

**ALASKA STATE LEGISLATURE
HOUSE EDUCATION STANDING COMMITTEE**

April 21, 2021

8:03 a.m.

MEMBERS PRESENT

Representative Harriet Drummond, Co-Chair
Representative Andi Story, Co-Chair
Representative Tiffany Zulkosky
Representative Grier Hopkins
Representative Mike Prax
Representative Mike Cronk
Representative Ronald Gillham

MEMBERS ABSENT

All members present

OTHER LEGISLATORS PRESENT

Representative Ken McCarty
Representative Matt Claman

COMMITTEE CALENDAR

CONFIRMATION HEARING(S) :

University of Alaska Board of Regents

Scott Jepsen - Anchorage

- CONFIRMATION(S) ADVANCED

HOUSE BILL NO. 60

"An Act relating to mental health education."

- MOVED CSHB 60(EDC) OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: HB 60

SHORT TITLE: PUBLIC SCHOOLS: MENTAL HEALTH EDUCATION

SPONSOR(S): REPRESENTATIVE(S) CLAMAN

02/18/21 (H) PREFILE RELEASED 1/15/21
02/18/21 (H) READ THE FIRST TIME - REFERRALS

02/18/21	(H)	EDC, FIN
03/31/21	(H)	EDC AT 8:00 AM DAVIS 106
03/31/21	(H)	Heard & Held
03/31/21	(H)	MINUTE(EDC)
04/16/21	(H)	EDC AT 8:00 AM DAVIS 106
04/16/21	(H)	Heard & Held
04/16/21	(H)	MINUTE(EDC)
04/21/21	(H)	EDC AT 8:00 AM DAVIS 106

WITNESS REGISTER

SCOTT JEPSEN, Appointee
University of Alaska Board of Regents
Anchorage, Alaska

POSITION STATEMENT: Spoke as an appointee to the University of Alaska Board of Regents.

REPRESENTATIVE KEN MCCARTY
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions as co-sponsor of HB 60.

DEBORAH RIDDLE
Division Operations Manager
Innovation and Educational Excellence
Department of Education & Early Development
Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions during the hearing on HB 60.

REPRESENTATIVE MATT CLAMAN
Alaska State Legislature
Juneau, Alaska

POSITION STATEMENT: Provided information and answered questions as prime sponsor of HB 60.

ACTION NARRATIVE

[8:03:13 AM](#)

CO-CHAIR HARRIET DRUMMOND called the House Education Standing Committee meeting to order at 8:03 a.m. Representatives Story, Cronk, Gilham, Hopkins, Prax, Zulkosky, and Drummond were present at the call to order. Other legislators present were Representatives Claman and McCarty.

CONFIRMATION HEARING(S) :
University of Alaska Board of Regents

[8:03:54 AM](#)

CO-CHAIR DRUMMOND announced that the first order of business would be the confirmation hearing for consideration of the governor's appointee to the University of Alaska Board of Regents.

[8:04:12 AM](#)

SCOTT JEPSEN, Appointee, University of Alaska Board of Regents, noted that the committee had received his resume [hardcopy included in committee packet] and offered a summary of his experience. He told the committee that he received a Bachelor of Science and a Master of Science in Chemical Engineering from the University of Texas at Austin, and subsequently worked in Denver, Colorado for the Atlantic Richfield Company (ARCO). He transferred to Anchorage in 1982, and he commented that the 1980s were a good time to be involved in North Slope development. He moved back to Texas in 1991 to manage ARCO's oil and gas fields in Wyoming, New Mexico, and Colorado. He returned to Alaska in 1997 to manage the Kuparuk Development for ARCO, later leading the technical efforts to sell ARCO Alaska, a condition of BP Amoco p.l.c. acquisition of ARCO. He shared that he managed ConocoPhillips Alaska's Cook Inlet business, and its external affairs and pipeline business.

MR. JEPSEN said that he retired in March of 2020 and intends to stay in Alaska, and that he now has the time to serve on the University of Alaska Board of Regents. He said he has watched University of Alaska (UA) graduates evolve to the point that they now compare favorably with the graduates from other universities that ConocoPhillips Alaska recruits from, and that he has been an advocate in recruiting from UA campuses due to the record of UA graduates understanding the state, and wanting to stay in Alaska. He said hiring Alaskans was good for the company and good for UA graduates, so he would like to help give Alaskans the opportunity to get a good education in their home state that would qualify them for Alaska jobs.

MS. JEPSEN noted that he served on the University of Alaska Foundation, which is in charge of managing the UA endowment, from 2011-2020, both as a board member and chair. As a board member, he said, he had the opportunity to evaluate the strengths and weaknesses of the UA system and its ability to

meet the needs of Alaskans. He said UA had strong programs in teaching, accounting, logistics, engineering, mining, hard rock geology, arctic research, and indigenous studies, among other disciplines, and he commented that the drone research program is among the best in the country. Offering two-year degrees, certificates, undergraduate, and graduate programs, he said, means the UA system offers educational opportunities that Alaskans might not otherwise be able to access. He expressed that he has the opportunity to help UA become stronger and more stable, with a strategic vision for the future that recognizes the fiscal pressures on the state as well as the needs of the greater Alaskan community.

[8:10:13 AM](#)

REPRESENTATIVE STORY asked Mr. Jepsen to elaborate what he learned about the university system during his 9 years with the University of Alaska Foundation. She also asked him to discuss the programs he had seen success in and what goals he hoped to see the regents accomplish.

MR. JEPSEN described UA as a system of three relatively independent universities that need to work together to respond to the fiscal pressures of the state and find efficiencies while still delivering quality education. He said UA was struggling with the compact reductions, but UA Interim President Pat Pitney has a plan for the next phase of budget reductions and reorganization. He emphasized a need for long-term stability, where programs were no longer at risk of being cut, and students are confident in UA's ability to graduate them in the programs. He also discussed the need for UA to work with the legislature on reliable and stable funding, and he suggested that UA also needs to look at ways to increase revenue outside of the legislative process. Enrollment dropped by approximately 6,000 full-time equivalent students over the past six years after a period of increasing enrollment, he said, and the regents need to understand what happened.

MR. JEPSEN then discussed his hope for a stable funding mechanism within the next five years, and he said a positive vision for students and UA needs to be aligned with all the stakeholders' interests. He said most of the stakeholders understand the reality of Alaska's fiscal situation, and that most things can be achieved once interests are aligned. He expressed that his experience could help UA achieve his vision.

[8:16:40 AM](#)

REPRESENTATIVE PRAX asked how Mr. Jepsen felt UA could better align with the petroleum industry.

MR. JEPSEN replied that he had many interactions with programs at UAF and UAA while in his positions in the petroleum industry, and he expressed that UA was in a good place to support the industry. He said UA has been good at getting federal grants for research relating to the North Slope, and that the major companies were hiring engineers from UA. He characterized the engineering program as "robust," and he suggested that Alaska could do more for the petroleum industry.

REPRESENTATIVE PRAX asked about his familiarity with associate degrees and the Process Technologies program.

MR. JEPSEN replied that he interacted with that program at his previous job.

[8:18:53 AM](#)

REPRESENTATIVE ZULKOSKY asked Mr. Jepsen to discuss his perspective on the roll outlying community campuses play with respect to UA's efforts to provide quality education to all Alaskans.

MR. JEPSEN responded that he believed the community colleges play a very important role in delivering UA's education mission. He noted that a student can get a PhD from a community campus, and he expressed that it is critical that Alaskans have access to higher education. He said the long-term the challenge would be continuing to deliver education in an efficient and cost-effective manner.

REPRESENTATIVE ZULKOSKY she asked whether he would be committed to preventing "downstream impacts" in community campuses.

MR. JEPSEN replied that he would emphasize prevention of such impacts, and that the programs need to remain viable while costs are being reduced.

[8:21:36 AM](#)

CO-CHAIR DRUMMOND asked Mr. Jepsen to discuss his views on the efforts by the University of Alaska Foundation to contribute to UA's revenue.

MR. JEPSEN said the current fundraising program is likely the largest one the foundation has ever taken on, with the fundraising goal of \$200 million. The funds will go into the endowment, he said, which ideally earns approximately 5 percent per year. He pointed out that the endowment doesn't provide funds for operating or capital costs.

[8:23:12 AM](#)

REPRESENTATIVE STORY pointed out that one of the stakeholders in UA is the primary and secondary education system ("K-12 education"), and she asked Mr. Jepsen to discuss his views on the teacher training programs with respect to the reading program.

MR. JEPSEN replied that, while he isn't familiar with the teacher training programs, he agrees with the importance of K-12 education.

REPRESENTATIVE STORY expressed that she had been surprised to learn that the Board of Regents had not met with the State Board of Education and Early Development to discuss alignment of preparing K-12 students for higher education.

MR. JEPSEN replied that he doesn't know why the two organizations have not met on that subject, but that he would be supportive of such a discussion.

[8:26:10 AM](#)

REPRESENTATIVE GILLHAM asked Mr. Jepsen for his opinion on consolidating the three main campuses.

MR. JEPSEN expressed that consolidation should be considered, but there are impediments. He said he would keep an open mind in considering options.

[8:27:56 AM](#)

CO-CHAIR DRUMMOND opened public testimony on the governor's appointee to the University of Alaska Board of Regents. After ascertaining that no one wished to testify, she closed public testimony.

[8:28:44 AM](#)

CO-CHAIR STORY stated that the House Education Standing Committee has reviewed the qualifications of the governor's appointee and recommends that the name be forwarded to a joint session for consideration: Scott Jepsen, University of Alaska Board of Regents. She said that signing the report regarding appointments to boards and commissions in no way reflects an individual member's approval or disapproval of the appointee, and the nomination is merely forwarded to the full legislature for confirmation or rejection.

[8:29:08 AM](#)

The committee took an at-ease from 8:29 a.m. to 8:33 a.m.

HB 60-PUBLIC SCHOOLS: MENTAL HEALTH EDUCATION

[8:33:27 AM](#)

CO-CHAIR DRUMMOND announced that the final order of business would be HOUSE BILL NO. 60, "An Act relating to mental health education."

[The motion to adopt the proposed committee substitute (CS) for HB 60, Version 32-LS0261\B, Klein, 3/25/21, as a work draft had been left pending with an objection during the 3/31/21 meeting of the House Education Standing Committee.]

CO-CHAIR DRUMMOND, having objected to the adoption of the proposed CS for HB 60 as the work draft during the 3/31/21 hearing, removed her objection. There being no further objection, CSHB 60(EDC) ("Version B") was before the committee.

[8:34:39 AM](#)

REPRESENTATIVE CRONK moved to adopt Amendment 1 to CSHB 60(EDC), labeled 32-LX0261\B.1, Klein, 3/31/21, which read as follows:

Page 1, line 1, following "education":
Insert "; and relating to duties of school districts"

Page 2, line 2, following "services.":
Insert "**A public school shall post in a public area of the school a list of counseling agencies offering services within the district.**"

[8:34:55 AM](#)

REPRESENTATIVE ZULKOSKY objected for the purpose of discussion.

[8:35:04 AM](#)

REPRESENTATIVE CRONK deferred to Representative McCarty.

[8:35:44 AM](#)

REPRESENTATIVE KEN MCCARTY, Alaska State Legislature, as co-sponsor of HB 60, addressed Amendment 1. He explained that the intent of Amendment 1 is to require public schools to post in a public area a list of counseling agencies offering services within the district. He suggested that schools have been resistant to posting such information.

[8:36:54 AM](#)

REPRESENTATIVE STORY discussed the importance of making it clear that the school or school district isn't recommending any specific counselor or service, as well as keeping the list updated. She also expressed the concern that the committee may be "getting ahead" of what would be appropriate for school districts.

[8:38:34 AM](#)

REPRESENTATIVE ZULKOSKY asked whether there exists a public process for notice and deliberation so interested parties can have input on such recommendations.

REPRESENTATIVE STORY expressed that she believes there is a public process.

[8:39:37 AM](#)}

DEBORAH RIDDLE, Division Operations Manager, Innovation and Educational Excellence, Department of Education & Early Development (DEED), explained that there is significant stakeholder input into standards and processes, including committees to follow guidelines based on legislation. She said revisions in standards undergo public comment periods of 30 to 60 days.

REPRESENTATIVE ZULKOSKY expressed her appreciation of the intent of Amendment 1, and she said she agreed with Representative

Story with respect to "getting ahead" of school districts and local control.

[8:41:46 AM](#)

REPRESENTATIVE HOPKINS asked how a definition of "counseling agencies" would be developed.

REPRESENTATIVE MCCARTY replied that all counseling agencies are recognized through professional licensing. He said the amendment would not be "selective" to any counseling agency.

REPRESENTATIVE HOPKINS asked whether it would be the responsibility of the school district to research licensed counseling agencies for inclusion on the list.

REPRESENTATIVE MCCARTY responded that he doesn't see it as a burden for schools to identify such agencies and resources.

REPRESENTATIVE HOPKINS asked whether there is any type of counseling or agency currently not allowed in school districts.

REPRESENTATIVE MCCARTY stated that he is unaware of any such situation.

REPRESENTATIVE HOPKINS commented that he wouldn't want to exclude agencies that aren't able to advertise.

[8:44:45 AM](#)

CO-CHAIR DRUMMOND pointed out that communities in remote areas often do not have counseling services. She said she expects to hear from communities with a lack of resources in mental health care.

REPRESENTATIVE MCCARTY commented on the increased availability of teletherapy. He then shared an anecdote highlighting the technical difficulties of accessing the internet in remote villages.

[8:47:52 AM](#)

REPRESENTATIVE PRAX stated his support for Amendment 1.

[8:49:20 AM](#)

REPRESENTATIVE MATT CLAMAN, Alaska State Legislature, as prime sponsor of HB 60, stated that while he appreciates the intent of Amendment 1, he does not support it. He voiced concerns with making an unfunded mandate that would affect every district, and he said that every time a counseling agency opened, the list would need to be updated. While such a mandate may not be a problem in a community like Unalaska, he said, the Anchorage School District would shoulder considerable obligations and expenses.

[8:51:42 AM](#)

CO-CHAIR DRUMMOND noted that even Girdwood is included in the Anchorage School District.

[8:52:04 AM](#)

REPRESENTATIVE STORY maintained her objection to Amendment 1.

[8:52:12 AM](#)

A roll call vote was taken. Representatives Prax, Cronk, and Gillham voted in favor of adopting Amendment 1 to CSHB 60(EDC). Representatives Zulkosky, Hopkins, Drummond, and Story voted against it. Therefore, Amendment 1 to CSHB 60(EDC) failed by a vote of 4-3.

[8:53:25 AM](#)

REPRESENTATIVE CRONK moved to adopt Amendment 3 to CSHB 60(EDC), labeled 32-LS0261\B.3, Klein, 4/5/21, which read as follows:

Page 1, line 1, following "education":

Insert "**; and relating to licensed professional counselors, marital and family therapists, psychologists and psychological associates, and social workers**"

Page 1, following line 8:

Insert new bill sections to read:

"* **Sec. 2.** AS 08.29.230 is amended by adding a new subsection to read:

(b) A person licensed under this chapter may not engage in the practice of professional counseling while facilitating mental health instruction as part of a school district mental health education program under AS 14.30.360.

* **Sec. 3.** AS 08.63.240 is amended by adding a new subsection to read:

(b) A person licensed under this chapter may not engage in the practice of marital and family therapy while facilitating mental health instruction as part of a school district mental health education program under AS 14.30.360.

* **Sec. 4.** AS 08.86.180 is amended by adding a new subsection to read:

(e) A person licensed under this chapter may not engage in the practice of psychology or practice as a psychological associate while facilitating mental health instruction as part of a school district mental health education program under AS 14.30.360.

* **Sec. 5.** AS 08.95 is amended by adding a new section to article 2 to read:

Sec. 08.95.135. Limitation of practice. A person licensed under this chapter may not engage in the practice of social work while facilitating mental health instruction as part of a school district mental health education program under AS 14.30.360."

Renumber the following bill sections accordingly.

Page 2, following line 17:

Insert a new bill section to read:

"* **Sec. 8.** AS 14.30.360 is amended by adding a new subsection to read:

(e) A district conducting a mental health education program shall require a teacher, other district employee, or instructor who facilitates mental health instruction to inform students that the teacher, employee, or instructor is not acting as a licensed professional counselor, a licensed marital and family therapist, a psychologist or a psychological associate, or a social worker and cannot provide counseling or mental health services as part of the mental health education program."

Renumber the following bill section accordingly.

Page 2, line 21:

Delete "sec. 3"

Insert "sec. 7"

[8:53:33 AM](#)

REPRESENTATIVE ZULKOSKY objected for the purpose of discussion.

[8:53:43 AM](#)

REPRESENTATIVE CRONK deferred to Representative McCarty.

[8:53:46 AM](#)

REPRESENTATIVE MCCARTY explained that Amendment 3 would prohibit counselors invited to a school to engage in mental health education from engaging in either individual or group therapy.

[8:56:31 AM](#)

The committee took an at-ease from 8:56 a.m. to 8:59 a.m.

[8:59:05 AM](#)

CO-CHAIR DRUMMOND said Amendment 3 would be set aside for later consideration.

[8:59:26 AM](#)

REPRESENTATIVE PRAX moved to adopt Amendment 6 to CSHB 60(EDC), labeled 32-LS0261\B.6, Klein, 4/20/21, which read as follows:

Page 1, lines 7 - 8:

Delete "Department of Health and Social Services, regional tribal health organizations, and representatives of national and state mental health organizations"

Insert "Statewide Suicide Prevention Council"

Page 2, lines 6 - 8:

Delete "Department of Health and Social Services, regional tribal health organizations, and representatives of national and state mental health organizations"

Insert "Statewide Suicide Prevention Council"

[9:00:36 AM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

[9:00:45 AM](#)

REPRESENTATIVE PRAX explained that there is a Statewide Suicide Prevention Council, and he opined that it's appropriate to involve such a group in mental health education instead of involving the organizations currently listed in the proposed legislation.

[9:02:30 AM](#)

REPRESENTATIVE ZULKOSKY pointed out that the Statewide Suicide Prevention Council would likely be included as a state organization in the context of consultation for the establishment of the guidelines in the proposed legislation. She expressed that the exclusion of the state and tribal organizations, as well as the representatives of national and state mental health organizations, would hamper the ability of the State Board of Education to develop appropriate guidelines for mental health education. She pointed out that suicide is not the only mental health issue experienced by youth in Alaska.

[9:03:41 AM](#)

REPRESENTATIVE CLAMAN stated his agreement with Representative Zulkosky's observations, and he added that the goal of the proposed legislation is to create health curriculum guidelines that include mental health with the other health topics.

[9:04:29 AM](#)

REPRESENTATIVE HOPKINS stated his agreement with the comments by Representatives Zulkosky and Claman.

CO-CHAIR DRUMMOND asked Representative Zulkosky whether the Statewide Suicide Prevention Council is within the Department of Health and Social Services (DHSS).

REPRESENTATIVE ZULKOSKY replied that she doesn't recall the council existing within DHSS, but that it is a statewide council.

[9:06:10 AM](#)

REPRESENTATIVE PRAX noted that the Statewide Suicide Prevention Council appears within the DHSS website.

CO-CHAIR DRUMMOND recalled that until recently, DHSS and DEED were one department. She then objected to Amendment 6.

[9:07:11 AM](#)

REPRESENTATIVE STORY maintained her objection.

[9:07:23 AM](#)

A roll call vote was taken. Representatives Gillham and Prax voted in favor of adopting Amendment 6 to CSHB 60(EDC). Representatives Zulkosky, Hopkins, Cronk, Drummond, and Story voted against it. Therefore, Amendment 6 failed by a vote of 5-2.

[9:08:29 AM](#)

The committee took an at-ease from 9:08 a.m. to 9:09 a.m.

[9:09:23 AM](#)

CO-CHAIR DRUMMOND announced that the committee would now consider Amendment 3 to CSHB 60(EDC), which had been moved earlier in the meeting.

[9:10:00 AM](#)

REPRESENTATIVE MCCARTY said the intent of Amendment 3 is to address a person's scope of ability to provide mental health education by requiring that facilitator of a discussion to disclose that he or she is not a mental health counselor and may not provide individual or group therapy.

[9:11:16 AM](#)

REPRESENTATIVE ZULKOSKY referred to assertions that the proposed legislation would seek to diagnose, screen, treat, and medicate youth in a school environment. She clarified that the proposed legislation would instruct the State Board of Education to establish guidelines to incorporate mental health as a component of health education. She referred to information by the Centers for Disease Control and Prevention (CDC) [included in the committee packet] that provides a "framework for teachers, administrators, and policymakers in designing or selecting curricula." She stressed that the intention of the proposed legislation is to include mental health in the consideration of "whole person health." She stated that she could not support the amendment.

[9:13:16 AM](#)

REPRESENTATIVE HOPKINS stated his agreement with Representative Zulkosky's comments. He pointed out that school districts often have employees who fill multiple roles; for instance, he said, a social worker may also be licensed as an educator to teach health, and may be prohibited from doing half of their job. He also expressed concerns regarding the ethics of prohibiting a licensed professional from engaging in their area of expertise for simply having a discussion with students.

[9:15:49 AM](#)

REPRESENTATIVE MCCARTY discussed counselors being invited into schools as guest speakers.

[9:17:35 AM](#)

REPRESENTATIVE CLAMAN stated that he does not support Amendment 3, and he pointed out several statutes that prohibit licensed professional counselors from engaging in practice with a person they do not have a client relationship with. He then said that schools should not be taking the place of medical boards in evaluating and regulating counseling professionals. He said that a cardiologist who is invited to speak to students about heart health knows to not diagnose students in the school setting, so the inclusion of such language regarding mental health professionals is unnecessary.

CO-CHAIR DRUMMOND pointed out that Amendment 3 would amend Title 8, Business and Professions, which is outside the scope of the proposed legislation.

[9:20:36 AM](#)

REPRESENTATIVE PRAX pointed out his lack of knowledge of the subject under discussion, and he opined that adding the restriction as described in Amendment 3 is "worth doing."

[9:21:20 AM](#)

REPRESENTATIVE STORY maintained her objection.

[9:21:30 AM](#)

A roll call vote was taken. Representatives Cronk, Gillham, and Prax voted in favor of adopting Amendment 3 to CSHB 60(EDC).

Representatives Zulkosky, Hopkins, Drummond, and Story voted against it. Therefore, Amendment 3 failed by a vote of 4-3.

[9:22:39 AM](#)

REPRESENTATIVE PRAX moved to adopt Amendment 4 to CSHB 60(EDC), labeled 32-LS0261\B.4, Klein, 4/19/21, which read as follows:

Page 2, line 8, following "organizations.":
Insert "The state board may not implement health instruction guidelines without first obtaining legislative approval by law. The state board may recommend legislation including the guidelines for developmentally appropriate instruction in mental health developed under this subsection."

[9:22:47 AM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

[9:22:50 AM](#)

REPRESENTATIVE PRAX characterized the subject [of mental health education] as "controversial," and he suggested that the legislature should be involved in the process of approving the educational guidelines, so they get "sufficient attention."

REPRESENTATIVE ZULKOSKY pointed out that Amendment 4 would require, by law, legislative approval of health instruction guidelines. She expressed the opinion that such mandates would be government overreach, and that government-approved guidelines are adopted at the local level in the school districts. She stated that she does not support Amendment 4.

[9:24:32 AM](#)

REPRESENTATIVE CLAMAN noted that the Alaska Board of Education and Early Development has many standards and guidelines to enact which don't require legislative approval. He expressed agreement with Representative Zulkosky's comments, and he said he does not support Amendment 4.

REPRESENTATIVE PRAX said, "I appreciate that the intention of this is for these to be just guidelines, but in practice it doesn't work that way. We've heard with this 'COVID business' that ... many of the local jurisdictions were looking towards the state to do something, or they were adopting their policy

based on the state guidelines." He said the elected local representatives on the school board would be adopting the guidelines, but state guidelines should be approved by state-level representatives.

[9:26:22 AM](#)

REPRESENTATIVE STORY maintained her objection.

[9:26:26 AM](#)

A roll call vote was taken. Representatives Prax, Cronk, and Gillham voted in favor of adopting Amendment 4 to CSHB 60(EDC). Representatives Zulkosky, Hopkins, Drummond, and Story voted against it. Therefore, Amendment 4 failed by a vote of 4-3.

[9:27:28 AM](#)

REPRESENTATIVE PRAX moved to adopt Amendment 5 to CSHB 60(EDC), labeled 32-LX0261\B.5, Klein, 4/19/21, which read as follows:

Page 2, following line 17:

Insert a new bill section to read:

"* **Sec. 4.** AS 14.30.360 is amended by adding a new subsection to read:

(e) A district shall, before instructing students in mental health as part of a program in health education under (a) of this section, provide notice to parents and guardians of students participating in the program that

(1) describes the mental health components of the program;

(2) identifies the time and place of the mental health instruction; and

(3) informs parents or guardians how to, under AS 14.03.016, object to and withdraw the student from the program."

Renumber the following bill section accordingly.

[9:27:28 AM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

[9:27:31 AM](#)

REPRESENTATIVE PRAX said Amendment 5 would require parental notification of the mental health curriculum, and that parents would have the option of removing their children from that section of their health education.

[9:28:14 AM](#)

REPRESENTATIVE CLAMAN pointed out that parents' rights are already protected under AS 14.03.016, which provides the right of a parent to remove a child from certain components of education.

REPRESENTATIVE CRONK expressed concerns about having mental health education without parental input. He said that he doesn't think it would be a burden to specify that parents could withdraw their children from mental health education.

REPRESENTATIVE MCCARTY opined that it would not be a burden, and he mentioned informed consent.

[9:31:51 AM](#)

REPRESENTATIVE STORY referred to the fiscal note for 20 parents and qualified stakeholders to participate in developing the mental health education guidelines. She then stated that she maintained her objection.

[9:32:47 AM](#)

A roll call vote was taken. Representatives Prax, Cronk, and Gillham voted in favor of adopting Amendment 5 to CSHB 60(EDC). Representatives Hopkins, Zulkosky, Drummond, and Story voted against it. Therefore, Amendment 5 failed by a vote of 4-3.

[9:33:35 AM](#)

REPRESENTATIVE GILLHAM moved to adopt Amendment 7 to CSHB 60(EDC), labeled 32-LX0261\B.7, Klein, 4/20/21, which read as follows:

Page 1, lines 5 - 8:

Delete all material and insert:

"LEGISLATIVE INTENT. It is the intent of the legislature that the Board of Education and Early Development develop guidelines for instruction in mental health within the framework of overall wellness to promote physical, emotional, and mental wellness

and to strengthen personal and community resilience in coordination with parents, spiritual advisers or leaders, business leaders, complementary and alternative health care providers, and representatives of mental health organizations and regional tribal health organizations, including the Statewide Suicide Prevention Council, the National Council for Behavioral Health, Providence Health & Services Alaska, Southcentral Foundation, Anchorage Community Mental Health Services, Inc., North Star Behavioral Health System, and the National Alliance on Mental Illness Alaska."

[9:33:52 AM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

REPRESENTATIVE GILLHAM opined that the language of Amendment 7 would bring the text of the proposed legislation in line with the State of Alaska's suicide prevention plan, which promotes "exposure to respected adults and role models in our communities." He said, "Some of the smaller villages do not have licensed social workers, but every village has elders that the young people can go to, that are respected." He then stated that he does not support teaching mental health in schools.

[9:35:13 AM](#)

REPRESENTATIVE ZULKOSKY discussed evidence-based health recommendations that utilize health experts from DHSS, tribal health organizations, and mental health organizations. She referred to the considerations within the fiscal note regarding bring stakeholders together to develop the guidelines, and she pointed out that village elders are already actively involved in schools, and that such activities don't need to be enshrined in state law. Pulling in business leaders or alternative health care providers, she said, would broaden the scope beyond evidence-based education.

[9:36:49 AM](#)

REPRESENTATIVE CLAMAN stated that he agrees with Representative Zulkosky's comments, and that he does not support Amendment 7.

[9:37:13 AM](#)

REPRESENTATIVE STORY maintained

A roll call vote was taken. Representatives Prax, Cronk, and Gillham voted in favor of Amendment 7 to CSHB 60(EDC). Representatives Zulkosky, Story, Hopkins, and Drummond voted against it. Therefore, Amendment 7 failed by a vote of 4-3.

[9:38:00 AM](#)

REPRESENTATIVE GILLHAM moved to adopt Amendment 8 to CSHB 60(EDC), labeled 32-LX0261\B.8, Klein, 4/20/21, which read as follows:

Page 2, line 2, following "services.":

Insert "The mental health curriculum must emphasize drugless approaches and include a broad range of material addressing informed consent, psychiatric drug withdrawal symptoms, and complementary and alternative approaches to mental health."

[9:38:06 AM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

[9:38:15 AM](#)

REPRESENTATIVE GILLHAM talked about his son's childhood mental health issues, and he said, "I think we should emphasize that pharmaceutical intervention is not the goal of mental wellness instruction."

[9:39:23 AM](#)

REPRESENTATIVE ZULKOSKY pointed out sections of the guidelines that relate to well-being, differentiating emotions, communication skills, conflict resolution, and relationship dynamics. She said a social worker in a school in her district said that her duties included consultation with staff and families, referrals, and community outreach. She said that Amendment 8 seems to suggest that pharmaceutical recommendations would be made within the curriculum. She then stated that she does not support Amendment 8.

[9:40:54 AM](#)

REPRESENTATIVE HOPKINS agreed with Representative Zulkosky's comments, and he pointed out that teachers would not be

diagnosing students but would be teaching them to identify when they have concerns, so students could ask for help. He stated that he does not support Amendment 8.

[9:42:12 AM](#)

REPRESENTATIVE PRAX mentioned schools being open to all children, and he talked about "giving the committee very specific instructions."

[9:43:29 AM](#)

REPRESENTATIVE CLAMAN shared his agreement with Representatives Zulkosky and Hopkins, and he said that he does not support Amendment 8.

[9:43:50 AM](#)

REPRESENTATIVE STORY maintained

A roll call vote was taken. Representatives Gillham, Cronk, and Prax voted in favor of Amendment 8 to CSHB 60(EDC). Representatives Story, Drummond, Hopkins, and Zulkosky voted against it. Therefore, Amendment 8 failed by a vote of 4-3.

[9:44:36 AM](#)

REPRESENTATIVE GILLHAM moved to adopt Amendment 9 to CSHB 60(EDC), labeled 32-LS0261\B.9, Klein, 4/20/21, which read as follows:

Page 2, lines 4 - 17:

Delete all material and insert:

"(b) The state board shall establish guidelines for a health and personal safety education program. Guidelines for the health education program must establish standards for instruction in mental health. Guidelines for the health education program must be developed in consultation with the Department of Health and Social Services and representatives of national and state mental health organizations, with the active participation of parents, spiritual advisers or leaders, business leaders, and complementary and alternative health care providers. Personal safety guidelines shall be developed in consultation with the Council on Domestic Violence and Sexual Assault. Upon request, the Department of

Education and Early Development, the Department of Health and Social Services, and the Council on Domestic Violence and Sexual Assault shall provide technical assistance to school districts in the development of personal safety curricula. A school health education specialist position shall be established and funded in the department to coordinate the program statewide. Adequate funds to enable curriculum and resource development, adequate consultation to school districts, and a program of teacher training in health and personal safety education shall be provided."

[9:44:45 AM](#)

REPRESENTATIVE STORY objected for discussion.

[9:44:49 AM](#)

REPRESENTATIVE GILLHAM expressed that Amendment 9 "is in line with being inclusive of respected individuals in our communities for the general well-being of our children."

[9:45:17 AM](#)

REPRESENTATIVE ZULKOSKY pointed out the similarity between the amendment under consideration and Amendment 7, which failed to be adopted earlier in the meeting. She reiterated her concerns with ensuring evidence-based, developmentally-appropriate recommendations from experts in the mental health field, which she expressed is already inclusive, and she stated that she does not support Amendment 9.

[9:45:38 AM](#)

REPRESENTATIVE HOPKINS pointed out that the guidelines would be created and crafted at the local level, and he said that Fairbanks [North Star Borough School District] already includes parents and other stakeholders on the curriculum committees. He said that he does not believe that spiritual advisors or business leaders should not be considered unless at the local level.

[9:46:23 AM](#)

REPRESENTATIVE CLAMAN stated that he does not support Amendment 9 for the reasons already stated by Representatives Hopkins and Zulkosky.

[9:46:41 AM](#)

REPRESENTATIVE STORY maintained her objection.

[9:46:46 AM](#)

A roll call vote was taken. Representatives Cronk, Prax, and Gillham voted in favor of Amendment 9 to CSHB 60(EDC). Representatives Hopkins, Zulkosky, Story, and Drummond voted against it. Therefore, Amendment 9 failed by a vote of 4-3.

[9:47:31 AM](#)

REPRESENTATIVE GILLHAM moved to adopt Amendment 10 to CSHB 60(EDC), labeled 32-LS0261\B.10, Klein, 4/20/21, which read as follows:

Page 2, following line 17:

Insert a new bill section to read:

"* Sec. 4. AS 14.30.360 is amended by adding a new subsection to read:

(e) A district conducting a health education program under (a) of this section that includes mental health shall use the 2018-2022 State of Alaska Suicide Prevention Plan when developing the district's health education curriculum."

Renumber the following bill section accordingly.

[9:47:42 AM](#)

REPRESENTATIVE STORY objected for the purpose of discussion.

[9:47:47 AM](#)

REPRESENTATIVE GILLHAM opined that, since resources went into developing the State of Alaska Suicide Prevention Plan, the findings should be used in the mental health education curriculum.

[9:49:00 AM](#)

REPRESENTATIVE ZULKOSKY commented that, while the Suicide Prevention Plan provides recommendations to the state, the mental health education should be well-rounded instead of focusing on suicide. She said that she does not support Amendment 10.

REPRESENTATIVE HOPKINS stated his support for the Suicide Prevention Plan and its uses in the home, but he said that he does not support Amendment 10. He pointed out that the Alaska Youth Risk Behavior Survey (YRBS) covers far more than suicide prevention, and he opined that it's important to cover the "wide expanse of understanding of what mental health really is" instead of concentrating on a single topic.

[9:50:49 AM](#)

REPRESENTATIVE PRAX said that he doesn't believe Amendment 10 would limit the mental health guidelines to the Suicide Prevention Plan, and that it makes sense to include the plan in the curriculum.

[9:51:55 AM](#)

REPRESENTATIVE CLAMAN agreed with the comments of Representatives Hopkins and Zulkosky, and he stated his opposition to Amendment 10. He pointed out that adopting the amendment would enshrine in statute a specific version of the Alaska Suicide Prevention Plan.

[9:52:53 AM](#)

REPRESENTATIVE CRONK expressed that he would "probably" oppose Amendment 10.

[9:53:19 AM](#)

REPRESENTATIVE STORY shared her belief that the stakeholders who create the guidelines would include suicide prevention, so the inclusion in statute of the specific plan is not necessary.

[9:53:48 AM](#)

REPRESENTATIVE STORY maintained her objection.

[9:53:55 AM](#)

A roll call vote was taken. Representatives Prax and Gillham voted in favor of CSHB 60(EDC). Representatives Cronk, Zulkosky, Hopkins, Drummond, and Story voted against it. Therefore, Amendment 10 failed by a vote of 5-2.

[9:54:38 AM](#)

The committee took an at-ease from 9:54 a.m. to 9:55 a.m.

[9:55:31 AM](#)

CO-CHAIR DRUMMOND pointed out that Amendment 11 appears to be identical to Amendment 5, which failed to be adopted.

REPRESENTATIVE GILLHAM said that he withdrew Amendment 11.

[9:56:15 AM](#)

REPRESENTATIVE Story moved to report CSHB 60, Version 32-LS0261\B, Klein, 3/25/21, out of committee with individual recommendations and the accompanying fiscal notes.

[9:56:35 AM](#)

REPRESENTATIVE PRAX objected. He opined that the proposed legislation is "fundamentally flawed," and he expressed concern at the prospect of state involvement in mental health education. He said, "There just so many ideas, and so many world views out there, and we're going to be eliminating all those ideas in order to arrive at something."

[9:57:33 AM](#)

REPRESENTATIVE CRONK expressed agreement with Representative Prax. He said the public is losing trust in the school system, and this legislation, which would allow education he characterized as "controversial," would increase mistrust.

[9:58:08 AM](#)

REPRESENTATIVE ZULKOSKY, recalling testimony provided during the April 16, 2021, meeting of the House Education Standing Committee and said:

The internet does not provide a safe environment for a young person to identify what they may be internally experiencing ... By providing school districts with

the opportunity to utilize evidence-based, place-based curriculum, that has been highly vetted through the public deliberative process through the State Board of Education, is a much safer way for Alaska young people to be able to articulate what they're going through.

REPRESENTATIVE ZULKOSKY noted that the fiscal note would ensure a high level of stakeholder engagement to include community leaders, parents, educators, and health, social services, and mental health experts.

[9:59:54 AM](#)

REPRESENTATIVE GILLHAM shared that his constituents have written in opposition to the proposed legislation at, by his estimate, a 15 to 1 ratio.

[10:00:28 AM](#)

REPRESENTATIVE HOPKINS stated that the proposed legislation does not mandate any action be taken by a school district, or that students learn about the physical or chemical processes that may be happening in their bodies and brains. He emphasized that the proposed legislation would give school districts guidelines to implement mental health education, and he pointed out that there are many stakeholders in Fairbanks that serve on the curriculum development committee for the school district. He stated that he would "proudly" support the proposed legislation, and he thanked Representative Claman for introducing it.

[10:01:55 AM](#)

REPRESENTATIVE PRAX maintained his objection.

[10:02:04 AM](#)

A roll call vote was taken. Representatives Drummond, Story, Zulkosky, and Hopkins voted in favor of the motion to report CSHB 60, Version 32-LS0261\B, Klein, 3/25/21, out of committee with individual recommendations and the accompanying fiscal notes. Representatives Prax, Cronk, and Gillham voted against it. Therefore, CSHB 60(EDC) was reported out of the House Education Standing Committee by a vote of 4-3.

[10:03:15 AM](#)

ADJOURNMENT

There being no further business before the committee, the House Education Standing Committee meeting was adjourned at 10:03 a.m.