

**ALASKA STATE LEGISLATURE**  
**SENATE EDUCATION STANDING COMMITTEE**

February 25, 2016

3:31 p.m.

**MEMBERS PRESENT**

Senator Mike Dunleavy, Chair  
Senator Charlie Huggins, Vice Chair  
Senator Cathy Giessel  
Senator Gary Stevens  
Senator Berta Gardner

**MEMBERS ABSENT**

All members present

**COMMITTEE CALENDAR**

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 103

"An Act relating to school boards; relating to approval of educational programs at residential psychiatric treatment centers; providing for funding of educational services for students in residential psychiatric treatment centers; and providing for an effective date."

- HEARD & HELD

**PREVIOUS COMMITTEE ACTION**

BILL: SB 103

SHORT TITLE: RESIDENTIAL PSYCHIATRIC EDUCATION FUNDING

SPONSOR(S): SENATOR(S) GIESSEL

04/10/15	(S)	READ THE FIRST TIME - REFERRALS
04/10/15	(S)	EDC, JUD
02/17/16	(S)	SPONSOR SUBSTITUTE INTRODUCED-REFERRALS
02/17/16	(S)	EDC, JUD
02/25/16	(S)	EDC AT 3:30 PM BUTROVICH 205

**WITNESS REGISTER**

SENATOR GIESSEL, Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** As sponsor, presented SB 103.

KARI NORE, Staff  
Senator Giessel  
Alaska State Legislature  
Juneau, Alaska

**POSITION STATEMENT:** Presented information on SB 103.

EVELYN ALSUP, Educational Director  
North Star Behavioral Health  
Anchorage, Alaska

**POSITION STATEMENT:** Presented information on SB 103.

MICHAEL LYONS, Vice President for Specialty Education  
Universal Health Services of Delaware and North Star Behavioral  
Health System  
Melbourne, Florida

**POSITION STATEMENT:** Presented information on SB 103.

CAELA NIELSEN, Parent  
North Star student  
Eagle River, Alaska

**POSITION STATEMENT:** Testified in support of SB 103.

COMMISSIONER MIKE HANLEY, Department of Education and Early  
Development (DEED)  
Juneau, Alaska

**POSITION STATEMENT:** Answered questions regarding SB 103.

#### **ACTION NARRATIVE**

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**CHAIR MIKE DUNLEAVY** called the Senate Education Standing Committee meeting to order at 3:31 p.m. Present at the call to order were Senators Huggins, Giessel, Gardner, and Chair Dunleavy.

#### **SB 103-RESIDENTIAL PSYCHIATRIC EDUCATION FUNDING**

[3:32:31 PM](#)

**CHAIR DUNLEAVY** announced the consideration of a sponsor substitute for SB 103. He noted there was a zero fiscal note.

[3:32:51 PM](#)

**SENATOR GIESSEL**, Alaska State Legislature, as sponsor, presented SB 103. She shared a story about a ride-along with the Anchorage Police Department and a call regarding a young man in foster care who was having a meltdown and was transported to a residential treatment center. She pointed out that had he been

required to stay in a long-term treatment facility, he would have missed school. She said some school districts are not adequately meeting the educational needs of such students and the bill aims to fill that gap.

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KARI NORE, Staff, Senator Giessel, Alaska State Legislature, presented information on SB 103. She said Senate Bill 103 addresses a gap in the current way we provide education services to children admitted to residential psychiatric treatment centers (RPTC's). She related that currently the RPTC's are finding that local school districts sometimes fail to provide adequate education services to children suffering from serious mental illness who have been confined by a doctor or court order to an RPTC for treatment that can last between 30 days to one year.

She stated that version I of SB 103 amends AS 14.032.083, which deals with contracting for services, to authorize a three-year pilot project for school districts to contract with the RPTC's in order to provide educational services to patients confined to RPTC's. The bill calls for the RPTC to submit a proposed contract to the local school district, which meets 21 rigorous educational standards and accountability measures - found in AS 14.30.800. In addition, the contract must include a proposed reimbursement rate to the RPTC. The local school board must then issue a decision within 30 days, including findings of fact and conclusions of law. The RPTC can appeal an adverse decision to the commissioner of the Department of Education (DOE). The State Board of Education must provide an appeals process similar to that of a charter school. She said that this approach streamlines and simplifies the process from the earlier version of SB 103.

MS. NORE explained that there are a total of 12 RPTC's statewide that could choose to educate their approximately 200 student patients. She expected only a few of the larger facilities to participate in this option. The pilot project will sunset in three years and will provide data to DOE for future use.

CHAIR DUNLEAVY noted the committee has a quorum.

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SENATOR GARDNER referred to written testimony from Timothy Cline, the Alaska AdvanceED Director, who talked about the impact he has seen in 36 years of education in Alaska when students in residential treatment centers return to their

neighborhood schools having had a good educational plan in place when they were absent. She asked if the bill includes elements of working with neighborhood schools.

MS. NORE explained that the RPTC's would work with local school districts and the Center for Education Services in order to ensure that the curriculum is matching up with the home schools.

CHAIR DUNLEAVY asked for a definition of home school.

SENATOR GARDNER clarified that it is the school in which the student was previously enrolled.

She asked if there was a provision in the bill for a temporary education program in order to communicate with a teacher or with the school a child returns to upon release.

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EVELYN ALSUP, Educational Director, North Star Behavioral Health, presented information on SB 103.

SENATOR GARDNER related that Mr. Cline's letter describes the difference between a student who does or does not have a good school program during residential treatment. She restated her question.

MS. ALSUP replied that there are provisions in the school contract for on-going communication between the school and the treatment facility. The contract would begin upon admission and would continue throughout the student's residency and discharge.

CHAIR DUNLEAVY suggested using "neighborhood school."

MS. NORE pointed out that the contract requirements are found on page 4, line 10, of the bill.

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SENATOR HUGGINS spoke of the Mat-Su Centers that have a process for on-site education.

MS. ALSUP said there are problems with that process.

SENATOR HUGGINS asked if the Mat-Su model is exportable.

MS. ALSUP said they have taken a look at the process and have tried to improve upon it.

SENATOR HUGGINS asked if RPTC's process is the answer.

MS. ALSUP believed that melding education with mental health treatment would increase the educational opportunity for the child.

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CHAIR DUNLEAVY inquired if there were situations where mental health issues would exceed the structure of the neighborhood school and mental health treatment would take precedence over that education. He concluded that the goal is to integrate education and mental health treatment.

MS. ALSUP said that is correct.

[3:43:45 PM](#)

MICHAEL LYONS, Vice President for Specialty Education, Universal Health Services of Delaware and North Star Behavioral Health System, presented information on SB 103. He thanked the sponsor and her staff for their hard work on this legislation. He described the services provided by his programs and the need to provide a free and appropriate public education to RPTC students, comparable to students in regular schools. He said RPTC is more effective at providing those programs than public schools. He said there were many problems with the services provided to residential students by the Anchorage School District. He described the process used to find a solution to those problems in forming a House Education Subcommittee to work with the district and North Star.

He stated that SB 103 will allow RPTC's to enter into a contract with local school districts to provide equitable education service with measurable outcomes. He said his organization operates over 200 behavioral health facilities throughout the nation. Their program has a comprehensive academic accountability system that includes a set of national standards for educational services in residential settings, a school improvement planning process, and an outcome management system. He concluded that they have shared their system with the Anchorage School District and DOE.

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SENATOR HUGGINS asked about student count and how money is allocated. He suggested vouchers as a solution.

MR. LYONS said under their model all children would be counted in the Anchorage School District. SB 103 simply allows a contract between North Star and the district.

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CAELA NIELSEN, Parent, North Star student, testified in support of SB 103. She described her background as an educator and her son's disorders and the services provided for him by the Anchorage School District. She recalled his suspension when he was 13 and the process they followed in his IEP in the regular school district. He was in various treatment programs, including North Star and Palmer, which put him behind in school where he ended up in a manic state and tried to overdose. She recalled his history in and out of treatment centers. She listed what she needed for her son and what she hoped to receive for him at treatment centers. She strongly encouraged support for the educational project found in SB 103.

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CHAIR DUNLEAVY asked if Ms. Nielsen is a public school teacher.

MS. NIELSON said yes.

CHAIR DUNLEAVY opened public testimony.

SENATOR GARDNER referred to Ms. Nielsen's testimony and asked if RPTC's would have contracts with all schools.

[4:01:24 PM](#)

MS. ALSUP replied that the bill will allow contracts to various districts, if needed. There would be communication with all schools and each child would have a case manager.

SENATOR GARDNER asked how educational records would transfer between the school and the RPTC.

MS. ALSUP said the records would be in RPTC's possession and they would be responsible to gather them.

SENATOR GARDNER asked if schools would have access to records upon a child's discharge.

MS. ALSUP clarified that the receiving school would be given all academic records and be involved in the discharge process.

[4:03:31 PM](#)

CHAIR DUNLEAVY noted the presence of Senator Stevens. He asked Ms. Alsup if she is a teacher.

MS. ALSUP said she has worked in the district as an educator for 26 years.

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MS. ALSUP shared how stressful it is to a family when a child needs inpatient mental health treatment and the importance of equitable access to school curriculum during this time. She said a student's education should not be compromised during treatment; education plays an essential part in successful treatment.

She shared an example of a student in treatment who was not taking classes that counted toward graduation. The Anchorage School District made a conscious effort to correct situations like this after the last legislative session, but there are still areas of deficiency. She addressed how North Star would address the deficiencies and improve educational opportunities for students in treatment.

[4:07:01 PM](#)

SENATOR GARDNER asked whether the appeals process mirrors the language of charter schools.

MS. ALSUP said they align closely.

SENATOR GARDNER said she has drawn a blank from her local school district when trying to find out their perspective regarding this issue.

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COMMISSIONER MIKE HANLEY, Department of Education and Early Development (DEED), answered questions regarding SB 103.

SENATOR STEVENS asked if the appeals process is an "end run" around districts.

COMMISSIONER HANLEY said it does not feel like it is an end run, but an opportunity to pursue what the RPTC feels is the proper treatment for students, much like strengthening charter school laws in HB 278. There was language in HB 278 that required districts to make their decisions based on findings of fact and conclusions of law, and the same language is in SB 103. In the funding language in the bill, the school board needs to find

that the funding requested is reasonable. What is appealable is relatively narrow.

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SENATOR GARDNER asked if there is anything in the bill that gives concern.

COMMISSIONER HANLEY said not from the state's perspective. Even though the bill provides that the district "shall" enter a contract, the rest of the bill speak to the components of the contract. He said he has spoken extensively with the Anchorage School District about the bill.

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CHAIR DUNLEAVY kept public testimony open.

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SENATOR GIESSEL provided closing comments, saying as a nurse practitioner, she is very aware that some of her clients very often have behavioral health issues. There is a huge deficiency in the state in addressing behavioral health issues and there are barriers that are preventing qualified clinicians and educators from serving these children. She concluded that SB 103 is an opportunity to begin to meet the significant behavioral health problems in Alaska.

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SENATOR GARDNER appreciated the sponsor's bringing the bill forward and for Ms. Alsup's help in addressing concerns.

CHAIR DUNLEAVY set SB 103 aside.

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There being no further business to come before the committee, Chair Dunleavy adjourned the Senate Education Committee at 4:13 p.m.