

SB

37

<TARGET><BILL>SB 37</BILL><SUBJECT>SB
37</SUBJECT><COMM>SEDC29</COMM></TARGET>

29-LS0488N
Glover
4/1/15

CS FOR SENATE BILL NO. 37()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - FIRST SESSION

BY

Offered:

Referred:

Sponsor(s):

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to physical examinations for students; relating to physical
2 examinations for teachers; relating to sexual abuse and sexual assault awareness and
3 prevention efforts in public schools; relating to dating violence and abuse awareness and
4 prevention efforts in public schools; relating to national criminal history record check
5 requirements for employees of child care facilities and residential child care facilities;
6 and relating to mandatory reporters of child abuse and neglect."

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

8 * Section 1. The uncodified law of the State of Alaska is amended by adding a new section
9 to read:

10 SHORT TITLE. This Act may be known as the Alaska Safe Children's Act.

11 * Sec. 2. AS 14.20.020 is amended by adding a new subsection to read:

12 (k) The department shall establish a procedure for sending a copy of the
13 criminal justice information and the national criminal history record check conducted

1 under (c) of this section to the Department of Health and Social Services upon request
2 of a person with a valid teaching certificate issued by the department.

3 * **Sec. 3.** AS 14.30.070(b) is amended to read:

4 (b) The Department of Health and Social Services may require the district to
5 conduct [ADDITIONAL] physical examinations that it considers necessary, and may
6 reimburse the district for the [ADDITIONAL] examinations on the basis and to the
7 extent the commissioner of health and social services prescribes by regulation.

8 * **Sec. 4.** AS 14.30 is amended by adding a new section to read:

9 **Sec. 14.30.075. Physical examinations for teachers.** (a) A school district may
10 require physical examinations of teachers as a condition of employment. A school
11 district may not pay the cost of physical examinations for teachers. This section does
12 not affect the coverage of any health insurance benefits that a school district provides
13 to teachers.

14 (b) In this section, "school district" has the meaning given in AS 14.30.350.

15 * **Sec. 5.** AS 14.30 is amended by adding new sections to read:

16 **Article 6A. Sexual Abuse and Sexual Assault Awareness and Prevention.**

17 **Sec. 14.30.355. Sexual abuse and sexual assault awareness and prevention.**

18 (a) The governing body of each school district shall adopt and implement a policy,
19 establish a mandatory training program for teachers, administrative staff members,
20 including athletic coaches, and students, and provide notices to parents relating to
21 sexual abuse and sexual assault awareness and prevention for students enrolled in
22 grades kindergarten through 12.

23 (b) The policy, training, and notices under this section must include

- 24 (1) age-appropriate information;
25 (2) warning signs of sexual abuse of a child;
26 (3) referral and resource information;
27 (4) available student counseling and educational support;
28 (5) methods for increasing teacher, student, and parent awareness of
29 issues regarding sexual abuse of children;
30 (6) actions that a child may take to prevent and report sexual abuse or
31 sexual assault; and

1 (7) a procedure allowing a student to be excused from participating in
2 training or from receiving notices under this section at the written request of a parent
3 or guardian of the student, or of the student if the student is emancipated or 18 years of
4 age or older.

5 (c) The training required for teachers and administrative staff members,
6 including athletic coaches, under this section shall be provided

7 (1) initially, within the first six months of employment for a new
8 teacher or administrative staff member, including an athletic coach; and

9 (2) thereafter, at least once every five years.

10 (d) In this section,

11 (1) "school district" has the meaning given in AS 14.30.350;

12 (2) "teacher" has the meaning given in AS 14.20.350.

13 **Sec. 14.30.356. Dating violence and abuse policy, training, awareness,**
14 **prevention, and notices.** (a) The governing body of each school district shall adopt
15 and implement a policy, establish a mandatory training program for teachers,
16 administrative staff members, including athletic coaches, and students, and provide
17 notices to parents relating to dating violence and abuse in grades seven through 12.
18 The training program shall emphasize prevention and awareness.

19 (b) The policy, training, notices, and instruction shall include

20 (1) age-appropriate information;

21 (2) information explaining that "dating violence and abuse" means a
22 pattern of behavior in which one person threatens to use, or actually uses, physical,
23 sexual, verbal, emotional, or psychological abuse to control the person's dating
24 partner;

25 (3) the warning signs of dating violence and abusive behavior;

26 (4) characteristics of healthy relationships;

27 (5) measures to prevent and stop dating violence and abuse;

28 (6) community resources available to victims of dating violence and
29 abuse;

30 (7) a procedure allowing a student to be excused from participating in
31 training or from receiving notices under this section at the written request of a parent

1 or guardian of the student, or of the student if the student is emancipated or 18 years of
2 age or older.

3 (c) In this section,

4 (1) "school district" has the meaning given in AS 14.30.350;

5 (2) "teacher" has the meaning given in AS 14.20.350.

6 * **Sec. 6.** AS 14.30.370 is amended to read:

7 **Sec. 14.30.370. Evaluation.** Health education programs conducted under
8 AS 14.30.360 shall be evaluated by the department in the same manner as other
9 curriculum programs are evaluated, except that the evaluation shall also include
10 changes in the health status of the pupils as determined by physical and dental
11 examinations conducted under AS 14.30.070 [AND 14.30.120].

12 * **Sec. 7.** AS 47.05.310 is amended by adding a new subsection to read:

13 (j) An individual who possesses a valid teacher certificate issued under
14 AS 14.20.015 - 14.20.025 and applies to work at or operate a child care facility or
15 residential child care facility may request that a copy of the individual's criminal
16 justice information and national criminal history record check on file with the
17 Department of Education and Early Development be sent to the department to satisfy
18 the requirements of (d) and (e) of this section. In this subsection, "child care facility"
19 has the meaning given in AS 47.25.095, and "residential child care facility" has the
20 meaning given in AS 47.32.900.

21 * **Sec. 8.** AS 47.17.020(a) is amended to read:

22 (a) The following persons who, in the performance of their occupational or
23 volunteer duties, or with respect to (8) of this subsection, in the performance of their
24 appointed duties, have reasonable cause to suspect that a child has suffered harm as a
25 result of child abuse or neglect shall immediately report the harm to the nearest office
26 of the department:

27 (1) practitioners of the healing arts;

28 (2) school teachers and school administrative staff members, including
29 athletic coaches, of public and private schools;

30 (3) peace officers and officers of the Department of Corrections;

31 (4) administrative officers of institutions;

- 1 (5) child care providers;
- 2 (6) paid employees of domestic violence and sexual assault programs,
3 and crisis intervention and prevention programs as defined in AS 18.66.990;
- 4 (7) paid employees of an organization that provides counseling or
5 treatment to individuals seeking to control their use of drugs or alcohol;
- 6 (8) members of a child fatality review team established under
7 AS 12.65.015(e) or 12.65.120 or the multidisciplinary child protection team created
8 under AS 47.14.300.

9 * **Sec. 9.** AS 47.17.020 is amended by adding a new subsection to read:

- 10 (j) This section does not require an athletic coach who is an unpaid volunteer
11 to report child abuse or neglect under (a)(2) of this section unless the coach
- 12 (1) volunteers for more than
- 13 (A) four hours a week for four consecutive weeks; or
- 14 (B) 20 hours a week in a one-month period;
- 15 (2) has received the training required under AS 47.17.022; and
- 16 (3) has signed a form acknowledging that the coach is required to
17 report child abuse or neglect under this section.

18 * **Sec. 10.** AS 47.17.290(1) is amended to read:

- 19 (1) "athletic coach" includes a paid or a volunteer leader or assistant
20 of a sports team in a public or private school, public or private postsecondary
21 institution, or sponsored by a state municipality, or other local government
22 organization, or a sports team that receives public funding;

23 * **Sec. 11.** AS 14.30.070(a) and 14.30.120 are repealed.

29th Alaska State Legislature

Session:
State Capitol, Room 121
Juneau, AK 99801
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Interim:
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Senator Lesil McGuire

CS for SB 37

SPONSOR STATEMENT

Work Order 29-LS0488\N

"An Act relating to physical examinations for students; relating to physical examinations for teachers; relating to sexual abuse and sexual assault awareness and prevention efforts in public schools; relating to dating violence and abuse awareness and prevention efforts in public schools; relating to national criminal history record check requirements for employees of child care facilities and residential child care facilities; and relating to mandatory reporters of child abuse and neglect."

Senate Bill 37, known as the Alaska Safe Children's Act, is an important piece of legislation that will require school districts to set up a policy and training program for staff, students, and parents on the topics of sexual assault and teen dating violence. ASCA will combat child abuse and teen dating violence; and add volunteer athletic coaches to the existing mandatory reporting statute.

This bill will do the following:

- Require school districts to implement age-appropriate training and curricula on sexual abuse and sexual assault awareness and prevention for students kindergarten through 12th grade.
- Require school districts to implement age-appropriate training and curricula on dating violence and abuse policy, awareness, training, and prevention for students 7th through 12th grade.
- Adds volunteer athletic coaches to the existing mandatory reporting statute under AS 47.17.020(a)
- Repeals requirement that school districts pay for physical examinations.
- Repeals requirement that certificated preschool teachers must be fingerprinted and background checked a second time after being hired.

Alaska Safe Children's Act will empower children, parents and teachers by providing a structure for pulling the stories of abuse out of the shadows and demonstrating to future generations that every child has a voice. In a state as resource rich as ours, it is time we turn our focus on our most precious resource: our children.

29th Alaska State Legislature

Session:
State Capitol, Room 121
Juneau, AK 99801
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Explanation of Changes

Sexual Abuse and Sexual Assault Awareness (Erin's Law)

- Includes a procedure for parents to excuse children from training and notices

Dating Violence and Abuse (Bree's Law)

- Age appropriate
- Information explaining dating violence and abuse means a pattern of behavior in which one person threatens to use, or actually uses, physical, sexual, verbal, emotional, or psychological abuse to control the person's dating partner including:
 - Warning signs
 - Characteristics of healthy relationships
 - Measures to prevent and stop dating violence and abuse
 - Community resources available to victims
 - A procedure for parents to excuse children from training and notices

Adds volunteer coaches to Mandatory Reporting Statute who:

- volunteer for more than 4 hours/week for 4 consecutive weeks; or 20 hours per week in a one-month period
- received training under AS 47.17.022
- signed a form acknowledging the coach is required to report child abuse

Fiscal Note

State of Alaska
2015 Legislative Session

Bill Version: SB 37
Fiscal Note Number: _____
() Publish Date: _____

Identifier: SB037-EED-SSA-3-27-15
Title: SEXUAL ABUSE/ASSAULT PREVENTION PROGRAMS
Sponsor: MCGUIRE
Requester: Senate Education Committee

Department: Department of Education and Early Development
Appropriation: Teaching and Learning Support
Allocation: Student and School Achievement
OMB Component Number: 2796

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2016 Appropriation Requested	Included in Governor's FY2016 Request	Out-Year Cost Estimates					
			FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
OPERATING EXPENDITURES								
Personal Services								
Travel								
Services								
Commodities								
Capital Outlay								
Grants & Benefits								
Miscellaneous								
Total Operating	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Fund Source (Operating Only)

None								
Total	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Positions

Full-time								
Part-time								
Temporary								

Change in Revenues								
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Estimated SUPPLEMENTAL (FY2015) cost: 0.0 *(separate supplemental appropriation required)*
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2016) cost: 0.0 *(separate capital appropriation required)*
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? Yes
If yes, by what date are the regulations to be adopted, amended or repealed? 12/31/15

Why this fiscal note differs from previous version:

Not applicable, initial version.

Prepared By: <u>Dr. Susan McCauley</u>	Phone: <u>(907)465-2857</u>
Division: <u>Director, Teaching and Learning Support</u>	Date: <u>03/26/2015 03:50 PM</u>
Approved By: <u>Mike Hanley, Commissioner</u>	Date: <u>03/27/15</u>
Agency: <u>Department of Education & Early Development</u>	

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2015 LEGISLATIVE SESSION

BILL NO. SB 37

Analysis

Section 2 adds a new section, AS 14.30.355, that requires school boards to adopt and implement a policy that mandates a training program for employees and students (K-12) related to sexual abuse and sexual assault awareness and prevention. Any costs will reside with the school districts.

AMENDMENT

OFFERED IN THE SENATE
TO: SB 37

BY SENATOR DUNLEAVY

1 Page 1, line 2, following "schools;":

2 Insert "**prohibiting a school district from contracting with an abortion services**
3 **provider; and prohibiting a school district from allowing an abortion services provider**
4 **to furnish course materials or provide instruction concerning sexuality or sexually**
5 **transmitted diseases"**

6

7 Page 1, line 6:

8 Delete "This Act"

9 Insert "Section 3 of this Act"

10

11 Page 1, following line 6:

12 Insert a new bill section to read:

13 "**Sec. 2.** AS 14.03.083 is amended by adding a new subsection to read:

14 (e) A school district and an educational services organization that has a
15 contract with a school district may not contract with an abortion services provider."

16

17 Renumber the following bill section accordingly.

18

19 Page 2, following line 9:

20 Insert a new bill section to read:

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

22 (c) A school district may not permit an abortion services provider or an
23 employee or volunteer of an abortion services provider to offer, sponsor, furnish

- 1 course materials, or provide instruction relating to human sexuality or sexually
- 2 transmitted diseases."

**DISTRICTS WITH BOTH OR EITHER CURRICULUM:
CHILD SEXUAL ABUSE PREVENTION/TEEN DATING VIOLENCE,
HEALTHY RELATIONSHIPS**

Anchorage School District:

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Mat-Su Borough School District:

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Fairbanks NStar Borough School District:

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Alaska Gateway School District:

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Aleutian Region School District:

- Healthy relationships

Aleutian East Borough School District:

- Child sexual abuse prevention

Chugach School District

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Craig City School District

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Delta-Greely School District

- Teen dating violence, healthy relationships

Juneau Borough School District

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Kashunamiut School District

- Teen dating violence, healthy relationships

Kenai Peninsula Borough School District

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Ketchikan Gateway Borough School District (testified against Lesil bill)

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Kodiak Island Borough School District

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Lower Kuskokwim School District

- Teen dating violence, healthy relationships

Nenana City School District

- Teen dating violence, healthy relationships

North Slope Borough School District

- Teen dating violence, healthy relationships

Petersburg Borough School District

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Sitka School District

- Teen dating violence, healthy relationships

Unalaska City School District

- Child sexual abuse prevention
- Teen dating violence, healthy relationships

Valdez City School District

- Child sexual abuse prevention
 - Teen dating violence, healthy relationships
-

Parent Information
Child Sexual Abuse Prevention Instruction from the GBS

Personal safety/child sexual abuse prevention is of the utmost importance for our students. Instruction in the first steps students can take to be safe in a variety of situations is introduced in Unit 1 of the GBS for grades K-5 and in Unit 4 at grade 6. Units address personal safety content in a more in-depth manner as students graduate to higher grades. Specific objectives for the identified instructional units are also posted to the website. To keep ASD students safe in situations of abuse from the beginning of the year, teachers are asked to teach the aggregate of safety and personal safety lessons as outlined by grade level below by mid October. Selected videos are available to support this sensitive instruction. Brief descriptions of the videos can also be found online at the ASD Health/PE Department website.

- K –** Unit 1 “How to Stay Safe” Lessons 1-4.
Additionally, in Unit 5 “My Body is Special” do Lesson 4 “Safe Touch, Unsafe Touch,” p.41
Also do Portfolio 4 “Asking Permission and Taking a Partner” p.46 and Reinforcement Activity 17 “Anatomically Correct Doll” p.48
- 1 -** Unit 1 “Look Out!” Lessons 1-4.
Additionally, in Unit 6 “Happy Sad and In Between” do Lesson 4 “My body is Private” p.41
Also do Portfolio 4 “Saying No Steps” p.47 and Reinforcement Activity 20 “Films About Privacy” OR Activity 21 “More safety skills” p.49
- 2 –** Unit 1 “Let’s Stay Safe” Lessons 1-4.
Additionally, in Unit 5 “When I Feel Afraid” do Lesson 4 “Your body is Private” p.43 and Reinforcement Activity 19 “Making a Class Collage” p.50 OR Activity 20 “Making the People I Trust Mobile” p.50
- 3 –** Unit 1 “Safe At Home and Safe Away” Lessons 1-4.
Additionally, in Unit 6 “Your Family, My Family” do Lesson 4 “Personal safety” p.45
Also do Portfolio 4 “Different Ways to Say “No!”” p.50 and Reinforcement Activity 22 “Talking to the Guidance Counselor” p.52 OR Activity 23 “People We Can Trust to Help Us” p.52
- 4 –** Unit 1 “Community Safety” Lessons 1-4.
Additionally, in Unit 5 “It’s My Body” do Lesson 4 “Preventing Abuse” p.43
Also do Portfolio 4 “Advising a Friend” p.51 and Reinforcement Activity 17 “Watch a Movie or Read a Book” p.52 OR Activity 19 “Abuse Acrostics” p.53
- 5 –** Unit 1 “First Aid Facts” Lessons 1-4.
Additionally, in Unit 5 “Those Crazy Mixed Up Emotions” do Lesson 4 “Send the Message: My Body is Private” p.49 and Reinforcement Activity 17 “Practice Means Being Prepared” p.57
- 6 –** Unit 4 “Keep This Body Safe” Lessons 1-4.
Additionally, in Unit 4 do Reinforcement Activity 24 “Safe Touch Speaker” p.52 and Activity 25 “Say it Again” p.52

1068 Erin's Policy for a Child Sexual Abuse Prevention and Education Program

The school district shall develop a comprehensive child sexual abuse program with the goal of informing students and staff about child sexual abuse and available resources. The program shall include, but not be limited to:

- 1) adopting a child sexual abuse curriculum to provide age-appropriate information to teach students the difference between appropriate and inappropriate conduct in situations where child sexual abuse could occur, and to identify actions a child may take to prevent and report sexual abuse or sexual assault;
- 2) providing students with resources and referrals to handle these potentially dangerous situations;
- 3) providing students access to available counseling and educational support;
- 4) providing mandatory training to all district staff to ensure they are fully informed on:
 - a) the warning signs of sexual abuse and sexual misconduct involving a child,
 - b) mandatory reporting requirements,
 - c) school district policies,
 - d) establishing and maintaining professional relationships with students,
 - e) available resources for children affected by sexual abuse or misconduct;
- 5) methods for increasing teacher, student, and parent awareness of issues regarding sexual abuse of children; and
- 6) A minor student shall be excused from participating in classroom instruction regarding sexual abuse and sexual assault upon receipt by the principal of a written request from the student's parent or guardian.

Policy Adopted: August 5, 2014



Fairbanks North Star Borough
School District
520 Fifth Avenue
Fairbanks, AK 99701

For State Fiscal Year 2014

Source: State of Alaska Office of Childrens Services

All Allegations of Sexual Abuse reported to State of Alaska Office of Childrens Services in SFY 2014

All_allegations_of_sexual_abuse
2640

Region	All_allegations_of_sexual_abuse
Anchorage	1257
Northern	256
Southcentral	524
Southeast	285
Western	318

2640

Gender	All_allegations_of_sexual_abuse
Female	1829
Male	793
Unknown	18

2640

Native_Status	All_allegations_of_sexual_abuse
Native	1140
Non-native	1357
Undetermined	143

2640

Unique Alleged Victims of Sexual Abuse

Unique_alleged_victims_of_sexual_abuse
2047

Region	Unique_alleged_victims_of_sexual_abuse
Anchorage	975
Northern	215
Southcentral	462
Southeast	205
Western	253

2110

Allegations of Sexual Abuse Screened Out to Law Enforcement

Allegations_of_sexual_abuse_Screened_out
1612

Allegations_of_sexual_abuse_Screened_out_to_law_enforcement
897

Allegations of Sexual Abuse Screened In

Allegations_of_sexual_abuse_screened_in
1028

Finding	Allegations_of_sexual_abuse_screened_in
Substantiated	165
Not Substantiated	808
Closed without finding	55

1028

Unique Victims in Allegation of Sexual Abuse Screened In

Unique_alleged_victims_in_allegations_of_sexual_abuse_screened_in
152

My Turn: Alaska is ready for Erin's Law

Posted: January 20, 2015

By [DAVID HOLTHOUSE](#)
FOR THE JUNEAU EMPIRE

The cure for Alaska's epidemic of childhood sexual abuse begins with breaking the silence. It's time to give Alaskan kids the tools they need.

When I was a little boy growing up in Anchorage, I knew just what to do if I caught on fire: Stop, drop, and roll. I knew because they taught me in school, just like they later taught me to "Just say no" to drugs. The lesson was mandatory.

What I didn't know is what to do after I was raped when I was 7 years old. I didn't know what to do when the rapist threatened to kill me and my parents if I told anyone.

I didn't know at the time what rape was. I thought it was a freak occurrence, making me a freak. And so I didn't tell. I kept it to myself for 25 years and suffered in silence — the same way thousands upon thousands of Alaskan victims of childhood sexual abuse are suffering now. They are suffering without the tools they need to cope and expose their abusers.

Abuse can be overwhelming; fortunately, the Legislature is close to making real progress in giving Alaskan kids the tools they need to stand up to this abuse. It's time to pass "Erin's Law".

Erin Merryn made a strong impression when she shared her story with legislators last year in Juneau. Erin was sexually abused by a family member as a child. Now a leader in preventing abuse, she is determined to see all 50 states adopt "Erin's Law."

Erin's Law requires school districts to provide age-appropriate curriculum about personal body safety. It also gives teachers, staff and administrators the tools they need to respond properly to allegations of childhood sexual abuse. The Erin's Law catchphrase is: "Get away, tell today."

That message cannot be spread or strengthened enough. To that end, I implore citizens to contact their state representative. Urge them to pass Erin's Law this session.

Nineteen states have passed Erin's Law. Last year, Erin's Law passed in the Alaska Senate but failed to pass in the Alaska House of Representatives. With early bi-partisan support, there's no reason Erin's Law cannot become law this year — abuse is not a freak occurrence.

One in six boys and one in four girls in the U.S. are sexually abused. Nine times out of 10 it's by someone they know.

We teach kids what to do if there is a fire, earthquake or other emergency. We must face the reality that more of these students will be harmed by sexual abuse than by these other threats. Teaching kids about personal body safety is essential to keeping them safe. Let your legislator know that it's time to pass Erin's Law.

February 20, 2015

Senator Lesil McGuire
Alaska State Senate
State Capitol Room 121
Juneau, AK 99801

Dear Senator McGuire,

My name is Cindy Moore. I have lived in Alaska for 30 years and raised three daughters here. I am seeking your help to introduce legislation making teen dating violence education mandatory curriculum in grades 7-12. Despite its alarmingly high incidence and proven negative impact on the healthy development and education of our youth, Alaska law does not mandate schools to address dating abuse. The fact is, patterns of dating violence that start early escalate over time and carry over into adult relationships. As this cycle of violence continues, it deteriorates the fabric of our families and communities. Our state is a perfect example of this; our shockingly high rate of domestic abuse, rape, and murder prove that we need to take immediate action to change the social norms about the acceptability of domestic violence. Now is the time for us to protect our children. Now is the time to stop the violence.

Teen dating violence has affected my family in a profound and life changing way. About 6:00 am on June 26, 2014, my husband, pale and barley able to speak, awakened me. His hands were shaking and in an almost inaudible whisper he said, "Cindy, you need to come downstairs right now!" At the bottom of the stairs, stood two uniformed APD officers, who somberly broke horrifying news; that our daughter Breanna had been killed, by a single gunshot wound to the head, at the hands of her boyfriend.

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

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

- Girls and young women between 16-24 are four times more likely than the general population to be victims of partner violence.
- Dating violence is the leading cause of injury to women.
- An intimate partner committed 22% of all homicides against females 16-19.
- 80% of girls who have been physically abused in their intimate relationships continue to date their abusers.
- 58% of rape survivors report being raped between the ages of 12-24.
- 50% of all reported date rapes occur among teenagers.
- Violent behavior normally begins between the ages of 12-18.
- One in three adolescents in the U.S. is a victim of physical, sexual, emotional or verbal abuse from a dating partner, a figure that far exceeds rates of other types of youth violence.

- 40% of teenage girls ages 14-17 say they know someone their age that has been hit or beaten by a boyfriend.
- One in 10 high school students has been purposefully hit, slapped or physically hurt by a boyfriend.
- 80% of teens that had been in an abusive relationship turned to a friend for help, not their parents or an authority figure.
- The severity of intimate partner violence is often greater in cases where the pattern of abuse was established in adolescence.
- About 72% of eight and ninth graders are “dating”.
- 81% of parents either believe teen-dating violence is not an issue or admit they don’t know if it’s an issue.
- Violent relationships in adolescence can have serious ramifications by putting the victims at higher risk for substance abuse, eating disorders, risky sexual behavior and further domestic violence.
- Being physically or sexually abused makes teen girl six times more likely to become pregnant and twice as likely to get a sexually transmitted infection.
- 50% of youth who have been victims of both dating violence and rape attempt suicide, compared to 12.5% of non-abused girls and 5.4% of non-abused boys.

“If the numbers we see in domestic violence were applied to terrorism or gang violence, the entire country would be up in arms, and it would be the lead story on the news every night.”
Former Rep. Mark Green, Wisconsin

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

- Alaska most dangerous state in America. Alaska has replaced Tennessee as the most dangerous state in the United States in 2015. Based on FBI’s four major violent crime categories: murder, aggravated assault, robbery, and incidents of forcible rape.
- Anchorage and Fairbanks are #2 and #3 on a Forbes list of the nation’s most dangerous cities for women.
- Alaska leads the nation in rapes per capita - three times national average.
- Alaska has the nation’s highest rate of women murdered by men - two times the national average.
- Alaska also has the highest rate of suicide per capita in the country.
- UAA Justice Center survey concluded that almost 59% of women in Alaska had experienced physical violence, threats of it, or sexual violence from a partner at some point in their lives.

My daughter Breanna is now one of these statistics. She was an amazing, daughter, sister, auntie, and friend to so many. She was a student in the Japanese Immersion Program, Dimond High graduate & student at UAA. She was an animal lover who cherished her French bulldog, Edmund, and her chameleon, Cami, and even made time to volunteer at Adopt-A-Cat once a week. No one made an animal feel more loved than she did, she treated everyone of them like her best friend. Breanna was also a true Alaskan girl who could hunt, fish, ride dirt bike, jet ski, four-wheel, wakeboard, snowmachine, and snowboard better than most guys. She also enjoyed hiking, camping, cooking, singing, biking, ice-skating, dancing, riding horses and traveling – she loved life! She was an athlete; played baseball, soccer, metaled in swimming while on the Arctic Swim Team. In the 2007 City Track & Field Championships, she took 1st place in the 200M sprint. Breanna played Varsity volleyball, winning the State Championship in 2010, and Lettering her senior year. She also played comp club volleyball for five years. She had a beautiful voice and sang publically at local restaurants and sang the National Anthem at the Anchorage Downtown Market, Anchorage Bucs Baseball game & Senior Night at Dimond High School. She played the flute with the prestigious Arctic Wind Junior Youth Choir and performed at various public venues. These were just a few of her accomplishments,

activities and hobbies she was involved with over the years...there are so many more. Her first job at 16 was at Acai Alaska. She also worked at Suite 100 as a seating hostess, Nordstrom as a sales associate, a union flagger for Prus Construction, and dental hygienist assistant at Health Centered Dentistry.

Breanna was such a motivated and loved employee, her boss informed her that he was going to promote her and start training her as a dentist's assistant. She was so proud and excited. She was financially responsible, had money in her savings account, paid her credit card on time and had a credit score of nearly 800. One month before she was killed, she bought her first new car. A couple of months before her death, she came to me and told me she finally decided on a career, she wanted to be a doctor. Breanna researched the classes she needed to take and was planning on registering for them, but never had the chance. She was one of the most motivated, funny and happy people I have ever known. I was truly blessed to be her mother for the short 20 years she was in my life. Breanna never got to be the dentists' assistant or a doctor. She didn't get to move into her first apartment, see her second niece come into this world, celebrate her 21st birthday, graduate college, get married or have children. She was robbed of those life experiences. She is now a crime statistic, a pile of ashes in an urn, a memory. Let neither Breanna's life, nor the lives of so many other innocent Alaskan women be swept under the rug, let's remember their lives and use their stories as a tool to implement change.

I propose that Teen Dating Violence Education legislation be introduced now and for it to be called Bree's Law - after a beautiful young Alaskan woman who inspired so many during her short life. Through *Bree's Law*, Breanna can continue to inspire and protect young women in the state she so loved.

"It really is the secret evil that is rotting us from the inside. It is something we don't talk about too much. It is done in the secrecy and privacy of homes." Former Governor Parnell said of the epidemic of sexual and domestic violence in Alaska.

I realize that many may feel we cannot mandate another topic be taught in our schools, but given the statistics here in our state; we cannot afford not to teach teen dating violence awareness. One study found that 75 percent of teens that took a school course on teen dating violence said it helped them learn about the signs of abusive relationships. Since teens spend more time in school than at home with their parents, Schools and school-based curriculum have a profound ability to influence teens during their formative years when they are developing behaviorally and emotionally. Teachers are able to address these issues directly with teens, promote positive alternatives to violence, and address gender-based beliefs that can lead to violence.

In a study by the Journal of Applied Research on Children: Informing Policy for Children at Risk, "The Need for School-Based Teen Dating Violence Prevention", it states, "Teen dating violence is a public health priority. It is widespread, prevalent, and negatively affects adolescents' mental, physical, and social health. Thus, we are in critical need of programs aimed at preventing dating violence and promoting healthy relationship skills. Not only will this improve the health and quality of life of children and adolescents, it has the potential to curb the prevalence of adult domestic violence. We firmly believe that the benefits of addressing dating violence (e.g., improved health) will result in improved academic performance and reduced truancy. The costs of implementing a prevention program is justified given the scope of teen dating violence, potential improvements in adolescent health outcomes, decreased need for youth to utilize services in the future (e.g., medical, behavioral, criminal justice), and the perceived need and appropriateness among educators for school-based prevention programs."

The state of Rhode Island serves as an excellent model with regard to incorporating a teen dating violence curriculum into its schools. In 2007, Rhode Island enacted the Lindsay Ann Burke Act, named in honor of a young woman who was murdered by her boyfriend after a two-year struggle in an

abusive relationship. The Act requires that all school districts in Rhode Island implement a curriculum and policy on teen dating violence, and teach that curriculum every year, from 7th -12th grades. Since the passage of the Lindsay Ann Burke Act, physical teen dating violence rates have decreased almost in half, from 14% in 2007 to 8.4% in 2013. Details of the Act are on the State of Rhode Island General Assembly website. Numerous other states have since adopted similar laws, all of which can be found on the National Conference of State Legislatures website. Delaware, Florida, Massachusetts, Nebraska, Illinois, Ohio, Virginia, Texas, Georgia, Indiana, Arizona, New Jersey, Oregon, Pennsylvania, Tennessee, Maryland, Louisiana, Colorado, Washington, and Connecticut (in addition to Rhode Island) have laws that urge or require school boards to develop curriculum on teen dating violence. Currently, California, Michigan, New York, North Carolina have pending legislation.

Curriculum resources are readily available to train school staff:

- The Lindsay Ann Burke Memorial Fund has produced a school staff training DVD of their workshop through which thousands of Rhode Island teachers have been trained. Please visit www.labmf.org for more information about their workshops and the DVE.
- Also, the CDC has a free on-line training for school staff.
- In addition, federal "Safe & Drug Free Schools" money can be used to purchase dating violence curriculum materials.

There is no need to start from scratch when developing a model teen dating violence policy, The Rhode Island Department of Education's "Guide to Preventing Bullying, Teen Dating Violence, and Sexual Violence in Rhode Island Schools" can be used as a starting point. This can be found on their website @ http://www.thriveri.org/documents/guide_bullying_tdvsv_amended2012.pdf.

To save teachers time, this could be setup as an online class. That way there is no cost other than the setup and software. There could be ten ten-minute mini-lessons with worksheets and a Teacher's Manual. The students can take one, ten-minute mini-class every week. If the teachers prefer, it can be totally homework because it's online. It can also be "Open Entry/Open Exit," so the students can start the online class anytime and finish at anytime.

In a national effort to raise awareness about abuse in the teen and 20-something relationships, President, Barack Obama, made a proclamation declaring February – **National Teen Dating Violence Awareness and Prevention Month**. On 10/16/2013, Bill H.R.3297 was introduced in the U.S. House: Teen Dating Violence Education Act of 2013 - Amends the Elementary and Secondary Education Act of 1965 to require the inclusion of information regarding the legal rights available to teenage victims of dating violence in the education programs created with grants to combat the impact on students of domestic violence.

In the last year, we have seen the media and entertainment taking a stand against domestic violence:

- The top sports story of 2014 was NFL football player Ray Rice punching and knocking out his fiancé in an elevator.
- The new "No More" ads featuring more than 40 celebrities, has created public awareness focused on ending domestic violence and sexual assault.
- One of the most talked about commercial during this years Super Bowl was the "No More: Listen" PSA which featured a victim of Domestic Violence calling 911 and using the tactic of acting like she was ordering a pizza to get help, because her abuser was still in the house (This ad was based on a real 911 call).
- During the 2015 Grammys two weeks ago, President, Barack Obama called on musicians and music fans alike to pledge to stop domestic violence. He said, "It's not OK and it has to stop." Also, Brooke Axtell, shared her stirring experience as a survivor of domestic violence and urged others to recognize their worth and seek help to save themselves.

These PSA's are important, because public service announcements are creating awareness and sparking discussion about domestic violence, but TV ads are not going to cure this national epidemic, this Alaska epidemic. Amidst this public awareness, NOW is the time for Alaska to educate our youth to give them the tools they need to have healthy relationships and productive futures. If we don't stop this while they are young, the cycle of violence will continue.

"It is the opinion of the subcommittee that we need greater involvement of schools and the educational system in our drive to address teen dating violence." Teen Dating Violence: Next Steps in our National Response, A Report on Teen Dating Violence of the U.S. Justice Department

With Alaska facing serious budgetary constraints, it is an opportune time for policymakers to consider ways to reduce spending. Can implementing teen dating violence education in our schools save the state money?

- A 2007 CDC study on the effectiveness of universal school-based programs on the prevention of violence and reckless behavior, analyzed bullying and dating violence prevention programs that met certain criteria, and found that for every \$1 spent on prevention, over \$3 were saved in health care and criminal justice costs per youth.
- In the Alaska, the average cost to hold one young person in a juvenile detention facility is an average of \$216,079 per year. The average cost to send one young person through a juvenile treatment program is \$237,513 per year. Since teen-dating violence has a high rate of reoccurring in adulthood as domestic violence, there is future additional cost savings of educating our youth to prevent adult domestic violence.
- According to a 2010 cost-benefit analysis of the Domestic Violence Program's, Co-Location Project, conducted by graduate students at the University of Denver Graduate School of Social Work; domestic violence costs society approximately \$9,454 per victim per year in the state of Colorado. This cost of domestic violence was derived from calls to law enforcement, court expenses, domestic violence related homicide investigations, offender treatment services, medical, and reduced work productivity.
- What cost do we put on saving an innocent human life; from saving a family from the heartache and tragedy of loosing a loved one to dating violence? If we save one life – one family from this fate – the return? What value do you put on your child?

If we act to educate our young people and engage them in conversations about healthy relationships, rather than react to unhealthy ones later on, we can stop teen dating violence before it starts. When a healthy cycle is learned, that knowledge is then shared with friends, family and community. We cannot ask our young women and men to recognize and stop the violence within their relationships without assistance from both the legal and educational systems. A student who participated in the domestic violence class at SELF High School in Irvine, California, clearly illustrated this point when she said, "If I hadn't taken the class, I wouldn't have known I was in an abusive relationship. I thought it was normal." Through education, knowledge about dating violence and skills will empower teens to help themselves and others. Prevention holds the promise of keeping future generations of women and children safe from violence.

This is what happens when we educate teens, school staff & parents about teen dating violence in a safe school environment:

- They will talk openly about this topic, removing the shame and stigma that now exists.
- It helps victims to come forward and seek help.
- It gives knowledge of where to seek help.
- It gives the knowledge and skills to help each other.
- It gives power to recognize an abusive relationship.
- It teaches tools to build healthy relationships.
- It helps parents reinforce this information at home and watch for signs of unhealthy relationships.

- It helps abusers learn about their destructive behavior and seek to change.
- It save lives!

"It's on us, all of us, to create a culture where violence isn't tolerated, where survivors are supported and where all our young people, men and women, can go as far as their talents and their dreams will take them." President Barack Obama addressing domestic violence

I wish teen dating violence awareness had been mandatory curriculum for my daughter, Breanna Moore, who was murdered by her boyfriend on June 26, 2014. She was barely 20 years old. If she knew what signs and patterns to look for, that it's ok to talk about domestic violence, and where to go for help, she might still be alive today. <https://www.facebook.com/balloons4bree>

As a mother who has lost a daughter to teen dating violence, I hope to open the eyes of others– this is a preventable epidemic! Together through legislation you put forth, we can bring about change to help stop teen dating violence and domestic violence in our state – in our communities – in our homes.

Thank you so much for your time and attention to this imperative issue. I am planning to come to Juneau to meet with you and speak with other legislators regarding my proposal of *Bree's Law*. Your support is greatly appreciated.

Sincerely,

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Chapter 490
2007 -- S 0875 SUBSTITUTE B
Enacted 07/03/07

A N A C T
RELATING TO EDUCATION - DATING VIOLENCE "LINDSAY ANN BURKE ACT"

Introduced By: Senators Lanzi, Paiva-Weed, Perry, Gallo, and Goodwin
Date Introduced: March 20, 2007

It is enacted by the General Assembly as follows:

SECTION 1. Title 16 of the General Laws entitled "EDUCATION" is hereby amended by adding thereto the following chapter:

CHAPTER 85

LINDSAY ANN BURKE ACT

16-85-1. Short title. – This chapter shall be known and may be cited as the "Lindsay Ann Burke Act."

16-85-2. Legislative findings. – The general assembly hereby finds, determines and declares that when a student is a victim of dating violence, his or her academic life suffers and his or her safety at school is jeopardized. The general assembly therefore finds that a policy to create an environment free of dating violence shall be a part of each school district. It is the intent of the general assembly to enact legislation that would require each school district to establish a policy for responding to incidents of dating violence and to provide dating violence education to students, parents, staff, faculty and administrators, in order to prevent dating violence and to address incidents involving dating violence. All students have a right to work and study in a safe, supportive environment that is free from harassment, intimidation and violence.

SECTION 2. Chapter 16-21 of the General Laws entitled "Health and Safety of Pupils" is hereby amended by adding thereto the following section:

16-21-30. Dating violence policy. – (a) As used in this section:

(1) "Dating violence" means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner.

(2) "Dating partner" means any person, regardless of gender, involved in an intimate relationship with another primarily characterized by the expectation of affectionate involvement whether casual, serious or long-term.

(3) "At school" means in a classroom, on or immediately adjacent to school premises, on a school bus or other school-related vehicle, at an official school bus stop, or at any school-sponsored activity or event whether or not it is on school grounds.

(b) The department of education shall develop a model dating violence policy to assist school districts in developing policies for dating violence reporting and response. The model policy shall be issued on or before April 1, 2008.

(c) Each school district shall establish a specific policy to address incidents of dating violence involving students at school by December 1, 2008. Each school district shall verify compliance with the department of education on an annual basis through the annual school health report.

(1) Such policy shall include, but not be limited to, a statement that dating violence will not be tolerated, dating violence reporting procedures, guidelines to responding to at school incidents of dating violence and discipline procedures specific to such incidents.

(2) To ensure notice of the school district's dating violence policy, the policy shall be published in any

school district policy and handbook that sets forth the comprehensive rules, procedures and standards of conduct for students at school.

(d) Each school district shall provide dating violence training to all administrators, teachers, nurses and mental health staff at the middle and high school levels. Upon the recommendation of the administrator, other staff may be included or may attend the training on a volunteer basis. The dating violence training shall include, but not be limited to, basic principles of dating violence, warnings signs of dating violence and the school district's dating violence policy, to ensure that they are able to appropriately respond to incidents of dating violence at school. Thereafter, this training shall be provided yearly to all newly hired staff deemed appropriate to receive the training by the school's administration.

(e) Each school district shall inform the students' parents or legal guardians of the school district's dating violence policy. If requested, the school district shall provide the parents or legal guardians with the school district's dating violence policy and relevant information. It is strongly recommended that the school district provide parent awareness training.

(f) This section does not prevent a victim from seeking redress under any other available law, either civil or criminal. This section does not create or alter any tort liability.

SECTION 3. Chapter 16-22 of the General Laws entitled Curriculum" is hereby amended by adding thereto the following section:

16-22-24. Dating violence education. – (a) Each school district shall incorporate dating violence education that is age-appropriate into the annual health curriculum framework for students in grades seven (7) through twelve (12).

(1) Dating violence education shall include, but not be limited to, defining dating violence, recognizing dating violence warning signs and characteristics of healthy relationships. Additionally, students shall be provided with the school district's dating violence policy as provided in subsection 16-21-30(c).

(2) For the purposes of this section:

(i) "Dating violence" means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner.

(ii) "Dating partner" means any person involved in an intimate association with another primarily characterized by the expectation of affectionate involvement whether casual, serious or long-term.

(iii) "At school" means in a classroom, on or immediately adjacent to such school premises, on a school bus or other school-related vehicle, at an official school bus stop, or at any school sponsored activity or event whether or not it is on school grounds.

(3) To assist school districts in developing a dating violence education program, the department of education shall review and approve the grade level topics relating to dating violence and healthy relationships in the "health literacy for all students: the Rhode Island health education framework."

(4) The provisions of this section shall be amended in the health education curriculum sections of the Rhode Island rules and regulations for school health programs, R16-21-SCHO, and the Rhode Island basic education program at their next revisions.

(b) Upon written request to the school principal, a parent or legal guardian of a pupil less than eighteen (18) years of age, within a reasonable period of time after the request is made, shall be permitted to examine the dating violence education program instruction materials at the school in which his or her child is enrolled.

SECTION 4. This act shall take effect upon passage.

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