only enters the schools on an invitational basis.

MS. CURRY concurred.

REPRESENTATIVE SEATON ascertained that only the selected sections of the nine topics are presented, in the presence of the teacher.

MS. CURRY concurred.

[9:53:40 AM](#)

CHAIR KELLER closed public testimony.

[9:54:00 AM](#)

REPRESENTATIVE SEATON acknowledged the public's right for unimpeded comment, and pointed out that the committee's silence does not represent agreement or disagreement with witness' statements offered for the record. Further, he said amendments brought to HB 352, by this committee, will not necessarily align with those offered in the Senate on SB 191.

[9:55:18 AM](#)

CHAIR KELLER responded that it is not his intent to impose Senate legislation on the house committee; however SB 191 provides additional information, including public testimony, for consideration when making a final, informed, House committee decision. Further, he opined that 225,000 abortions a year is an appalling number; equal to the estimated population of Anchorage. No witness has testified to liking abortions, he pointed out, it's a tough issue. He recalled the comment regarding whether a gun manufacturer would be banned from providing a gun safety class in a public school setting and

opined, quite possibly if the individual were acting on behalf of the manufacturer. Such situations have an influence over the students, as a captive audience, thus, it is certainly in the purview of the legislature to scrutinize this subject in a dispassionate manner, he opined.

CHAIR KELLER announced HB 352 as held.

[9:58:19 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 9:58 a.m.