

ALASKA LEGISLATURE COMMITTEE FILES 1977-1978 0012

9152 HOUSE HEALTH EDUCATION & SOCIAL SERVICES

SB

100

HOUSE COMMITTEE REPORT

(7)
Date Referred to Committee: March 27, 1997

FURTHER REFERRALS:

Finance

Date of Committee Action: 4/28/97

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

SB 100

SENATE BILL NO. 100

DEVELOPMENTALLY DISABLED CHILDREN/GRANTS

"An Act relating to grant authority for services for developmentally delayed or disabled children and their families."

recommends it be replaced the same title
with the following committee substitute _____ 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) _____

zero fiscal note(s) _____

zero fiscal note(s) HHS/3-5-97

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Paul Brown</i>	✓			
<i>Car Beube</i>	✓			
<i>Bill Puzey</i>			✓	
<i>Jack L. ...</i>			✓	
<i>Tom ...</i>	✓			

CHAIR'S SIGNATURE *Car Beube*

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. SB100

Revision Date: _____
 Title: An Act relating to grant authority for services
to developmentally disabled children & their families
 Sponsor: Senate HESS by Request
 Requestor: Senate HESS

Dept. Affected: Health and Social Services
 BRU: State Health Services
 Component: Infant Learning Program Grants
 COMPONENT SERIAL NO. 298
 See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES						
TRAVE..						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GHANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
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CHANGES IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
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 (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

There is no fiscal impact.

Prepared by: Peter Nakamura, Director
 Division: Public Health
 Approved by Commissioner: Karen Perdue, Commissioner
 Agency: Department of Health & Social Services

Phone: 465-3090
 Date: 02/27/97
 Date: 2/27/97

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State Capitol
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Juneau, Alaska 99801
(907) 465-3762

Senate Committee on Health, Education and Social Services

SENATE HESS COMMITTEE SPONSOR STATEMENT

SB 100 – Developmentally Disabled Children/Grants

Senate Bill 100 will allow the Department of Health and Social Services (DHSS) to award grants under the Infant Learning Program (ILP). The ILP grants provide home-based therapy and education services to infants birth through 2 years of age who have moderate to severe mental or physical handicaps. The capacity for development is at its maximum during an infant's first years, thus early identification of developmental delays is critical.

DHSS has provided grants to providers of services for developmentally delayed or disabled infants since FY 77. The Department of Law recently determined that DHSS does not have explicit, statutory grant-making authority. Passage of this legislation will provide that authority and allow the DHSS to continue this grant program as it has operated in the past.

The Governor's Council on Disabilities and Special Education strongly supports passage of SB 100.

**- SB 100 - GRANT AUTHORITY FOR SERVICES FOR DEVELOPMENTALLY
DISABLED CHILDREN AND THEIR FAMILIES**

The Infant Learning Program is funded through two components in the budget.

- The Infant Learning Program (ILP) component contains \$868.6 in State General Funds and \$3603.3 in General Fund Mental Health Trust, all funds are budgeted in the grant line in the ILP component.
- \$1658.2 in U.S. Department of Education federal funds are budgeted in the Maternal Child Health component. 85% of which are in the grant and contract lines, 5% goes to the federally required Interagency Coordinating Council (Governor's Council on Disabilities and Special Education) the remaining 10 % are used administer the grants, contracts, and other direct services.

The Infant Learning Program has been funded by the Alaska legislature since FY77 and has been in continuous operation in Alaska for 20 years.

Provided by the Department of Health and Social Services

ADMINISTRATION COMMENTS - SB 100 - GRANT AUTHORITY FOR SERVICES FOR DEVELOPMENTALLY DISABLED CHILDREN AND THEIR FAMILIES

The administration supports Senate Bill 100.

Reasons for Support

SB 100 is needed because the Department of Health and Social Services has drafted revised regulations which will bring the infant learning program into compliance with federal law (Individuals with Disabilities Education Act). The revised regulations cannot be reviewed by the Department of Law until grant authority is listed in the statute:

1. SB 100 will provide grant authority in the authorizing statute for services to developmentally delayed or disabled children and their families and directs the department to put grant authority language in the regulations necessary to implement those services.
2. The legislature provides funds for the Infant Learning Program in the grants line. SB 100 will make the authorizing statute consistent with this legislative intent and will allow the department to move forward with revising regulations for this program.
3. The Department of Law has requested that this change be made to the statute to clarify the language for grant authority.
4. There is no fiscal impact related to this bill.

Administration Efforts Currently Underway To Address Issues in SB 100

1. The Department of Health and Social Services has been issuing grants under the department's general grant authority and through the legislature's appropriation of funds in the grants line but cannot go forward with needed regulation revisions until the statute is updated to include grant authority.
2. The Governor's Council on Disabilities and Special Education, the Department's federally mandated advisory council for the Individuals with Disabilities Education Act has provided written support for this bill.

Provided by the Department of Health and Social Services



TONY KNOWLES, GOVERNOR
State of Alaska

GOVERNOR'S COUNCIL ON DISABILITIES AND SPECIAL EDUCATION

PO Box 240249 • Anchorage, Alaska 99524-0249 • Phone: 907-269-8990 • Fax: 907-269-8995

April 15, 1997

House HESS Committee
Representative Con Bunde, Chair
Alaska State Capitol, Room 104
Juneau, AK 99801-1182

Dear Rep. Bunde,

Subject: SB 100

In support of SB 100, the Governor's Council on Disabilities and Special Education requests that the bill be calendared in the House HESS Committee.

The bill which passed unanimously through the Senate, would make a simple technical change allowing the Department of Health and Social Services to continue to award grants to the Infant Learning Programs (ILPs).

Currently, there are 26 local, non-profit ILP organizations that provide essential services to Alaskan families who have children with disabilities. These services, provided by community based organizations that receive support through community fundraising efforts, prevent or reduce the effects of delays and disabilities for infants and toddlers. ILP grants create ongoing private sector jobs at the community level.

The grant process is a cost effective way to assure that funding for ILPs remains an efficient method with low administrative overhead.

In order for the Council's Executive Committee to report the progress of SB 100, please let us know of your support for the bill and when we should expect it to be acted on in the HESS Committee. If you have questions, please call Leandra at 269-8994 or Dino at 269-8993.

Sincerely,

A handwritten signature in cursive script that reads "Nancy Dodge".

Nancy Dodge
Chairperson

SB

117

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: May 7, 1997

FURTHER REFERRALS:

Date of Committee Action: 11/27/97

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

SB 117

SENATE BILL NO. 117

INFANT CARE CURRICULUM IN PUBLIC SCHOOLS

“An Act relating to an infant care curriculum in the public school system.”

recommends it be replaced the same title
 with the following committee substitute _____ 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) _____

zero fiscal note(s) DOE

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Con Bunde</i>	✓			
<i>John...</i>	✓			
<i>Joseph...</i>			✓	
<i>John Bunde</i>			✓	
<i>Tom Bunde</i>	✓			

CHAIR'S SIGNATURE Con Bunde 1-22-98

FISCAL NOTE

STATE OF ALASKA
1998 LEGISLATIVE SESSION

BILL NO. SB 117

Revision Date 1/26/98 Dept. Affected Education
 Title "An Act related to an infant care curriculum
in the public school system." BRU Teaching and Learning Support
 Component Quality Schools
 Sponsor Senator Donley
 Requester House HESS Component Serial No. 2147

Expenditures/Revenues (Thousands of Dollars)

OPERATING EXPENDITURES	FY 99	FY 00	FY 01	FY 02	FY 03	FY 04
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						
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CHANGE IN REVENUES ()						
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FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY98) cost: \$0

POSITIONS

Full-time					
Part-time					
Temporary					

ANALYSIS: (Attach a separate page if necessary)

Any costs related to this bill would be absorbed at the school district level, as this bill encourages school districts to initiate and conduct a program in health education for kindergarten through grade 12, including infant care, but does not mandate such a curriculum.

Prepared by Barbara Thompson Phone 465-8727
 Division Teaching and Learning Support Date 1/26/98
 Approved by Commissioner Shirley J. Holloway, Ph.D. Date 1/26/98
 Agency Department of Education

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SENATOR DAVE DONLEY
ALASKA STATE LEGISLATURE

SPONSOR STATEMENT SB 117
Infant care education in the schools

SB 117 adds "infant care" instruction to what is currently encouraged in AS 14.30.360(a) for each school district to include in its' health education curriculum.

Prenatal and infant care programs are successfully reducing dangers to infants under 3 months of age but Alaska still suffers from a consistently higher rate of mortality for infants age 3 months to 1 year than the rest of the United States. This strongly indicates a problem in Alaska with a lack of proper infant care.

The attached matrix dramatically indicates the problem. In a study of six western states, Alaska was listed as having the best record for prenatal care, the fewest low weight births, and the lowest births to mothers under the age of 18. However, Alaska still had the highest infant mortality rate of the states studied. The disparity of these figures once again points to a lack of appropriate infant care.

Encouraging infant care to be included in high school health care curriculum will give young Alaskans the basic infant care skills that statistics indicate may be lacking and causing Alaska's infant mortality problems.

One of the leading causes of death for infants in both Alaska and the rest of the United States is Sudden Infant Death Syndrome. 100% of infants who died of SIDS in Alaska from 1992 - 1995 were found in the prone sleep position, had been placed to sleep on inappropriate bedding, or had a mother who smoked cigarettes. These are factors that could be significantly reduced and hopefully eliminated with proper infant care education.

Abuse and neglect are also factors that figure in the health and welfare of infants. These are two problems that also could hopefully be prevented or reduced with proper infant care education.

DD/ljh

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June-December: 716 W. 4TH AVE. • STE. 430 • ANCHORAGE, AK • 99501 • (907) 258-8181 • FAX: (907) 258-1648

MEMBER: Senate Finance Committee • Legislative Budget & Audit Committee
• Senate Community & Regional Affairs Committee

Backup for SB 117
The Statistical Case for Why Alaska Needs Better Infant Care

<u>SAMPLE WESTERN STATES & THEIR PROGRAMS THAT IMPACT INFANT MORTALITY</u>	¹ Infant Mortality per/1000	² Low Birth Weight	³ Early Prenatal Care	⁴ Births of Mothers < 18 y.o.
Alaska WIC, Medicaid, Healthy Babies (M of D) ⁵ Head Start, Healthy Mothers/Healthy Babies, Prenatal Care II Program, Even Start, Home Health Svcs., Infant Learning Programs, & Indian Health Svc.	8.2 (worst)	4.9% (best)	83.3% (best)	3.9% (best)
Idaho WIC, Medicaid, Healthy Babies (M of D), Healthy Mothers/Healthy Babies Indian Health Svc.	7.2	5.3%	78.0%	4.8%
Wyoming WIC, Medicaid, Healthy Babies (M of D), Headstart, Healthy Mothers/Healthy Babies, Indian Health Svc., Extension Food Nutrition Education Program	7.9	7.3%	81.2%	4.7%
Washington WIC, Medicaid, Healthy Babies (M of D), Healthy Mothers/Healthy Babies, First Steps, Indian Health Svc.	6.4	5.2%	80.7%	4.0%
Montana WIC, Medicaid, Healthy Babies (M of D) Healthy Mothers/Healthy Babies, Family Planning, MIAMI (MT's Initiative for the Abatement of Mortality in Infants), Indian Health Svc.	7.4	6.0%	80.5%	4.5%

¹ Rate of mortality of infants 3 months - 1 yr. of age per 1000 live births.

² Infants weighing less than 2500 grams (5.5 lbs.) at birth

³ Prenatal care in the 1st or 2nd trimester of pregnancy

⁴ Births by mothers less than 18 years of age

⁵ March of Dimes Healthy Babies Program

7/26/97
ADN

Anchorage man charged with shaking month-old infant to death

By DANIELE STANTON
Daily News Reporter

An 18-year-old Anchorage man was charged Friday with second-degree murder in the death of his girlfriend's month-old baby.

Mark Adam Nusbaum allegedly killed the baby by shaking him while the mother was at work Sunday, according to documents filed

Friday in district court.

Nusbaum was being held Friday at Cook Inlet Pre-Trial Facility in lieu of \$250,000 bail, police spokesman Ron McGee said.

The baby, Tim Kalmakoff, died Thursday at Providence Alaska Medical Center. He had been on a life-support system since Monday.

An autopsy performed Friday by

a state medical examiner showed the baby had blunt traumatic injuries to the head, which are consistent with shaken baby syndrome. He also had fresh rib fractures, evidence of having been grabbed under the arms and violently shaken, the document says.

The autopsy also revealed evidence of earlier abuse — healed rib

fractures and bruising on the chest wall — the document says.

Nusbaum told police detective Linda Branchflower that he sometimes became frustrated with the baby and would abruptly lay him down.

On Sunday, the baby continued to cry after his 19-year-old mother, Karey Kalmakoff, left for work.

Nusbaum told police. He said he had tried to feed the baby. Then he put him in a swing. When Nusbaum bounced the baby on his knee, the infant finally quieted down.

Nusbaum told police he called his girlfriend twice at work to tell her the baby seemed unusually tired, he

Please see Page B-3 INFANT

ANCHORAGE MAN CHARGED WITH SHAKING MONTH-OLD INFANT TO DEATH (continued)

told police. Nusbaum took the baby when he went to pick up his girlfriend at work about 7 p.m. The mother noticed the baby seemed limp, that one pupil was larger than the other and that his skin was cold. The couple immediately drove the baby to Alaska Native Medical Center. Nusbaum told a doctor that the baby had been in that condition since noon. The child was later transferred to Providence.

Shaken babies

Cruelty that must be avoided

No one but a monster sets out to kill a baby. But sometimes, when the baby keeps crying, when apparently nothing

Anchorage Center for Families has developed peel-off stickers with emergency phone numbers including a 24-hour parent help line, to put on your phone or to give to new parents. For information or a free sticker call the center at 276-4994.

will stop that high-pitched wail, even adults who should know better are overcome with rage. They grab the helpless infant and shake it until the crying stops.

And if they shake hard enough, they're left with a child who is seriously injured or dead.

Two babies have died under similar circumstances in the Anchorage area recently;

a month-old boy whose mother's boyfriend has been charged in his death, and a 7-month-old Wasilla girl whose own father has been charged in her death.

The rest of us are left wondering, how can this happen?

It's normal for babies to cry. It's normal for the adults who care for them to feel frustrated. But there is never any reason to lash out in uncontrolled anger at a crying infant.

If you feel yourself starting to "lose it" with a child who won't stop crying, leave the room. Close the door. Cover your ears. Call a friend or relative for help to make sure the baby is OK. Call 911. Call Intermission Crisis Nursery at 276-8511. Do anything but shake that baby.

In response to the two recent infant deaths, Anchorage Center for Families has developed peel-off stickers with emergency phone numbers including a 24-hour parent help line, to put on your phone or to give to new parents. For information or a free sticker call the center at 276-4994.

We're reminded every time a child dies how fragile they are. Their tiny bodies and developing brains need gentle care from the adults around them.

Never, never shake a baby. In an instant, you can do a lifetime of damage.

SB

134

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: April 23, 1997

FURTHER REFERRALS:

Date of Committee Action: 5/1/97

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

CSSB 134(HES)

CS FOR HOUSE BILL NO. 134(L&C)

HOME SCHOOLING EDUCATION PROGRAM

“An Act relating to regulation of barbers and hairdressers; extending the termination date of the Board of Barbers and Hairdressers; and providing for an effective date.”

recommends it be replaced the same title
 with the following committee substitute _____ 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) _____

zero fiscal note(s) _____

zero fiscal note(s) Education / 4-11-97

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Fred Apson</i>	✓			
<i>Car Bunde</i>			✓	
<i>[Signature]</i>	✓			
<i>[Signature]</i>			✓	

CHAIR'S SIGNATURE *Car Bunde*

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Bill Version: CS SB 134(HES)
(S) Publish Date: 4-11-97

Revision Date: _____ Dept. Affected: EDUCATION
 Title: "An Act relating to home schooling for elementary and secondary students." BRU: K-12
 Component: Foundation
 Sponsor: Senator Leman
 Requester: Senate HESS COMPONENT SERIAL NO. 141

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY98	FY99	FY00	FY01	FY02	FY03
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						
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CHANGES IN REVENUES						
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FUNDING: (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

Estimate of current year (FY97) cost: \$ _____ \$0

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

AS 14.30.010(b) currently contains eleven exemptions from compulsory attendance. SB 134 will add a twelfth exemption to the statute. The Department of Education does not intend to regulate home schools if this legislation becomes law. The department cannot project changes to the foundation program due to the passage of this legislation.

Prepared by: Eddy Jeans
 Division: Education Support Services/School Finance Manager
 Approved by Commissioner: Shirley J. Holloway, Ph.D.
 Agency: Department of Education

Phone: 465-8679
 Date: 4/10/97
 Date: 4/10/97

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SENATOR LOREN LEMAN

Northwest Anchorage

716 W 4th Ave, Suite 520, Anchorage, AK 99501 (907) 258-8189 Session: State Capitol, Juneau, AK 99801 (907) 465-2095

SB 134

Home Schooling Education Program

Sponsor Statement

Senate Bill 134 adds a paragraph to the compulsory attendance policy (AS 14.30.010(b)), providing an exemption for children schooled at home by a parent or guardian.

Currently there are no specific provisions in Alaska Statutes pertaining to home schooled students. There are several ways current home schoolers comply with the law. Home schoolers in technical compliance are now required to follow provisions for Private and Exempt Schools (AS 14.45.100-130), or they may participate in a government-sponsored course (AS 14.30.010 (b)(11)). Neither provision was designed with home schoolers in mind. Senate Bill 134 codifies current practice by many home schoolers.

Families in which children are home schooled are numerous. Their number is growing in our state. It is time we acknowledge them by law. SB 134 recognizes the important contribution home schooling parents and students make to our state.

**THE FOLLOWING PAGES MAY
NOT FILM LEGIBLY BECAUSE OF
THE POOR QUALITY OF THE ORIGINAL**

HOME EDUCATION

Across the United States



"There are two—and only two—keys to educational success: hard work and parental involvement," says Michael Lantz, president of the Home School Legal Defense Association.

Home schooling is a flourishing phenomenon within the United States. In the 1980s, the general public had never heard of home schooling, but today almost everyone has.

Still, society at large knows little about home schoolers—their backgrounds, their activities, or their achievements. A recent study conducted by Dr. Brian D. Ray, president of the National Home Education Research Institute (NHERI), provides some answers. This study, *Strengths of Their Own: Home Schoolers Across America*, collected data on 5,302 home school students from 1,637 families for the 1994-95 and 1995-96 academic years. It is the largest and most comprehensive study on home schooling ever undertaken.

Just how prevalent is home education today? The data indicate there are approximately 1.22 million American children being taught at home. This exceeds the total public school enrollment for the state of New Jersey which has the 10th largest student population in the nation. Put another way, there are more home school students nationwide than there are public school students in Wyoming, Vermont, Delaware, North Dakota, Alaska, South Dakota, Rhode Island, Montana, and Hawaii combined. Home schooling has become a substantial portion of this nation's total K-12 student body (Figure 1.0).

More and more parents are choosing to home school. Why? Because it works. Compared to public school students, home educated students excel. Their scores on nationally-normed standardized achievement exams demonstrate this fact. On average, home schoolers out-perform their public school peers by 20 to 37 percentile points across all subjects (Figure 2.0).

And the longer a child is taught at home, the better he does on these tests (Figure 3.0). Students home schooled from early grades tend to score higher in subsequent years in some subject areas. (See Ray, 1997.)

Critics often claim only parents with teaching credentials can effectively home school. The data from this study suggest otherwise. Home school student test scores segmented by whether their parents have ever held a teaching certificate reveal a differential of only three percentile points—88 vs. 85—(Figure 4.0).

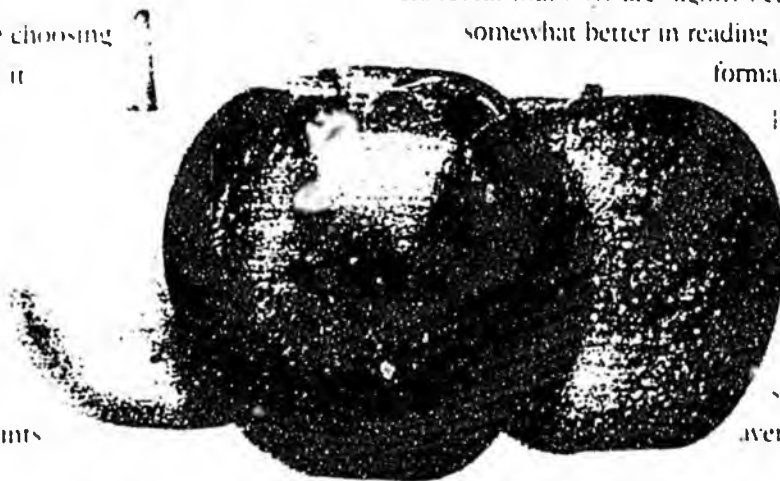
The study also shows that home schooling parents' educational level has no practical significant effect on their children's academic performance (Figure 5.1). For public school students, however, a parents' educational level does affect their child's performance (Figures 5.2 & 5.3). In eighth grade math, public school students whose parents are college graduates score at the 75th percentile, whereas students whose parents have less than a high school diploma score at the 28th percentile.

Does race make a difference in academic performance? Math and reading scores for minority home schoolers show no significant difference when compared to whites. However, a similar comparison for public school students demonstrates a substantial disparity (Figures 6.1 & 6.2).

When segmented by gender, test scores for home schoolers reveal that boys are slightly better in math, and girls are somewhat better in reading. Public school student performance in math follows a similar pattern, but boys' reading scores are markedly behind girls, a 15 percentile difference (Figure 7.0).

A cost-benefit analysis reveals that an average of \$546 spent per home school student yields an average 85th percentile ranking.

Continued on page 6



an executive summary provided by

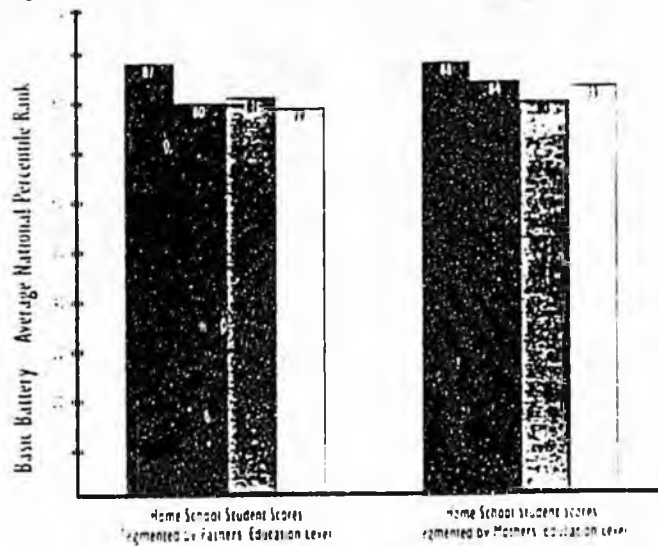
HOME SCHOOL LEGAL DEFENSE ASSOCIATION

BACKGROUND

Does Parent Education Level Predict Student Achievement?

For Home Schoolers: NO!

Figure 5.1 – Home School Achievement – Basic Battery Test



For Public Schoolers: YES!

Figure 5.2 – Public School Achievement – Writing Test

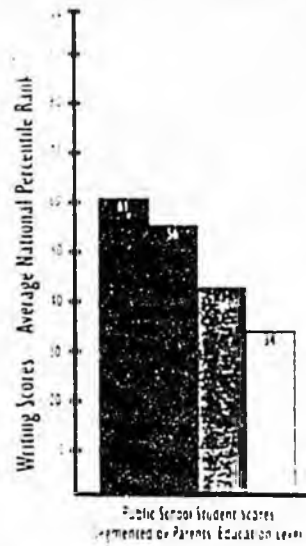
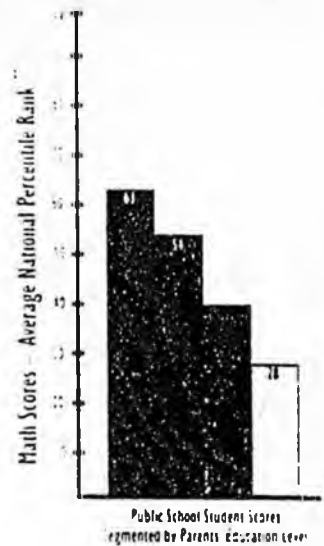


Figure 5.3 – Public School Achievement – Math Test



Key for Figures 5.1–5.3: Parents' Highest Education Level Attained



Notes: Home school achievement figures are for 4th grade based on tables from the U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics, 1998, November. Public school achievement figures are for 4th grade based on tables from the U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics, 1998, November. All scores are based on the 1998 NAEP. For more details about the home education figures, see the home education section of the report. For more details about the public school figures, see the public school section of the report.

How Do Minorities Fare in Home Education?

Figure 6.1 – Race Relationship to Reading Test Scores

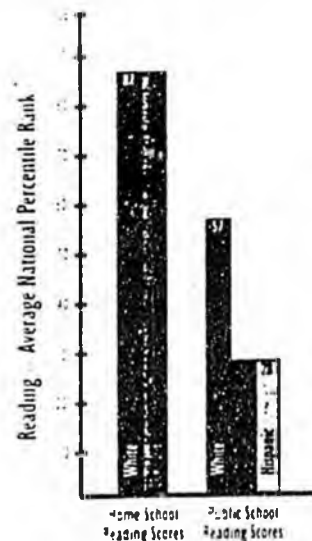
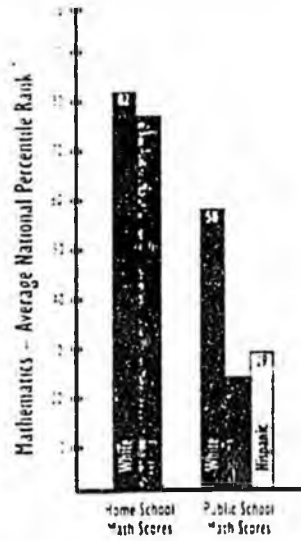
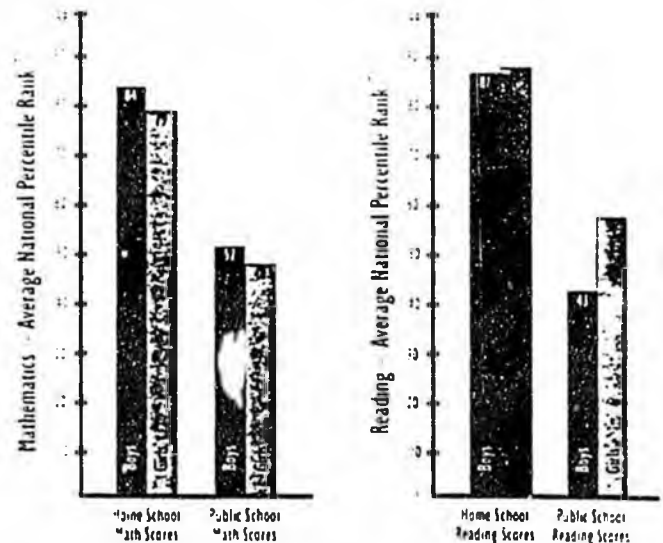


Figure 6.2 – Race Relationship to Mathematics Test Scores



What About the Gender Gap in Academics?

Figure 7.0



Notes: Home school achievement figures are for 4th grade based on tables from the U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics, 1998, November. Public school achievement figures are for 4th grade based on tables from the U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics, 1998, November. All scores are based on the 1998 NAEP. For more details about the home education figures, see the home education section of the report. For more details about the public school figures, see the public school section of the report.

CORRECTION

THE FOLLOWING DOCUMENT(S)
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State of Alaska

HOME EDUCATION

Across the United States



There are two—and only two—keys to educational success: hard work and parental involvement," says Michael Latta, president of the Home School Legal Defense Association.

Home schooling is a flourishing phenomenon within the United States. In the 1980s, the general public had never heard of home schooling, but today almost everyone has.

Still, society at large knows little about home schoolers: their backgrounds, their activities, or their achievements. A recent study conducted by Dr. Brian D. Ray, president of the National Home Education Research Institute (NHERI), provides some answers. This study, *Strengths of Their Own: Home Schoolers Across America*, collected data on 5,402 home school students from 1,657 families for the 1994-95 and 1995-96 academic years. It is the largest and most comprehensive study on home schooling ever undertaken.

Just how prevalent is home education today? The data indicate there are approximately 1.23 million American children being taught at home. This exceeds the total public school enrollment for the state of New Jersey which has the 10th largest student population in the nation. Put another way, there are more home school students nationwide than there are public school students in Wyoming, Vermont, Delaware, North Dakota, Alaska, South Dakota, Rhode Island, Montana, and Hawaii combined. Home schooling has become a substantial portion of this nation's total K-12 student body (Figure 1.0).

More and more parents are choosing to home school. Why? Because it works. Compared to public school students, home educated students excel. Their scores on nationally-normed standardized achievement exams demonstrate this fact. On average, home schoolers out-perform their public school peers by 30 to 37 percentile points across all subjects (Figure 2.0).

And the longer a child is taught at home, the better he does on these tests (Figure 3.0). Students home schooled from early grades tend to score higher in subsequent years in some subject areas. (See Ray, 1997.)

Critics often claim only parents with teaching credentials can effectively home school. The data from this study suggest otherwise. Home school student test scores segmented by whether their parents have ever held a teaching certificate reveal a differential of only three percentile points (88 vs. 85—Figure 4.0).

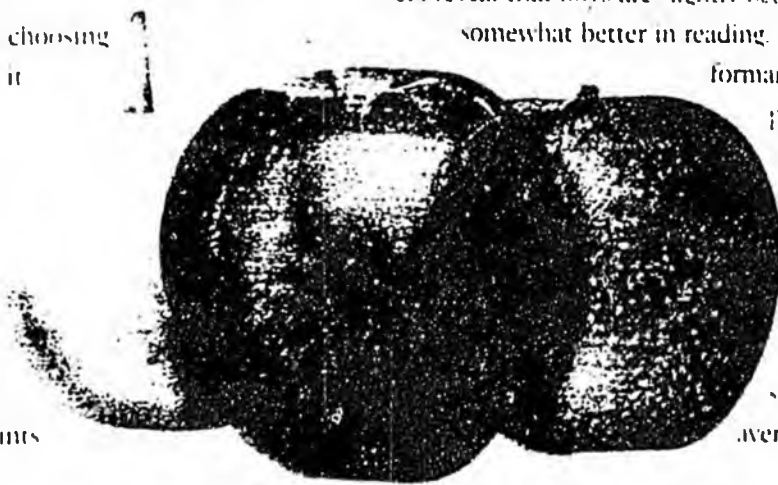
The study also shows that home schooling parents' educational level has no practical significant effect on their children's academic performance (Figure 5.1). For public school students, however, a parents' educational level does affect their child's performance (Figures 5.2 & 5.3). In eighth grade math, public school students whose parents are college graduates score at the 63rd percentile, whereas students whose parents have less than a high school diploma score at the 28th percentile.

Does race make a difference in academic performance? Math and reading scores for minority home schoolers show no significant difference when compared to whites. However, a similar comparison for public school students demonstrates a substantial disparity (Figures 6.1 & 6.2).

When segmented by gender, test scores for home schoolers reveal that boys are slightly better in math, and girls are somewhat better in reading. Public school student performance in math follows a similar pattern, but boys' reading scores are markedly behind girls, a 15 percentile difference (Figure 7.0).

A cost-benefit analysis reveals that an average of \$540 spent per home school student yields an average 85th percentile ranking.

Continued on page 6



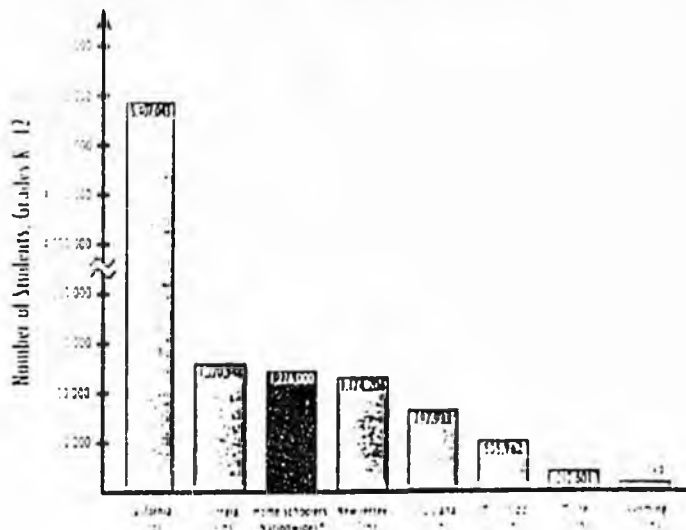
an executive summary provided by

HOME SCHOOL LEGAL DEFENSE ASSOCIATION

BACKGROUND

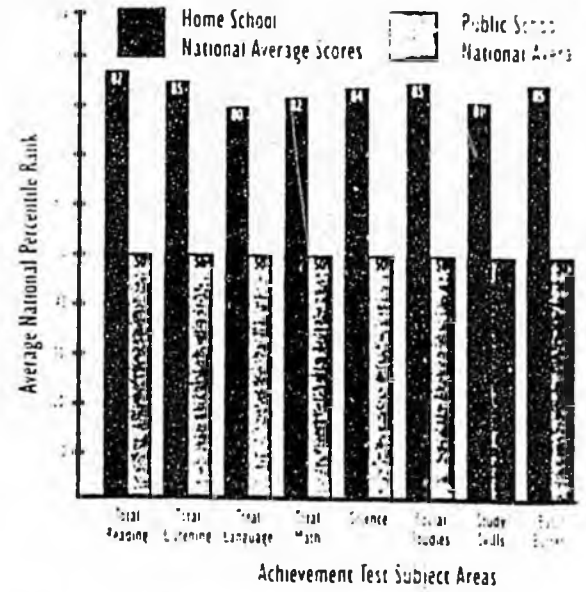
How Many Home Schoolers Are There?

Figure 1.0 – Home School Students Nationwide Compared to Selected State Public School Populations



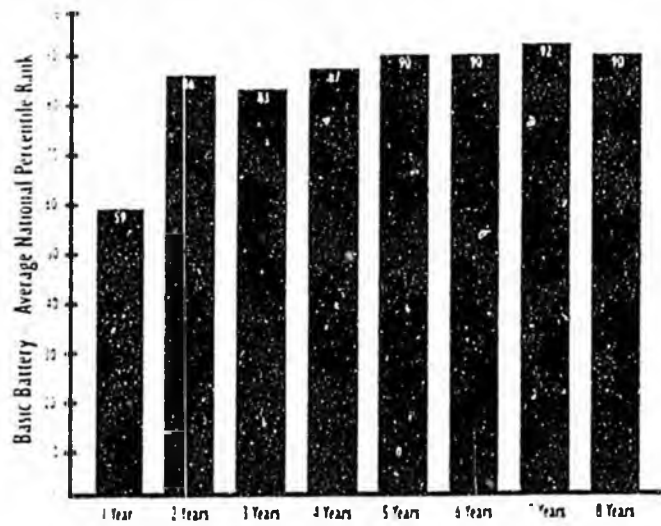
How Do Home School Students Score?

Figure 2.0



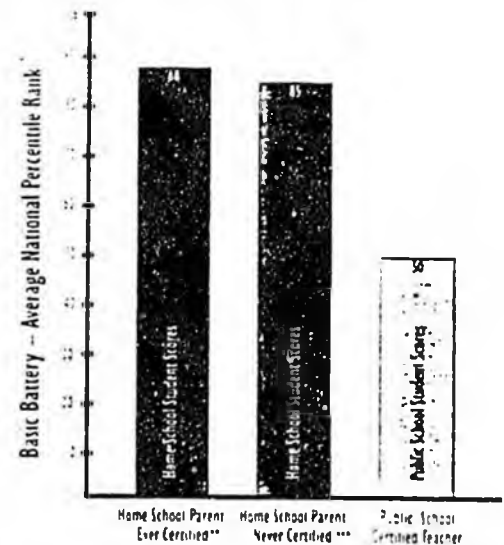
How Do Long-Term Home Schoolers Compare to Those Who Switch to Home Education Midstream?

Figure 3.0 – Achievement for Eighth Grade Home Schoolers Segmented by Years Taught at Home



Is Teacher Certification Necessary for High Achievement?

Figure 4.0



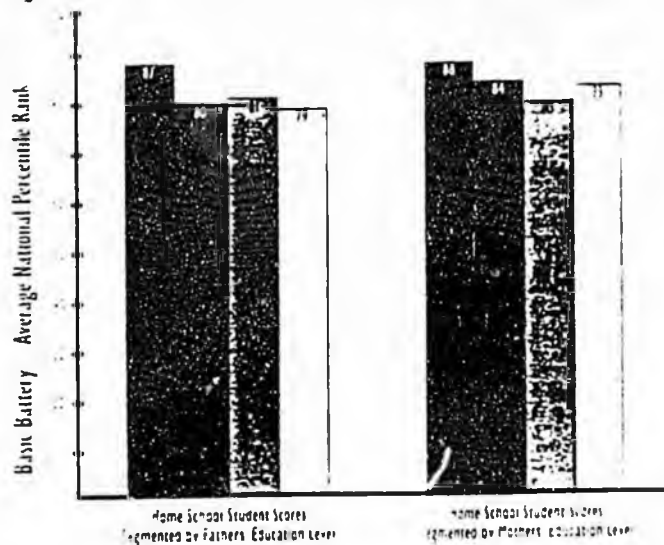
NOTE: For more detail about the non-equivalent nature of a simple percentile score, which is a random especially near the ends of the scale.

Footnote: See page 197 for more detail about the non-equivalent nature of a percentile score, which is a random especially near the ends of the scale.
 ** Other parents who certify.
 *** Neither parent ever certified.

Does Parent Education Level Predict Student Achievement?

For Home Schoolers: NO!

Figure 5.1 – Home School Achievement – Basic Battery Test



For Public Schoolers: YES!

Figure 5.2 – Public School Achievement – Writing Test

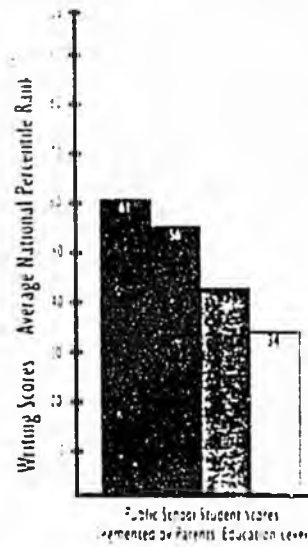
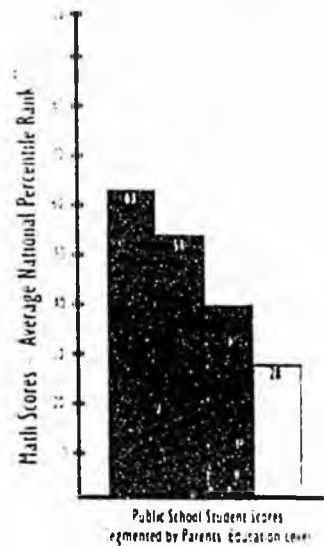


Figure 5.3 – Public School Achievement – Math Test



Key for Figures 5.1–5.3: Parents' Highest Education Level Attained



Figure 5.1: Home school achievement figures are for sixth grade based on data from the U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics, 1996, November, "Using Assessment to Guide Instruction: Progress in 1995" (Washington, D.C.: U.S. Department of Education, 1997). Home school achievement figures are for sixth grade based on data from the U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics, 1996, November, "Using Assessment to Guide Instruction: Progress in 1995" (Washington, D.C.: U.S. Department of Education, 1997). Home school achievement figures are for sixth grade based on data from the U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics, 1996, November, "Using Assessment to Guide Instruction: Progress in 1995" (Washington, D.C.: U.S. Department of Education, 1997).

Figure 5.2: Public school achievement figures are for sixth grade based on data from the U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics, 1996, November, "Using Assessment to Guide Instruction: Progress in 1995" (Washington, D.C.: U.S. Department of Education, 1997). Public school achievement figures are for sixth grade based on data from the U.S. Department of Education, Office of Educational Research & Improvement, National Center for Education Statistics, 1996, November, "Using Assessment to Guide Instruction: Progress in 1995" (Washington, D.C.: U.S. Department of Education, 1997).

How Do Minorities Fare in Home Education?

Figure 6.1 – Race Relationship to Reading Test Scores

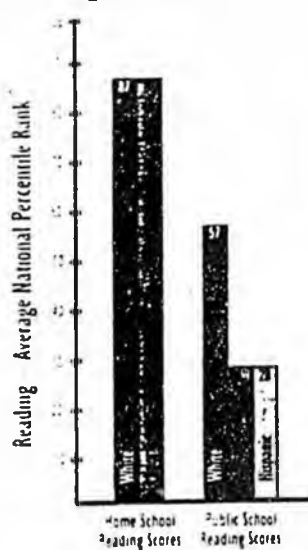
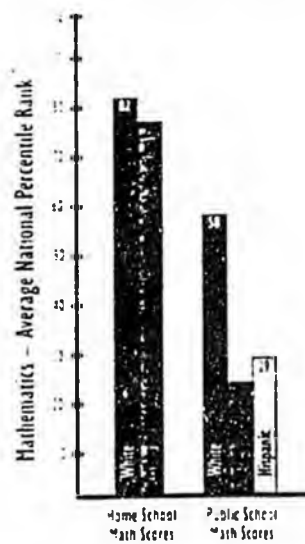


Figure 6.2 – Race Relationship to Mathematics Test Scores



What About the Gender Gap in Academics?

Figure 7.0

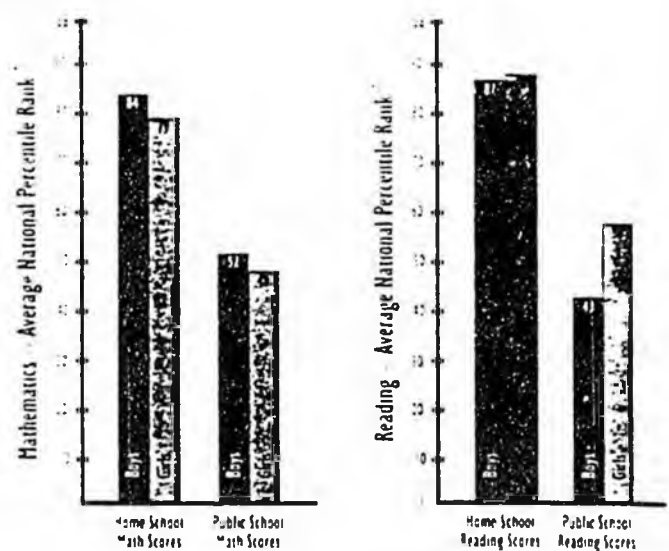
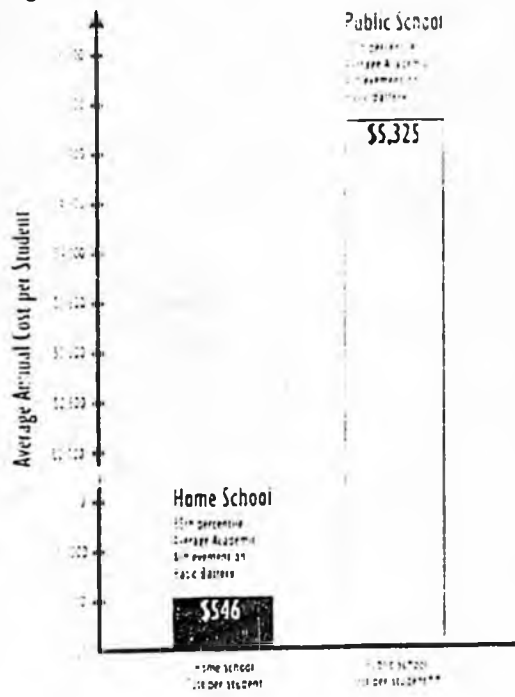


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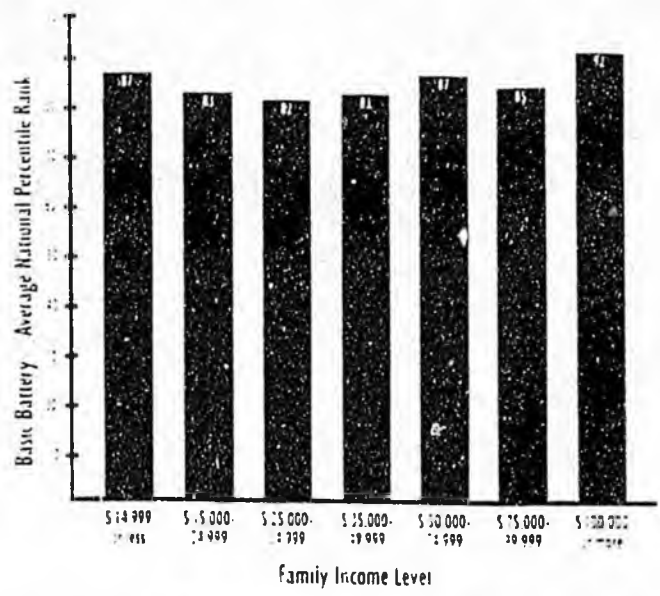
Does Spending Correlate with Achievement?

Figure 8.0



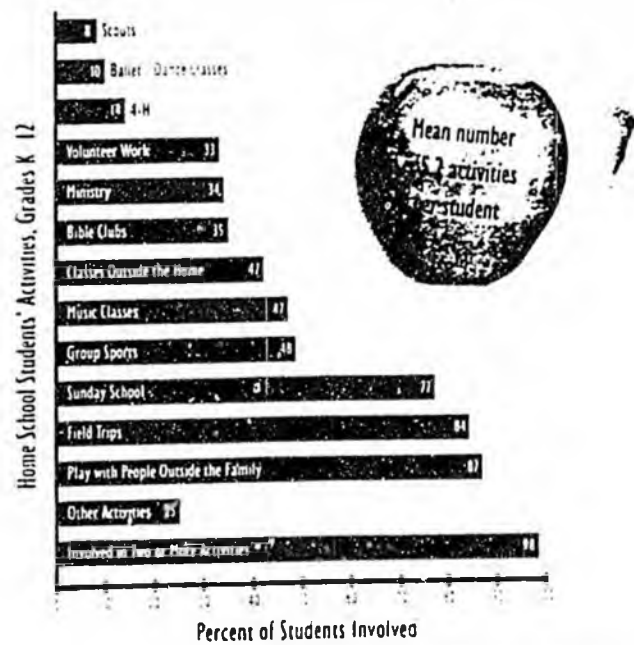
Is Family Income a Predictor of Academic Achievement for Home Schoolers?

Figure 9.0 - No Impact on Achievement



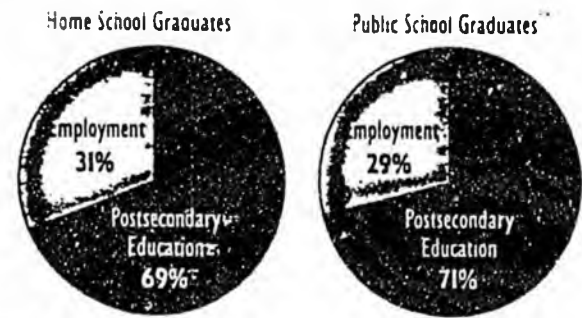
What About Socialization?

Figure 10.0 - Home Schoolers' Activities & Community Involvement



What Happens After Graduation?

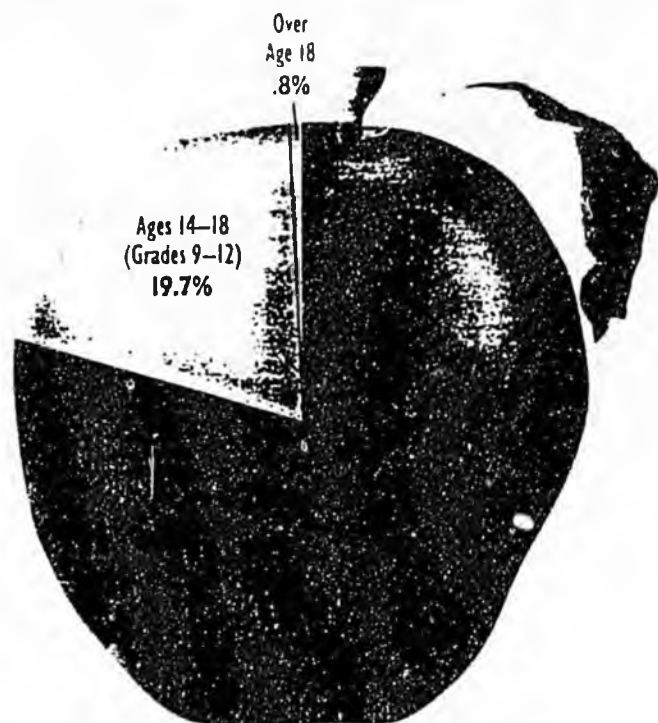
Figure 11.0



Footnote: Percentages do not include military, employed, missions, ministry, volunteer work etc. since these categories were not available for both groups.
 *Based on data from National Education Longitudinal Survey (NELS) 1988-1994, descriptive statistics report.

Ages of Home School Students in Study

Figure 13.0



Continued from page 1

on test scores. Compare this to the average expenditure of \$5,325 per public school student to achieve only an average 50th percentile ranking. And these costs do not include capital expenditures (Figure 8.0).

Segmenting student test scores by family income shows that financial status is not a determinant of academic performance for home schoolers (Figure 9.0).

Home schoolers are often accused of depriving their children of socialization. To the contrary, data on home school students' activities and community involvement reveal that these children are engaged in an average of 5.2 activities outside the home, with 98% involved in two or more (Figure 10.0).

Once they graduate from high school, home schoolers closely parallel their public school counterparts, whether they pursue more formal education or enter the job market (Figure 11.0).

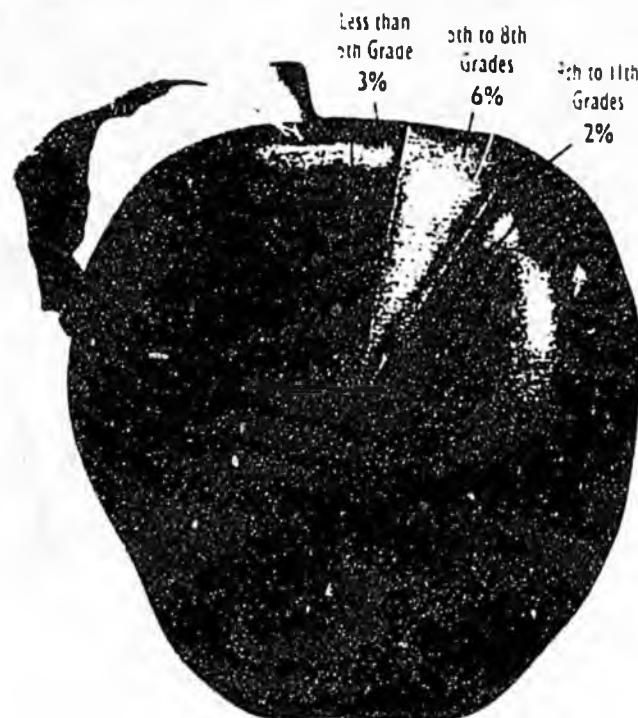
The degree of governmental regulation from state to state has no significant effect on the academic performance of home schoolers (Figure 12.1).

How enthusiastic are home school parents about their success? The vast majority (89%) intend to continue teaching their children at home all the way through high school (Figure 14.0).

This study demonstrates that home schooling works. It shows that direct parental involvement and hard work are

How Long Are They Going To Home School?

Figure 14.0 – Parents' Intent to Continue Home Education



the keys to educational success. Regardless of family income, parent education level, teacher certification, or the degree of government regulation, the scores of home educated students significantly exceed those of public school students. The results speak for themselves.

CONTACT INFORMATION:

Strengths of Their Own—Home Schoolers Across America, Academic Achievement, Family Characteristics, and Longitudinal Traits, the comprehensive report on the study is available from NHERI for \$19.95 plus \$2 shipping.

National Home Education Research Institute
P.O. Box 13939
Salem, OR 97309
(503) 364-1490
e-mail: mail@nheri.org

Home School Legal Defense Association
P.O. Box 159
Paeonian Springs, VA 20129
(540) 338-5600

SENATE CONCURRENT RESOLUTION NO. 25
IN THE LEGISLATURE OF THE STATE OF ALASKA
NINETEENTH LEGISLATURE - SECOND SESSION

BY SENATOR MILLER

Introduced: 2/12/96

Referred: HES

A RESOLUTION

1 **Relating to supporting home schooling and establishing Alaska Home Education**
2 **Week.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** home schooling is the fastest growing educational alternative in America;
5 **and**

6 **WHEREAS** home schooling families contribute significantly to the cultural diversity
7 important to a healthy society; and

8 **WHEREAS** Alaska has a significant number of parents who teach their own children
9 at home; and

10 **WHEREAS** the state has always been a place where diversity and individualism have
11 been championed; and

12 **WHEREAS** parents who provide education for their children at home exemplify the
13 independent Alaska spirit; and

14 **WHEREAS** home schooling families tend to be strong, healthy families who
15 contribute greatly to Alaska society; and

16 **WHEREAS** the cost of educating children at home is borne by the parents, thus saving

1 money from the state general fund; and

2 **WHEREAS** home school students are proving themselves by excelling in college and
3 in the state work force; and

4 **WHEREAS** the state's home school students are increasingly being recruited by
5 colleges around the country because of their academic achievements;

6 **BE IT RESOLVED** that the Alaska State Legislature approves of home schooling as
7 an important part of Alaska's educational infrastructure meriting state sanction and state
8 protection; and be it

9 **FURTHER RESOLVED** that the Alaska State Legislature supports the right of
10 parents to choose home schooling as the education alternative best suited for their children;
11 and be it

12 **FURTHER RESOLVED** that the Department of Education school districts, and
13 regional educational attendance areas are encouraged to cooperate with parents who are
14 teaching their children at home; and be it

15 **FURTHER RESOLVED** that the Governor is respectfully requested to direct the
16 commissioner of education to take whatever steps are necessary to ensure that the Department
17 of Education, school districts, and regional educational attendance areas do not unnecessarily
18 interfere with parents exercising their right to home school their children; and be it

19 **FURTHER RESOLVED** that the Alaska State Legislature establishes the week of
20 October 13 - 19, 1996, as Alaska Home Education Week.

21 **COPIES** of this resolution shall be sent to the commissioner of education, the chief
22 administrative officer of each school district and regional educational attendance area in the
23 state, and the president of the Alaska Private and Home Educators Association.

Alaska State Legislature

SENATOR

MIKE MILLER

Mailing Address:

119 N. Cushman, Suite 101

Fairbanks, Alaska 99701

Ph: (907) 488-0862

Fax: (907) 488-4271



Senate

While in Juneau

State Capitol

Juneau, Alaska

99801-1182

Ph: (907) 465-4976

Fax: (907) 465-3883

Senate District 0

SCR 25
SENATOR MILLER

I would like to thank the committee for allowing me to introduce Senate Concurrent Resolution 25, which would recognize and support home schooling and establish Alaska Home Education Week.

In 1987 the Alaska Private and Home Education Association (APHEA) was founded to represent home educators throughout the state and to promote excellence in private sector home education. Each year the Association has held annual conventions and promoted the development of two local support networks for home educators throughout Alaska. In addition, the association has sponsored public information seminars, worked to protect parents' right to home educate their children, and cooperated with state education officials to ensure a broad range of educational choices for Alaska families. Currently, the Association has more than 300 member families, and it is affiliated with the National Center for Home Education.

In 1993 Governor Hickel issued a Proclamation recognizing the contributions of home educators to Alaska society, initiating a process whereby the Alaska legislature can also recognize this important segment of Alaska's educational infrastructure.

I would further like to recognize this valuable and important group and ask your support of SCR 25. This resolution would request the Governor to take whatever steps are necessary to direct the Department of Education and all other pertinent educational agencies not to unnecessarily interfere with parents exercising their right to home school their children and to establish the week of October 13-19, 1996, as Alaska Home Education Week.

This resolution has a zero fiscal note.



TELECOPY COVER SHEET

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TO: HOUSE HESS COTE FAX: _____ PHONE: _____

FROM: FBX Lia PHONE: _____

INSTRUCTIONS: Written testimony for SB134
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SENT BY: Fred



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House HESS
 Committee on SB 134 Committee Name
 Dated 5/1/97
Bill / Subject

Thank you for considering this bill which I feel is important to families. We have been homeschooling for 5 years and feel that we are able to best provide for our children's education. With the one-on-one tutoring ability it does not take the hours of the day, nor days in the year that is needed for large classrooms. The number of days can vary from home to home & since parents are not sending their children to an outside institution, we do not need to follow the same criteria. This bill affirms the parents as the primary caregivers & decision makers in their children's lives. Last year's #s show approx 1080 homeschooling students in the FNSB, this is a low # due to the fact that many are not registered w/ the state. There

SIGNED: Lisa Sites
 Testifier

Sites Family
 Representing

257 Charles St. Fairbanks AK
 Address / Phone Number



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House - HESS
 Committee on SB 134 Committee Name
 Dated 5-1-97
 Bill / Subject

Thanks so much to Senators Leman, Miller & Phillips for introducing SB 134. We're happy that SB 134 passed unanimously in the Senate 20-0.

We were here personally to testify in support of SB 134 at the House - HESS level & we are grateful that it has once again passed unanimously. Thanks so much to our representatives Bunde, Green, Bruce, Dixon, Kempler, Porter + Vezy. You all are so very much appreciated. We've got the best Senators & Reps. in the world! (Sorry we couldn't personally talk to you all due to unforeseen circumstances.) (Our former Gov. proclaimed a Home School Day) As we all know, Home Education is taking quantum leaps in our nation & Home Schooling is phenomenally sweeping Alaska. Charter schools are becoming more & more popular, also.

There are many reasons why the Smiths home school. We are raising our children to become free citizens and future leaders. I know my children are safer, happier and learning respect for others. I'm proud to say they score excellent on national - 3rd testing. I obtain so much love, bonding & joy with home schooling my Melissa (age 12) & Angela (age 10).

We owe our children the best education possible and we choose to home school. All our children are very precious and I believe that education is a parent's choice. We all pay a premium for the educating of our children; I believe, about 6400 per student per year for public education. Most of us that choose to home school make many adjustments and sacrifices since we have to budget our living expenses on one income. We owe appreciate you all making sacrifices in Juneau for all of us by being away from your precious families and so on. Again thanks for everything!

SIGNED:

Mrs Sharon Y. Smith
 Testifier

Home Schooling
 Representing

1017 Koochak St. Ft. Sts., AK 99709
 Address / Phone Number

P.S. Sorry I was unable to type this! Have a great summer!

which was very appropriate & appreciated



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House HESS
 Committee on SB 134 Committee Name Dated 5/1/97
Bill / Subject

It's so good to see this bill moving along. It's good to be defined "on the books". We support this bill and there are plenty of us out here "training up" our children.

Keep up the good work!
 (Our children are thriving!)

SIGNED: Ruth Leung
 Testifier

Representing
2325 - 30th Avenue, Fairbanks, Alaska 99701
 Address / Phone Number 907-452-5538



ALASKA STATE LEGISLATURE

HOUSE

Please enter into the record my testimony to the HESS

Committee on CS FOR SB 134 (HES) Dated 5-1-97
Bill / Subject Committee Name

I CAME TO TESTIFY TODAY BUT NO TESTIMONY WAS ALLOWED IN FAIRBANKS.

PLEASE SUPPORT THIS AMENDMENT TO AS 14.30.010(b) AS PROPOSED BY SENATOR LEMAN.

RESEARCH INDICATES THAT HOMESCHOOLED CHILDREN FARE MORE FAVORABLY THAN THEIR PEERS PROVIDED IN PUBLIC SCHOOL AS DEMONSTRATED WITH REGARD TO RECEIVING AN ADEQUATE EDUCATION. THIS STATEMENT IS BASED ON RESULTS OF STANDARDIZED TESTS USED AS AN ACADEMIC BENCHMARK BY BOTH GROUPS. IT IS INTERESTING TO NOTE THAT THE SAME RESEARCH SHOWS THAT A COLLEGE EDUCATION FOR THE PARENTS IS NOT NECESSARY FOR SUCCESSFUL TEACHING OF CHILDREN. PLEASE FOLLOW THROUGH WITH THIS LEGISLATION TO SEE THAT IT IS PASSED. PLEASE CONTACT ME IF YOU WOULD LIKE TO SEE THE RESEARCH SUMMARY.

SIGNED:

Testifier

Vince Meurloy
VINCE MEURLOY

Representing

596 ARVITA CT FAIRBANKS, AK 99712
Address / Phone Number



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House
HESS
 Committee on Senate Bill 134(HES) Dated May 1, 1997
 Bill / Subject Committee Name

I have been educating my children at home under a Christian school umbrella. I would appreciate the addition of section 12, because I am a parent teacher. I do not have an education degree, but my children are tested yearly with the SAT or Iowa Basic Test. They have done very well at home. Their scores come up for every year they are at home and they are all 3 to 4 years ahead of their grade level. For our family, home education is the best alternative.

SIGNED: Annie Meurlott
 Testifier

Interior Homeschoolers
 Representing

596 Arvita Ct, Fairbanks AK 99712
 Address / Phone Number 456-2722



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House Hess
Committee Name
 Committee on SB 134 Dated 5/1/97
Bill / Subject

Hello,

My name is Deanna Meyer and I would like to thank Senator Lemar for introducing Senate Bill 134. My husband and I have been homeschooling our children for the past eight years and we are very pleased with their progress. We are very thankful that we are able to continue homeschooling our children. We support this bill as we believe it is time for us as homeschool families are acknowledged as a separate entity by the law.

We would also like to take this opportunity to thank everyone who isⁿ legislation taking a stand for family values.

Thanks Again

SIGNED:

Deanna J. Meyer

Testifier

Meyer Elementary School (The Meyer Family)

Representing

P.O. Box 55751 North Pole Ak. 99705 907-488-2331

Address / Phone Number



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House HESS
 Committee on SB 134 Committee Name Dated 5-1-97
Bill / Subject

WE HAVE BEEN HOMESCHOOLING OUR DAUGHTER ^(10 yr old.) SINCE AGE 3 WHEN SHE FIRST SHOWED AN INTEREST AND ABILITY IN READING. TODAY SHE TESTS FAR BEYOND HER GRADE LEVEL IN READING + LANGUAGE ~~SKILLS~~ SKILLS AND ABOVE AVERAGE IN HER OTHER SUBJECTS. WE ARE PLEASED WITH HER PROGRESS AND IS A WELL ADJUSTED ACTIVE TEN OLD. I PLAN TO HOME SCHOOL HER AS LONG AS IT SERVES HER EDUCATIONAL NEEDS. ~~WE~~ WE ARE PLEASED THAT THIS LEGISLATION HAS BEEN INTRODUCED AND SUPPORT IT WHOLEHEARTEDLY IT FINALLY MAKES OUR EFFORTS AS HOMESCHOOLERS LEGITIMATE. ~~instead of~~

Thank you.

NOTE: We were present for a teleconference on MAY 1, 1997 But did not get to testify as they allowed no testimony.

SIGNED: KRISTIN M. WAGAR *Kristin Wagar*
 Testifier
Self.
 Representing
1897 Badger Rd. NORIT POLE, AK 99705
 Address / Phone Number 907-488-1601



ALASKA STATE LEGISLATURE

Please enter into the record my testimony to the House Hess
 Committee on SB 134 Committee Name Dated 5-1-97
Bill / Subject

I was here on behalf of my family to testify in favor of SB 134 and to thank Senators German, Miller and Phillips for this Bill and the representatives also in support of this Bill.

Thank you,

My husband too!
 Keith who could
 not be here!

SIGNED: Donna Buchanan
 Testifier
Home School
 Representing
423 Taurus Rd, Fbks, AK 99712
 Address / Phone Number



APHEA

Alaska Private & Home Educators Assoc.
P.O. Box 141764 • Anchorage, AK 99514

**Testimony of Jack E. Phelps, Vice President
Alaska Private & Home Educators Association**

**In support of SB 134
Offered to the House HESS Committee**

May 1, 1997

Mr. Chairman, members of the committee:

My name is Jack Phelps, and today I am testifying on behalf of the Alaska Private & Home Educators Association (APHEA), a non-profit educational corporation serving the home school community throughout Alaska. APHEA was founded in 1987, and currently has a membership of about 450 home schooling families in all parts of the state. It is governed by an elected board of directors of which I am currently vice president.

Robert Nesbitt in his famous book, *Megatrends*, mentioned home school as part of society's trend toward decentralization, and as a sign of increased personal responsibility. It is that and more. It has been called the fastest growing educational phenomenon in modern America. Estimates run as high as 2.5 million American school age children being educated by their parents, representing the full range of educational philosophies, and crossing all social and economic strata. Patricia Lines, a researcher for the U.S. Department of Education, estimated the number at over a million several years ago, and it has continued to grow in the years since.

Home taught children are widely recognized as well educated and socially successful young people. They are now sought and recruited by many of the nation's best colleges and universities. Several books have been published in recent years acknowledging their successes and their unique contribution to American society. Several states, notable among them Michigan and Arizona, have

recently acted to protect home schools and to codify their role in the range of educational options. In fact, the bill which you have before you today is patterned on the law passed in Michigan last year.

Last year, the Alaska legislature passed Senate Concurrent Resolution 24 (now 1996 Legislative Resolve #53) without a single dissenting vote. That put this body clearly on record asserting the importance of home schooling to Alaska families and the value of home schooling to Alaska society. SB 134 codifies that stand and will encourage the responsible activities of the Alaska home school community.

The APHEA board of directors supports SB 134 because we believe it will establish Alaska in the forefront of those progressive states which strongly support this option for parents who choose to take a direct and personal hand in the education of their children. Alaska parents who are teaching their children at home are contributing to Alaska society by preparing their children for the full range of workforce opportunities, and they are doing it at no cost to the state general fund because they bear the full expense themselves.

As the sponsor has pointed out in his sponsor statement, SB 134 is needed because under the current statutes home school families have to pretend they are regular, private day schools, and file all the paperwork attendant upon operating such a school, or they have to enroll in a state or district sponsored correspondence program which may work well for some, but clearly limits the options for others. Another option is for them to seek exemption from the local district under a cumbersome process that subjects them to unwelcome and unnecessary work and scrutiny. This route is particularly unacceptable because there are no uniform standards governing whether they will be granted the exemption. Making home school parents depend on the whim of the local school boards and the various superintendents is no way for the state to encourage and support the kind of personal responsibility being taken by those who choose to teach their own children at home. CSSB 134(HESS) would establish a very simple and uniform exemption, and allow home school parents to get on with the business of teaching their children.

SB 134 is good public policy. It is good for children and it is good for the state. It makes a very clear statement that Alaska recognizes the value of personal liberty, personal responsibility and academic freedom. Each of your constituencies will be well-served by the immediate passage of this legislation. I urge you to move it from committee as soon as possible.

Thank you very much for the opportunity to testify today. I will be happy to try to answer any questions you may have.



APHEA

Alaska Private & Home Educators Assoc.
P.O. Box 141764 • Anchorage, AK 99514

April 9, 1997

The Honorable Loren Leman
Alaska State Senate
State Capitol
Juneau, AK 99801

Dear Senator Leman:


Thank you for introducing Senate Bill 134, relating to home schooling in Alaska. Coming on the heels of last year's Senate Concurrent Resolution 25, which passed both houses unanimously, SB 134 is the next logical step in Alaska asserting the value and importance of home schooling as a part of our overall education system.

As you know, the Alaska Private & Home Educators Association (APHEA) has, for more than a decade, worked to keep home schooling families in Alaska free from unnecessary interference and to help home school parents do their job well. APHEA sponsors seminars and coordinates the efforts of a network of local home school support groups throughout the state. It also works with the Department of Education and with local officials to help clarify the status of home school families, when necessary.

The APHEA board of directors supports SB 134 because it will clearly establish the status of home schooling as a legitimate part of Alaska's educational infrastructure, and not merely as a subset of private day schools. The several provisions of AS 14.30.010 treat home schoolers as either private schools or special cases. For example, AS 14.30.010 (b)(11) allows a parent to demonstrate to the local school board that a child is "equally well-served" by a home schooling program, and thereby excused from compulsory attendance. Such provisions are cumbersome and difficult, and are contrary to the assumption established by the Supreme Court in *Pierce v. Society of Sisters* that parents have the right to direct the education of their children.

Alaska is a state that has long treasured the independent spirit, self sufficiency and cultural diversity. Home school families exemplify those qualities. They are contributing to society well-rounded, well-educated children at no cost to the state. The academic track record of home school children is enviable. Many home-taught Alaska children have gone on to excel at some of the nation's best colleges, and many are in the Alaska workforce. The Alaska legislature should join other states, like Michigan and Arizona, in codifying its support for the home school community.

Sincerely,


Jack E. Phelps
Vice President

SUPPORT

Apr. 10, 1997

Dear Senator Luman,

My oldest daughter was in homeschool for kindergarten, third, and seventh grades and graduated with honors as valedictorian last year at Grace Christian School. I have known many homeschool families and in every case, the parents ^{have been} able to recognize if the homeschool is meeting the educational needs of their children and make changes if it is not.

I support SB 134 but without the phrase "organized education" because of the possibility of differing interpretations of what is organized. Parents should be allowed to make decisions about their children's education and able to homeschool without regulation.

Because being a homeschool teacher does require a sacrifice of time and money, homeschool parents are committed to excellence in education.

Sincerely,

Jan DeLand

Jan DeLand
2303 E. 49th Ct.
Anchorage, AK 99507

Senator Loren Leman,

I have been very excited to learn of SB 134! The freedom to educate our children according to our beliefs is of utmost importance to my husband and I. There are also so many resources available to provide our children with a first rate education without some of the drawbacks involved with the available institutions. I have high hopes that Alaska will become a more user friendly state for homeschoolers. This legislation is in my opinion exactly what we need. Also I would be in favor of the deletion of the organized educational program phrase. Thank you very much for the time and effort you have taken to give parents greater freedom in their efforts to give their children the best education possible.

Sincerely,
Mrs. Caroline Smardo

April 10, 1997

Senator Loren Leman
Senate Health, Education & Social Services Committee
Fax No. 465-3810

Dear Senator Leman:

I am writing in support of SB 134. My husband is an Anchorage business owner who travels frequently. We have been homeschooling our two daughters for almost seven years. Homeschooling has provided the academic freedom and excellence which we desired for our children, and the flexibility my husband's business schedule has required.

This bill will guard and strengthen the freedom all Alaskan parents have to educate their children with each child's best interests in mind. I greatly appreciate your efforts in sponsoring this bill, and look forward to its passage.

Sincerely,

Anne M. Kincaid

Anne M. Kincaid
19208 McCrary
Eagle River, AK 99577

To: All committee members regarding homeschooling:

From: Robin and Gretchen Bogard
Box 7362
Nikiski, Ak. 99635 phone 776-5768

I urge your support for any bills which strengthen the rights of parents to homeschool their children.

My wife and I are both lifetime Alaskans. We are the proud parents of 4 young daughters, all of them also born here in Alaska. We are homeschooling them, and plan on continuing to do so. An annual S.A.T. for each child is part of our routine. We are committed and responsible parents. I believe that as taxpayers, we should have access for our children to make use of the public school facilities. I also highly favor what was once termed the "voucher system," where the same tax dollars appropriated to public schools for each child could be used for homeschooling.

Dear Senator Leman,

Please support the ammendment to SB 134 that would delete the phrase about "organized educational program ect. ect." This most recent proposed amendment sounds great!

Sincerely,

John and Carol Broussard

10 April 1997

Sen. Loren Leman
Alaska State Capitol
Room 115
Juneau, AK 99801

Dear Senator Leman:

As a former home schooling parent and one presently most interested in Christian education, I fully support Senate Bill 134.

It is my considered judgement that Senate Bill will be a major step along the road to educational freedom. Current Exemptions apply only to private schools. If some home schoolers are "taking refuge" under this exemption it could possibly result in an infringement on their liberties. The wisdom of SB 134 is that it EXEMPTS home schoolers as home schoolers.

The Alaska Constitution is flawed in that it gives the state a role in education. That needs to be changed. However, we need to deal with the de facto situation. In other words, what must be done to proceed along the road to educational freedom? How can we improve our situation? All battles are not won in one encounter. SB 134 does not "win it all" but is definitely a step in the right direction.

The concern that the requirements that parents follow a program which contains reading, spelling, etc.etc. will invite bureaucrats into the home schooling scene is unfounded. The bill makes no provision for enforcement by the State or any sanctions. A home schooling parent would be more secure under the provisions of SB 134 than they are at the present. Moreover, similar measures in other states have increased liberty of home schoolers--not restricted them.

Thank you for your concern in this vital area of guarding and improving our educational freedom.

Most sincerely,

Donnis Walters
Donnis Walters
13209 Brant Way
Anchorage Alaska 99515

April 10, 1997

Dear Senator,

I would like to register my support of the ^{Board of Education} amendment to Senate Bill 134. I believe the amendment is a further support of parental rights.

Thank-you for your concern for our children whom we love and cherish so dearly. They are the future of Alaska and the future of this great nation. We seek to turn them over to our future as strong and moral leaders. Thank-you for helping us do this.

Sincerely,

Mary Nichols
205 BIRCH ST. - Kenai

April 10, 1997

Dear Senator,

I am writing in support of the amendment to SB 134. I feel this amendment will make the bill an even stronger advocate for homeschooling families.

Thank you for your support and effort in passing SB 134.

A Concerned Voter and Homeschooler,

Laura E. Mene

119 Naida

Kenai, AK 99611

(907) 283-2729

Jennifer M. Caeton
P.O.Box 110486
Anchorage, AK 99511

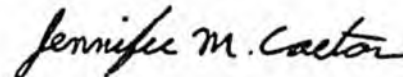
April 10, 1997

To Whom It May Concern,

I am a homeschool graduate and am writing to express my strong support of SB 134, as well as the amendment that would delete the following language : "...and is receiving an organized educational program that includes reading, spelling, mathematics, science, history, civics, literature, writing, and English grammar."

I would also strongly support an amendment that stated "is being educated in the child's home by a parent or legal guardian."

Sincerely,



Jennifer M. Caeton

Anthony J. Caeton IV
P.O.Box 110486
Anchorage, AK 99511

April 10, 1997

To Whom It May Concern,

I am a homeschool graduate and am writing to express my strong support of 3B 134, as well as the amendment that would delete the following language : "...and is receiving an organized educational program that includes reading, spelling, mathematics, science, history, civics, literature, writing, and English grammar."

I would also strongly support an amendment that stated "Is being educated in the child's home by a parent or legal guardian."

Sincerely,

A handwritten signature in cursive script, appearing to read "Anthony J. Caeton IV".

Anthony J. Caeton IV

Emma M. Caeton
P.O.Box 110486
Anchorage, AK 99511

April 10, 1997

To Whom It May Concern,

As a parent I am writing to express my strong support of SB 134, as well as the amendment that would delete the following language : "...and is receiving an organized educational program that includes reading, spelling, mathematics, science, history, civics, literature, writing, and English grammar."

I would also strongly support an amendment that stated "Is being educated in the child's home by a parent or legal guardian."

Sincerely,

Emma M. Caeton

Emma M. Caeton

April 10, 1997

Dear Senator Lehman,

Thank you for introducing SB 134 so that Alaska's education statutes will clearly recognize homeschooling as a legitimate and highly effective option.

This bill is similar to one that passed in March of 1996, in the state of Michigan. According to Homeschool Legal Defense Association this bill has cut 95% of the calls to their office concerning homeschool conflict in that state. HSLDA highly recommends this bill.

As long-term homeschooling parents, we have 2 graduates

and 6 more to come, we
feel this bill will help
secure the future for
homeschooling in Alaska.

We strongly urge the
HESS committee to support
SB 134.

Sincerely,

Raymond Speckel
Debra A. Speckel
HC 60, Box 226
Copper Center, Alaska
99573

822-3464 phone & fax

P.O. Box 670551
Chugiak, AK 99567
April 10, 1997

Dear Senator Leman,

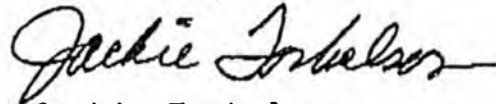
Thank you for introducing S.B. 134. As a long-time home schooler (10 years), I appreciate your work and that of others who recognize home schooling as a viable option in Alaska.

Of my eleven children, two have graduated and are doing fine. In fact, you know my son, Peter Torkelson. He home schooled his last three semesters of high school. He did very well at UAH with almost a straight A average.

I am sometimes anxious about the future of home schooling and see this bill as a positive step in assuring our rights as parents to choose the education that we feel would best meet the needs of our children.

Thank you again and you have my whole-hearted support for S.B. 134.

Sincerely,



Jackie Torkelson

Dear Senator Leman,

We are homeschooling our children, now teenagers, and support your efforts on our behalf as represented by SB 134. We will gladly assist you in any particular type of input that you need. Please let us know.

May God continue to bless your efforts.

Jon Ruth
Jonathan and Ruth Ewig
2325-30th Avenue
Fairbanks, AK 99701
phone/fax: 452-5538

3-22-97

APRIL 10, 1997

TO: MEMBERS OF THE SENATE HESS COMMITTEE

DEAR SIR:

PLEASE SUPPORT BILL SB-134. HOMESCHOOLING IS A GREAT WAY TO TEACH CHILDREN. THEY LEARN FASTER AND MORE IN A RELAXED ATMOSPHERE. THEY CAN WORK AT THEIR OWN SPEED, EX: DOING HOMEWORK AHEAD. UNLIKE PUBLIC SCHOOLS, MY HOMESCHOOLERS HAVE TO FINISH EACH BOOK TO GET CREDIT FOR THAT SUBJECT EVEN IF IT TAKES THEM INTO THE SUMMER TO DO IT.

THANK YOU,

SINCERELY,

KEITH & DONNA BUCHANAN
423 TAURUS RD.
FAIRBANKS, AK. 99712
PHONE & FAX: 1 907/457-4285

P.S. THANK YOU SENATOR LEMAN

April 10, 1997

Dear Senator Leman,

Regarding: Senate Bill 134

As parents of two homeschooled children, we support SB 134. We appreciate your efforts to make education at home a legal option.

Sincerely,

**Tom & Robin Coursen
HC 01 Box 3915
Sterling, Alaska 99672
(907) 262-6347**

April 10, 1997

Senator Loren Leman
Member of Senate Health, Education and Social Services Committee
Alaska State Senate

Dear Senator Leman,

I was informed by your office of SB 134, which would add to the state statutes a further exemption for parents who wish to educate their children independently of the public school system in Alaska. I wish to state that I am in favor of passing this bill. I think it would offer a wonderful alternative for parents who presently don't fit into any of the other exemptions, but who are diligently educating their children in a responsible and organized manner.

I would prefer to see the wording, "is being educated in the child's home by a parent or legal guardian", rather than the wording "is receiving an organized educational program that includes reading ... grammar." The former wording would not cause concern as to who may be deciding what an "organized educational program" is, and leaves that to the parent's discretion. As the primary teachers in our children's lives, my husband and I wish to remain the ones that decide what is in their best interest in regards to educational curriculum. We are certified teachers, and plan on remaining certified, so we are already included in the present state statutes, but we think this additional amendment would benefit others who don't fit as neatly into a present exemption.

Thank you for your efforts, and your confidence in us as educators. I hope to see your continued support for responsible homeschooling families in Alaska. We appreciate the relative freedom that the State of Alaska allows us, and hope that it maintains this positive atmosphere for us and other families in the future.

Sincerely,

Ramona Henspeter

Ramona Henspeter
P.O. Box 98
Copper Center, AK 99573

April 11, 1997

Dear Senator Leman,

We have been homeschooling for four years and planned to continue. We believe SB 134 is very valuable as it defines a parent's right to educate their children. You have our enthusiastic support on this bill.

Sincerely,

**Steve and Janice Habermann
HC 1 Box 161C
Soldotna, Alaska 99669
(907)262-3704**

SB

149

HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: April 28, 1997

FURTHER REFERRALS:

Finance

Date of Committee Action: 5/6/97

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

SB 149

SENATE BILL NO. 149

HEALTH CARE FACILITY AUDITS & REPORTS

"An Act relating to reports and audits concerning health care facilities; and providing for an effective date."

recommends it be replaced the same title
 with the following committee substitute _____ 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) _____

zero fiscal note(s) _____

zero fiscal note(s) H+SS/4-4-97

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Paul Ryan</i>	<input checked="" type="checkbox"/>			
<i>Carolyn</i>	<input checked="" type="checkbox"/>			
<i>Don Bunde</i>	<input checked="" type="checkbox"/>			
<i>Brian D. Porter</i>	<input checked="" type="checkbox"/>			
<i>John Leary</i>			<input checked="" type="checkbox"/>	
<i>John Leary</i>	<input checked="" type="checkbox"/>			
<i>Tom Price</i>			<input checked="" type="checkbox"/>	

CHAIR'S SIGNATURE *Don Bunde*

Alaska State Legislature



Senator Gary Wilken, Chairman
Senator Loren Leman, Vice Chairman
Senator Lyda Green
Senator Jerry Ward
Senator Johnny Ellis

State Capitol
Room 510
Juneau, Alaska 99801
(907) 465-3762

Senate Committee on Health, Education and Social Services

SENATE HESS COMMITTEE SPONSOR STATEMENT

SB 149 - Health Care Facility Audits & Reports

SB 149 clarifies that Medicaid audits may be used in the Medicaid rate setting process. This is a necessary clarification, since a recent rate appeal decision prevented the State from being able to set rates based on 1993 and 1994 Medicaid audits.

In addition to this, SB 149 repeals a State filing deadline that has been superseded by Federal deadlines. Even though the Alaska Department of Health & Social Services requires facilities to file a year-end report within 120 days after the year's end, it is often difficult for facilities to obtain needed documents from Federal payment intermediaries such as Blue Cross of Washington & Alaska in that time, since the Federal Government does not require filing for up to five months past the end of the year. This discrepancy in State and Federal deadlines has created a need for the 120-day deadline to be changed. SB 149 allows the Commissioner to change the State deadline to match the Federal one.

Finally, SB 149 adds language that acknowledges that it is not necessary for DHSS to audit every facility every year for Medicaid. Since facilities are audited by their independent C.P.A.'s every year, there should be no reason for DHSS to duplicate that audit effort, providing that the facility in question has no history of audit problems and the amount of Medicaid paid to that facility is not material compared to the total Medicaid budget. This acknowledgment is a first step in helping to facilitate a process which could be designed to reduce the administrative burden that DHSS and the facilities experience in auditing every facility every year, whether there is need to or not.

This bill has the support of the Administration, and the Alaska State Hospital and Nursing Home Association.

ALASKA STATE

HOSPITAL & NURSING HOME

ASSOCIATION

POSITION PAPER

SENATE BILL 149 Health Care Facility Audits & Reports

March 27, 1997

"An Act relating to, reports and audits of health facilities; and providing for an effective date."

WHY SUPPORT THE MEDICAID AUDIT BILL?

1. It clarifies that Medicaid audits may be used in the Medicaid rate setting process.
 - Federal law requires that states perform Medicaid audits.
 - Recent rate appeal decisions state that Medicaid audits done in 1993 and 1994 may not be used to set rates.
 - This bill is not designed to overturn those decisions but rather to clarify future application.
2. It repeals a State filing deadline that has been superseded by Federal deadlines. Under State law, facilities must file a year end report with the Alaska Department of Health & Social Services (DHSS) within 120 days after year end. As a result of Federal deadline changes, facilities no longer receive the documents they need from Federal payment intermediaries (Blue Cross of Washington & Alaska) until five months after year end. Since those documents must be filed as part of the year end report to the State, the 120 day deadline no longer works.
3. It adds language that acknowledges that it is not required for DHSS to audit every facility every year for Medicaid. They are all audited by their independent C.P.A.'s every year and we believe it would be appropriate for Medicaid audits to be done less frequently. If there is no history of audit problems with a facility and the amount of Medicaid paid to that facility is not material compared to the total Medicaid budget, a process could be designed to reduce the administrative burden related to the audit activity.
4. The Department of Health and Social Services and the Alaska State Hospital and Nursing Home Association jointly support the bill as a measure to ensure proper operation of the Medicaid rate setting process.

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

1
Bill Version: SB 149
(S) Publish Date: 4-4-97
Dept. Affected: Health and Social Services
BRU: Medical Assistance
Component: Medicaid Facilities
COMPONENT SERIAL NO. 230
See also (SN#): _____

Revision Date: _____
Title: An Act relating to rates, reports, and inspections of health facilities under AS 47.07.
Sponsor: Senate HESS
Requestor: Senate HESS

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
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						
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CHANGES IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

FUND SOURCE	FY98	FY99	FY00	FY01	FY02	FY03
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (please specify)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

POSITIONS:

POSITIONS	FY98	FY99	FY00	FY01	FY02	FY03
FULL-TIME						
PART-TIME						
TEMPORARY						

Estimate of any current year (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

The attached bill amends AS 47.07.074 to clarify that the Department of Health and Social Services is authorized to consider the department's audits of financial and statistical information submitted by health care facilities, for the purpose of establishing Medicaid payment rates for such facilities. This bill also addresses the timing of the submission of reports by health facilities, and provides that Medicaid audits may be conducted less than annually on health care facilities.

Jny
3/20/97
 Prepared by: Jack Nielson *BJ* Phone: 562-1996
 Division: Medical Assistance/MRAC Date: 03/23/97
 Approved by Commissioner: Karen Perdue, Commissioner *K Perdue* Date: 4-2-97
 Agency: Department of Health & Social Services

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SB

164.

HOUSE COMMITTEE REPORT

(7)
Date Referred to Committee: April 24, 1997

FURTHER REFERRALS:

Date of Committee Action: 5/6/97

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered: CSSB 164HES) am

CS FOR SENATE BILL NO. 164(HES) am AUTHORITY OF EMERGENCY MED TECHS

“An Act relating to the authority of an emergency medical technician at the scene of an accident or emergency.”

recommends it be replaced the same title
with the following committee substitute _____ 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) _____

zero fiscal note(s) _____ zero fiscal note(s) HHS/4-18-97

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
<i>Paul Brown</i>	✓			
<i>Joseph M. ...</i>	✓			
<i>Car Beuck</i>	✓			
<i>Brian V. ...</i>	✓			
<i>...</i>			✓	
<i>...</i>	✓			
<i>Tom ...</i>			✓	

CHAIR'S SIGNATURE _____

Car Beuck

STATE OF ALASKA
1997 LEGISLATIVE SESSION

Jo. 1
Bill Version: CSB 164 (HE3)
(S) Publish Date: 4-18-97

Revision Date: _____
Title: Authority of EMTs at accident scene

Dept. Affected: Health and Social Services
BRU: State Health Services

Sponsor: Senator Wilken
Requestor: Senate HESS

Component: Community Health/EMS Grants
COMPONENT SERIAL NO. 2079
See also (SN#): _____

Expenditures/Revenues:

(Thousands of Dollars)

OPERATING	FY98	FY99	FY00	FY01	FY02	FY03
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						
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CHANGES IN REVENUES ()						
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FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
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 (FY97) cost: \$0.0

ANALYSIS: (Attach a separate page if necessary)

No fiscal impact.

Prepared by: Peter M. Nakamura, MD, MPH
Division: Public Health
Approved by Commissioner: Karen Perdue, Commissioner
Agency: Department of Health & Social Services

Phone: (907) 465-3090
Date: 04/11/97

Date: 4/14/97

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GARY WILKEN

SENATOR

Districts 29 & 30
West Fairbanks

Senate Standing Committees

Chairman: Health, Education,
and Social Services (HESS)

Vice Chairman: Transportation

Vice Chairman: Community and
Regional Affairs

Special Committee

Member: Administrative Regulation Review



During Session:
State Capitol, Room 510
Juneau, Alaska 99801-1182
(907) 465-3709 (v)
(907) 465-4714 (f)
[www: akrepublicans.org/wilken.htm](http://www.akrepublicans.org/wilken.htm)
E-mail: Senator_Gary_Wilken@legis.state.ak.us

Interior:
119 N. Cushman St., Room 213
Fairbanks, Alaska 99701
(907) 452-3421
Fax (907) 452-3426

SPONSOR STATEMENT

SB 164 - Authority of Emergency Medical Technicians

Senate Bill 164 repairs a long overdue shortcoming in our public safety network. Specifically, it provides EMT's, who belong to an ambulance service or a first responder service, with appropriate and relevant authority at the scene of an accident or other medical crisis, without creating potential conflict between emergency personnel. SB 164 is intended to protect EMT's who arrive first on the scene of an accident or medical emergency, or who are the only emergency responders to arrive for some time, as is the case in many rural areas.

Currently, we ask emergency medical technicians to perform duties necessary to their job without giving them the proper legal authority to do so. Such duties include:

- controlling and directing activities at the scene of an accident;
- temporarily blocking or redirecting traffic to avoid the scene of an accident;
- trespassing upon property in order to respond to an emergency call;
- entering a building, including a private residence, or premises where report of an injury or illness has taken place; and
- directing the removal or destruction of a motor vehicle or other thing in order to prevent further harm to injured or ill individuals.

This legislation also works in concert with existing statutes (specifically, AS 18.08.086) to bring the scene control duties mentioned in SB 164 under the immunity from liability statute. Because the duties mentioned above are part of the overall pursuit of providing "emergency medical services," they would automatically apply for immunity from liability under AS 18.08.086 that frees EMT's from liability while "[administering] emergency medical services."

Alaska relies heavily on its emergency medical personnel, especially in rural areas where law enforcement and fire personnel are relatively few in numbers. Just as we expect EMT's to protect our safety in an emergency situation, we should reciprocate this service, and give EMT's the proper legal authority to do their jobs without compromising their personal safety.

Home of the
University of Alaska



ALASKA EMERGENCY MEDICAL SERVICES ASSOCIATION



April 15, 1997

The Honorable Gary Wilken
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182


Dear Senator Wilken:

The Alaska Emergency Medical Services Association strongly supports and endorses SB 164 granting certain authority to Emergency Medical Technicians (EMT's) at accident scenes as well as during medical emergencies in homes.

Alaska's prehospital care is primarily provided by volunteers. This is particularly true in rural settings. Over the years, the legislature has recognized the extraordinary service of Alaska's volunteer EMTs by providing medical liability protection, workers compensation for volunteers not otherwise covered and by making no cost hepatitis B vaccinations available. It is extremely timely to now recognize the one thing overlooked - that being authority to protect the patient and the public at the scene of an accident or during a medical emergency in a residence. SB 164 does not replace or compete with the power already authorized for law enforcement (troopers) or fire fighters. It simply recognizes that medical emergencies and accidents requiring emergency medical attention can and do happen in isolated areas where there are no firefighters and where law enforcement response is lengthy or non existent. At such times, EMT's need to have a legal basis for doing the things they have been from the beginning. SB 164 provides it.

Again, thank you for introducing the legislation. Alaska is indeed fortunate to have volunteer EMT's who give thousands of hours each year protecting and rendering aid to their neighbors and visitors. Please do not hesitate to contact me if I can be of further assistance.

Sincerely,


Craig R. Lewis
President

CRL/crl





INTERIOR REGION EMERGENCY MEDICAL SERVICES COUNCIL, INC.



3522 INDUSTRIAL AVE. • FAIRBANKS, ALASKA 99701
PHONE (907) 456-3978 • FAX (907) 456-3970

RECEIVED

MAR 11 1997

February 27, 1997

The Honorable Gary Wilken
Alaska State Legislature
State Capitol (MS 3100)
Juneau, Alaska 99801-1182

Dear Senator Wilken:

Thank you for taking the time to meet with me last week. You have definitely hit the ground running with things already beginning to get exciting. Like other legislative sessions, I expect that this one will be filled with many opportunities to excel. Please do not hesitate to contact me should you need any additional information regarding the Emergency Medical Services (EMS) Grant. This is a deciding year for EMS in Alaska. Without additional funding, EMS as the constituents expect it, will simply not be there. Volunteers are a good investment in our future.

As we also spoke, there are a couple of legislative items that need attention this year. The purpose of this letter is to request your assistance regarding EMT authority at the scene of an accident.

BACKGROUND:

EMT Authority at the Scene of an Accident:

Examples have been appearing in Emergency Medical Journals that suggest that states without specific Laws granting EMS personnel authority at accident scenes are placing these individuals in jeopardy. A relatively recent court ruling found an EMT, who had stopped to render aid at the scene of an accident, liable for the damage caused to an oncoming car who struck the EMT while the EMT was rendering care to an injured patient. In effect, the court ruled that he had no authority to impede traffic or exercise scene control even though there were no law enforcement personnel present. As such the EMT was found to have been illegally impeding traffic.

I have been advised that Alaska scene authority is limited to law enforcement and in certain cases, fire fighters. While I agree that law enforcement and firefighters should have scene authority, I believe that EMTs should also. EMT's, particularly in rural settings and given the many miles of road with no immediately available law enforcement coverage, need to be able to order people to move their cars, legally divert or stop traffic, maintain scene control and many other things to make the accident site safe from additional harm until the arrival of law enforcement people. Having no authority at the scene is not only dangerous, but also an extraordinary personal liability. As far as I know, empowering EMTs is not controversial.

I would be happy to assist in drafting language but do not know where to recommend amending the many statutes that deal with this type of issue.

Thank you for your assistance.

Sincerely,


Craig R. Lewis
Executive Director

CRL/crl

CC File





INTERIOR REGION EMERGENCY MEDICAL SERVICES COUNCIL, INC.



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April 15, 1997

Ms. Beth Hagevig, Legislative Aide
Alaska State Legislature
Alaska State Capitol
Juneau, Alaska 99801-1182

Dear Beth:

Thank you for the opportunity to address some of your questions regarding EMT qualifications for certification, practices and procedures.

The EMS qualifications for certification both as providers and as ambulance services are as stated within 7 AAC 26.010 - 210. Clearly, EMTs and ambulance services must meet rigorous training and continuing medical education mandates to be certified and maintain certification by the Department of Health and Social Services. The EMT credentialing program has few equal with regard to quality assurance, education and demonstrated proficiency. It is the intent of the legislation to grant these highly trained and certified individuals certain authority at the scene of an accident or other medical emergency.

It is customary for each EMS response to have one individual in charge of the event. It would be that individual who would be authorized to deal with scene management until the arrival of a law enforcement officer, or, in cases where law enforcement does not arrive, until the departure of the medical providers. The (unwritten) hierarchy of scene control has been established for some time - specifically, law enforcement is in over all charge followed by fire personnel in circumstances concerning fires and fire suppression and EMS in circumstances where medical care is of concern. Unfortunately, EMS "authority" has been omitted from statute. The legislation as proposed does not appear to impact negatively on already existing fire departments, police departments or troopers. It does not amend or change already existing statutes regarding law enforcement or fire fighting. It is specifically intended to address those circumstances requiring EMS response where law enforcement can not or does not respond immediately and in circumstances where fire suppression personnel are either not available or would not customarily respond since not all EMS responses require fire suppression service.

The difference between this legislation and already existing liability protection for EMTs is the scope. Already existing legislation addresses rendering patient care and exists to protect the EMT against suits for inappropriate care (malpractice.) The current legislation provides "authority" to make scene safety decisions at the accident or medical emergency site. It does not address medical care liability. EMT's need authority to command actions at the scene when law enforcement is absent for the

protection of the patient as well as travelers. An example of what can happen surfaced as a case in Illinois, where a rural EMS responder was extricating a patient from an automobile and was struck by an oncoming vehicle causing damage to the oncoming vehicle, seriously injuring the EMT and further injuring the patient being extricated. A subsequent suit found the EMT liable for illegally blocking the road way and being an impediment to road traffic. The fact that an ambulance was on scene, lights flashing, flares out and so forth, were not mitigating. The EMT had no authority to impede traffic by law. Illinois now has an authority law for EMT's.

I hope that you find this substantive. Please call if I can be of further assistance. Again, thank you for assisting in this important legislation.

Sincerely,

A handwritten signature in black ink, appearing to read 'CR Lewis', with a long horizontal flourish extending to the right.

Craig R. Lewis
Executive Director

CRL/crl

EMT Levels in Alaska

Although the EMT/EMT-Instructor certification regulations mandate a core curriculum, in some cases, the emergency medical service's physician medical director has chosen to add procedures and/or medications to the EMT's arsenal of treatment methods. The ability of the physician medical director to tailor emergency care practices to the community's needs (and the EMT's capabilities) results in a higher level of care than would be possible otherwise. In most parts in Alaska, emergency medical responders are trained to the EMT-II level or above.

Emergency Trauma Technician (ETT)

An ETT is trained in a 40 hour program to provide basic life support, including splinting, bandaging, bleeding control, and the use of free flow oxygen. This level of training is prevalent in small communities and industrial settings in Alaska.

Emergency Medical Technician-I (EMT-I)

The Emergency Medical Technician-I is equivalent to the National Standard EMT-Basic, as described in the United States Department of Transportation (USDOT) curriculum. The EMT provides basic life support such as splinting, hemorrhage control, oxygen therapy, suction, & CPR.

Defibrillator Technician (ETT-D, EMT-D)

Defibrillator technicians are typically Emergency Medical Technicians and first responders who are trained to use defibrillators. Some defibrillator technicians are authorized to use manual defibrillators. Most are trained and authorized to use automated external defibrillators.

Emergency Medical Technician-II (EMT-II)

The Emergency Medical Technician II level exceeds the National Standard Training Program EMT-Intermediate, developed by the USDOT. The EMT-II class prepares the student to initiate intravenous lines and administer fluids and certain medications, such as 50% dextrose.

Emergency Medical Technician-III (EMT-III)

The EMT-III program is designed to add some advanced cardiac care skills to those the EMT has learned already. Also included in the training program is the use of morphine, lidocaine, atropine, and epinephrine.

Mobile Intensive Care Paramedic (MICP)

Mobile Intensive Care Paramedics are licensed by the Alaska Department of Commerce and Economic Development through the Alaska State Medical Board. MICP's provide care in excess of the EMT-III level and function under the direct or indirect supervision (standing orders, etc.) of a physician. Generally, paramedics are found in the most populous areas of Alaska, including Anchorage, Fairbanks, Kenai, Soldotna, Nikiski, Juneau and Ketchikan. In some of these communities, all pre-hospital emergency medical care is provided by Mobile Intensive Care Paramedics. In others, the MICP may act as a supervisor or EMS director.

7 AAC 26.030. QUALIFICATIONS FOR CERTIFICATION. (a) A person applying for certification as an EMT-I must

- (1) be 18 years of age or older;
- (2) repealed 10/23/92;
- (3) repealed 10/23/92;
- (4) have successfully completed a department-approved EMT-I training course;
- (5) pass, within one year after completing the training course, the written and practical examination for EMT-I administered by the department; and
- (6) provide evidence of valid CPR certification.

(b) A person applying for certification as an EMT-II must

- (1) have a valid certification as an EMT-I;
- (2) have successfully completed a department-approved EMT-II training course;
- (3) as part of the EMT-II training course or within 30 days after successful course completion perform 10 venipunctures, of which eight must be with catheter covered needles; all venipunctures must be witnessed by an individual who is delegated that responsibility by the course medical director and who is certified or licensed to perform venipunctures;
- (4) pass, within one year after completing the training course the written and practical examination for EMT-II administered by the department;
- (5) have six months' experience as a state-certified EMT-I or six months of other related experience such as military medical training;
- (6) be under the sponsorship of a medical director, approved by the department, who accepts the responsibilities set out in 7 AAC 26.640; and
- (7) provide evidence of valid CPR certification.

(c) A person applying for certification as an EMT-III must

- (1) have a valid certification as an EMT-II;
- (2) have successfully completed a department-approved EMT-III training course;

(3) pass, within one year after completing the training course, the written and practical examination for EMT-III administered by the department;

(4) have six months' experience as a state-certified EMT-II, or six months of other related experience such as military medical training;

(5) be under the sponsorship of a medical director, approved by the department, who accepts the responsibilities set out in 7 AAC 26.640; and

(6) provide evidence of valid CPR certification.

ALASKA COUNCIL ON EMERGENCY MEDICAL SERVICES

ACEMS
P.O. Box 110616
Juneau, Alaska 99811-0616
(907) 465-3027



April 30, 1997

The Honorable Senator Gary Wilken
Alaska State Capitol
Juneau, Alaska 99801-1182

Dear Senator Wilken:

As Chairman of the Alaska Council on Emergency Medical Services (ACEMS) I am pleased to endorse SB 164. ACEMS advises the Governor and the Commissioner on issues related to the provision of emergency medical services. Your legislation addresses a long overlooked area, one that most people probably assumed was always covered.

SB 164 appropriately gives EMS providers authority to do their job at the scene of an emergency until the arrival of law enforcement officials. Given that many of our EMTs provide care on isolated stretches of highway where law enforcement may be some distance away, your legislation recognizes the need for EMTs to have authority to control scene safety, which helps them to provide proper patient care, as well as to protect the safety of persons at or near the scene of the emergency.

Thank you for taking the time to craft SB 164. It helps make our highways safer and provides better protection for our EMS providers.

Sincerely,

John Hall Chairman
Alaska Council on Emergency Medical Services