

ALASKA LEGISLATURE COMMITTEE FILES 1995-1996 8672

8876 SENATE HEALTH EDUCATION & SOCIAL SERVICES

HB

30

ALASKA STATE LEGISLATURE

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REPRESENTATIVE BETTYE DAVIS DISTRICT 21

MEMORANDUM

TO: Senator Lyda Green, Chair
Senate Health, Education & Social Services Committee

FROM: Representative Bettye Davis *BD*

DATE: March 27, 1996

RE: HB 30: Relating To A Dress Code For Public Schools

I am writing to request a hearing for HB 30 in the Senate Health, Education and Social Services Committee at your earliest convenience. Attached please find a copy of the most recent version of the bill, sponsor statement, zero fiscal note and backup materials.

FISCAL NOTE

No. 2
 Bill Version: HB 30
 (H) Publish Date: 2/16/96

STATE OF ALASKA
 1996 LEGISLATIVE SESSION

Revision Date: _____

Title: School Dress Code

Sponsor: Representative Bettye Davis

Requester: Representative Bettye Davis

Department Affected: Education

BRU: Executive Administration

Component: Commissioner's Office

COMPONENT SERIAL NO. 185

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES	0.0	0.0	0.0	0.0	0.0	0.0
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGE IN REVENUES						
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FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

POSITIONS	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

Passage of this legislation will have no fiscal impact on the Department of Education.

Prepared by: Kimberly Homma, Special Assistant Phone: 465-2803
 Division: Commissioner's Office Date: January 19, 1996
 Approved by Commissioner: [Signature] Shirley Holloway, Ph.D.
 Agency: Education Date: January 19, 1996

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REPRESENTATIVE BETTYE DAVIS DISTRICT 21

SPONSOR STATEMENT

HB 30: An Act relating to a dress code for public schools

HB 30 would provide an important discretionary tool for school districts to use in improving the health and safety of students and teachers. The bill is supported by the Association of Alaska School Boards, the Anchorage School District and the Kodiak Island Borough School District.

HB 30 is a response to gang-related behavior. Gangs in Alaska, as in the lower 48, use clothing to communicate. In the Kodiak schools, for example, there have been violent fights involving weapons as a result of who is wearing what colors. Uniforms go a long way toward providing a neutral coat of arms for children whose clothing might otherwise make them targets.

The president of the Association of Alaska School Boards has said that:

To address some of the manifestations of these problems, schools must be given the tools to establish policies which promote optimum educational environments and protect the health and safety of kids and teachers. In our opinion, HB 30 does this.

Adopting a school uniform policy would be voluntary under HB 30. Additionally, parents would have the ability to exclude their children from wearing uniforms. It has been the experience of school districts in other states, however, that few students have chosen to opt out of these very successful programs.

In Charleston County, S.C., for example, where nearly half the public schools have adopted voluntary uniform policies, educators praise their leveling, egalitarian effect. The students take pride in their studies, viewing school as a place of work rather than just somewhere to hang out with friends.

In the Long Beach, Cal. school district, which includes 56 elementary and 14 middle schools, adopting a school uniform policy reduced physical fights by 51%, assault and battery cases by 34%, and suspensions by 32%. In a recent nationwide survey of 5,500 secondary school principals, 70% said they believe uniforms would reduce violence.

HB 30 also requires that a school district, in order to require students to wear uniforms, must first determine that financial resources are available to assist economically disadvantaged students. It has been the experience of many parents that providing three uniforms per year for a child is far less expensive than purchasing fashionable clothing.

ASSOCIATION OF ALASKA SCHOOL BOARDS

316 West 11th Street, Juneau, Alaska 99801-1510 • Tel (907) 586-1083 • Fax (907) 586-2995

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EXECUTIVE DIRECTOR
Carl F. N. Rose

March 11, 1996

The Honorable Bettye Davis
Alaska State Capitol
Juneau, AK 99801-1182

Dear Representative Davis:

Alaska's school districts can spend thousands of dollars averting litigation due to the fact that Alaska statute neglects the issue of dress codes in schools.

Unfortunately, today's problems are being brought into the schools. This requires that schools be given the tools to establish policies which promote optimum educational environments and protect the health and safety of kids and teachers. HB 30 provides language which allows school districts to avoid expensive litigation brought by attorneys who pursue the notion of constitutional conflicts related to school dress codes.

AASB encourages you to support HB 30 - "An Act relating to a dress code for public schools." This bill protects the health and safety of Alaska's children, maintains and empowers locally elected officials, could save school districts the time and money expended by litigation, and has a zero fiscal note attached. This bill helps schools.

Thank you for your commitment to the health and well-being of Alaska's children.

Sincerely,

Carl F. N. Rose
Executive Director

RECEIVED

MAR 12 1996

AASB.....

CORRESPONDENCE

ASSOCIATION OF ALASKA SCHOOL BOARDS

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March 11, 1996

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Ans'd.....

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Earl F. Rose

The Honorable Bettye Davis
Rm. #430
Alaska State Capitol
Juneau, AK 99801-1182

Dear Representative Davis:

On behalf of all Alaskan school districts, thank you for initiating HB 30. Because of your commitment to the health and safety of Alaska's children, you addressed the statutory need to empower local boards of education to implement school dress codes. Your work has brought this issue to the forefront.

As you are well aware, nationally, dress codes have achieved dramatic results in the lives of kids. Last year, one urban school district, (with 56 elementary and 14 middle schools), adopted a policy which reduced physical fights between kids by 51%, assault and battery cases dropped by 34%, and there were 32% fewer suspensions. In this district, like the language of HB 30, parents have the option of excusing their children from the requirement. So far, only a small proportion of parents have exercised this option.

Unfortunately, today's problems are being brought into our schools. To address some of the manifestations of these problems, schools must be given the tools to establish policies which promote optimum educational environments and protect the health and safety of kids and teachers. In our opinion, HB 30 does this.

This bill represents a straight forward approach to providing schools with the necessary tools to educate our children in a safe and productive environment. Thanks for your advocacy on behalf of Alaska's children and schools.

Sincerely,

Norm Wooten
President

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AASB Position Paper HB 30, An Act Relating to a Dress Code for Public Schools

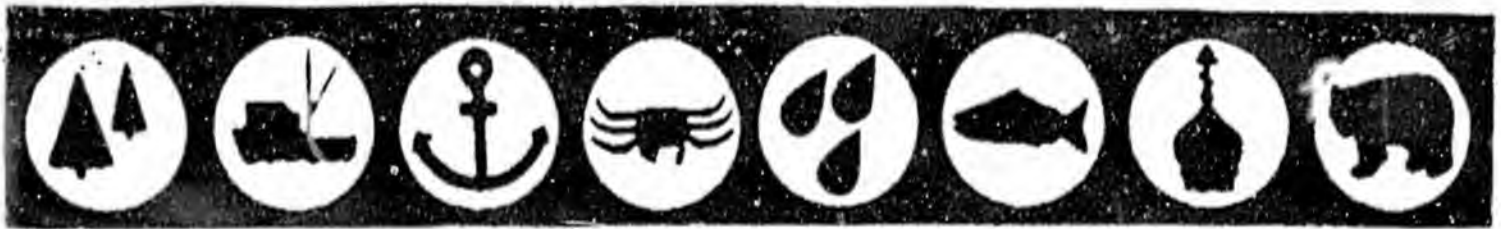
Currently there is nothing in Alaska statute which prohibits public school districts from adopting and enforcing student dress codes in public schools.

AASB believes that appropriate dress and grooming contribute to a productive learning environment. Alaska's public school students are expected to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate. Furthermore, student's clothing and grooming styles must not present a health and safety hazard to the wearer or others nor should it distract from the educational process.

AASB supports legislation which would:

- continue to allow each public school district to adopt a dress code;
- provide guidelines to public school districts who wish to adopt school uniforms; and
- help the public school districts avoid the potential constitutional conflicts, which have arisen in other states, when local boards of education adopt policies establishing dress codes and/or school uniforms.

AASB supports the efforts of the legislature to provide local boards of education with the tools necessary to protect the health and safety of the students and/or teachers of the district. If local families, community members and educational leaders feel that the quality of education could be increased with the institution of a school dress code or uniform, then the law should support the efforts and desires of that district.



Kodiak Island Borough School District

To the Honorable Alan Austerman,

I am pleased to know that you are co-sponsoring HB 30 regarding dress codes. This piece of legislation will add to the portfolio of interventions available to school administrators as they attempt to achieve our educational objectives in a safe, school environment. The High School parents have always appreciated your willingness to both listen to their concerns and to respond to them.

I would like to offer some insights regarding the need for an expanded set of tools to use in our efforts to help young people be successful. The problems facing administrators as they attempt to provide a safe environment for education are much different than they were twenty years ago, even five years ago. My experience as a student, teacher, assistant principal and principal at Kodiak schools has given me a somewhat unique perspective regarding these problems. Further, as president of the Alaska Association of Secondary School Principals, I have the opportunity to interact with principals from all over the state of Alaska and to share their concerns. It is safe to say that their primary concern is the increase in violence, gangs and youth crime.

Violence has reached epic proportions in Alaska schools. Elementary and Secondary principals are expelling students in record numbers for assault, weapons, gang activity, drug dealing and intimidation. Six years ago most administrators didn't know that there even was an expulsion policy. Now most of them know it by heart. I must share with you that it is with deep regret that any administrator expels a student for it represents the opposite purpose of our professional careers.


Gang activity is a phenomena new to Alaska. Most Alaskans when they hear the word gang, reminisce back to their school days... to the friends they "hung out" with on the weekend. They turned over a few outhouses and maybe raised a little "hell" from time to time but nothing serious. Hell raising was a week-end activity because most parents wouldn't let their kids run around on a school night.

It's not that way anymore. Gangs are organized groups of individuals who sell drugs, who hurt people, who intimidate people and who are not afraid of anybody or any thing. Many of them grew up on the streets of large cities and have moved to live with relatives because of problems back home. They don't leave their life behind but attempt to begin where they left off. The somewhat naive Alaskan youth are willing recruits for these people. When confronted, gang members are not concerned about our laws. It's no wonder gangs are in Alaska.

The reason they are not afraid is that our laws were designed for a different time. The isolation that protected us from the need for stricter laws is no longer protecting us. HB 30 is an important step. Gangs use clothing to communicate. It is with clothes that they identify their gang and it is with clothes that they send the message, "I am part of a gang... don't mess with me." We have had violent fights involving weapons as a result of who is wearing what colors. Sometimes the fights are between people who have never seen each other before they noticed each others clothes. Administrators need to regulate clothing as an important tool to keep the schools safe. Even if we didn't want to use uniforms, the knowledge that we have that authority, will create the peer pressure necessary to stop clothes from being used for intimidation.

Clearly, there are a number of laws that would help us in our efforts to educate our youth. I hope that you will continue to carefully explore opportunities to help intervene with at-risk kids. We need these laws, not to get rid of kids, but to help them.

If I can provide any further information, please don't hesitate to call.


Larry LeBou
Director of Federal Programs and Technology
Kodiak Island Borough School District

Copy & Distribute
to All House
Legislators!



Lawrence A. Wiget, Ed.D.
Director, Government Relations/Legislative Liaison
Anchorage School District
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TO: REPRESENTATIVE BETTYE DAVIS

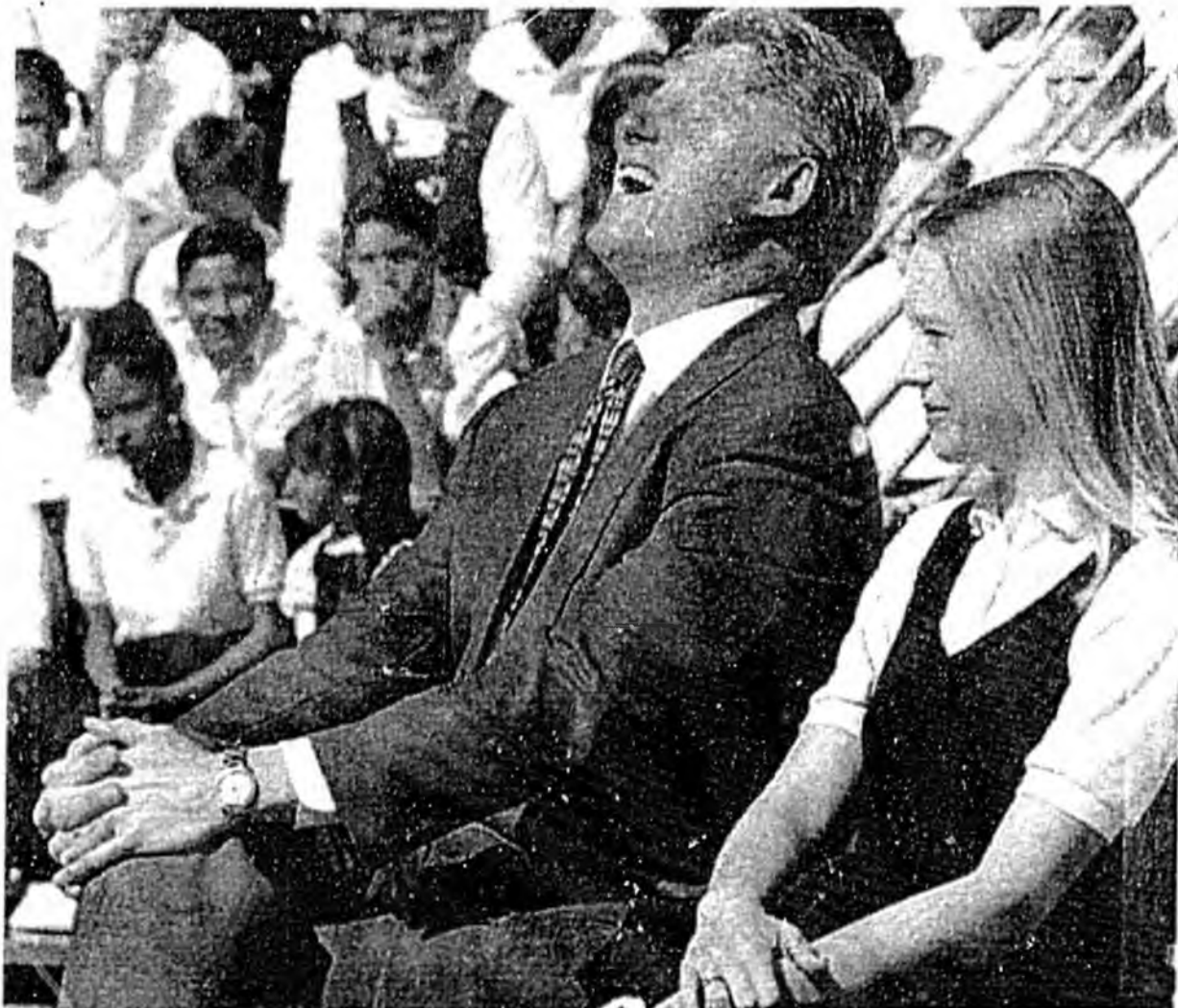
SUBJECT: ASD POSITION PAPER: HOUSE BILL 30, "AN ACT RELATING TO A DRESS CODE FOR PUBLIC SCHOOLS."

DATE: JANUARY 25, 1995

For students in the Anchorage School District, the issue of student dress is covered under the ASD Statement of Student Rights and Responsibilities, Section 10, Freedom of Symbolic Expression, Student Dress Code. The Section states:

STUDENT DRESS CODE: Each student shall attend school clothed in a manner which is clean, not hazardous to the safety of him/herself or others, and which does not detract from the required educational environment. Students may not wear clothing or items that are associated with gangs. Students who do will be excluded from school until such time that they cease wearing the clothing or items to school or school events.

At the present time the Anchorage School District does not have a dress code requiring students to wear or a uniform, nor is one under consideration. However, the District would support legislation which would allow a public school district to adopt a reasonable dress code that requires a student attending public school in the district to wear a uniform if the local school board determines that the policy is necessary for the health and safety of the students or teachers of the district.



Agence France-Press

Uniformed students surrounded President Clinton yesterday as he talked about school uniforms in California.

PRESIDENT ACTS ON SCHOOL ATTIRE

Tells Education Dept. to Advise
Districts on Uniform Policy

By ALISON MITCHELL

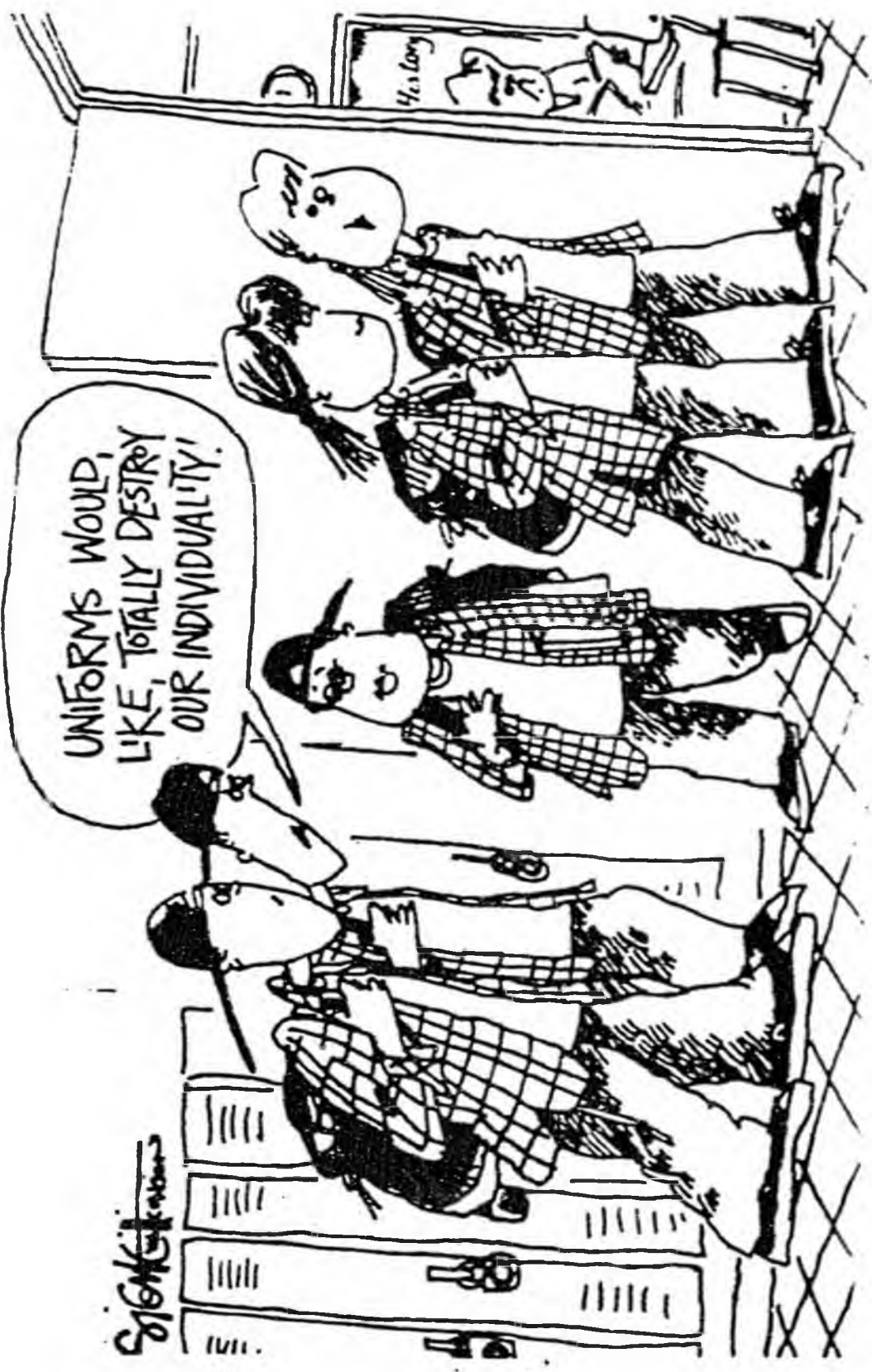
LONG BEACH, Calif. Feb. 24 — In the name of putting "discipline and learning back in our schools" President Clinton instructed the Federal Education Department today to distribute manuals to the nation's 16,000 school districts advising them how they can legally enforce a school uniform policy.

"If it means that teen-agers will stop killing each other over designer jackets," the President said in his weekly radio address, "then our public schools should be able to require their students to require school uniforms." He repeated the theme, of the voluntary use of school uniforms, in a series of appearances throughout the day, expanding on an idea he mentioned in passing in his State of the Union message.

"If it means that the schoolrooms will be more orderly, more disciplined," Mr. Clinton said, "and that our young people will learn to evaluate themselves by what they are on the inside instead of what they're wearing on the outside, then our public schools should be able to require their students to wear school uniforms."

New York Times
Feb 25, 1996

— ADDITIONAL INFORMATION —



Anchorage Daily News
1/31/76

70% of principals say uniforms would cut violence

By Dennis Kelly
USA TODAY

Seventy percent of secondary school principals think uniforms could cut down on violence, says a survey that could bolster President Clinton's efforts to push the idea.

The survey of 5,500 principals came Monday at the Na-

tional Association of Secondary School Principals convention in San Francisco.

"These principals know what it's going to take to get kids focused on learning and reducing disciplinary problems," says Rahm Emanuel, an aide to Clinton.

The survey arrives as the Education Department is set

to send manuals next month to the nation's 16,000 school districts offering legal guidance to those considering uniforms.

Clinton, who raised the issue in his State of the Union speech, argues "If it means that teenagers will stop killing each other over designer jackets," schools should be able to adopt uniforms voluntarily.

He's buoyed by examples such as schools in Long Beach, Calif., where fights dropped 51% within a year after uniforms were required.

The manual urges schools to engage parents and educators in the decision and advises that policies:

▶ Should accommodate items worn as part of religious

expression.

▶ Shouldn't prohibit expression, such as political buttons.

▶ Should consider an "opt-out" provision for parents.

"It obviously won't solve all the problems," says Michael Casserly, executive director of the Council of the Great City Schools. "But it's a step in the right direction."

USA Today
2/27/96

OPINION USA

School uniforms: A way to put content over style

Students in school districts adopting such policies have shown improved behavior, better test scores and higher self-esteem.

Anyone considering the wisdom of President Clinton's push for mandatory school uniforms need look no further than Anderson, S.C., where a 13-year-old boy's insistence on wearing a Confederate-flag jacket has resulted in his suspension from school, a federal lawsuit and a colossal waste of taxpayer time and money.



Commentary
By Kathleen Parker

The youth, seventh grader James Kinley, has been suspended twice in recent weeks for declining to doff his prized jacket. Sadly for those concerned about America's increasingly defiant youth, Kinley has the unwavering support of his parents.

In the cloying civil liberties-speak of his stepfather, Jim Phillips, "His rights have been violated. He's going to wear (the jacket) back until a court says he can't."

At issue is whether the school can dictate student attire. In most districts, schools may prohibit clothing considered to be "inflammatory," the definition of which seems to be up for grabs.

Clinton — both in his State of the Union address and last week while campaigning in California — cited instances in which children have been shot for their designer shoes and jackets.

The president has asked the Department of Education to distribute a manual to public schools on how to make a school uniform mandatory.

In South Carolina, where the Confederate flag flies over the statehouse and in the face

of the state's African-American population, the school-clothing issue is more political than fashionable. Legislators and citizens have been arguing for years about whether the rebel flag is a symbol of history or of racism, with opinions pretty clearly divided along racial lines.

Thus, to say the rebel flag is inflammatory in South Carolina is like saying the sun is a tad warm.

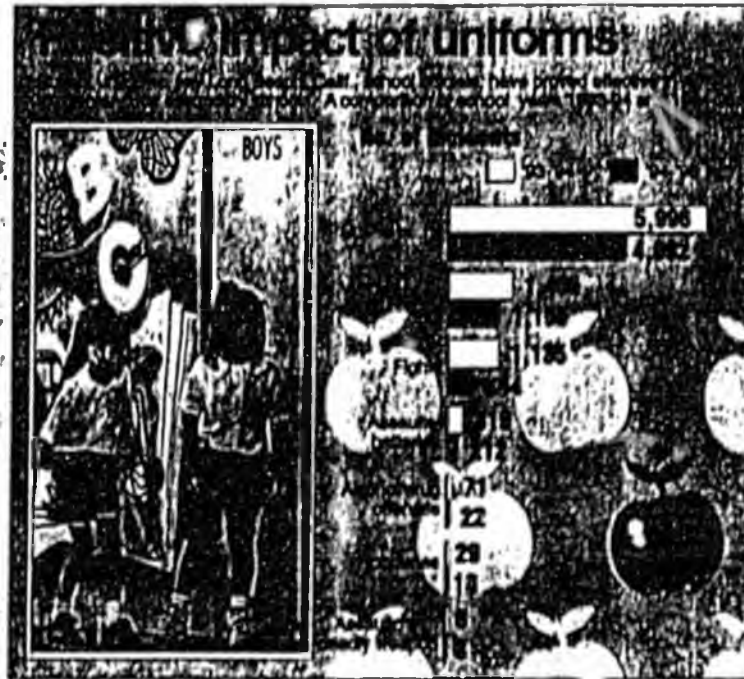
Meanwhile, it's tough to tell a kid he can't wear a jacket bearing one of his state's symbols when his own governor defends its place over the Capitol.

School uniforms at the very least would preclude Kinley-style conflicts. But we needn't rest our expectations there. As more and more schools adopt uniform policies — from Philadelphia to Seattle — educators are reporting improved behavior, better test scores, less absenteeism and higher self-esteem among students.

The prototype for uniform policies grew out of the Long Beach (Calif.) Unified School District, which in 1991 was the first school district in the nation to require uniforms in elementary and middle schools. In the academic year since, the number of fights is down by half, and suspensions have decreased 33%.

Similarly, schools are reporting fewer incidents of assault, sex offenses, robbery, drug use and vandalism, often by as much as 50% to 80%.

At the same time, academic performance



Source: Long Beach, Calif., Unified School District

is up. Test scores were so improved at one Long Beach school, Newcomb Academy, that parents camped out to get their kids on the admission list.

Not everyone loves the idea of school uniforms, of course.

Critics include the American Civil Liberties Union, which wants to protect kids' civil

liberties, though apparently only selectively. While defending the right of children to express themselves fashionably, the ACLU manages to ignore the civil rights of kids who are assaulted and sometimes killed for their duds or because they inadvertently wore gang-associated colors.

Some teens also protest, which is hardly

worth mentioning, given that teens generally protest any adult provision. More interesting are those kids who welcome uniforms as relief from pressure to keep up with expensive styles and from the contempt they feel from their better-dressed peers.

In Charleston County, S.C., where nearly half the public schools have adopted voluntary uniform policies, educators praise the leveling, egalitarian effect of uniforms. When everyone looks the same, they say, children feel better about themselves. They take pride in their studies, viewing school as a place of work rather than just somewhere to hang out with friends.

Most spurious are arguments that uniforms are racist, singling out the gang clothing born of black urban cultures. Suffice to say, not all cultural spawnings are worth preserving. Gangs and their trappings would be among these, as would certain inflammatory symbols, maybe even the Confederate flag.

Yes, the flag's a historical symbol for many. But given its association with slavery — not to mention the "Hell no, I ain't fergittin'" bumper-sticker crowd — one could argue that the flag doesn't make every single South Carolinian's chest swell with pride. Sometimes you let things go just to keep the peace.

In that spirit, perhaps it's also time to let go of the idea that a child's "right" to express himself is more compelling than another child's right to an education in a safe environment.

In school, if nowhere else, content should prevail over style.

Kathleen Parker, whose forebears fought on both sides of the Civil War, lives in Columbia, S.C., and writes a weekly syndicated column for Tribune Media Services.

story

School

Uniforms

Long Beach's
Pioneering
Experience
Finds Safety
and Economic
Benefits

BY CARLA COHN

Superintendent, Long Beach Unified School District, Long Beach, California

Two years ago, when our school system set out to become the first in the nation to require uniforms in all elementary and middle schools, much of the public school educational establishment reacted skeptically. We were told that permissive parents, civil liberties interest groups, timid legislators, and a biased news media would not let it happen.

Now that we have had 1 1/2 years of implementation with 99 percent compliance and a substantial decrease in school crime, the same establishment is asking: How did you do it?

Board Leadership

In fall 1993, Proposition 174, a statewide voucher initiative that would have provided public funds for private and religious schools, was defeated by the voters amidst a rancorous debate about dissatisfaction with the public schools. Our school board members participated in those debates and promised the voting public that, if they defeated the measure, it would not be business as usual in the public schools.

Voucher proponents criticized large public school systems in various ways, including this faint praise and condemnation: "Even when some in-

UNTUCKED SHIRT
Legal

BAGGY JEANS
Legal

DARK SHOES/BOOTS
Legal

This high school senior would be in compliance with a dress code adopted by the Stamford, Conn., school board last fall, with the possible exception of his baseball cap, which teachers have the discretion to allow or ban. Also illegal under the new dress code are oversized metal belt buckles, multi-finger rings, and hoop earrings. The code applies to Stamford's 1200 high schools. Photo by Angel Franco. The New York Times

dividual schools get better, the leadership doesn't have the courage to bring the reforms to the whole system."

This rang particularly true in our district because we had a highly successful pilot uniform program involving 11 of our 70 elementary and middle schools. Administrators in these schools were reporting significant improvements to school climate.

Board member Ed Eveland, a retired school administrator, took that challenge and commitment seriously. Three months after the defeat of the voucher initiative, Eveland's proposal for mandatory uniforms for all elementary and middle schools was unanimously passed by the board with a target starting date of September 1994. Individual schools were given the authority to meet with parents, teachers, and administrators to determine their own choice of uniform, incentives, compliance measures (within approved parameters), and means for providing financial assistance to indigent families.

Throughout our experience with mandatory school uniforms, the board has remained unanimous in pursuing full implementation of a policy that promises an improved learning environment and safety benefits for students. The policy also means substantially reduced clothing costs for parents.

Promoting Safety

Last year, the Public Agenda Foundation in its survey report, "First Things First: What Americans Expect from the Public Schools," revealed that parents and community members want public schools that are "safe, orderly, and emphasizing the basics." The report suggested that a public school without a primary emphasis on student safety is fraudulent in seeking any other improvements no matter how lofty or noble their purpose may be.

At uniformed schools in Long Beach, we're making student safety a top priority. Gang clothing is virtually nonexistent. Our uniforms thus provide a safe passage for children who must negotiate their way through gang territories going to and from school. Our students clad in uniforms need not worry about gang colors and styles. They don't have to focus undue

attention upon making sure they or their parents select clothing colors or items that avoid inadvertently advertising one's self as a gang member. Uniforms go a long way toward providing a neutral coat of arms for children whose clothing might otherwise make them targets.

changing gang styles and colors. Monitoring uniform compliance in our elementary and middle schools has been more effective than trying to enforce anti-gang codes.

More importantly, our first-year results in reducing on-campus school crime following implementation of



Long Beach Superintendent Carl Cohn meets with students at Newcomb Academy, now in its third year with mandatory uniforms. The K-8 school is so popular that 300 parents camped out overnight to get their children enrolled once it mandated a dress code. Photo by Ed Kniss/Long Beach, Calif., Unified Public Schools

Our uniforms also allow easy and immediate identification of outsiders who do not belong on campus. Every administrator of a large school knows the potential for problems of disruption and violence when outsiders, including gang members, gain access to a school campus without a process of ready identification.

Some parents and members of the news media have asked why we didn't just stick with the vigorous enforcement of a dress code as opposed to mandating uniforms. The truth is that we have had a dress code in the Long Beach schools for three decades and in recent years had amended it to exclude clothing and articles favored by gangs.

However, as most school administrators know, gang colors and items of apparel change constantly. Successive bans against one item or color after another is like trying to hit a moving target. Uniforms eliminate the need for serial proscriptions of constantly

mandatory uniforms are impressive. Occurrences of fighting, assaults, robbery, vandalism, and weapons possession have dropped sharply from the previous year without uniforms. Overall, we experienced 36 percent fewer crime incidents districtwide in our K-8 schools.

In addition, suspensions of students at our elementary and middle schools dropped significantly. Interestingly, this also was true at our high schools, which recorded 9 percent fewer suspensions last year.

As a school system, we were not anticipating such dramatic first-year gains and we'll be working this year with our researchers to ferret out whether other initiatives or interventions contributed to such impressive results. Suffice it to say that we are both surprised and delighted by these developments.

Learning Climate

In the past two years, our Public Infor-

mation Office has received thousands of inquiries from parents and school systems around the country asking whether school uniforms benefit only communities where gang warfare already is pervasive and out of control. Our answer is that all parts of our school system, suburban and urban, have realized substantial learning environment benefits as a result of mandatory uniform implementation. Some of our more suburban schools



Carole Quan, deputy superintendent of Oakland, Calif., Unified Public Schools, helped implement the district's mandatory uniform policy for students in kindergarten through eighth grade last fall. Photo by N.Z. Carol/Oakland Unified Public Schools

were pioneers in mandating uniforms precisely because they did not want urban gang influences spreading to their schools. Both minority and majority parents supported these initiatives as measures that would improve the overall learning for students, even if their children lived in relatively safe, crime-free neighborhoods.

Our teachers and parents believe that uniforms help foster a professional mindset for students. Children in uniform come to school with the attitude they are coming to school to work. School is then seen as a workplace for teaching and learning. It is

not seen as a battleground, a playground, or a fashion stage. Uniforms reinforce the expectation that school is, as it should be, a workplace for learning.

Many of our schools are reporting that they have enjoyed a noticeable decline in tardies, cut classes, referrals for discipline, and suspensions. This tangible benefit to the learning environment has created widespread enthusiasm for the uniform policy among large numbers of Long Beach parents, teachers, administrators, and business partners.

Easy Affordability

In Long Beach, most schools opt for a uniform that consists of a white shirt, blouse or polo shirt with collar worn with navy pants, skirt, or shorts. All schools have tried to adopt uniform arrangements that respect the socioeconomic diversity of our students. In our system of 81,000 students, a little more than a third qualify for Aid to Families with Dependent Children, while two-thirds are eligible for free or reduced price lunches.

We have found that the average clothing cost per child in schools with a student uniform is markedly less than that in schools without a uniform program, reducing clothing costs for parents. Typical uniforms in our area will cost \$70-90 per year for a set of three. As most parents know, this amount is far less than many students spend for one item of designer clothing.

Uniforms can be obtained at local thrift stores, department stores, or uniform suppliers where families can shop for the best values. Our parents tell us that an initial modest outlay for a uniform purchase is more than offset by future savings.

The board of education has made it clear that no youngster should be penalized for failing to wear a uniform because of financial hardship. All schools are required to develop procedures and criteria to identify families in need of financial assistance.

In addition, each school designates a staff member or volunteer to help those families in need of assistance. Finally, each school works with staff members, the local school community, and business partners to identify resources for assisting families.

At the district level, the Long Beach Education Foundation and the Assistance League's Operation School Bell have raised more than \$100,000 to support uniforms for poor kids this past school year. Hundreds of other local charities and individuals have come forward to offer their support to indigent families in our school community.

Compliance Challenges

Any school system planning to sail against the wind in setting higher dress behavior, and academic standards needs to be prepared to defend itself vigorously. The forces committed to mediocrity and the status quo are, at times, legion.

During our two-year experience with mandatory uniforms, we have had two legal challenges that, as of the end of 1995, we have successfully countered.

The first came about two years ago in federal court when a group of parents who were lawyers sought a temporary restraining order arguing that no public school system could implement a mandatory uniform policy. In denying the plaintiffs' petition, Judge Manuel L. Real of the Central District of California indicated that he could find "no irreparable injury" in the action of our board of education.

Our second and most recent legal challenge has come from a group of attorneys at the Legal Aid Foundation of Long Beach. They claim to fully support our mandatory uniform policy, but they argue we are denying poor children its benefits by refusing to make the program an entitlement one. They claim that poor families are going without food, utilities, and rental payments in order to purchase "expensive" uniforms. Their complaint demands that we provide six full sets of uniforms free to every youngster who qualifies for free or reduced price lunch.

We have no intention of complying with such an absurd request. Our community believes that poor people still have respect, dignity, and individual initiative. The last thing they need is one more government entitlement designed to foster greater dependency. Attorney Catherine B. Hagen of O'Melveny and Myers, a prominent Southern California law firm

Some Basic Ingredients for a Mandatory Uniform Policy

If you are considering adopting a mandatory school uniform policy, you should consider whether the following five critical conditions are present in your community before going forward:

- **A stable school board**

Major policy changes that directly affect all students and parents cannot be considered when a school board is unstable or dysfunctional. Our board maintained its unanimity throughout this process, even though one school board member was elected to the city council and was replaced by a newcomer, who has shown nothing but enthusiasm for the uniform policy.

- **Supportive parents and community**

Early on in our discussions about requiring uniforms, the *Long Beach Press-Telegram* conducted a survey showing that 80 percent of parents and community members favored the idea of public school uniforms. Throughout the process parents of all races and socioeconomic levels have been very supportive, contrary to the conventional wisdom that urban school parents do not support higher dress standards.

- **Resources to defend the policy**

Too often school systems adopt a "controversial" policy without sufficient attention to the allocation of resources to defend the initiative. Nothing is worse than staving down a path to higher standards for students and then abandoning the cause at the first sign of trouble, such as a legal challenge.

- **Capable site administrators**

Although some would see this as a given, the success of any systemwide initiative depends on the ability of principals to successfully tackle a new challenge. If principals signal anything less than enthusiasm for a school uniform initiative, you will not get a high rate of compliance.

- **Community philanthropic resources**

Throughout the years, local philanthropic and service organizations have come forward to make sure that poor kids in our district have the basic necessities for school. Uniforms in Long Beach and other communities are serving as a positive vehicle for garnering additional community support for poor students.

—Carl Cohen

once headed by Secretary of State Warren Christopher, has agreed to represent our school system pro bono in this matter.

Another challenge that we've had to face comes from those parents who have decided to opt their child out of the uniform policy. The uniform legislation bill, which Governor Pete Wilson signed in August 1994, included a provision that required school districts to provide "a method whereby parents may choose not to have their

children comply with an adopted school uniform policy."

While our school district would have preferred a bill without that provision, we've been able to maintain an extraordinarily high level of compliance at all schools for a year and a half. School principals, parents, and classroom teachers deserve all the credit for sustaining this success over time.

Future Prospects

Whenever I give a speech before a

community group or service club, the first question from the audience is always about when, not if, we will bring mandatory uniforms to our high schools. And if the audience includes some of our genuine old-timers, they will point out that Long Beach high school students actually wore uniforms in the 1930s and '40s, confirming the notion there really is little that is new in education today.

As we look to the future, we are determined to bring the safety, learning environment, and economic benefits of mandatory school uniforms to our high school students, even though



Students from Franklin Year Round School in Oakland, Calif., show off their uniforms. Photo courtesy of Oakland Unified Public Schools

implementation will require even greater courage than we've shown so far.

One of our high school parent support groups actually is supporting implementation of a pilot uniform program at their high school for the 1996-97 school year. In the meantime, we'll be sending high school students, teachers and parents to visit high schools in San Francisco and Orange County, Calif., which are pioneering school uniforms this year.

As I look back on the past two years of this extraordinary adventure, I'm thankful to a courageous school board, incredibly supportive parents, hard-working teachers and administrators, a giving community of volunteers, and 57,000 elementary and middle school students who wear their uniforms with pride every day.

Fashioning a New School Policy

Gangs Assaults Continuing violence. Public schools have been in the center of this escalating maelstrom over the past few years.

Some educators looking for remedies have fastened on the notion of requiring students to wear school uniforms.

In response, several states—California, Delaware, North Carolina, Utah and Virginia—have passed legislation that gives local school boards the option to require uniforms. The laws also specify that constitutional protections and needs of the

poor be met. The California law links uniforms to school safety plans and provides for at least six months' notice to parents. The Utah law gives parents 30 days to disapprove a dress code.

Although the move is controversial, educators argue that uniforms help eliminate fights over certain kinds of clothes, especially those that are gang-related, and reduce distractions caused by students who wear things that are expensive, trendy or suggestive.

Do the policies work? They did in Long Beach, Calif. Since the student uniform policy was adopted for elementary and middle schools in 1994, there has been a 32 percent decrease in student suspensions, an 18 percent decrease in vandalism and fights are down by 51 percent.

"Look at the numbers, look at the reduction of crime," says Long Beach Principal Shawn Ashley, who now wears a uniform himself.

The Long Beach policy is being challenged in court, however, by 26 low-income parents who argue that since they cannot afford uniforms, the rule does not provide equal access to education by the poor. There is some money available to help needy students, but the group contends that it is not enough.

Phoenix, Ariz. schools also faced a court challenge on uniforms, and won. Maricopa County Superior Court Judge Michael D. Jones ruled in November 1995 that a middle school uniform rule did not violate the First Amendment freedom of choice and expression—even though the policy did not give students the option of not wearing a uniform. Jones ruled the school district decision reasonable because it adopted the policy to help eliminate gang-related clothing and put students of different socioeconomic levels on even ground.

State Legislatures
Feb. 1996

EDUCATION WEEK

American Education's Newspaper of Record

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ADDRESS THE NATION

'Dressing For Success'

Calif. District Touts Uniforms for Putting Focus on Learning

By Jessica Fortner
Long Beach, Calif.

Lucia Moore has been feeling especially proud lately.

And she has President Clinton to thank. In his State of the Union Address last month, Mr. Clinton praised student uniforms as a way to promote safety and discipline in public schools. Ms. Moore, the principal of Will Rogers Middle School here, felt a particular excitement in the endorsement.

"Everybody is looking for answers, and here in a district that is doing something that is working," she said. For more than a year, the 83,000-student Long Beach system has required its elementary and middle school students to dress in uniform fashion. It was the first public school district in the nation to do so.

Mr. Clinton may have had the Southern California school system in mind when, in his speech, he challenged public schools to mandate uniforms "if it meant that teenagers [would] stop killing each other over designer jackets."

Dramatic Results

Since the mandatory-uniform policy was launched on 36 elementary and 14 middle schools here in fall 1994, violence and discipline problems have decreased dramatically, a recent survey by the district shows.

From the year before uniforms were required, 1993-94, to last year, assaults and battery cases in grades K-6 have dropped 34 percent. Physical fights between students have dropped by 51 percent, and there were 32 percent fewer suspensions.

Though each school in the district can choose its own uniforms, most Long Beach students are required to wear black or blue pants, shirts, or skirts with white shirts. Nearly 60,000 K-6 students are affected by the policy.

Parents have the option of removing their children from the requirement. But, so far, only 500 parents have filed out petitions to

Continued on Page 17



The 83,000-student Long Beach, Calif., school district has required that students in its 56 elementary and 14 middle schools dress in uniform fashion since the fall of 1994. Educators in the district credit the dress code for reducing fights, increasing academic achievement, and discouraging gang members from harassing students. But some students aren't as high on the idea as their parents and teachers. "It's totally bogus," one student says.

Summit Seeks New Focus on School Reform

Standards, Technology Top Governors' Agenda

By Lonnie Hays
Washington

The nation's governors and top corporate executives will trumpet standards and technology as medicine for what ails the nation's schools when they gather next month in New York state for an education summit.

Details of the summit began to emerge last week at the National Governors' Association's winter meeting here.

Led by Gov. Tommy G. Thompson of Wisconsin and Louis V. Gerstner Jr., the chairman and chief executive officer of U.S. Summit organizers said that as of last week 27 of the governors already had pledged to attend. The March 26-27 event likely will be the most high-powered discussion of state education policy since 1989, when the 50 state governors met with President Bush and agreed to set national education goals.

But unlike at that meeting in Charlottesville, Va., state leaders will not be focused on a comprehensive list of reform targets. Next month's meeting will be a

Continued on Page 17

State and Local Budget Writers Brace for Worst

By Robert C. Johnston and Drew Lindsay
Washington

Uncertainty over federal funding is leading many local and state officials to use worst-case scenarios to plan next year's school budgets, anticipating at least a 17 percent cut in federal aid.

The bleak forecasts are fueling talk of pink slips and program cuts, especially in many urban and poor rural school systems where federal money pays for nearly 30 percent of school budgets. On the average, money from Washington makes up about 6 percent of school spending.

"Funding errors cause school districts to function with tunnel vision," David L. Hood, the superintendent of the Detroit schools, said at a recent news briefing on

Continued on Page 17

VETO POWER: President Clinton pledges to veto a new budget bill if it doesn't boost education spending. Washington, Page 18

INSIDE

A Legal First

In a first of its kind ruling, a federal judge finds that Clinton has failed to provide special services to all the state's eligible infants and toddlers with disabilities.

Across the Nation, Page 8

An Early Warning

Georgia's state schools shut back off a threat to stop state-funded pre-K programs from using materials published by a well-known early-childhood group.

State Capitals, Page 14

Research-Center Grants Awarded

The U.S. Department of Education awards a total of \$107 million over five years to seven new national education-research centers.

Washington, Page 20

Telling Tales Out of School

Legislators nationwide are hearing horror stories of how educators are curbing parents' rights. But what do these tales really signify?

On Assignment, Page 26

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Since the Long Beach school system adopted its mandatory uniform policy in 1994, it has recorded a significant drop in behavior problems and a marked rise in academic achievement. Top left and top right, students at Roosevelt Elementary School wear their assigned outfits during their physical-education class. Under the policy, each school can choose its own colors and style of dress. Above, Stephanie Harrison, and Jennifer Corral wear different versions of Franklin Middle School's approved T-shirt.

items—a white shirt and a pair of pants—for \$25 from several area stores. In addition, many schools sell sweatshirts or shorts for \$6 each. Many local charities also provide free uniforms, backpacks, and shoes to needy students. And if parents find the costs too burdensome, Mr. Van DerLaan, the district spokesman, said, they can always opt out. A flyer explaining the right way to provide such items takes any uniform policies because effective, he said. Despite their commitment to the school-uniform policy, Long Beach officials don't view it as a panacea for discipline problems. Other efforts, such as stepped-up parent involvement and additional

have contributed to the more peaceful climate on campuses, school leaders here say. The district is continuing to evaluate the benefits of uniforms to determine whether last year's improved numbers for behavior were more than a fling in the wind. And while some Long Beach students complain that the regulations drive up overconsumption and dampen their personal style, many also see a positive side. "The good thing is people judge you on your other characteristics rather than what you wear," said Nick Duran, an 8th grader and the student-body president at Rogers Middle School. Plus, he said, it's easier to choose what to put on if

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Technology in Education Newsletter

published by the Dalton School's
"New Laboratory for Teaching and Learning"

Over the past decade the Dalton School's New Laboratory for Teaching and Learning has had considerable influence over the way K-12 educators and administrators understand and use the new technologies. Using our knowledge and the questions we still have about technology in education, we are publishing this newsletter as a way to cover national trends, highlights in K-12 schools, and related upcoming events around the world. By subscribing now, your school can immediately submit articles and questions to be included in our upcoming issues. Our newsletter provides the place for you teachers to share their work with their peers and experts in the field.

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Suit Challenging Long Beach Uniform Policy Dropped

By Jessica Portner

The American Civil Liberties Union of Southern California last week agreed to drop its lawsuit against a California school district after the district pledged to improve the way its mandatory school-uniform program was being implemented.

For more than a year, the 83,000-student Long Beach district has required all its elementary and middle school students to dress in uniform fashion. It was the first public school system in the nation to institute a districtwide uniform policy. (See *Education Week*, Feb. 14, 1996.)

Under district policy, parents can get exemptions from the uniform requirement for their children.

Informing Parents

But soon after the policy was put into place in fall 1994, the ACLU filed a lawsuit in state court on behalf of 26 low-income families, claiming that the policy neglected to adequately inform parents about their right to opt out of the program. ACLU lawyers also said the plan posed a financial burden on poor families who could not afford to buy uniforms for their children.

Under the agreement, the district pledged to distribute addi-

tional mailings to parents about the uniform policy as well as provide information about local charities that donate uniforms to students. District officials said charities have donated more than \$180,000 worth of uniforms to district students since the program began.

District leaders also agreed to designate an official to be an ombudsman between the school system and parents, as well as install liaisons at elementary and middle schools who can assist parents with problems and questions about the uniform code.

Both parties seemed pleased last week that they were able

to settle their differences out of court.

"We are thrilled that this has worked out, because parents will now know their rights and have help," said Ann Bradley, the media director of the ACLU of Southern California.

Dick Van Der Laan, the district's spokesman, said the decision was fair to all concerned. He said he was relieved that the plaintiff dropped their initial request to require the district to provide uniforms to each low-income student who requested them.

"That would have been a pretty substantial price tag," Mr. Van Der Laan said.

Reno lauds school uniform policy

Associated Press

LONG BEACH - Attorney General Janet Reno brought White House encouragement Wednesday to the first U.S. public school district in modern times to make its students wear uniforms.

Reno and local officials cited a sharp drop in schoolyard fighting and crime, but some low-income parents have complained the uniform policy isn't uniform enough.

"You set a wonderful example for this country," Reno told students at Will Rogers Middle School. She promised to tell President Clinton what the school had accomplished.

"He is so proud of what you've done," she said.

The Long Beach Unified School District in 1994 began a mandatory uniform policy for its nearly 60,000 students in 36 elementary and 14 middle schools.

Fighting dropped by more than half last year from the year before, according to district figures. Suspension went down 32 percent, while crime and fighting generally were down 36 percent.

"I am convinced that uniforms can make a big difference," Reno said.

"It's a diverse nation," she told students. "But I think you're going to be seeing uniforms in more and more schools across the country."

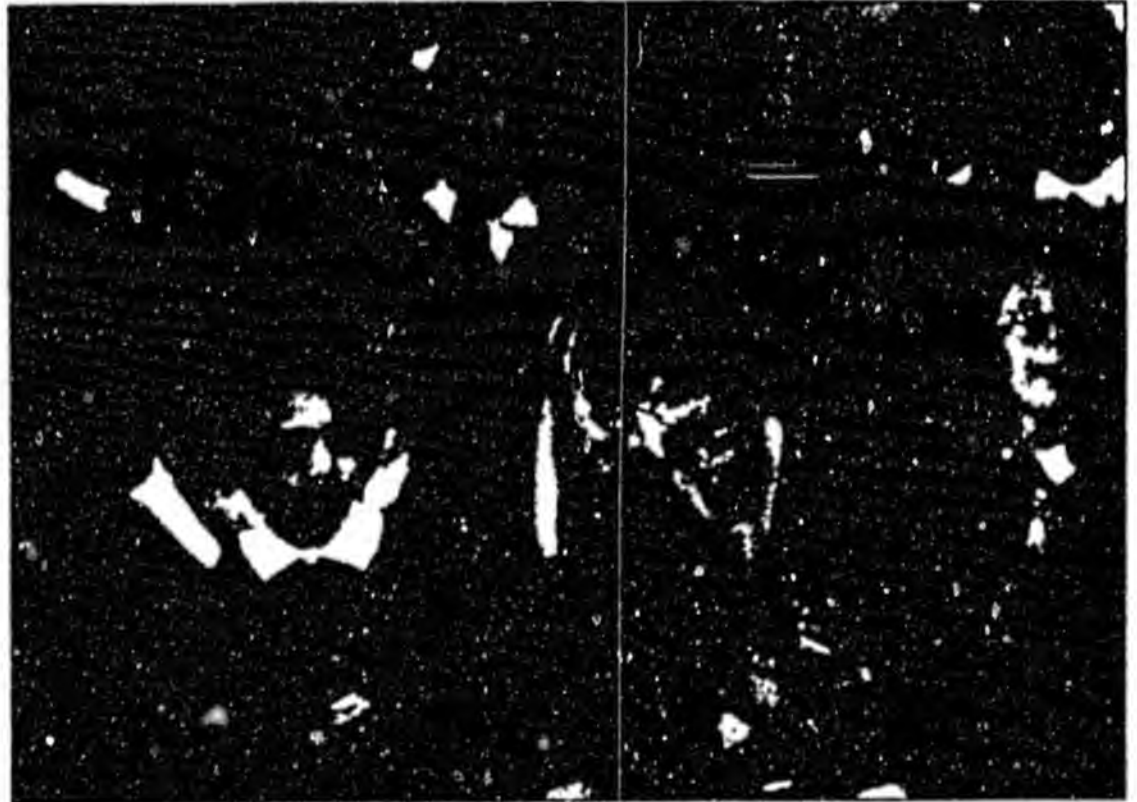
The uniform issue is one topic where the White House can find common cause with conservative Christian and other organizations pushing for school changes that include mandatory prayer and a sex education ban.

A dozen children who took part in Wednesday's program told Reno they liked their uniforms.

"I feel like I'm going to work, not hanging out with my friends," said one youngster who stepped up to the microphone.

"Do you have to wear a uniform at work?" asked student Laura Perry.

"I think I would enjoy it," the at-



Associated Press

Attorney General Janet Reno applauds the comments of a student during a visit Wednesday to

a Long Beach middle school, where she praised the district's mandatory uniform policy.

tomey general replied, explaining that she wouldn't have to worry every morning about what to wear.

Children out on the playground were just as candid.

Gang symbols, particularly Rader football logos, were popular before last year, said Michael Rausch, 12. "At lunch there's no more fights," he said.

Not all the students were so positive.

"I feel that uniforms are kinda stupid, 'cause the school shouldn't make us wear what we don't want to," said Danielle Bent, 14.

Others have objected to the policy, too.

About 50 parents and students sued the district Sept. 12, claim-

ing students who couldn't afford uniforms were being harassed by teachers and administrators.

"The policy is not standard throughout the schools in the district," said Ann Bradley, a American Civil Liberties Union spokeswoman.

The district needs to make it clear to parents that they don't have to buy uniforms if they can't afford them, she said, and children who can't must be left alone.

"A lot of these kids - little kids - have been harassed by teachers who pull them out of lunch lines or stop them in the halls," Bradley said. "There come we're not sitting down at the table and finding a way to solve this problem? We didn't want to file this suit."

The ACLU and Long Beach Legal Aid were handling the plaintiffs' case.

"We don't disagree that the policy is fantastic," Bradley said. "We're saying we have to rectify this problem."

"We have numerous other ways to provide uniforms for students," countered Linda Moore, principal at Rogers. Those include the Parent Teacher Organization, a special foundation and private donors, she said.

"No student goes without one," Moore said.

"Moms tell us they can buy three uniforms for the price of one pair of designer jeans (costing \$50 to \$60)," said district spokesman Richard Van Der Laan.

In Mass., uniforms an option

By Karen Avenoso
GLOBE CORRESPONDENT

Blazers, jumpers and kilts are already common under voluntary uniform programs in some Massachusetts public schools.

More than a quarter of Boston's 81 public elementary schools, and dozens of schools statewide, offer students a uniform option. But uniforms are not mandatory, as in the Long Beach experiment.

In Boston, 24 public schools - all but one at the elementary level - plan to adopt or have adopted an optional-uniforms policy, according to School Department officials. The 1993 Education Reform Act gives individual school councils the right to recommend allowing uniforms.

Bay State school officials said they have avoided legal problems by wording their policies carefully and always making uniforms voluntary.

Boston schools that have a uniform policy include the Trinity Middle School in Roxbury, the Paul A. Dever School in Dorchester and the Agassiz Elementary School in Jamaica Plain. At the Agassiz, Hispanic parents, familiar with uniforms from their native countries, lobbied for them three years ago, principal Alfredo Nunez said.

"They felt it gave students a sense of pride in the school and would cut down on spending and disciplinary problems," Nunez said. He said he has seen some changes, but noted that only 100 of 900 students choose to wear uniforms.

Recently, the Holyoke School Committee passed a voluntary school uniform policy, school officials there said. And in May, the John F. Kennedy Elementary School in Randolph became one of the first suburban Boston schools to offer students a uniform option.

Boston Globe

Jan. 13, 1996



Kodiak Island Borough School District
722 Mill Bay Road
Kodiak, Alaska 99615
Office of the Superintendent
(907) 486-9220

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Ans'd.....

April 19, 1996

Senator Lyda Green
Alaska State Legislature
State Capitol (MS 3100)
Juneau, AK 99801-1182

Dear Senator Green:

At a special meeting on Monday, April 15, 1996, the Kodiak Island Borough School District Board of Education unanimously approved the following resolutions:

- Resolution #956-02, *A Resolution in Support of HB 30 -- Dress Code for Public Schools*
- Resolution #956-03, *A Resolution in Support of CS HB 354 (STA) -- Retirement Incentive Program*

Thank you for your efforts and continued support on behalf of the children of Alaska.

Sincerely,

Bruce Johnson
Superintendent of Schools

sjc

Enclosures: Resolution #956-02
Resolution #956-03



Kodiak Island Borough School District

Resolution #956-02

**A RESOLUTION IN SUPPORT
OF HB 30 -- DRESS CODE FOR PUBLIC SCHOOLS**

WHEREAS, the State of Alaska currently provides that students may be denied admission to school for behavior which is inimicable to the welfare, safety, or morals of other students; and

WHEREAS, the Kodiak Island Borough School District, Kodiak Police Department and Alaska State Troopers have determined that gang activity has increased on Kodiak Island; and

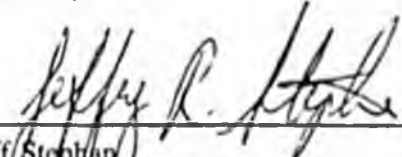
WHEREAS, the Kodiak Island Borough School District is currently under threat of a lawsuit from an attorney representing a Kodiak family alleging that the district's policy restricting student dress and disciplining students who are found to be in violation of the established dress code violates the State of Alaska Constitution guarantee of free expression; and

WHEREAS, parents and students associated with Kodiak High School and Kodiak Middle School have testified during public hearings that students dressed in gang colors/clothing have intimidated and threatened them; and

WHEREAS, the Kodiak Island Borough School District Board of Education on March 25, 1996, adopted a policy addressing student dress which forbids gang activity, gang presence, and indicia of gang presence or activity (including gang clothing);

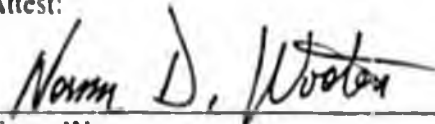
NOW, THEREFORE BE IT RESOLVED, that the Kodiak Island Borough School District Board of Education supports the passage of HB 30, An Act relating to a dress code for public schools, establishing a school district's authority to restrict student dress if it is determined that such a restriction is necessary to ensure the health and safety of students or teachers of the district.

**ADOPTED BY THE KODIAK ISLAND BOROUGH SCHOOL DISTRICT BOARD OF EDUCATION
THIS FIFTEENTH DAY OF APRIL, 1996**



Jeff Stephan
President, Board of Education
Kodiak Island Borough School District

Attest:



Norm Wooten
Clerk, Board of Education
Kodiak Island Borough School District

HB

35



Official Business

Alaska State Legislature

HOUSE OF REPRESENTATIVES

State Capitol
Juneau, AK 99801-1182

Sponsor Statement

House Bill 35

Sexual Misconduct by Medical Professionals

This legislation provides the State Medical Board with the authority to sanction doctors who make sexual contact with their patients. Current statutory language governing such conduct is vague, sanctioning doctors for "unprofessional conduct, or in lewd or immoral conduct in connection with the delivery of professional services to patients."

Granting the Medical Board authority to sanction doctors in this case is critical for several reasons:

- *the degree of patient emotional and physical vulnerability which is inherent in virtually every doctor/patient relationship.

- *the extent to which a doctor may use his or her status in the professional relationship to induce the patient's consent to sexual activity.

- *the doctor's medical judgment is compromised by his or her sexual interest in the patient.

HB 35 brings specificity to the existing statute, giving the Medical Board and its examiners a viable mechanism to address this area of concern.

Dr. James McGuire

Medical board's decision outrageous

An emotionally troubled young woman seeks medical help. Instead of assistance, she gets manipulation and sexual abuse. Over several years, the man she trusted for medical help uses her repeatedly for his sexual pleasure. For more than five years, the psychiatrist abused his patient, his license and the community's trust.

Now, only a year after his admissions, the state medical board has decided Dr. James McGuire ought to be able to practice psychiatry again.

That's an outrage.

Sure, the board seeks some restrictions on his license: he should treat only adult men — not women, children or sex offenders, the majority said.

But that's like saying the only thing wrong with his behavior was the physical sex act itself. It ignores the failure of integrity that is truly the heart of this case. What about his judgment? His ethics? His morals?

He lied to his patient and used his position of trust to abuse her. Is that the kind of judgment we expect from doctors in this state? Are his ethics good enough to continue practicing medicine in Alaska? Is this man morally fit for the practice of psychotherapy?

Is this the kind of man we want giving psychiatric counsel to anybody — adult male or otherwise?

It is not. The state medical board should know that. If they're not willing to keep sex abusers from practicing medicine in our community, what good are they?

Doctors always tell us they should be responsible for policing themselves. Don't worry about licensing, or malpractice, or accountability, they say. We'll take care of it.

Like this? If so, the system is a failure. The board has much to answer for in the matter of Dr. James McGuire.

Karma VanGelder, his victim, bravely has gone public with her story and the charges to try and prevent Dr. McGuire from hurting others. She said: "Lots of people say I should be angry. I don't wish any harm to him. I don't want him to do this to anyone else."

The medical board should be so wise.

Ms. VanGelder deserves thanks for her public spirit. The board should be called to account for a profound lack thereof.

Dr. McGuire

What can be done in the future?

After James McGuire's Alaska medical license was suspended last year, he moved to Washington, landed a prison-psychiatry job and obtained counseling required by the state of Alaska. Then he complained that those he was getting treated with weren't professionals and some are child molesters.

What nerve.

But what can be done to assure future Dr. McGuire's are sanctioned adequately?

• Support: Alaska House Bill 35, introduced by Rep. Sean Parneil. It explicitly spells out that the State Medical Board can sanction licensed health professionals who engage in sexual misconduct. HB 35 moved out of the House Judiciary Committee Monday.

State Division of Occupational Licensing director Catherine Reardon says it's a good idea that the legislature step in and make it clear that unprofessional conduct explicitly includes sexual misconduct. The lesson here: Obviously, the medical board can't be given squirm room — or it will squirm.

• Create a state code of ethics for the medical profession. The State Medical Board can redeem itself a small iota in the public's view by adopting a code of ethics, as already allowed by state law. Most states have such codes. That Alaska doesn't reflects poorly on all of us, but particularly the medical board.

• Support: U.S. Rep. Ron Wyden of Oregon's upcoming attempts to hold licensed health professionals like physicians more accountable to the public. The National Practitioner Data Bank is a federal service that keeps track of disciplinary and malpractice actions against medical professionals for health organizations and licensing boards.

Rep. Wyden soon hopes to introduce legislation to make the data bank available to the public and require public organizations like medical boards to access the information.

Legislators and State Medical Board: Get to work

FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. HB 35

Revision Date: February 6, 1995 Department: Commerce and Economic Development
 Title: An Act relating to the grounds for imposing BRU: Occupational Licensing
disciplinary sanctions...by the State Medical Board. Component: Operations
 Sponsor: Representative Parnell
 Requestor: Representative Parnell COMPONENT SERIAL #: 1844

Expenditures/Revenues	(Thousands of Dollars)					
OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES						
CHANGE IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE	(Thousands of Dollars)					
1002 Federal Receipts						
1003 GF Match						
1004 General Fund						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 95) cost: \$ 0.0

POSITIONS

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

HB 35 amends the grounds for imposing disciplinary sanctions on medical licensees if the licensee engages in sexual misconduct with a patient. New funds are not required to implement this bill.

Prepared by: Jennifer Strickler, Admin. Officer, Phone: 465-2144
 Division: Occupational Licensing Date: 2/6/95
 Approved by Commissioner: William L. Hensley Date: 2/6/95
 Agency: Commerce and Economic Development

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DIVISION OF LEGAL SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
TDD (907) 465-2029
Mail Stop 3101


130 Seward Street, Suite 409
Juneau, Alaska 99801-2102

MEMORANDUM

March 21, 1995

SUBJECT: Sectional Analysis of HB 35 (Work Order No. 9-LS0170A)

TO: Representative Sean Parnell
Attn: Michael Morner

FROM: Terri Lauterbach 
Legislative Counsel

This memorandum is a sectional analysis of HB 35. Since you have asked no particular questions about the bill, this memorandum is brief. Please let me know if you need additional assistance.

Section 1.

Clarifies that "sexual misconduct" is a ground for imposing disciplinary sanctions on a physician. Defines some of the conduct included in "sexual misconduct."

Section 2.

Limits the applicability of the bill to conduct occurring after the effective date, thereby avoiding an ex post facto problem.

TML:imb
95-149:imb

C.

HOUSE COMMITTEE REPORT

5/2/95

Date Referred: April 18, 1995

FURTHER REFERRALS:

Finance

Date of Committee Action: 4/24

The JUDICIARY Committee considered:

HB 35

HOUSE BILL NO. 35

SEXUAL MISCONDUCT BY MEDICAL PROFESSIONAL

"An Act relating to the grounds for imposing disciplinary sanctions on persons licensed by the State Medical Board."

recommends it be replaced with the following committee substitute CS HB 35 (Ind) [] the same title [x] a new title

[] additional referral to _____ Committee [] attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Cost)

APPROVES PREVIOUS: (Cost/Date)

[] fiscal note(s) _____

[] fiscal note(s) _____

[] zero fiscal note(s) _____

[x] zero fiscal note(s) Income - Finance development 4/18/95

SIGNING WITH RECOMMENDATIONS		DP	DNP	NR	AM
Brian S. Porter	Porter	✓			
[Signature]	Torrey	✓			
[Signature]	Green	✓			
Beth Davis	B. DAVIS	✓			
[Signature]	Finkelshteyn			X	
[Signature]	Bunde				
		(S)		(C)	

CHAIR'S SIGNATURE Brian S. Porter

HOUSE COMMITTEE REPORT

(9)

Date Referred: January 16, 1995

FURTHER REFERRALS:

Judiciary
Finance

Date of Committee Action: 4/13/95

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 35

HOUSE BILL NO. 35

SEXUAL MISCONDUCT BY MEDICAL PROFESSIONAL

"An Act relating to the grounds for imposing disciplinary sanctions on persons licensed by the State Medical Board."

recommends it be replaced
with the following committee substitute

CS HB 35 (HES)

the same title
 a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept)

APPROVES PREVIOUS: (Dept/Case)

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) CED

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Harry L. Davis</i>	<input checked="" type="checkbox"/>			
<i>Carl R. Davis</i>	<input checked="" type="checkbox"/>			
<i>Robert J. Davis</i>	<input checked="" type="checkbox"/>			
<i>Robert J. Davis</i>	<input checked="" type="checkbox"/>			

CHAIR'S SIGNATURE

Carl R. Davis

Alaska State House of Representatives
Nineteenth Legislature
First Session

RCS# 605
Item 4

05-05-95
11:07:21

CSHB 15(JUD)
Third Reading
Final Passage

Yeas: 39 Austerman, Barnes, Brice, Brown, Bunde,
Davies, B.Davis, G.Davis, Elton,
Finkelstein, Foster, Green, Grussendorf,
Hanley, Ivan, James, Kelly, Kohring, Kott,
Kubina, Mackie, Martin, Masek, Moses,
Mulder, Navarre, Nicholas, Ogan, Parnell,
Phillips, Porter, Robinson, Rokeberg,
Sanders, Therriault, Tochey, Veray,
Williams, Willis

Nays: 1 MacLean

Excused: 0

Absent: 0

TONY KNOWLES, GOVERNOR

DEPARTMENT OF COMMERCE AND
ECONOMIC DEVELOPMENT

DIVISION OF OCCUPATIONAL LICENSING

3601 C STREET, SUITE 200
ANCHORAGE, ALASKA 99503-5986
PHONE: (907) 561-2978
FAX: (907) 562-5781

February 8, 1995

Representative Sean Pamell
State Capitol - Room 515
Juneau AK 99801-1182

Dear Representative Pamell:

At the February 2-3, 1995, meeting of the Alaska State Medical Board, House Bill 35 adding sexual misconduct language to AS 08.64.326, which you sponsored, was reviewed and discussed by the board.

The board wishes to advise you of their support of your efforts with this bill and to express appreciation for your advocacy on this important issue. As we have discussed, all parties agree such behavior is unacceptable by any health care provider under any circumstance. We are concerned that the words "... generally accepted methods of examination or treatment..." in the proposed bill may prove exceedingly difficult to define, and indirectly provide an ambiguity through which the intent of this law may be evaded by the unscrupulous practitioner whom this law seeks to address.

We are working on regulatory language to define "sexual misconduct"; if you think it beneficial, perhaps this proposed regulatory definition may accompany your bill. Certainly the passage of your bill will give our effort a great measure of support.

We know that it is through the endeavors of legislators such as yourself and Representative Cynthia Toohey who recognize the magnitude and significance of such legislation that the people of Alaska will be protected and we, as a board, support those endeavors.

Sincerely,



David A. McGuire, M.D.
Chairman, State Medical Board

LGH:1

xc: Representative Cynthia Toohey
Board Members

pamell.doc.4100

ALASKA NETWORK ON DOMESTIC VIOLENCE AND SEXUAL ASSAULT

130 Seward Street, No. 501 • Juneau, Alaska 99801 • (907) 586-3650

Abused Women's Aid in Crisis (AWAIC); Advocates for Victims of Violence (AVV);
Aiding Women in Abuse and Rape Emergencies (AWAPE);
Alaska Women's Resource Center (AWRC); Arctic Women in Crisis (AWIC);
Bereng Sea Women's Clinic (BSWC); Eastern Women's Shelter;
Kodiak Women's Resource & Crisis Center (KWRC);
Marshall Regional Women's Crisis Program; Parents Aid Family Support Center;
Safe & Fear-Free Environment (SAFE); Seward Life Action Council (SLAC);
Sevens Against Family Violence (SAFV); South Peninsula Women's Services (SPWS);
Standing Together Against Rape (STAR);
Tongass Community Counseling Center; Tundra Women's Coalition (TWC);
Unassaulted Against Sexual Assault & Family Violence (USAASFV);
Valley Women's Resource Center (VWRC);
Women in Crisis Counseling & Assistance (WCCA);
Women in Safe Homes (WSH); Women's Resource & Crisis Center (WRCC);

HOUSE BILL 35 SEXUAL MISCONDUCT BY MEDICAL PROFESSIONALS

The Alaska Network on Domestic Violence and Sexual Assault (Network) is a statewide coalition of 22 nonprofit programs. Shelter, advocacy, crisis intervention and counseling, and referral services are offered by member programs to victims of domestic violence and sexual assault. During FY94, over 9,500 victims and minor children sought and received services from member programs.

The Network supports passage of HB35. The American Medical Association and most state boards have condemned sexual relationships concurrent with the physician/patient relationship, and have established standards and grounds for sanctions for those physicians who choose to engage in sexual misconduct. It is the physician's responsibility to establish and maintain professional boundaries. Consequences should be imposed when he or she crosses the line.

Self-reporting survey statistics are revealing. Nationwide some 7.1% of the male psychiatrists and 3.1% of the female psychiatrists admitted to sexual involvement with patients. Overall, physician figures are estimated to be about 10%. The typical offender is between the ages of 40-50, has been practicing over 10 years, and is married with children.¹

Most sexual abuse involves a perpetrator exploiting a position of trust. Physicians have a unique position of trust with patients. In addition, they:

- 1) Have access to private information about patients.

¹Rhode Island Department of Health Bulletin, Summer 1992

- 2) Are in a physically intrusive position.
- 3) Can feel invisible and invincible because of their status and special relationship with patients.
- 4) Can rationalize that the patient's interest in them is personal rather than a by-product of the unique doctor-patient relationship.²

When health care providers are faced with their behavior, many try to say that particular act was the only one. Unfortunately, statistics and experience do not concur with their assertion. Dr. Gene Abel studied a group of 567 men who had engaged in sexual misconduct. Those 567 men accounted for 294,000 separate acts of legal sexual misconduct, and 195,000 victims. Over time, sexual misconduct tends to escalate; we see increased rates of offending and more intrusive behavior. Perpetrators are unlikely to stop the misconduct without intervention.³

HB35 gives notice to medical professionals of Alaska's commitment to ending sexual violence. It provides a mechanism for holding accountable those who choose to disregard a person's right to consent to sexual contact.

² Health Care Providers and Sexual Misconduct, Irwin S. Dreiblatt, Ph.D., p. 8.

³ *Supra*, p. 10.

HB

39

Alaska State Legislature

REPRESENTATIVE
GENE THERRIAULT

Mailing Address
119 N. Cushman, Suite 101
Fairbanks, Alaska 99701
(907) 488-0862
Fax (907) 488-4271

While in Juneau
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4797
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House District 33

House Of Representatives

MEMORANDUM

TO: Senator Lyda Green, Chairman;
Senate Health, Education & Social Services Committee

FROM: Representative Gene Therriault *G.T.*

DATE: February 28, 1995

SUBJECT: Scheduling of HB 39

I would like to request that HB 39, "An act relating to the authority of mobile intensive care paramedics, physician assistants, and emergency technicians to pronounce death under certain circumstances," be scheduled for a hearing before the Senate Health, Education & Social Services committee.

House Bill 39 is designed to address a situation in which a physician is not immediately available to pronounce death, despite 'irreversible cessation of circulatory and respiratory functions, or irreversible cessation of all functions of the entire brain, including the brain stem,' as might be the case in remote or rural areas. This bill would allow a mobile intensive care paramedic, physician assistant, or an emergency medical technician to make a determination and pronouncement of death, in situations in which a physician is unavailable for immediate consultation. Under current law, emergency medical personnel are required to continue resuscitation until relieved by a physician, physically exhausted, or until their situation becomes a hazard to personal safety. Attached you will find a sponsor statement and sectional analysis.

Thank you for the consideration of my request.

STATE OF ALASKA
1995 LEGISLATIVE SESSION

Io. 1
Bill Version: CS HB 39 (HES)
(H) Publish Date: 1/27/95

Revision Date: _____
Title: An Act relating to the authority of mobile intensive care paramedics, PAs, and EMTs to pronounce death.
Sponsor: Rep. Theriault, B. Davis
Requestor: House BESS

Dept. Affected: Health and Social Services
BRU: State Health Services
Component: State Medical Examiner
COMPONENT SERIAL NO. 293
See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
----------------------	-----	-----	-----	-----	-----	-----

CHANGES IN REVENUES	0.0	0.0	0.0	0.0	0.0	0.0
---------------------	-----	-----	-----	-----	-----	-----

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: 30.0

ANALYSIS: (Attach a separate page if necessary)

There is no fiscal impact.

Prepared by: Peter M. Nakamura, MD.MPH *(Signature)*
Division: Public Health

Phone: (907) 465-3090
Date: 01/24/95

Approved by Commissioner: Karen Perdue *(Signature)*
Agency: Department of Health & Social Services

Date: 1/25/95

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1995 LEGISLATIVE SESSION

Revision Date: _____ Dept. Affected: Public Safety
 Title: "An Act relating to the authority of mobile intensive care paramedics to pronounce death..." Alaska State Troopers
 Component: Detachments
 Sponsor: Representatives Theriault and B. Davis
 Requestor: _____ COMPONENT SERIAL NO. 0799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES () Revenue Code	-0-	-0-	-0-	-0-	-0-	-0-

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 95) impact: \$ -0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)
 No significant impact on the Alaska State Troopers.

Prepared By: Francis C. Allan Phone: 289-5891
 Division: Alaska State Troopers Date: 01/25/95
 Approved by Commissioner: Ronald L. Otte Date: 1/26/95
 Agency: Ronald L. Otte, Dept. of Public Safety

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Revision Date: _____
 Title: An act authorizing paramedics, PA's & EMT's to pronounce death.
 Sponsor: Therriault, B. Davis
 Requestor: House HES

Dept. Affected: Health and Social Services
 BRU: State Health Services
 Component: EMS Training & Licensing
 COMPONENT SERIAL NO. 297
 See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY96	FY97	FY98	FY99	FY00	FY01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGES IN REVENUES ()						
-------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1008 GF/MHTIA						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY95) cost: 90.0

ANALYSIS: (Attach a separate page if necessary)

This bill would help to relieve emotional pressures on paramedics, PA's and EMT's by allowing them to cease prolonged resuscitation in cases where it is determined that there is no value in continuing. There is no fiscal impact from this bill.

Prepared by: Peter M. Nakamura, MD, MPH *P.M.N.*
 Division: Public Health *PH*

Phone: (907) 465-3090
 Date: 02/02/95

Approved by Commissioner: Karen Perdue, Commissioner *K.P.*
 Agency: Department of Health & Social Services

Date: 2/6/95

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Alaska State Legislature

REPRESENTATIVE
GENE THERRIAULT

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Fairbanks, Alaska 99701
(907) 488-0862
Fax: (907) 488-4271



While in Session:
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4797
Fax: (907) 465-3884
House District 33

House Of Representatives

SPONSOR STATEMENT

HB 39

HB 39 The authority of mobile intensive care paramedics, physician assistants, and emergency medical technicians to pronounce death under certain circumstances.

SPONSOR: Rep. Gene Therriault

SPONSOR STATEMENT:

House Bill 39 proposes to allow mobile intensive care paramedics, physician assistants, and Emergency Medical Technicians (EMT) to determine and pronounce death under certain circumstances. Registered physician assistants, registered paramedics, and certified emergency medical service may make a determination and pronouncement of death upon determining that a person has suffered irreversible cessation of circulatory and respiratory functions while a physician is not immediately available for consultation by radio or telephone.

Currently, when a member of an emergency medical service begins CPR they are required to continue resuscitation until: the person recovers; the EMT, physician assistant, or paramedic is relieved by either a medical facility or physician; the responding parties become physically exhausted and no longer able to continue; their physical safety is seriously threatened; or a physician pronounces the person dead.

Many times, particularly in rural Alaska, physicians and medical facilities are not immediately available, and emergency medical response members are required to continue unproductive resuscitation for several hours.

HB 39 would allow an EMT, physician assistant, or paramedic to declare death in situations where a physician is not available. This will help emergency response teams to better attend to the emergency medical needs of Alaska.

Alaska State Legislature

REPRESENTATIVE
GENE THERRIAULT

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Fairbanks, Alaska 99701
(907) 488-0862
Fax: (907) 488-4271



Write to: Governor
State Capitol
Juneau, Alaska
99801-1182
(907) 465-4797
Fax: (907) 465-3884

House District 33

House Of Representatives

SECTIONAL ANALYSIS

HB 39

HB 39 The authority of mobile intensive care paramedics, physician assistants, and emergency medical technicians to pronounce death under certain circumstances.

SPONSOR: Rep. Gene Therriault

SECTION 1:

This section makes a technical amendment to AS 09.65.120 DEFINITION OF DEATH, to add mobile intensive care paramedics, physician assistants, and emergency medical technicians to the list of individuals who may pronounce death.

SECTION 2:

Section 2 of HB 39 proposes new language, AS 18.08.089 AUTHORITY TO PRONOUNCE DEATH, which introduces detailed circumstances in which a registered mobile intensive care paramedic, registered physician assistant, or a certified emergency medical technician may determine and pronounce the death of a person.

The paramedic, physician assistant, or EMT may pronounce a person dead when a physician is not immediately available for consultation by radio or telephone and they have determined, by "acceptable medical standards," that the person has suffered irreversible cessation of circulatory and respiratory functions. The EMT or paramedic who determines and pronounces death must be an active member of a certified emergency medical service.

The paramedic, physician assistant, or EMT who determines the death shall document the clinical criteria for the determination and pronouncement of death and notify the appropriate medical director as soon as communications can be established.

Proposed AS 18.08.089 (d) (1) gives the definition of "acceptable medical

standards" as injuries incompatible with life, the presence of rigor mortis, the presence of post mortem lividity, or a failure to show signs of spontaneous pulse or respiratory functions in response to "properly administered resuscitation efforts." Injuries incompatible with life are defined in this section as cardiac arrest accompanied by incineration, decapitation, open head injury with loss of brain matter, or detraction.

Proposed AS 18.08.089 (d) (3) defines "properly administered resuscitation efforts" as at least 30 minutes of CPR on a non-hypothermic patient when a person authorized to perform advanced cardiac life support techniques is not available. When a patient is hypothermic at least 60 minutes of CPR in conjunction with rewarming techniques is required as described in the current State of Alaska Hypothermia and Cold Water Near-Drowning Guidelines published by the Division of Public Health. A minimum of 30 minutes of CPR combined with properly performed advanced life support techniques would be required when a person authorized to provide such services is present.



INTERIOR REGION EMERGENCY MEDICAL SERVICES COUNCIL, INC.

1881 MARIKA ST. • FAIRBANKS, ALASKA 99709
PHONE 19071 456-3978 • FAX 456-3970



January 23, 1995

Representative Gene Therriault
ATTN: FRANK SPAULDING
Alaska State Legislature
State Capitol (MS3100)
Juneau, Alaska 99801-1182

Dear Frank:

Interior Region Emergency Medical Services strongly endorses HB 39 as critically legislation for the pre-hospital emergency medical care providers of Alaska.

In many areas of Alaska, no physician or coroner is immediately available to determine and pronounce the death of a patient. Meanwhile, significant effort and resources are expended on resuscitation efforts that are clearly futile - this fact frequently precipitates unrealistic expectations on the part of the pre-hospital provider as well as the family of the patient. It is especially true in isolated, rural settings where the combination of inadequate transportation and/or communication make it impossible to gain access to a higher level of medical care.

The objective of the proposed legislation (HB 39), is to ensure that all patients receive appropriate emergency care, including resuscitation efforts, while at the same time allowing EMT's and paramedics to determine and pronounce death in circumstances where either starting or continuing a resuscitation effort are likely to be futile. Although EMT's and paramedics will need limited additional training, the bill clearly defines the setting under which resuscitation may stop as well as the records that are required to document the death. This bill will remove the mandate for EMT's and paramedic to initiate and continue extensive resuscitation efforts (over periods of hours) on a dead patient or a patient who may have been dead, by giving the decision to pronounce death to the medical care provider (EMT or paramedic) on the scene. It will also alleviate the personal anguish and physically taxing responsibility of the medical provider who provides definitive patient care on a person that the provider knows has expired, but who may not stop for fear of litigation.

HB 39 is good legislation and excellent public policy.

Sincerely,

Craig R. Lewis
Executive Director



David L. Tyler
President

Interior Fire Chiefs Association

1710 30th Avenue
Fairbanks, Alaska 99709
(907) 479-5672

February 9, 1995

Representative Gene Therriault
House District 33
State Capitol, Room 421
Juneau, Alaska 99801-1182

Dear Representative Therriault,

At the February 8, 1995 meeting of the Interior Fire Chiefs Association we voted unanimously to support House Bill 39. We all feel this is a very important bill that is long over due.

Being responsible for medical units we all realize the importance of giving our patients every possible chance to survive. All too often, though, we find ourselves with hopeless situations. Having to provide treatment to the obviously deceased creates two specific problems.

Relatives of the deceased can usually tell when there is no hope left. When we are forced by law to start treatment this puts an additional hardship on the survivors. CPR and advanced life support efforts are not pretty, especially when it is your loved one that is being treated.

It also puts the medical staff treating the patient in a difficult position. Treating someone who is obviously deceased is very stressful. You know there is no hope, but you still have to treat the patient. Plus the situation can and sometime does cause conflict between the survivors and the medics. Stress management of emergency services personnel is a very real concern.

As Fire Chiefs we feel the implementation of House Bill 39 will help the emergency responders in our state provide a much better service.

I am also going to be talking with Chief Billy Harris, President of the State Fire Chief's Association, regarding this matter. As the Chairman of the State Chief's Legislative Affairs Committee I feel very confident you will have their support as well.

In closing I would like to thank you for introducing this bill. Please feel free to contact me at any time should you have any questions.

Respectfully,

A handwritten signature in black ink, appearing to read 'D. Tyler', with a stylized flourish at the end.

David L. Tyler
President



alaska academy of physician assistants

To: Rep. Cynthia Toohey, Chairman
Health, Education, and Social Services Committee
House of Representatives
State of Alaska

From: Alaska Academy of Physician Assistants

Re: House Bill 39

The Alaska Academy of Physician Assistants is in support of House Bill 39. This bill will give the authority to Physician Assistants to pronounce death. While in urban areas where physicians, coroners, and law enforcement personnel are available, pronouncement of death is not a problem. But since our State is mainly rural and these personnel are often not available in the bush, it becomes an issue. A number of villages and remote industrial work sites have Physician Assistants available to perform the duty of pronouncement of death.

Please give you support for this bill.

Sincerely,

A handwritten signature in cursive script that reads "Joanne Clark".

Joanne Clark, PA-C

President Elect

Alaska Academy of Physician Assistants

Making the call

Bill would let rescue workers declare death

By ED SCHOENFELD

THE JUNEAU EMPIRE

Joey Peyton still remembers the day he tried to resuscitate the victim of a plane crash near the Bethel Airport.

The emergency medical technician arrived to find a man mangled beyond recognition, bleeding profusely, with bone fragments jutting from his body.

But since there was a heartbeat, Peyton had to try to get air into his lungs and intravenous fluid into his bloodstream.

It didn't work.

"Air was blowing out holes in his chest and holes in his head and holes in his throat," said Peyton, an emergency medical trainer now based in Delta Junction. "The guy was obviously, hopelessly dead. In fact, he was bleeding IV fluid by the time the rescue helicopter got there."

Resuscitation, however, had to continue since there was no one present with sufficient medical authority to declare the man dead.

That would change under a bill that proposes giving some rescue crew workers the power to pronounce death.

House Bill 478 would end the obligation to continue fruitless resuscitation efforts when a doctor or other authority could not be reached to verify death, said sponsor Rep. Gene Therriault, a North Pole Republican.

Giving paramedics and emergency medical technicians the

Please see Bill, back page

Bill...

Continued from Page 1

power to declare death would lessen trauma to loved ones as well as rescue workers, said Janet North, a Galena EMS coordinator who was involved in an unsuccessful five-hour resuscitation effort last weekend in the community.

"It was pretty distressful to the family and to us," North told a House Health, Education and Social Services Committee hearing this week.

At the hearing, rescue workers from Ketchikan to Fort Yukon told lawmakers of dozens of hours-long resuscitation efforts that should have never taken place.

"Prolonged resuscitation is a mindless and barbaric tradition that will be broken by passing this bill," said Peyton, who now works with a rescue team that responds to accidents along the Alaska Highway. The incident in Bethel occurred about five years ago.

The bill does not give rescue workers permission to declare death in any situation.

It defines conditions, such as rigor mortis, that can be used to proclaim death. It also takes into account cases of drowning and hypothermia, where extended medical attention can revive a seemingly dead victim.

If the bill passes, additional details would also be added, Therriault said.

"I envision there would be some regulatory fleshing out of this so it became real clear to the EMS provider when they did have this authority and when they didn't," he told the committee before it passed out the bill.

Intent language attached to the bill also calls for emergency medical technicians and paramedics to receive additional training in recognizing signs of death.

The bill, recently endorsed by an Alaska State Medical Association's panel, would mostly affect rescue workers in rural areas where it can be hard to reach or locate a person with the authority to proclaim death.

But it would also be practical in Juneau and other cities, where air ambulance workers are sometimes required to continue resuscitation after a patient is beyond any chance of recovery, said Steve Iha, Capital City Fire-Rescue EMS captain.

"Significant amounts of money could be saved by allowing the pre-hospital advisers to stop a resuscitation in the field," Iha said.

HB

65



TONY KNOWLES, GOVERNOR
State of Alaska

GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION

P.O. Box 240240 • Anchorage, Alaska 99524-0240 • Phone: 907-563-5355 • Fax: 907-563-5357

April 26, 1995

Senator Lyda Green
State Capitol Room 423
Juneau, AK 99811-1182
(907) 485-3805 fax

Dear Senator Green,

Thank you for requesting information from the Governor's Council about House Bill 65 and implications for people with disabilities.

As you know, assistive technology is equipment that helps people with disabilities live and work independently. Assistive technology may be as simple and inexpensive as a cane or as complex and costly as a voice-activated computer.

Some Alaskans with disabilities do not qualify for regular lending programs. House Bill 65 will assist these individuals in acquiring assistive technology with minimal government assistance. A loan guarantee program could complement the existing technology lending programs and funding for home modifications.

The Council's Work Committee has not completed its review of the bill. We have heard some comments that Section 1(c)(5) is potentially awkward, as individuals who require a loan guarantee might find it difficult to be employed for 90 days without accessible transportation. However, the Council has supported similar legislation in years past.

Thank you again for the opportunity to be of assistance. If you have further questions, please contact the Council office at 563-5355.

Sincerely,

A handwritten signature in cursive script that reads "Leslie H. Yamamoto".

Leslie Yamamoto
Council Chair

CS FOR HOUSE BILL NO. 65(HES) am
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Amended: 4/21/95
Offered: 3/22/95

Sponsors: REPRESENTATIVES PORTER, Davies, Brice, Brown, Mackie, B.Davis, Finkelstein, Kubina, Kott, Elton, Foster, Ivan, Robinson, Nicholla, Williams, James, Rokeberg, Ogan

A BILL

FOR AN ACT ENTITLED

1 "An Act establishing a loan guarantee and interest rate subsidy program for
2 assistive technology."

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

4 • Section 1. AS 23.15 is amended by adding a new section to read:

5 Sec. 23.15.125. ASSISTIVE TECHNOLOGY LOAN GUARANTEE AND
6 INTEREST SUBSIDY PROGRAM. (a) An assistive technology loan guarantee fund
7 is established in the agency. The fund consists of money appropriated to it. The
8 agency may solicit and accept available public and private money for distribution from
9 the fund.

10 (b) Subject to (c) and (d) of this section, the agency may use money in the
11 fund established under this section to guarantee 90 percent of the principal amount of
12 a loan or to subsidize the interest rate of a loan guaranteed by the agency for
13 appropriate assistive technology that is best suited for enabling a person with a
14 disability to

1 (1) obtain or maintain employment; or

2 (2) live more independently.

3 (c) The agency may guarantee a loan or subsidize the interest rate of a loan
4 guaranteed under this section if

5 (1) the loan is made to a person with a disability or a member of the
6 person's family to obtain assistive technology for the person with a disability within
7 the limitations of ⁽⁴⁾ of this section;

8 (2) the loan is originated and serviced by a state or federally chartered
9 financial institution located in the state;

10 (3) before a loan guarantee or subsidy is requested from a lending
11 institution, the agency determines that the person requesting the loan guarantee or
12 subsidy is not able to obtain the needed assistive technology from a less costly source;

13 (4) the lending institution determines that the person or the family of
14 a child reasonably can be expected to repay the loan given their expected income or
15 other resources; and

16 (5) for a loan to modify a vehicle to provide transportation for a person
17 with a disability, the applicant has been steadily employed for the 90 days immediately
18 preceding the date of the loan application.

19 (d) The director shall establish an assistive technology loan committee within
20 the agency. The committee shall consist of the director, or the director's designee, a
21 representative of a financial institution who is experienced with consumer loans, and
22 at least one but not more than three persons with disabilities. The committee shall

23 (1) establish guidelines for providing loans under this section, including
24 guidelines relating to the maximum amounts and duration of loans and guidelines to
25 ensure that persons with disabilities who live in rural or remote areas of the state have
26 adequate access to loans under this section;

27 (2) annually establish the percentage of money in the fund that may be
28 used for subsidizing the interest rates on loans guaranteed under this section; and

29 (3) make reports and recommendations to the legislature on the
30 operation of the loan program.

31 (e) In this section,

1 (1) "assistive technology" means durable equipment, adaptive aids, and
2 assistive devices;

3 (2) "person with a disability" means a handicapped individual or an
4 individual having a physical or mental disability.

Alaska State Legislature

Representative Brian S. Porter

CHAIRMAN
HOUSE JUDICIARY COMMITTEE

MEMBER
HOUSE LABOR & COMMERCE COMMITTEE
HOUSE STATE AFFAIRS COMMITTEE
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COMMITTEE

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DEPARTMENT OF EDUCATION
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JUNEAU ALASKA 99801-1184
PHONE (907) 463-4910
FAX (907) 463-1814

INTERIM
710 W. 4TH AVE. SUITE 640
ANCHORAGE AK 99501-2111
PHONE (907) 258-8197
FAX (907) 258-5510

DISTRICT 20

Sponsor Statement

HB 65 Assistive Technology Loan Guarantees

What is the program?

An emerging public-private sector partnership to establish a loan guarantee or interest subsidy program which will enable persons with disabilities to purchase assistive technologies necessary to their independence.

Who will be affected?

Persons with disabilities, their families, employers and businesses.

What is Assistive Technologies?

Simply put, these devices and services that can help people live, learn, work and play within their communities. These tools range from simple eyeglasses, hearing aids and walkers to computers that talk and lift-equipped vans.

Why do we need this fund?

From a '93 study by the University of Alaska, over half of all middle-income persons with disabilities (58%) in the state do not have access to the equipment which can help them live more sufficient lives.

What are the benefits?

- Through the program, low-interest loans will be repaid and funds will continue to stimulate economic growth for years to come. According to other enacted states, on average, the overall default rate as of December 1993 is 5.2%
- Businesses will improve accessibility of their facilities through these loans and expand customer and labor markets.
- Employment of disabled workers will be promoted, reducing workers' compensation costs and developing additional work force that can be tapped.
- Need for public support will be reduced
- Persons with disabilities will make valuable contributions to their community

How will the program work?

The State of Alaska will guarantee up to 90% of the loan principal amount or subsidize the interest of a loan to a financial institution. Persons with disabilities will directly apply to their local bank for an assistive technology loan.

What about the cost?

Anticipated federal funding of \$100,000 will "seed" this initiative with no impact on the current state budget.

FISCAL NOTE

BILL NO. HB 65

STATE OF ALASKA
 1995 LEGISLATIVE SESSION
 Revision Date: March 17, 1995
 Title: An Act establishing a loan guarantee and interest rate
 subsidy program for Assistive Technology.
 Sponsor: Representative Porter
 Requestor: Representative Porter

Department Affected: Education
 BRU: Vocational Rehabilitation
 Component: Assistive Technology

COMPONENT SERIAL NO. 1202

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS	100.0	100.0	100.0	0	0	0
TOTAL OPERATING	100.0	100.0	100.0	0	0	0

CAPITAL						
----------------	--	--	--	--	--	--

REVENUE FUND SOURCE:						
-----------------------------	--	--	--	--	--	--

FUNDING:

(Thousands of Dollars)

1002 Federal Receipts	100.0	100.0	100.0	0	0	0
1003 GF March						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MITTA						
Other						
TOTAL	100.0	100.0	100.0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY95) impact: \$ 0

ANALYSIS: (Attach a separate page if necessary.)

The fund would be capitalized with \$100,000 per year for three years. Banking institutions are in agreement with this legislation and have given their support. These loans would benefit individuals who are working but do not qualify for a loan without an interest subsidy or loan guarantee.

Prepared by: Stan Ridgeway, Deputy Director *Stan Ridgeway* Phone: 465-6932
 Division: Vocational Rehabilitation Date: March 17, 1995
 Approved by Commissioner: *Shirley Holloway* Shirley Holloway, Ph.D.
 Agency: Education Date: March 17, 1995

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Mail Stop 3101

130 Seward Street, Suite 409
Juneau, Alaska 99801-2105

MEMORANDUM

March 17, 1995

SUBJECT: Sectional Analysis of HB 65 (Work Order No. 9-LS0302A)

TO: Representative Brian Porter
Attn: Patrick

FROM: Terri Lauterbach *TML*
Legislative Counsel

As you requested, this memorandum is a sectional analysis of HB 65. Since you have not asked any questions about the effect of the bill, this memorandum is brief. If you have specific questions about the bill, please let me know, and I will attempt to answer them.

Section I.

This section establishes an assistive technology loan guarantee and interest subsidy program that will be administered by the division of vocational rehabilitation with the assistance of an advisory committee. Subsections (b) and (c) explain the requirements relating to the purpose of the loans and other factors involved in granting the loans.

TML glc
95-234 glc



DENALI STATE BANK

119 N. Cushman Street • (907) 458-1400 • FAX (907) 458-2140 • P.O. Box 74668 • Fairbanks, Alaska 99707-4608

February 17, 1995

Legislature of the State of Alaska
and appropriate sub-committees

RE: HB65

This letter is in support of passage of House Bill 65, "An act establishing a loan guaranty and interest rate subsidy program for assistive technology".

I wish to thank the sponsors of this bill for their active efforts in introducing this bill.

I heartily support the intent of this legislation to provide funding to establish a loan guaranty and interest rate subsidy for people in need of durable equipment, adaptive aids, and assistive devices. As proposed in the bill, this will allow the commercial lending institutions to participate in a much needed program. The burden of paperwork and servicing of these loans will be handled by the financial industry and relieve the State of Alaska from much of the detail necessary to administer one of these programs.

Many of the individuals and families involved with disabilities have struggled to maintain financial independence and an independent living style. The guaranty program will allow the financial institutions to be more flexible in both the amount of loan funds available and the term of the loan that can be made to assist these people.

Once again, I ask for your support in passage of this bill. Please contact the undersigned if you have any further questions.

Sincerely yours,

A handwritten signature in cursive script that reads "Gary Roth".

Gary Roth
President and Chief Executive Officer

GR/bf



ANCHORAGE
 615 E. 82nd Avenue
 Suite 101
 Anchorage, AK 99518-3158
 (907) 344-1002 V/100
 FAX (907) 349-1002
 1-800-478-1234

MEMBER OF THE
 NATIONAL
 ASSOCIATION OF
 PROTECTION &
 ADVOCACY
 SYSTEMS



Alaska State Legislature
 Representative Brian S. Porter
 State Capitol, Room 118
 Juneau, Alaska 99801-1182

Re: House Bill No. 65

Dear Representative Porter:

The Assistive Technology Loan Guarantee and Interest Subsidy Program is a wonderful balance between empowering individuals with disabilities and at the same time, placing no financial burden upon the state. HB 65 represents an opportunity for individuals with disabilities to secure low-interest loans for crucial devices that assist in employment and independent living.

A current example in Alaska; there are very few funding streams available to aid with the costly, yet essential need to modify vehicles [the approximate cost to modify a van to accommodate a wheelchair is \$10,000]. This loan fund provides a niche for those individuals or families ineligible for other benefit programs.

Real life scenarios:

Mom can no longer lift her now teenage son with cerebral palsy into the car. Dad is at work and not available during the daytime hours to provide assistance. The family income makes them ineligible for Independent Living Services and yet, the income is not high enough to qualify for a regular loan. Teenage son is going to be remaining at home for many afternoons to come without the availability of this loan program.

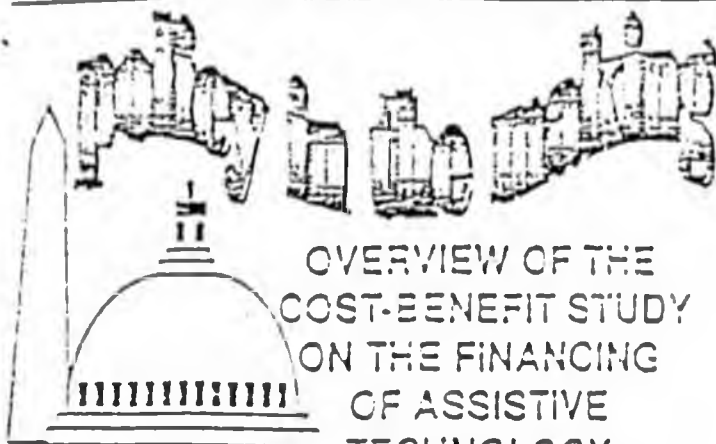
An adult with quadriplegia needs a computer to run her up and coming business. She is unable to locate funding elsewhere but is also considered a "bad risk" by traditional lending institutions because she has a disability. Does she give up her efforts to realize her dream? Maybe. However, it would be a nicer ending to say she secured a low-interest loan through the Assistive Technology Loan Fund.

Therefore, the Disability Law Center of Alaska fully endorses the concept of an Assistive Technology Loan Fund. HB 65 serves to help in a constructive fashion.

Sincerely,

Cynthia L. Berger

Cynthia L. Berger
 Staff Attorney



OVERVIEW OF THE COST-BENEFIT STUDY ON THE FINANCING OF ASSISTIVE TECHNOLOGY FOR INDIVIDUALS WITH DISABILITIES

By Michael Morris

Title II of the *Technology-Related Assistance For Individuals With Disabilities Act (P.L. 100-407)* requires that a study on the financing of assistive technology be conducted by the National Council on Disability (NCD). Over a period of nineteen months, the NCD engaged in a variety of efforts to collect pertinent information and viewpoints regarding the financing of assistive technology devices and services for all individuals with disabilities.

At their September meeting, the council will be reviewing the findings and recommendations of their study and a report will then be sent to the president and Congress. Specifically, the study will recommend ways in which federal and state laws, regulations, procedures, and practices can be changed to enhance the financing of assistive technology devices and services for individuals with disabilities of all ages.

Until now, there has not been research data - except anecdotal information - to substantiate the impact and benefits of the use of assistive technology by children and adults with disabilities. As part of this study, NCD, with the assistance from seven Tech Act states, studied 145 persons with disabilities to evaluate the costs and benefits associated with the use of different kinds of technology-related assistance. Individuals surveyed completed a written questionnaire and then participated in a telephone interview. The 145 individuals involved in this portion of the study were from four age groups: infants and toddlers, school-age children, working-age individuals, and senior citizens.

The survey questions were structured to learn more about the impact and benefits to the individual of using assistive technology in terms of health status, independence, productivity, integration, and prevention of secondary disabilities. Preliminary study results from the sample group document the significant impact and benefits as compared to costs of different kinds of technology-related assistance.

Preliminary Findings

The survey found among other things that, in part, because of access to assistive technology devices and services:

- ◆ The majority of infants with disabilities were reported to have had fewer health problems.
- ◆ 66 percent of the families with children with disabilities were able to use childcare or reduce parental care.
- ◆ Almost three-quarters of the school-age children were able to remain in a regular classroom.
- ◆ 45 percent of school-age children were able to reduce school-related services.
- ◆ 62 percent of working-age persons were able to reduce dependence on family members.
- ◆ 53 percent of working-age persons were able to reduce dependence on paid assistance.
- ◆ 37 percent were able to increase earnings due to assistive technology.
- ◆ Similarly, when they had access to needed assistive devices and services, 30 percent of elderly persons were able to reduce dependence on others.
- ◆ Half of those persons 65 or older were able to reduce dependence on paid persons and half were able to avoid entering a nursing home.

Assistive Technology Costs

Ninety-six respondents identified specific types of assistive technology that would make a difference in their lives. The average cost of this equipment was \$5,645. However, respondents indicated that they would be willing or able to pay an average of \$1,421 for it.

Assistive Technology Benefits

Among the benefits those surveyed identified as being attributable to assistive technology were time savings in tasks for daily living (ADL) and household chores, greater time reading, writing, studying, or learning, greater time spent on recreation, and monetary savings. Sixty-four percent of those reporting time savings reported reduction in the amount of time spent on ADLs. 48 percent reported less time having to be devoted to reading, writing, studying or learning and 43 percent reported less time spent on completing household chores.

Increased Family Time and Friendships

The average hours saved by those using assistive technology in the week previous to the survey were 19.3 hours for ADL services, 15 hours for reading, writing, studying or learning, and 13 hours for household chores. This allowed for over 10 hours of extra recreation time for the family. 56 percent of respondents reported that they were able to visit family and friends an additional 10 visits more per month. Moreover, everyone surveyed reported making new friends and participating more in community services thanks in part to their reliance on assistive devices.

Cost Savings

Almost one-third of the respondents indicated that their family saved money averaging around \$1,110 in the last month. At the same time, one-quarter of the respondents indicated that

(continued on the next page)



The Assistive Technology Loan Program



Executive Summary

CRA

Banks? Loan

Are loans for Assistive Technology made by other states?

Some 42 states now offer loans for assistive technology to persons with disabilities. Three states have used funds allocated by the federal government for that purpose while others have added a Technology component to existing loan programs in Education, Small Business Development, Job Training, and Agriculture.

How are these loans made?

Loans to disabled persons are made in a variety of ways. Most often, the state agency holding the loan funds have elected to encourage banks and other lending institutions to use their money by guaranteeing some portion of the loan or by "buying down" the interest rate or principal so as to make repayment easier for persons with regular, but limited incomes. Four states operate the loan program directly and have created a Revolving Loan fund which permits the fund to be replenished by the loan payments themselves.

Are applicants screened for credit worthiness?

Yes. All states process applications the same way a bank does. In the early years of the loan program (1991) two states did not run a credit check and experienced a catastrophic default rate, but the remainder paid close attention to the credit and income history of the applicants. As a result, the overall default rate as of December, 1993, is 5.2%.

What is the difference between a regular bank loan and an Assisted Loan?

The Assisted Loan program provides cash incentives and guarantees to banks for loans that they might not otherwise make or, if they did, would charge a higher interest rate because most borrowers will need a longer time to pay such loans off due to income limitations.

Are there any upper limits on the amount a person can borrow?

Yes. Most states have set a dollar limit on each loan based on a number of factors; the amount in the fund plus the number of applicants and the average cost of the technology itself are all factors taken into consideration. Caps on loans are usually set by regulation rather than by statute, because circumstances change and the loan administrators need to be able to make necessary adjustments - up or down - quickly. Right now the average loan cap is \$5,000.00.

Is there any kind of technology the Loan Program will not fund?

Yes. None of the programs will lend money to purchase a car, airplane, or boat. Loans can be made, however, to configure these items to meet the needs

Proposed Loan Program - Cont'd

-2-

of the disabled person such as adding a wheel chair lift and/or by installing hand controls. With a few exceptions, these alterations are within the present \$5000.00 limit.

Is there a need for a loan program in the first place?

80%

Persons with disabilities occupy the same economic range as the non-disabled population. Most (60%) have an adequate income to meet most of their needs and are sufficiently above the official poverty level to prevent equipment and services from being provided by Medicaid or Medicare.

There is a middle group (22%) who are within 125% of poverty level and who may qualify for some services but not all the time. The bottom level (21%) are fully qualified to receive public assistance services.

It is the two top groups who find themselves unable to pay for a device outright but who could well manage to repay a loan that covered a period of six to eighteen months. This is a significant portion of the disabled population. Many of these people (28%) have accumulated some money (20 to 50%) toward the purchase of technology and need to borrow only the remainder.

What benefits, if any, do the state and the taxpayer get from such a program?

Several. Assistive Technology is used to keep disabled people independent of full time care in a nursing home or other institution. Technology is also used to configure a home or apartment to permit an institutionalized person to become independent and live on his or her own. The savings to the taxpayers are in the hundreds of millions of dollars (See U.S. Department Study, 1991) Secondly, many disabled persons are able to obtain a part time or full time job by mastering some of the more sophisticated technology such as computers and the myriad tasks these devices govern. Cottage industries abound in everything from furniture and small appliance repair to full scale advertising and research services. Others are able to go to work by getting a better wheel chair or by having their cars configured to meet their needs.

as your applicants wanted to use technology to get, keep or enhance a work situation. Working double day taxes.

Alaska has a lot of unique conditions not found in other states. How will the Loan Program work here?

The Alaska Division of Vocational Rehabilitation will serve as the operator of record for the Assistive Technology loan fund. DVR has extensive experience in providing comprehensive rehabilitation services to people throughout the state. In addition to a professional staff, DVR can call upon the talents of volunteers who serve on several advisory boards and commissions and the active support of a large number of employers, including banking institutions. In recent years, the Division has made several major changes in its operating methods in an effort to better serve the disabled community in the Bush and to more quickly process applications for assistance.

Tech Loan Program on the line
Legislature to decide this year

If the Legislature OK's the proposed Assistive Technology Loan program, Alaska will join 42 other states that provide loans for needed technology to persons with disabilities.

Alaska's loan program will offer some plusses for borrowers not normally available in regular bank loans. Depending upon individual circumstances, the Loan Fund may guarantee the loan for up to 90% of the face value or will lower the interest rate or principal the borrower has to pay by "buying down" a portion of either. These special features will permit a lot of people to qualify for needed loans.

The Loan Program is not a free ride, however. Borrowers have to have exhausted or be ineligible for other forms of cash assistance, such as Medicaid and present a reasonably decent credit rating plus have enough income to pay back the loan. A lot of disabled Alaskans have incomes and many are employed but they may not make enough to lay out three or four thousand dollars all at one time. None of the people in this group are eligible for public assistance. That's where the loan program comes in and why it fills a gap.

The loan fund will be operated by the Division of Vocational Rehabilitation who will develop regulations and create an operating committee to work with banks and credit unions and to make sure that everyone eligible hears about the program

The chances of the loan program's success in the legislature will be increased if people who like the idea of a loan program for assistive technology will write or call their representatives in the House and Senate. This is a "people" bill and the people will have to see that it gets the support it needs.

George Haynes
276--0801

American Council of the Blind, Jessica Beach,
 15th St. NW, Suite 720, Wash., D.C. 20005,
 202-546-3081.

Award Supports Res-
In Physical Ther-

The Founda-
 tions for an
 prove the

of Au-

TO: STODOLSKY
 DEPT. OF EDUCATION

FROM: JAWLER
 CO: HIL

the need for measurable treatment
 outcome.

• Ask a new research question or address a previously
 asked question using a new methodology, different sam-
 pling or a different form of analysis.

Info: Foundation for Physical Therapy, 1055 N. Fair-
 fax St., Suite 350, Alexandria, VA 22314-1541, 703/684-
 5984.

MODEL PROGRAMS

**Independent Living Group Persuades Banks
 To Make Loans to People with Disabilities**

Denver - A disability advocacy and independent
 living group here invokes the Community Reinvestment
 Act to persuade local banks to start home mortgage loan
 programs for people with disabilities.

The Community Reinvestment Act requires banks to
 prove they are making loans to low-income minority
 individuals or investing in organizations or initiatives to
 help them. Banks must file annual reports on their CRA
 activities and make them available to the public.

Most of the time, enforcement of CRA provisions by
 federal regulators is uneven. But when a bank wants
 approval for certain actions - for instance, purchasing
 another bank or savings and loan - the request triggers
 closer scrutiny by the Office of the Comptroller of the
 Currency.

Atlantis Community requested CRA reports from area
 banks and found that none of them mentioned people
 with disabilities.

Banks usually interpret the act as applying to racial or
 ethnic minorities, even though people with disabilities are
 one of the poorest minority groups. Karen Tamley, hous-
 ing project coordinator, tells *DFN*. She estimates that
 60-80% of people with disabilities are on low or fixed
 incomes.

When Norwest, one of Colorado's largest banks, re-
 quested approval to purchase a savings and loan, Atlantis
 used the opportunity to confront the bank about its poor
 record of service to the disabled.

Once Atlantis brought the issue to Norwest's attention,
 the bank "negotiated in good faith," Tamley says. The 2
 groups worked out a program in about a month. Since
 every day that a community group holds up a purchase
 costs money, banks have an incentive to respond quickly.

The product of negotiations between Norwest and
 Atlantis was a program offering home mortgage, credit
 and consumer loans with more flexible underwriting
 criteria.

Norwest now offers people with disabilities home
 mortgage loans with:

- No money down.
- One percent below market interest rate.
- Financing up to \$100,000.
- No points or origination fees.
- 70% loan to income ratio, rather than 40%, which is
 the normal ratio offered to low-income borrowers. Atlan-
 tis argued that many people with disabilities already pay
 as much as 70% of their income for rent.

Since June, Norwest has made nearly \$1.4 million
 in home mortgage loans through the program. The bank
 has not had to foreclose on any of the nearly 40 loans.

To support people with disabilities who are becoming
 first-time homeowners, Atlantis Community offers home-
 ownership and pre-application counseling, as well as
 financial management classes.

Satisfaction with the program isn't one-sided, Tamley
 tells us. Norwest has seen a whole new market open up.
 It even received an award for its CRA activities.

Atlantis has negotiated similar programs with 2 other
 banks. It's a matter of educating banks about people
 with disabilities, Tamley says.

Banks may look only at people with disabilities' low
 incomes or view them as dependent, not good prospects
 for loans. And because people with disabilities aren't

clustered in low-income neighborhoods, banks may not regard serving them as part of their CRA responsibilities.

But the issues — lack of employment opportunities and segregation — are the same, Tamley says. "Our ghettos are segregated housing projects, nursing homes and state schools."

Atlantis Community's innovative program may be about to taste success on a broader scale. Fannie Mae is considering becoming a secondary market purchaser of the loans, which will give the banks added protection against default. Fannie Mae also is interested in seeing the program become a national model to foster independent living.

Atlantis is writing a proposal to Fannie Mae's foundation for funds to strengthen its homeownership counseling program and train other disability groups to start similar programs.

Info: Karen Tamley, Atlantis Community, 12 Broadway, Denver, CO 80203, 303/733-9324.

Beth Abraham: Answering the Call For Services in New York City

New York — (By CD Publications Staff) "One of the most highly recognized innovators in efforts to link affordable housing with supportive services," American Ass'n of Homes for the Aging says of Beth Abraham Hospital in The Bronx.

"What began as a small rehabilitation hospital has grown into a campus of supportive housing, rehabilitative care, acute care and community-based programs for the old and young with long-term illness or disabilities."

The facility was founded in 1919 with 59 beds and now has 520. It sponsors 2 HUD Sec. 202 units, with 2 more buildings being built or planned.

Supportive services' programs revolve around Comprehensive Care Management, a state- and federally-funded health care program which promotes independent living. Beth Abraham also offers home health care and adult day care programs.

Developing services became imperative after the housing staff and volunteer tenant patrol reported many residents experienced rapid changes in health. In response, management met with each tenant and his or her family to assess physical status. Tenants choose between services provided by the facility or outside agencies. Beth Abraham services are open to qualified nonresidents.

Eligibility for the 3 programs — comprehensive care, adult day care and home care — is based on criteria from the state Dep't of Health and Dep't of Social Services.

Staffing for the programs includes 5 physicians, one physician assistant, 29 nurses, 6 nursing care coordinators, 12 nursing attendants, 7 physical therapists, 5 occupational therapists, 2 speech pathologists, 6 recreational therapists, 3 rehabilitative therapists and 11 social workers.

The Certified Home Health Care program provides tenants with medical transportation, case management, social work and nursing home care in their home following hospitalization. Services are available for all ages, with either acute or chronic illnesses or disabilities. Beth Abraham only accepts persons who they believe can live at home.

Currently, Medicare and Medicaid subsidies cover costs. Nearly everyone in the program receives some form of subsidy.

As for coordination, the tenant services manager links residents with services. There is one full-time manager for each of Beth Abraham's 2 Sec. 202 buildings. An advisory committee comprised of representatives from each of the facility's programs meets quarterly to discuss resident issues. Tenant service managers have backgrounds in nonprofit housing development and management, social work and planning.

Both housing and services are periodically monitored and evaluated, either by HUD or the state. The housing services manager meets with tenants regularly to gauge pluses and minuses of the program. The manager also speaks with social workers. A planned information system will enable Beth Abraham to monitor tenant care throughout the facility's health care system.

AAHA says the facility's success is partly due to its financial strength as a large rehabilitation hospital and an ability to obtain private funding. Setting up reimbursable dependent home health care and adult day care programs is difficult, unless facilities have the space and trained staff already in place.

There are other mitigating factors. The Comprehensive Care Management (CCM) program is barely cost-effective in large cities. Also, developing the elderly care model (PACE, short for Program of All-Inclusive Care for the Elderly) requires working with state legislators for special approval. In the past few years, New York's health officials restricted development of new PACE-type projects.

STATE OF ALASKA

DEPARTMENT OF EDUCATION
DIVISION OF VOCATIONAL REHABILITATION
ASSISTIVE TECHNOLOGIES OF ALASKA

WALTER J. HICKEL, GOVERNOR

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Number of Pages Including Cover: 23

Date: 21-Jan-94

From: Richard Vantrease

Phone: (907) 274-0136

Subject: AT Loan Bill

Here is the information I was able to compile myself. We also recently did a survey of people with disabilities in the State. Out of those that responded, 46% said that they could not get the assistive technology device that they needed paid for. If we use the number of people with disabilities in Alaska as stated in the ISER study (23978) with the 46%, we could suppose that 11030 Alaskans with disabilities might benefit from the loan fund.

George Haynes should be submitting further information on Monday, unfortunately it won't be ready before then.

SUMMARY

Over 20,000 Alaska residents currently experience at least one form of disability. This estimate is based on a telephone survey of 4,364 households randomly selected to represent all households in the state of Alaska.¹ The survey was conducted between November 10, 1990 and January 28, 1991. The actual estimated number of persons experiencing a disability is 22,220. Given possible random errors due to sampling, the number of persons who are disabled may be as low as 20,231 or as high as 23,978.²

It is important to note that the survey did not attempt to assess the needs of persons who are disabled and live in institutional settings.

Types of Disabilities

Among the most frequently reported disabilities are non-neuromuscular mobility impairments, arthritis, hearing impairments, and learning disabilities (see Table 1). Other disabilities involving at least 2,000 Alaska residents include visual impairments, cardiovascular or pulmonary disorders, neuromuscular impairment, emotional disability, communicative disability and head injuries.

Independent Living Services

One of the central goals of persons who are disabled is to live independently. To help people achieve this goal, state, federal and local agencies currently offer services ranging from medical care to public transportation and job training. Relative needs for these services can be assessed in several ways. First is the question of the total number of persons needing each service.

¹Currently 86 percent of Alaska households have a telephone. The extent of telephone coverage varies widely, however; only about 60 percent of Alaska's most rural households have residential telephone service. Statewide estimates based on telephone contacts are likely to closely match estimates that could be expected from a sample of all households. Estimates for rural areas, however, should be used with caution.

²The range in population size reflects a 95 percent confidence interval, a sample size of 4,364 and an observed proportion of .042 percent of the population experiencing one or more disabilities.

(2-8-91)

Table 1
Estimated Number of Persons with
Selected Disabilities

Type of Disability	Estimated Number
Non-Neuromuscular Mobility	7,730
Arthritis	7,302
Hearing Impairment	6,484
Learning	6,095
Visual Impairment	5,318
Cardio-Vascular-Pulmonary	4,798
Neuromuscular	3,418
Emotional	2,853
Communicative	2,377
Head Injury	2,248
Developmental	1,902
Other Disability	1,888
Diabetes	1,888
Stroke	1,513
Seizure	1,513
Drug/Alcohol	1,124
Infectious Disease	691
Blind	691
Deaf	432
Amputation	389
Alzheimer's	348
Polio	218
HIV Positive	<200
Estimated Number of Persons with One or More Disabilities	22,220

The question read: I am going to read to you a list of disabilities that you may have. For each disability I read, would you please tell me whether this is a disability that you have.

Source: DVR/ISER Survey, 1990

Second is the question of the total number of persons whose need for each service is currently unmet. And third is the question of what percent of the persons needing each service are currently not receiving the service they need. Each of these perspectives is important to the development of service priorities for the state as a whole.

Medical care, disability information, assistance in receiving benefits, advocacy, recreation transport, newsletters, job training, centralized information, and counseling each are needed by at least 10,000 Alaska residents who are disabled (see Table 2). The service associated with the largest number of persons with an unmet need is a newsletter about services for people with disabilities. Other services that are currently not adequately provided to at least 5,000 people include centralized information, benefits assistance, and advocacy. In answer to the third question posed above, the needs of at least half of all persons are currently unmet for: newsletters, support groups, equipment loans, help locating housing, job counseling, central information source, and help with homemaking tasks.

Assistive Technology

Today many people with disabilities could benefit from the use of equipment especially designed or adapted to make daily life easier. This "assistive technology" comes in many forms, including remote switches, special doors, voice synthesizers, and special vans. Generally, more Alaskans believe they would benefit from such devices than currently use them (see Table 3). While some 5,000 think they would benefit from some kind of equipment that would help them see or hear people in face-to-face communications, for example, 1,900 do not currently use the equipment.³

Other forms of assistive technology for which at least 1,500 Alaska residents would benefit from use of the equipment include long distance communication, adapted computers for various uses, and building modifications.

Assistive Technology Services

Rapid changes in the types of assistive technology available represents both an opportunity and a barrier to those experiencing disabilities. Newly adapted technologies may enable people to significantly increase their independence. At the same time, rapid changes in the availability of new technologies can outpace public

³More detailed results to be introduced in Section IV show that the most common reason why this equipment is not used is that people cannot afford it.

INDEPENDENT LIVING SERVICE NEEDS

As mentioned in our summary, medical care, disability information, assistance in receiving benefits, advocacy, recreation transport, newsletters, job training, centralized information, and counseling each are needed by at least 10,000 Alaska residents who are disabled. The service associated with the largest number of persons with an unmet need is a newsletter about services for people with disabilities. Other services that are currently not adequately provided to at least 5,000 people include centralized information, benefits assistance, and advocacy. The needs of at least half of all persons are currently unmet for: newsletters, support groups, equipment loans, help locating housing, job counseling, central information source, and help with homemaking tasks.

Table 9 profiles independent living service needs by region. The southcentral region is defined to include the Anchorage Municipality, the Kenai, Mat-Su and Kodiak boroughs, and southcentral coastal communities (e.g. Cordova, Valdez, Chenega Bay). As defined, this region comprises 50 percent of all households compared with 12 percent for the southeast region and 38 percent for the remainder of Alaska. The regional figures in Table 8 generally differ proportionately to regional population. Viewed according to urban and rural residence, independent living service needs are proportionate to population (see Table 10).

With several exceptions, independent service needs are shared proportionately by all age groups (see Table 11). Young people are more likely to need public transportation and independent living training. The large group of adults between 18 and 59 years old are more likely to need job counseling, job training, home modifications, help locating housing, and access to a support group. Persons over 60 are more likely to need help with homemaking tasks, in-home nursing care, and the services of a personal care attendant.

In general, independent living service needs do not differ by race (see Table 12). Three exceptions appear to be the three least needed services among the population as a whole. Native residents are relatively more likely to report the need for help with homemaking tasks, in-home nursing care, and the services of a personal care attendant.

HOUSE COMMITTEE REPORT

(7)

Date Referred: February 23, 1995

FURTHER REFERRALS:

Finance

Date of Committee Action: 3/21/95

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

HB 65

HOUSE BILL NO. 65

ASSISTIVE TECHNOLOGY LOAN GUARANTEES

"An Act establishing a loan guarantee and interest rate subsidy program for assistive technology."

recommends it be replaced with the following committee substitute CS HB 65 (HES) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

ATTACHES NEW FISCAL NOTE(S): (Dept) _____

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) Education

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			
<i>[Signature]</i>	✓			

CHAIR'S SIGNATURE *Car Beude*

HB

93



Alaska State Legislature

Official Business

State Capitol
Juneau, AK 99801-1182

May 4, 1996

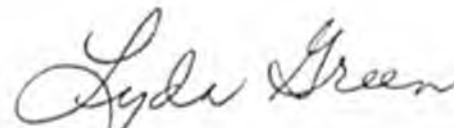
The Honorable Drue Pearce
President of the Senate
The Honorable Gail Phillips
Speaker of the House

Madam President:
Madam Speaker:

The Conference Committee considering SCS HB 93(HES), "An Act relating to the duty-free mealtime for teachers in certain school facilities" respectfully requests limited powers of free conference on the following specific point:

Duty free meal time in Section 1 of SCS HB 93(HES).


Representative Jeannette James


Senator Lyda Green


Representative Eldon Mulder


Senator Mike Miller

Representative Gene Kubina

Senator Judy Salo

12:45 PM Sun - Bulovich Room.

9-LS0382\K

CONFERENCE CS FOR HOUSE BILL NO. 93
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY THE CONFERENCE COMMITTEE

Offered:

Sponsor(s): REPRESENTATIVE JAMES

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the duty-free mealtime for teachers in certain school
2 facilities."

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

4 * Section 1. AS 14.20.097 is amended to read:

5 Sec. 14.20.097. DUTY-FREE TIME. Each governing body shall allow its
6 teachers in school facilities with four or more teachers a daily duty-free mealtime of
7 at least 30 minutes reasonably scheduled during the middle of the teacher's
8 workday [BETWEEN 11:00 A.M. AND 1:00 P.M].



ALASKA COUNCIL OF SCHOOL ADMINISTRATORS

326 Fourth St., Suite 404, Juneau, AK 99801-1101 • (907) 586-9702 • (800) 478-9702 • FAX (907) 586-5879

RECEIVED
APR 12 1995
Ans'd.....

POSITION PAPER

HB 93 "An Act relating to the duty-free mealtime for teachers in certain school facilities."

The Alaska Council of School Administrators has supported the original version of HB 93 and will continue to support that version.

We do not support the amendment that requires the hours be negotiated between the school district and the local teachers union.

We agree that all teachers should have a minimum 30 minute duty free lunch. However, to mandate when this time should occur by negotiations is not acceptable.

The Alaska Council of School Administrators would urge the Senate HESS Committee to return HB 93 to it's original language, deleting on line 7; *"between such hours as the governing body and the union representing teachers in a school district may specify"*.

Respectfully,

Stephen T. McPhetres
Executive Director

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES
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White in Juneau
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House Of Representatives
House District 34

M E M O R A N D U M

TO: Senator Lyda Green, Chair
Senate HESS Committee

DATE: April 1, 1996

FROM: Representative Jeannette James 

RE: House Bill 93,
"Duty-free mealtime for teachers"

Please schedule HB 93 for hearing in the Senate HESS Committee at your earliest convenience.

Back-up is attached.

Thank you for your help.

Alaska State Legislature

REPRESENTATIVE
JEANNETTE JAMES

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North Pole, Alaska 99705
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FAX (907) 488-4271



While in Juneau
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House Of Representatives

House District 34

SPONSOR STATEMENT

HOUSE BILL 93

"An Act relating to the duty-free mealtime for teachers in certain school facilities."

4/101/96

HB 93 would eliminate the underlined portion of Section 14.20.097: "*Duty-free time. Each body shall allow its teachers in school facilities with four or more teachers a daily duty-free mealtime of at least 30 minutes between 11:00 a.m. and 1:00 p.m.*" and replace it with "between such hours as the governing body and the union representing teachers in a school district may specify." The current statute directly restricts school districts' ability to create schedules that best serve interests of students and allow efficient use of facilities.

Teachers would still have daily mid-day 30-minute duty-free mealtimes, but eliminating the strict 11:00 - 1:00 time frame would simply allow more freedom in scheduling classes and bell times, thus providing more flexibility and cost-efficiency in meeting students' educational needs. *Man, school districts are now in violation of statute because of this unnecessary restriction. It needs to be removed from statute.*

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. HB 93

Revision Date: _____

Department Affected: Education

Title: Teacher Duty-Free Mealltime

BRU: Executive Administration

Sponsor: Representative James

Component: Commissioner's Office

Requestor: Representative James

COMPONENT SERIAL NO. 185

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES						
---------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
Other						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ 0.0

ANALYSIS: (Attach a separate page if necessary.)

Passage of this legislation will have no fiscal impact on the Department of Education.

Prepared by: Kimberly Homme, Social Assistant

Phone: 465-2803

Division: Commissioner's Office

Date: February 11, 1996

Approved by Commissioner: *Shirley Holloway*

Shirley Holloway, Ph. D.

Agency: Education

Date: February 11, 1996

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Fiscal Note

HB

104

FISCAL NOTE

STATE OF ALASKA
1996 LEGISLATIVE SESSION

BILL NO. CSSSHB 104 (Jud)am

Revision Date: 05/01/95

Department Affected: Education

Title: Disclosure of Juvenile Records

BRU: Executive Administration

Sponsor: Representative Kott

Component: Commissioner's Office

Requester: Representative Kott

COMPONENT SERIAL NO. 185

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY 97	FY 98	FY 99	FY 00	FY 01	FY 02
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS	0	0	0	0	0	0
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES						
---------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
Other						
TOTAL	0	0	0	0	0	0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of current year (FY96) impact: \$ 0

ANALYSIS: (Attach a separate page if necessary.)

CSSSHB 104 (Jud)am clarifies when state and municipal law enforcement agencies are required to disclose information to schools and the public regarding minors who commit certain offenses. Passage of this legislation will have no fiscal impact on the Department of Education.

Prepared by: Kimberly Homma, Secretary Assistant

Phone: 465-2803

Division: Commissioner's office

Date: February 20, 1996

Approved by Commissioner: 

By: Richard S. Cross, Deputy Commissioner

Agency: Education

Date: February 20, 1996

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO. CSSSHB 104 (HES)

Revision Date: _____
 Title: "An Act relating to disclosures of information about certain minors."
 Sponsor: Rep. Kott
 Requestor: (H) JUD

Department Affected: Administration
 BRU: Public Defender Agency
 Component: Public Defender Agency
 COMPONENT SERIAL NO. 1631

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING EXPENDITURES	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGE IN REVENUES ()	0	0	0	0	0	0
------------------------	---	---	---	---	---	---

FUND SOURCE: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
OTHER						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY 95) cost: \$ 0.

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary.)
 No measurable impact on the Public Defender Agency is anticipated.

Prepared by: John Salem, Director
 Division: Public Defender Agency

Phone: 264-4400
 Date: _____

Approved by Commissioner: Mark Boyer
 Agency: Department of Administration

Date: 4/13/95

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FISCAL NOTE

STATE OF ALASKA
1995 LEGISLATIVE SESSION

BILL NO: CSSSHB 104 (HESS) -

Revision Date: _____ Dept. Affected: Public Safety
 Title: Disclosure of juvenile records BRU: Alaska State Troopers
 Component: Detachments
 Sponsor: Representative Kott
 Requestor: (H) HESS COMPONENT SERIAL NO. 799

EXPENDITURES/REVENUES: (Thousands of Dollars) (inflation not included)

OPERATING	FY 96	FY 97	FY 98	FY 99	FY 00	FY 01
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-
CAPITAL EXPENDITURES	-0-	-0-	-0-	-0-	-0-	-0-
CHANGE IN REVENUES 	-0-	-0-	-0-	-0-	-0-	-0-
<small>Revenue Code</small>						

FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1006 GF/MHTIA						
Other						
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year (FY 95) impact: \$ -0-

POSITIONS:

FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS: (Attach a separate page if necessary.)

No material impact.

Prepared By: Francis C. Allen Phone: 769-5691
 Division: Alaska State Troopers Date: 04/03/95
 Approved by Commissioner: Ronald J. Ott Date: 4-4-95
 Agency: Ronald J. Ott, Dept. of Public Safety

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