

ALASKA LEGISLATURE COMMITTEE FILES 1999-2000 8672

9831 HOUSE HEALTH EDUCATION & SOCIAL SERVICES

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STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. SB 98

Revision Date/Time (Note if correction) _____ Dept. Affected Education
 Title An Act relating to teacher tenure BRU _____
 _____ Component _____
 Sponsor Senator Green
 Requester Senate HESS Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
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 (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This bill allows a teacher who has acquired tenure and loses tenure in a district because of a break in service to reacquire tenure in that school district if the break wasn't the result of dismissal.

This bill has no fiscal impact on the department. The fiscal impact on school districts cannot be determined at this time.

Prepared by Barbara Thompson Phone 465-4685
 Division Teaching and Learning Support Date/Time 3/19/99 5:01 PM
 Approved by Commissioner: Shirley J. Holloway, Ph.D. Date 3-19-99
 Agency Department of Education

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HOUSE COMMITTEE REPORT

(7)

Date Referred to Committee: April 9, 1999

FURTHER REFERRALS:

Date of Committee Action: 4/30/99

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

SB 98

SENATE BILL NO. 98

TEACHER TENURE

"An Act relating to teacher tenure."

recommends it be replaced with the following committee substitute [] the same title [] a new title

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

ADOPTS: Letter of Intent

ATTACHES NEW FISCAL NOTE(s): (Dept) APPROVES PREVIOUS: (Dept/Date)

[] fiscal note(s) [] fiscal note(s)

[] zero fiscal note(s) [X] zero fiscal note(s) DOE

Table with 5 columns: SIGNING WITH RECOMMENDATIONS, DP, DNP, NR, AM. Contains handwritten signatures and checkmarks.

CHAIR'S SIGNATURE [Signature] [Signature]

ALASKA STATE LEGISLATURE



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Wasilla, Alaska 99654
(907) 376-3370
(907) 376-3157 Fax

Session:

State Capitol
Juneau, Alaska 99801-1182
(907) 465-6600
Fax (907) 465-3805

SENATOR LYDA GREEN
SENATE DISTRICT N

SPONSOR STATEMENT

Senate Bill 98
An Act Relating to Teacher Tenure

There have been unintended consequences for both teachers and school districts since the issue of "portability of tenure" was addressed in HB 465, 1996 Act Relating to Employment of Teachers and School Administrators.

The legislative intent of HB 465 pertaining to acquisition of tenure rights was to give both the newly hired teacher and the hiring district adequate time to "judge the match." Tenure is acquired in a district if, along with other requirements, the teacher is properly certified, has been employed as a teacher in the same district continuously for three full years, and has received evaluations that meet the district's performance standards.

The problem arises when a teacher voluntarily leaves one district to work in another. Changing districts constitutes a break in service and thus the issue of tenure is subject to the current wording in AS 14.20.150(d) which describes rights to reacquire tenure after a break in service, even in "...another school district..." and which provides only one year to make a determination about a new hire. Currently, some districts do not feel they have enough time to thoroughly evaluate a newly hired teacher (previously tenured) who has moved in from another district.

School districts are/may be forced to reject teacher applicants who have been previously tenured in another district because the hiring district is limited to only one year for evaluation, development of a meaningful improvement plan, and re-evaluation. This is a recruitment concern for those districts that routinely hire experienced teachers who have been tenured in another district.

Alexander Creek • Big Lake • B
Knik • Kashwitna • Lake Louise • L
Sheep Mountain • Skwer

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ke • Goose Bay • Hatcher Pass • Houston
Ichina • Palmer • Petersville • Point Mackenzie
• Trapper Creek • Wasilla • Willow

Districts may be reluctant to hire a teacher or to retain that teacher for over one year. Both school districts and teachers new to a district deserve more time to establish tenure. Until that time, districts and teachers will continue to be at a disadvantage.

Under SB 98, a previously tenured teacher who moves into a new district would be eligible to reacquire tenure after having sufficient time to meet the new district's standards. The hiring district would be able to offer, with confidence, continued employment and tenure to the "new" teacher.

APR 06 1999

ASSOCIATION OF ALASKA SCHOOL BOARDS

Advocates for Alaska's Youth

April 1, 1999

The Honorable Lyda Green
Alaska State Capitol
State Capitol Room 125
Juneau, AK 99801

Re: Support for SB 98 Eliminating Tenure "Portability"

Dear Senator Green:

There is a bill wending its way through the Legislature that is very important to school boards. SB 98 eliminates tenure portability. This bill is supported by the Association of Alaska School Boards through resolution. It has also been selected as a priority legislative issue by the Board of Directors of AASB ever since HB 465 created tenure portability in 1996.

Under HB 465, the time required to earn tenure was increased from two to three full years for new educators entering the teaching profession in Alaska. One controversial aspect of the bill—inserted in the eleventh hour on the floor of the Senate—allowed limited portability of tenure status from one Alaska district to another for previously tenured teachers. In effect, previously tenured teachers attain tenure status after only one year when they transfer from one district to another.

While AASB had sought to extend tenure acquisition and implement more vigorous evaluation practices, the portability amendment moved in the opposite direction. HB 465 was three years in the making. It created more thorough evaluation systems, made negotiation proposals available to the public, streamlined a lengthy and costly dismissal appeal process, extended acquisition of tenure for *new* teachers, and created a layoff status for employees. To withdraw AASB's support for HB 465 because portability was tacked on in the eleventh hour would have negated all the good that exists within the bill. AASB argued the portability amendment would only hurt districts and teachers, a fact that has been borne out over time.

Why should the Legislature repeal tenure portability? Why should it take more than a year to evaluate teachers? How does portability of tenure hurt teachers and districts?

First, one should not assume that tenure status in a previous district guarantees, or is even a good predictor of, future performance in another district. The diversity among our districts is mirrored in our teaching profession. What may work in one district may not in another. Furthermore, a teacher's performance, as well as teacher requirements and professional expectations, may change over time.

As a technical matter, portability of tenure interferes with the evaluation process adopted by passage of HB 465. As you may know, school districts are required to apprise all teachers, tenured and nontenured, of their employment status for the coming year by March 16 of the preceding year. Herein lies *one* of the problems with tenure portability. The "window" of a year in reality becomes six months when you take holiday breaks into account—from mid-September to March 16. In many cases, it would take beyond the statutory timeframe for the district to identify a developing problem with a teacher (with portable tenure) and then for the teacher to satisfactorily complete the required Plan of Improvement (POI) to remedy the shortcoming (which might take one month or six months*).

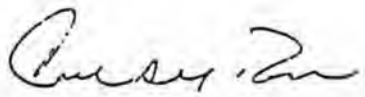
To illustrate, a teacher with tenure status in one district is hired to teach in another district on September 15 (this would apply to teachers hired as late as October 15). On Jan. 15, four months into the school year, administrators conduct their second evaluation and are concerned with a teacher's waning effectiveness. Pursuant to AS 14.20.149 (e), the teacher would then be placed under a "plan of improvement" (POI). Administrators determine they must place the employee on a POI for a minimum of three to four months. This extends past the nonretention notification date of March 16. The district is now faced with a decision. Either place the employee on a POI, which they believe will not be completed under the statutory timeframe and will require staff resources to monitor progress, or simply allow the teacher to finish out the year with no POI and nonretain him. Either way, the district would be remiss if it did not release this educator due to the nonretention notification deadline.

Why does it take a three-year window to evaluate teachers seeking to attain tenure? Tenure status is coveted. It grants employee job security that is unparalleled in any other industry. For a district it is critical to evaluate a teacher's performance *over an extended period of time*. Districts are not evaluating one year's worth of employee performance. When it comes to granting tenure, districts are evaluating what is essentially a *career* move for both the teacher and the district, where the employee may remain for 20 years until retirement.

How does portability hurt teachers? Unless a tenured teacher comes highly recommended, a district today is far more reluctant to take a chance on hiring an educator with only a one year evaluation window. A recent survey conducted by AASB shows less than 1 in 10 teachers hired by school districts have tenure portability. The Anchorage School District has testified that over a three year period only 2% of newly hired teachers have tenure portability. Remember, being hired with portability does not guarantee a teacher will be retained after the first year. Clearly, tenure portability is a deterrent to hiring experienced teachers.

Granting tenure status after only one year does a disservice to both teachers and school districts. It contributes to increased staff turnover. It creates hardships for both teachers and the district, especially in terms of the financial drain of repeated hiring activities.

The bottom line is that good teachers are losing good opportunities due to tenure portability. Good teachers don't grow on trees. They have to be nurtured, assisted and given an opportunity to blossom. Portability cuts this opportunity short. We urge you to support SB 98.



Respectfully,

Carl F.N. Rose
Executive Director

* excerpt of 14.20.149 (e) A school district shall provide a tenured teacher whose performance, after evaluation, did not meet the district performance standards with a plan of improvement. The plan of improvement shall last for not less than 90 workdays and not more than 180 work days unless the minimum time is shortened by agreement between the evaluating administrator and the teacher.

Subject: SB 98 - Bills on the Move

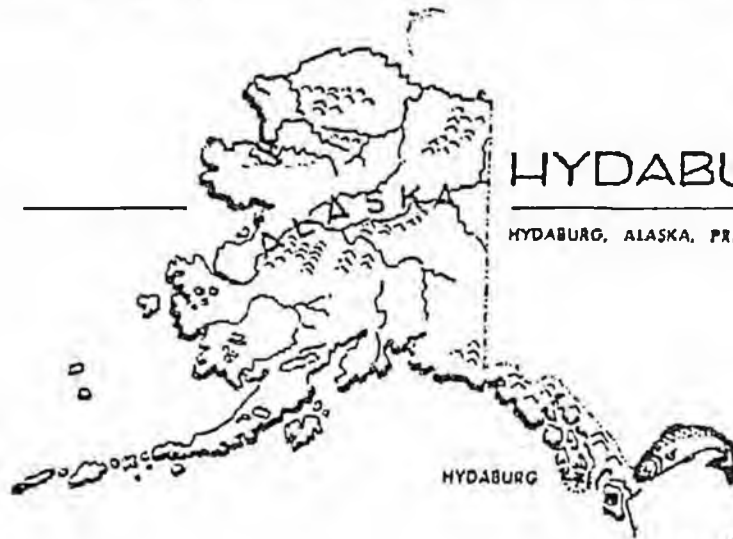
Date: Tue, 30 Mar 1999 17:18:13 -0900

From: Jeanette Jean <Jeanette_Jean@legis.state.ak.us>

Organization: Alaska State Legislature

To: maggie_wall@legis.state.ak.us

Currently it is difficult for previously tenured teachers new to a district to be considered for long term employment because of the short window the new district has for evaluation. Existing portability of tenure statute creates this disadvantage for both the teacher and the district. SB 98 gives the district sufficient time to evaluate the teacher and enhances the teacher's opportunity for tenured employment.



HYDABURG CITY SCHOOL

HYDABURG, ALASKA, PRINCE OF WALES ISLAND 99922

TO: All Senators
FROM: Marsha M. Johnson, Superintendent Hydaburg City School District
RE: SB 98
DATE: March 18, 1999

mmj

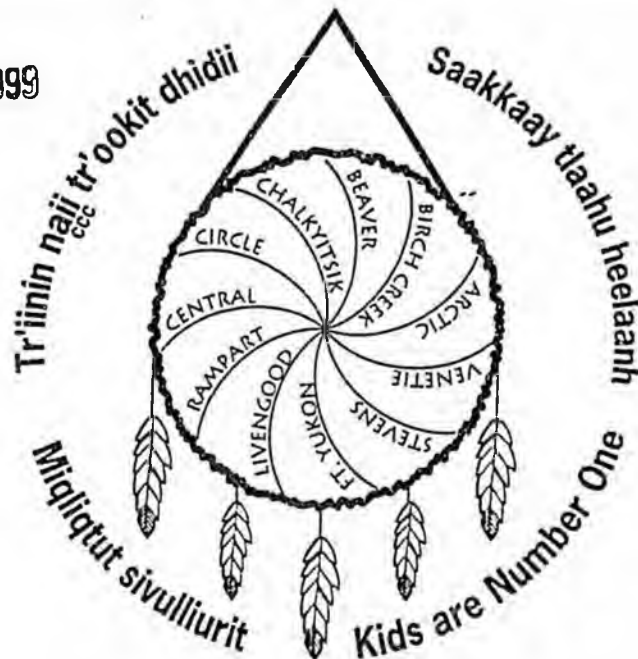
Hydaburg City School District supports SB 98 introduced by Senator Green. In the future, our district will be very reluctant to hire a tenured teacher. When you have a teacher with questionable teaching or judgment behaviors, one year is not enough time to adequately gather information. Thus, a good teacher could be let go just because the district does not want to take a chance on granting tenure to a teacher who may not fit philosophically with the district.

We hope that you will support SB 98.

Yukon Flats School District

P.O. Box 359
Fort Yukon, Alaska 99740
Phone: (907) 662-2515
Fax: (907) 662-2519

APR 01 1999



ARCTIC VILLAGE SCHOOL
Box 22049
Arctic Village, AK 99722
(907) 587-5210
Fax (907) 587-5211

CRUIKSHANK SCHOOL
Box 24050
Beaver, AK 99724
(907) 629-6313
Fax (907) 628-6615

BIRCH CREEK SCHOOL
Box KBC
Birch Creek, AK 99740
(907) 221-2127
Fax (907) 221-2118

TSUK TAIM SCHOOL
General Delivery
Chalkyitsik, AK 99788
(907) 848-8113
Fax (907) 848-8312

CIRCLE SCHOOL
General Delivery
Circle, AK 99733
(907) 773-1250
Fax (907) 773-1259

FAR NORTH SCHOOL
Box 49
Central, AK 99730
(907) 520-5114
Fax (907) 520-5114

FORT YUKON SCHOOL
Box 129
Fort Yukon, AK 99740
(907) 662-2352/662-2580
Fax (907) 662-2958

NORTHERN LIGHTS SCHOOL
P.O. Box 10539
Fairbanks, AK 99719
(907) 452-0204
Fax (907) 259-6531

RAMPART SCHOOL
General Delivery
Rampart, AK 99767
(907) 358-3112
Fax (907) 358-3313

STEVENS VILLAGE SCHOOL
General Delivery
Stevens Village, AK 99774
(907) 478-7116
Fax (907) 478-7893

JOHN FREOSON SCHOOL
Box 39
Venetie, AK 99781
(907) 849-8415
Fax (907) 849-8630

March 29, 1999


Senator Lyda Green
State Senate
State Capitol, Room 125
Juneau, AK 99801-1182

Dear Senator Green:

The list that was to have been enclosed in the letter I sent you last week was inadvertently left out. You will find it enclosed with this letter.

I apologize for any inconvenience this may have caused you.

Respectfully,


Russ Griffin
Superintendent

Enclosure (1)

➤ **School Closures**

- ⇒ Students on correspondence are only funded at 80% of what other students are.
- ⇒ Closing a school is devastating to a village. Closing a school "closes" a village.
- ⇒ It is very difficult for students to meet District/State standards on correspondence.
- ⇒ Oil, timber, fish and the State's other natural resources come from the rural areas of the State.

➤ **Categorical Spending**

- ⇒ Bilingual, Vocational Education and Special Education should be based on student needs, not 20% of the foundation formula.

➤ **Portability of Teacher Tenure and Teacher Shortage**

- ⇒ The cost of becoming certified in Alaska is rising and is a factor in locating good teachers.
- ⇒ A teacher is now tenured after only one year if they are tenured in another district when they are hire.
- ⇒ License (testing) is an added cost to teachers and is untimely during a teacher shortage.

➤ **Unfunded Mandates**

- ⇒ Among the unfunded mandates are: School Report Card, FAS and FAE Training, CPR and First Aid Training, State Mandated Standards, Travel for Out of District Training, Technology Plan, Gifted and Talented Program, Child Abuse and Neglect Training, Gender Equity Training, Blood Borne Pathogens Training, Teacher Evaluation, PL 874 (Impact Aid) Reports, Special Education, Flood and Earthquake Insurance, Cost of Closing Schools as a result of SB 36.

➤ **Adequacy Study Mandated In SB 36**

- ⇒ Needed **NOW** to determine impact on rural schools!

➤ **Make the Funding Formula Whole!**

➤ **SB 36 Mandated 60% spending on instruction this year, 65% next year and 70% thereafter.**

- ⇒ It is impossible for some rural school district to meet this requirement because of maintenance issues such as flying fuel into villages and the high cost of utilities.

POM for Senator Green



From: Mr. Larry A Wilson
PO Box 2211

Telephone: 874-2347

Wrangell, AK 99929

NON Constituent

Registered Voter: Y

Bill: SB 98 Title: TEACHER TENURE
Message:

I AM WRITING THIS LETTER OF SUPPORT OF SENATE BILL 98 WHICH REPEALS THE PORTABILITY PROVISION REGARDING ACQUISITION OF TENURE. HIRING DISTRICTS ARE RELUCTANT TO TAKE A CHANCE ON HIRING TEACHERS WITH ONLY A ONE YEAR EVALUATION WINDOW. GOOD TEACHERS ARE LOSING GOOD OPPORTUNTIES DUE TO THE TENURE PORTABILITY PROVISION.

Entered in WRG on 3/22/99 POMID: 1973

Distribution: 20

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Message 50 out of 50.

1

Subject: SB 98, Portability of Tenure

Date: Mon, 22 Mar 1999 11:09:13 -0800

From: "Preferred Customer" <pdjep@ptialaska.net>

To: <Senator_Al_Adams@legis.state.ak.us>, <Senator_Dave_Donley@legis.state.ak.us>, <Senator_Johnny_Ellis@legis.state.ak.us>, <Senator_Kim_Elton@legis.state.ak.us>, <Senator_Lyda_Green@legis.state.ak.us>, <Senator_Rick_Halford@legis.state.ak.us>, <Senator_Lyman_Hoffman@legis.state.ak.us>, <Senator_Tim_Kelly@legis.state.ak.us>, <Senator_Loren_Leman@legis.state.ak.us>, <Senator_Georgianna_Lincoln@legis.state.ak.us>, <Senator_Jerry_Mackie@legis.state.ak.us>, <Senator_Mike_Miller@legis.state.ak.us>, <Senator_Sean_Parnell@legis.state.ak.us>, <Senator_Drue_Pearce@legis.state.ak.us>, <Senator_Randy_Phillips@legis.state.ak.us>, <Senator_Pete_Kelly@legis.state.ak.us>, <Senator_Robin_Taylor@legis.state.ak.us>, <Senator_John_Torgerson@legis.state.ak.us>, <Senator_Jerry_Ward@legis.state.ak.us>, <Senator_Gary_Wilken@legis.state.ak.us>, <aasb@ptialaska.net>

Alaska Standards for Quality schools states, quality schools continually strive to improve instructional effectiveness and include everyone in the decision-making process regarding school plans and goals.

To provide a continuous, quality education program, the public has an interest in the improvement of schools and can participate effectively to improve the schools.

The portability of tenure is not in the best interest of educating children. It is about guaranteeing a teacher, a job, in a district without adequate time to thoroughly evaluate the teacher. One year is not enough time to determine if a teacher is meeting the needs of students and district goals. Therefore, I support SB98, it repeals portability of tenure from district to district.

We all share the long-term commitment to the future of the children.

Thank you,

Patricia Phillips
33

P.O. Box
Pelican, Alaska 99832

Subject: SB Tenure Portability Repealed

Date: Thu, 18 Mar 1999 20:03:33 -0900

From: "Albert Dick" <oneraven@hoonah.net>

To: "Jerry Mackie" <Senator_Jerry_Mackie@legis.state.ak.us>

CC: "aasb" <aasb@ptialaska.net>

Good Morning Senator Mackie,

It has been a long time since I have communicated with you. You have such an excellent crew in your office I feel comfortable addressing issues that I am concerned about to relay those message to you.

Now on SB 98 Tenure Portability Repealed

It is getting harder and harder to deal with tenure and the portability of tenure is one thing that needs to be adjusted from HB465. I am therefore in support of SB 98 and the repeal of Tenure Portability. We as school board members asked to change tenure form two years to three years. This gives a teacher a better chance to improve their weaknesses and the board time to watch the performance. The end result is to insure better qualified teachers for our children. The portability of tenure is not fair to the district because we do not have enough time to properly evaluate the individual, or is it fair to the teacher who might to "passed over" due to this concern.

Probably see you at Gold Medal.
Thank your for your support.
Jackie Dick
Hoonah



MSBSD
Developing productive
citizens for our ever changing world.

MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT
Office of the Superintendent
125 W. Evergreen Ave.
Palmer, Alaska 99645
ph (907) 746-9255 fax (907) 745-0667

March 19, 1999

Senator Lyda Green:

We are writing in support of SB 98 which seeks to repeal the portability of tenure. We have exercised caution before recommending the employment of a teacher with tenure portability as one year is just not adequate for evaluation purposes.

Portability of tenure assumes that success in one school district equals success in another school district which is clearly not the case. This law also affects our ability to retain and non-retain based on district-wide seniority by area of endorsement. Which means a teacher who has served the students of our district on an extended probationary period for more than two years would actually have less rights than one who is hired by our district and serves one year and one day.

The previous tenure law (prior to HB 465) provided inadequate time for administrators to thoroughly evaluate new teachers and implement a meaningful plan of improvement. The new law extended the time it takes to acquire tenure for new Alaskan teachers from two to three years. This helps to ensure these teachers are provided an opportunity to enhance their teaching skills and demonstrate their ability. This was very carefully thought out and is extremely helpful to all districts, however, the "Portability" part of this law was not as well thought out and is problematic for many Alaskan districts. We appreciate your consideration on SB 98.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Robert A. Lehman".

Robert A. Lehman, Superintendent

Subject: SB 98

Date: Fri, 19 Mar 1999 18:26:23 EST

From: MCarter897@aol.com

To: aasb@ptialaska.net, Senator_Lyda_Green@legis.state.ak.us

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

Dear Senator Green

The Yukon Flats School District was in Juneau February 22,23 1999.
When we met
with you during our visit we discussed several issues, one of which
was
'Teacher Tenure Portability". I have been made aware of SB 98
Introduced by
you, the changes you are suggesting will give back the ability of
School
Districts to ensue that a Teacher we hire to work with our Children
meets the
Standards that we as the Yukon Flats School District require, and
the State.
Thank You for Listening to us and I hope your bill receives the
support it
needs and is passed.

Yukon Flats School District
Board Of Education
Fort Yukon Alaska

mcarter897@aol.com

SUBJECT AREA: PERSONNEL

4.1 PORTABILITY OF TENURE

AASB requests the State of Alaska Legislature repeal the section of Chapter 31 which provides for portability of teacher tenure.

Rationale. Chapter 31 includes a tenure portability feature which assures the attainment of tenure after only one year in a new district. All districts need ample time to judge whether a newly hired teacher in the district will be a proper match and meet the standards of the new district.

There is an absence of clear and universal teacher evaluation standards across the state making valid evaluation of past performance extremely difficult. *Amended 1997*

4.2 NATIONAL CERTIFICATION OF TEACHERS

AASB supports efforts to establish a financial incentive mechanism for state support of teachers and districts wishing to participate in the National Board for Professional Teaching Standards (NBPTS) process. State support for this resolution should be outside the foundation formula.

Rationale. NBPTS is an organization of teachers, administrators, board members, and other education stakeholders working to advance the teaching profession and to improve student learning. The mission of the NBPTS is to establish high and rigorous standards for what accomplished teachers should know and be able to do. Linked to these standards will be a new generation of fair and trustworthy assessment processes that honor the complexities and demands of teaching. The NBPTS certification process is offered on a voluntary basis for teachers wishing to demonstrate exemplary performance around the five core propositions:

1. Teachers are committed to students and their learning.
2. Teachers know the subjects they teach, and how to teach those subjects to students.
3. Teachers are responsible for managing and monitoring students learning.
4. Teachers think systematically about their practice and learn from experience.
5. Teachers are members of learning communities.

These standards are well-aligned with the Alaska State Board of Education adopted teaching standards. *Amended 1998*

4.3 TEACHER PREPARATION AND CERTIFICATION IN RURAL COMMUNITIES

AASB urges improved teacher preparation and certification for those intending to teach in small rural communities, and that opportunities are provided for potential candidates currently living in small rural communities to become certified teachers.

Rationale. Teacher preparation is a key to successful instructional experiences for teachers and students. A high level of intellectual rigor and connection to the reality of the classroom interactions is required. Teacher preparation needs to include a variety of experiences with several teachers and several sites.

4.4 MANDATED STAFF TRAINING

AASB urges the Department of Education to continue to provide professional quality videotape programs for all school districts to use in providing consistent mandated training to employees. AASB also urges the Department of Education or another state educational agency to be a clearinghouse for training tapes that have been developed by other school districts and agencies to be used by districts throughout the state.

Rationale. Mandated training affects all school districts in Alaska. State laws and regulations increasingly require school districts to provide training in specific areas such as sex/race equity, child abuse and fetal alcohol syndrome and suicide prevention. This training must be provided to all new employees and on a cyclical basis to continuing employees. Employees required to receive this training may be employed at many different locations, making it difficult to provide required training at a central location. Yet the state does not provide school districts with additional funding to implement the training.

4.5 DEVELOPMENT OF POST SECONDARY SPECIAL EDUCATION PROGRAMS IN ALASKA AND EDUCATIONAL OPPORTUNITIES FOR ALASKANS TO COMPLETE SPECIAL EDUCATION CERTIFICATION TRAINING OUTSIDE ALASKA

The Association of Alaska School Boards promotes the establishment and expansion of post-secondary educational programs to train additional individuals as certified special education teachers and the initiation of programs to train related services providers (i.e. school psychologists, physical therapists, and speech therapists) within our State University system.

The Association of Alaska School Boards also supports Alaskan residents completing certification as a special education related service provider while attending an academic program outside the State of Alaska and who, upon certification, are committed to provide services to Alaska public school systems.

MAR 22 1999



JUNEAU SCHOOL DISTRICT
CITY AND BOROUGH OF JUNEAU
OFFICE OF THE SUPERINTENDENT

10014 CRAZY HORSE DRIVE • JUNEAU, ALASKA 99801-8529 • (907) 463-1700 • FACSIMILE (907) 463-1768

March 18, 1999

Senator Lyda Green
State Capitol, MS 3101
Juneau, AK 99801

Dear Senator *Lyda* Green:

I am writing in support of SB 98, a bill repealing tenure portability. As Superintendent in the Juneau Schools, I have asked principals to exercise extreme caution before recommending employment of a teacher with tenure portability, because one year is an inadequate probationary period.

Given the vast diversity of communities in our state, it cannot be assumed that success in one school district is a clear predictor of future success in another Alaskan district. The law as currently written is detrimental to teachers and school districts, because there is insufficient time to evaluate performance; therefore, if there is any question at all, the district will non-retain before granting tenure. A longer probationary period will provide teachers the opportunity to demonstrate proficiency, and afford district administrators the time to observe performance and make a fair, informed decision on tenure eligibility.

I appreciate your leadership in introducing legislation to repeal the portability of tenure, and urge your support for SB 98. Thank you.

Sincerely,

Mary Rubadeau
Superintendent

MAR 24 1999



**WRANGELL
PUBLIC SCHOOLS**
DISTRICT OFFICE

GATEWAY TO THE STIKINE

P.O. BOX 2319
WRANGELL, ALASKA 99929
Telephone (907) 874-2347
Fax # (907) 874-3137

March 22, 1999

Senator Lyda Green
Room 125, State Capitol
Juneau, AK 99801-1182

Dear Senator Green:

We are writing this letter of support of Senate Bill 98 which repeals the "portability" provision regarding acquisition of tenure.

Hiring districts are reluctant to take a chance on hiring teachers with only a one year evaluation window. Good teachers are losing good opportunities due to the tenure portability provision.

Thank you for supporting this bill.

Sincerely,

William T. Messmer

William T. Messmer
School Board President

by K. Gile

WM:kg

Vouchers continue from p.1

will withdraw the legislation.

Vouchers would be paid directly to parents, reasoned Kohring, and thus would not directly benefit sectarian or private schools. But attorneys didn't buy that argument. The Alaska constitution reads: "No money shall be paid from public funds for the direct benefit of any religious or other private educational institution." Attorney General Bruce Bothello found that effectively the chief beneficiaries are private schools themselves. Bothello cited the 1976 case *Sheldon Jackson College v. State*, the state tuition grant program enacted by the Legislature

but overturned by the Alaska Supreme Court, which found "the student is merely a conduit for the transmission of state funds to private colleges. Before the state will deliver the check to the student, the latter must certify under oath and under penalty of perjury that he or she will pay it over to the college."

AASB testified in opposition to the bill, as did the State Board of Education.

In January Kohring introduced another proposal that would amend the state constitution to allow for vouchers. It has yet to be scheduled for a hearing.

LEGISLATION INTRODUCED

SB 98 TENURE REACQUIRED (Green)—Amends portability provision regarding tenure. Teachers would reacquire tenure in the same district from which they taught if there was a break in service of a year or more.

HB 5 VOUCHERS (Kohring)—House Judiciary Committee recently concluded there is no statutory avenue to provide vouchers to fund education that would stand up constitutionally. The bill is effectively tabled.

SB 75/76 EDUCATION FUNDING VIA P.F. (Mackie, Kelly)—Would authorize use of Permanent Funding Earnings Reserve to pay for education. A companion bill would authorize an advisory vote of the people to access the excess earnings.

SB 95 DEFINITION OF JR., MIDDLE SECONDARY SCHOOL (Phillips, Halford)—Expands the definition of junior high to include middle school and the option of 6th grade configuration of the jr. high/middle school. Has an impact on facilities planning (secondary schools allowed 150 sq. ft. per student, while elementary schools are allowed 106 sq. ft.).

HB 118 EDUCATION WARRANTY (Dyson)—Would require payment by school district for remedial classes at the University of Alaska.

SJR 11 FEDERAL BLOCK GRANTS (Dortney)—Urges Congress to provide federal education funds as a block grant to the state.

HB 129 PRINCIPALS BARGAINING (Ogan)—Excludes school principals from collectively bargaining under PERA.

SB9, SB 85 PERS CREDIT (Mackie, Kelly)—Allows classified employees to receive 12 months credit in PERA. The employees would pay the entire cost of the 3-month gap.

CHOICE IN ALASKA

Significant choice in educational settings currently exists within the public school setting, including ever increasing technology-driven modes of delivering education. There are also significant options available outside of the public education system, including private, parochial and home schooling. Those are the conclusions of a February 1999 survey of Choice in Alaska. The survey was conducted by AASB in response to the voucher bill, whose supporters believe there is a lack of choice of school settings in Alaska.

Choices included: Public school, charters, private school, home school, district correspondence programs, state correspondence programs, cyber schools or courses available via the Internet, vcc ed courses, alternative schools, parochial schools, college or university courses available and "other" (boarding school, part-time student access, pupil transportation).

In urban areas that comprise 75 percent of the state's population nearly every choice listed was available. Medium size communities, defined as school districts with 1,500-3,000 students, show nearly the same level of choice available as urban areas. In rural areas the average district had five of the eleven choices.

Electrical Demands Pose Safety Risks in Buildings

Fire investigators say they can't pin point the exact cause of a fire that gutted Russian Jack Elementary School the night of Dec. 27, but they have narrowed it down to one of several electrical devices on a teacher's desk. The most likely source: a radio cord. The fire at Russian Jack dramatically underscored what fire inspector John Peck has been telling principals and administrators at schools across Anchorage for months. Many district schools harbor a dangerous tangle of wiring jury-rigged to computers and other electronic teaching tools undreamed of when the buildings were constructed.

The most common safety problem for all of them is the use of power strips and extension cords to expand power. Architects who designed schools built in the

1950's, '60's, '70's and even the 80's had no way of foreseeing the amplified electrical demands classrooms of the 1990's would require. Buildings were wired to draw and disperse far less electricity than modern computer-driven curriculums require.

Anchorage School District maintenance director Bob Price is familiar with the problem. "When you start daisy-chaining—plugging one power strip into another, and that one into the wall—you're getting to where it's very easy to overload a system," Price said.

The rule is one computer per power strip and one power strip per wall outlet, Peck and Price said. Some power strips are safer than others. Taylor said strips made of metal handle heat better than plastic ones.

ALASKA

... Local Gov't/Schools ...

HB-76: Deteriorated property tax break

On a 34-0 vote the House, March 15, passed HB-76, expanding local governments' ability to defer or forgive taxes on deteriorated property to assist in its renovation. With a twin measure, SB-54, already in the Senate Rules Committee, HB-76 was referred only to that committee and is lively to be up for a Senate floor vote this week.

HB-76 expands the provisions of a law passed last year by allowing municipalities to grant total property tax exemptions to deteriorated being renovated subject to agreement with the local government. The original legislation allowed only partial exemptions.

The bill also requires the local ordinance establishing the exemption to include specific eligibility requirements and a written application for each exemption or deferral. Aside from its potential for general use by municipalities around the state, HB-76 allows the city of Anchorage to provide enough of a financial incentive to the developers of a longtime downtown eyesore, the McKay building, to commence their renovation plans. The city faces costs of \$3 million to demolish and remove the building, which has already been condemned, if Marlow Development Corp. does not move forward with its plans to turn it into an apartment building.

In return, HB-76 will give the company a \$1 million windfall during the five-year period when it will be paying no local property taxes, but charging rents that reflect a tax component. Marc Marlow, president of the company, said the building will generate \$200,000 annually in property tax receipts when it is fully returned to the city's tax rolls.

PERS credit for non-certified employees: HB-17 (by Rep. Brice), allowing a full year of retirement credit for nine-month employees was up for hearing last week in House Labor and Commerce Committee, and its counterpart in the Senate, SB-9 (by Sen. Wilkens), is scheduled for a hearing in Senate Health, Education, and Social Services Committee March 22.

Employees must pay the full cost of the three-year credit (employees and employers share).

HJR-6: Voucher issue delayed a week

The school voucher constitutional amendment was scheduled to up before the House Health, Education, and Social Services Committee last week, but meetings were cancelled. The issue will be back before the committee this week (Mar. 22-26).

SB-98: Teacher tenure portability: This bill by Sen. Lyda Green will be up before Senate Health, Education, and Social Services (HESS) this week. SB-98 would wipe out a tenure portability feature enacted in HB-465 several years ago, permitting a teacher transferring from another district to achieve tenure in the new district after a year probation. Portability barriers are also now cropping up in negotiated contracts, with districts no longer compelled to acknowledge teacher experiencing years of new hires from other districts. One problem is that these kinds of barriers will may Alaska graduates from seeking jobs outside the urban core districts.

HB-22: Restricting the tax assessor

A House bill reinforcing existing state law requiring a tax assessor to receive a property occupant's permission before entering a dwelling was passed by the Senate, March 12 on a 17-0 vote. Based on a single incident in which a Mat-Su Borough tax assessor entered a home after hearing some sounds, which turned out not to be the residents' permission to come in. HB-22 passed the House in February. The bill states that assessors may enter a dwelling, or other personal property, only if the structure is under construction and not yet occupied; with the permission of the person in actual possession of the structure, or with a court order.

Supplemental carries road funds: The just passed supplemental appropriation bill (HB-100) carries funding and legislative intent aimed at opening winter-close roads on time. Gov. Knowles had proposed late opening to save funds. Affected are the Taylor Highway, Boundary Spur, McCarthy Road. Nome Teller Road, Nome Council Road, Glacier Creek Road, Fairbanks Creek Road, Tofty Road, Manley, and Kougarak Road.

Association of Alaska School Boards
AASB Quick Survey Results
Topic: Portability of Tenure

Compiled 3/22/99

Portability of Tenure				Hiring Practices
District	Number new teachers hired in 1998-99 school year	Number of these new teachers that are non tenured	Number of these new teachers that were previously tenured (with portability)	Describe the impact portability of tenure has on hiring practices
Alaska Gateway	11	11	0	
Aleutians East	8	6	2	It has made us cautious. What is more important, it has caused us to terminate teachers after one year.
Anchorage ✓				
Bristol Bay	2	2	0	We are reluctant to hire previously tenured people unless they are in areas hard to fill-Special Ed, etc.
Chatham	5	5	0	
Chugach	1	1	0	
Cordova	2	1	1	
Craig	4	4	0	The district will be more careful in screening applicants with tenure. We scrutinize potential hires that have tenure portability much more closely.
Della/Greely	12	12	0	
Denali	4	3	1	No impact, but we don't like the one year provision.
Dillingham	21	17	4	Would not influence our hiring practices. If we can afford to—we hire the best person available for every position.
Fairbanks	117	104	13	
Hoonah	2	2	0	None.
				In the future, it will make a lot of difference. Evaluations and personnel records will be carefully reviewed before hiring a teacher previously tenured. One year is not long enough to decide about some questionable teacher behavior.
Hydaburg	1	0	1	
Iditarod	17	13	4	None to date.
				Administrators have exercised caution when considering a candidate with portability, because one year is not adequate as a probationary period. Given the vast diversity of Alaska, success in one community is not an adequate predictor for awarding tenure in another district.
Juneau	51	49	2	
Kashunamiut	9	9	0	Very Cautious-resist hire of tenured.

Portability of Tenure

Hiring Practices

District	Number New teachers hired in 1998-99 school year	Number of these new teachers that are non-tenured	Number of these new teachers that were previously tenured (with portability)	Describe the impact portability of tenure has on hiring practices
Kenai	60	49	11	It is extremely difficult, if not impossible to thoroughly evaluate in one year-(really less than) especially in villages. At least 2 years is needed, however, in many cases even that isn't enough because standards, expectations are so different!
Lake & Peninsula	21	18	3	
Lower Kuskokwim	51	47	4	Teacher applications with portability are scrutinized very closely.
Lower Yukon	37	34	3	The new law does not give enough time to complete the evaluation process.
Mat-Su	38	30	8	There were several applicants from rural schools we did not hire due to portability.
Nonana	6	5	1	
North Slope	57	52	5	We make contact with the prior district to assure quality of the candidate. If there is any doubt, we do not hire.
Pelican	0	0	0	None at this time. Pelican reduced teaching staff by about 75% for the 1999-2000 school year.
Petersburg	8	7	1	We're very careful when it comes to a tenured person.
Skagway	5	5	0	I think it would complicate hiring decisions and cost us more money in the long run, but would have no positive affect on student achievement.
Southeast Island	1	1	0	Would be reluctant to hire a teacher who would gain tenure after one year.
Southwest Region	20	17	3	We always consider portable tenure. If we have a choice of a quality teacher without portable tenure we choose them.
Valdez	6	4	2	
Wrangell	6	5	1	None.
Yakutat	1	1	0	Very Little.
Yupik	9	9	0	More supervision during that year.

Total: 593 523 70

Percent Hired With Portability: 11.80%

*Supports argument
for portability removal.*

Teacher, once subject of controversy, will stay on

By CATHY BROWN

THE JUNEAU NEWS 5-18-99
Alan Degener, a popular teacher who agreed to resign after nearly being denied tenure last year, will stay on with the Juneau School District.

Degener asked that his resignation, which would have been effective June 3, be withdrawn. That request was accepted earlier this month by the Juneau School Board, along with Degener's request to transfer from Dzantik'i Heeni Middle School to Juneau-Douglas High School this fall.

Degener will move to the JDHS math department, which has several openings due to retirements. The transfer was Degener's choice, Dzantik'i Heeni Principal Les Morse said.

"I'm just looking for something different," Degener said. "I feel kind of a calling to work with the high school students. I'd say I'm probably better suited for that age group."

Degener's job was the subject of controversy at a school board meeting last June. About 30 students, teachers and parents voiced support for him when he was denied tenure after his first year of teaching in Juneau.

His supporters said he was a talented math teacher who was being asked to leave because of politics and inadequate evaluation methods.

Superintendent Mary Rubadeau said at the time that was not the case.

Because Degener taught in an-

“
I feel kind of a calling to work with the high school students.

Alan Degener

other Alaska district for three years, state law made him eligible for tenure after just one year in Juneau. Rubadeau said that was part of the problem — one year was not enough time to decide whether to give him tenure. Tenure grants teachers a certain amount of job security.

The matter was settled last spring. The district and Degener struck a deal where he received tenure last fall, but submitted a letter of resignation that would be effective at the end of this school year.

The resignation could be rescinded only if both Degener and the district agreed. The deal essentially kept him on staff one more year, but also kept him on probation.

He performed well enough this year to keep teaching in the district, Morse said.

"The intent of the agreement, I think, fulfilled its purpose," Morse said. "Without the agreement we would have had to make a decision last spring, and really didn't feel like that was adequate time."

TENURE ACQUISITION

New provisions of AS 14.20.150

- Time required to earn tenure is increased from two full years to three full years.
- Allows limited portability of tenure status from one Alaska district to the next under certain conditions.

Tenure is a form of job protection. It was originally intended to safeguard teacher's academic freedom and as protection from indiscriminate firings. Typically higher education professors, and in the majority of states, elementary and secondary school teachers are granted this job protection.

The previous two year tenure acquisition law provided inadequate time for administrators to

thoroughly evaluate new teachers and implement a meaningful plan of improvement. Extending the time it takes to acquire tenure will help ensure that new people entering the teaching profession in Alaska are provided an opportunity to enhance their teaching skills and demonstrate their ability.



SCHOOL BOARD'S RESPONSIBILITY

- Review applicable policies
- Evaluations must be timely
- The Plan of Improvement must be appropriate and credible
- Review current evaluation procedures and hiring and recruitment guidelines

PORTABILITY OF TENURE

WHAT IS PORTABILITY? Portability allows an Alaskan teacher with tenure to carry over a modified tenure status to another district. Previously, when a tenured teacher moved from one district to another tenure status expired. The new law essentially gives a district who hires a teacher with tenure in another Alaskan school district only one year in which to evaluate that teacher before deciding to nonretain or grant tenure.

WHEN DOES PORTABILITY NOT APPLY? If a teacher has a break in service that exceeds 16 months, the teacher is considered nontenured.

WHAT IS A BREAK IN SERVICE? Under the new law a break in service means that an educator has not taught for an Alaska school district for a period of time. If a teacher's break in service lasts longer than 16 months, he or she is not eligible for tenure portability and does not acquire tenure status after one year with a new district. He or she would only acquire tenure after three full school years of teaching in that district.

RECRUITMENT CONCERNS Portability creates a recruitment concern for those districts that routinely hire experienced teachers who have been tenured in another district. It will create the need for greater scrutiny in the hiring process, to learn more about teachers who carry tenure with them. It will also make thorough evaluations even more of a priority, since one year will be all the time available before making a final decision. Unless a tenured teacher comes highly recommended, a hiring district may be reluctant to take a chance on hiring with only a one year evaluation window.

TO ATTAIN PORTABILITY TEACHERS MUST...

- Not have a break in service longer than 16 months.
- Not have been dismissed or nonretained by the previous employing Alaska district.
- Possess a valid teaching or administrative certificate.
- Complete a full year of teaching service with the new employing district.
- Receive an acceptable evaluation from the employing school district.
- Be offered and accept a teaching contract for the next school year.

Under HB 465 a teacher meeting all of these criteria automatically acquires tenure upon teaching for a day in that district during that next contract year.

ASSOCIATION OF ALASKA SCHOOL BOARDS

Advocates for Alaska's Youth

Statement on SB98

Re: SB 98 Repealing Portability of Tenure

SB 98, repealing portability of tenure, is currently in House Rules Committee and could be calendared for a vote at any time. AASB would appreciate your support for SB 98.

The Association of Alaska School Boards looks at SB 98 as a teacher mobility issue. Under the portability provision, teachers who are tenured in one district may re-acquire tenure in another district after only one year. This "portability" of tenure has been generally discredited by locally elected school boards and administrators as a deterrent to hiring experienced educators.

A survey conducted this year by AASB shows that less than 5% of educators hired statewide last year were teachers with portability. In Anchorage alone, less than 2% of teachers (20 out of 1,000 hired over three years) who were hired have portability.

Important Points about SB 98:

- Very few districts are willing to take a chance on hiring a teacher with only one year to evaluate before determining tenure.
- SB 98 makes no material change to current tenure law other than to provide adequate opportunity to evaluate all teachers. It also provides mobility to experienced teachers seeking employment opportunities.
- The portability amendment adopted in HB 465 in 1996 was not considered in the legislative committee process. Rather, it was offered as an amendment on the floor of the Senate just prior to final passage.
- This Senate floor amendment has had tremendous impact on experienced teachers who effectively have reduced mobility when it comes to seeking new job opportunities in-state.

SB

103

Ruby Tribal Council
P.O. Box 210
Ruby, Ak. 99768
Phone: (907) 468-4479
Fax: (907) 468-4474


May 17, 1999

Senator Georgianna Lincoln
State of Alaska Senate
State Capitol Building, Room 11
Juneau, Alaska 99801-1182

Dear Senator Lincoln,

The Ruby Tribe fully supports Senate Bill 103 relative to "An Act relating to a curriculum for Native language education; and providing for an effective date." The majority of Alaskan Native youth are neither fluent nor literate in the languages of our ancestors, making Native language education an immediate need. The Ruby Tribe highly values the preservation of our Native language. The success of SB 103 would be an improvement in preserving all Native cultures within Alaska. Thank you for your support in helping Alaskan Natives achieve an excellent education.

Sincerely,


Raelene C. Honea
IGAP Project Coordinator

Cook Inlet Tribal Council, Inc.



May 13, 1999

Senator Drue Pearce
Senate President
State Capitol, Room 107
Juneau, Alaska 99801-1182

Re: Senate Bill Requiring School Districts to establish Native-language curriculum advisory boards

Dear Honorable Senator Pearce:

The Anchorage Daily News featured an article this morning describing a bill sponsored by Senator Georgianna Lincoln and passed by the Senate on Wednesday that would require predominantly Native school districts to consider teaching Native languages. The article mentioned that Senator Ward proposed an amendment that would broaden the bill to cover the entire state.

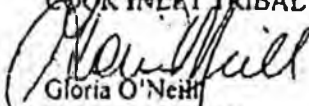
The Cook Inlet Tribal Council (CITC) has many social service and education programs. Specific to this discussion our Youth Services Department provides education programs in learning centers in the Anchorage School District (ASD). There are over 6,000 Alaska Native students attending schools in Anchorage. While Natives are not the majority in Anchorage the sheer number of Native students respective to any other school district in the state certainly points to an enormous need here as well.

Alaska Natives, unfortunately make up the highest percentage of school dropouts compared to any other group in Anchorage. While CITC provides ASD with certified teachers to enhance academic achievement, working with students and families to stem poor school attendance and provide cultural events we find that Native students still need additional motivation to successfully complete their formal education.

We applaud the Senate for passing this valuable legislation. However, we strongly recommend that the bill be amended to include all school districts and most importantly to extend the teaching of Native languages in Anchorage and other urban areas where large numbers of Native students live.

Sincerely,

COOK INLET TRIBAL COUNCIL


Gloria O'Neill
Executive Director

May 13, 1999

Senator Georgianna Lincoln
Alaska State Senate
State Capitol
Juneau, AK 99801-1182

Dear Senator Lincoln,

If Alaska's Native language heritage is to remain alive for future generations, serious measures have to be taken very soon, and your *Native Language Education Act* is indeed a move in the right direction. It is the right direction because it requires that the representatives in each community of the people themselves, whose endangered ancestral languages are at stake take the initiative. They will then have to consider and decide whether they want either to abandon their heritage or make changes, efforts, commitments to maintain and cultivate it in their posterity, by whatever means necessary, including their schools. Insofar as their schools are truly theirs, the schools will do as advised.

In the case of 18 of 20 Alaska Native Languages and in over 90% of schools in predominately native communities, the youngest fluent speakers of those languages are in parental or grandparental generations, usually the latter. Every year that goes by without taking this necessary first step means the task of reversing the ongoing loss of our uniquely Alaskan heritage that much more difficult.

The time has come to take a stand for Alaska's unique heritage. Even those Alaskans who promoted or who voted for *English Only*— certainly the vast majority thereof—did not mean therewith to eliminate Alaska's Native languages. The time has come to take a stand.

Congratulations on getting such a strong vote for your bill through the Senate. I certainly hope it will also be passed by the House.

Sincerely,



Michael Krauss
Director, Alaska Native Language Center

Kenai Natives Association, Inc.

215 Fidalgo Avenue, Suite 203
Kenai, Alaska 99611

Tangent Building

Office: (907) 283-4851
Fax: (907) 283-4854

May 12, 1999

Senator Jerry Ward
Alaska State Capital
Juneau, Alaska

Via Fax

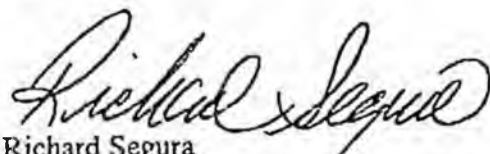
Dear Senator Ward;

Kenai Natives Association represents 570 Alaska Natives, our shareholders, and their families. We fully support Senate Bill No.103 as you have amended it. Even though Alaska Natives are a minority in many communities in the State, as we are here in Kenai, we know that these Native people and their cultures are a major part of the economic, cultural and social fabric of their communities.

As in many towns and villages across the State, there is a renewal of Native culture here in Kenai. We are actively working to preserve and strengthen our Native heritage and culture. The preservation and teaching of our language is an essential component in this effort. Your amendment to Senate Bill No.103 gives us the opportunity to work with our school board to this end, to strengthen the education of our Native children and to introduce our culture to our non-native neighbors.

I want to thank you for all of your hard work over the years. Please let me know if I can be of any further assistance

Sincerely,



Richard Segura
President Kenai Natives Association

**TANANA CHIEFS CONFERENCE
BOARD OF DIRECTORS
Resolution No. 97-32**

CULTURAL PRESERVATION OF NATIVE TRADITIONS

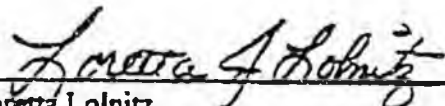
- WHEREAS,** in most Athabascan villages, we are rapidly losing our cultures, traditions and history; and
- WHEREAS,** most Athabascan youth cannot speak their language; and
- WHEREAS,** losing our language is losing our culture; and
- WHEREAS,** our traditional potlatches are dissipating through modern lifestyles; and
- WHEREAS,** preservation of our culture is desperately needed in Athabascan villages.

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Board of Directors support the preservation of the Athabascan cultures, history and traditions in educational areas; and

BE IT FURTHER RESOLVED that TCC support instruction and use of Native language within the schools.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 15, 1997 at Fairbanks, Alaska and a quorum was duly established.



Loretta Lolnitz
Secretary/Treasurer

Submitted by: Youth Delegates



397-11232

Supporting Resolution

**TANANA CHIEFS CONFERENCE
BOARD OF DIRECTORS
Resolution No. 97-34**

USE OF ELDERS AS RESOURCE PEOPLE IN TCC REGION

- WHEREAS,** we recognize the need for instruction of Native language and dance to be taught with proper use of instruction in the TCC/Doyon region by educational entities and school districts; and
- WHEREAS,** we recognize the need to save our traditional and cultural heritage from improper use thereby causing destruction to original songs and language interpretation; and
- WHEREAS,** there is a need for Native language and dance instruction to be authentically taught; and
- WHEREAS,** TCC recognize the need within central location. Possible source Denakkanaaga as resource center for proper documentation of resource material to be edited by identified elders from each region as to authenticity and proper enunciation of language when used within educational sources throughout TCC/Doyon region; and
- WHEREAS,** TCC recognize the need to use elders as a source of instructors for the instruction of dance and language, recognized by Denakkanaaga Board of Directors as proper source of instructors from designated regions.

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Board of Directors recognizes the need to save our traditional language and instruction by directing any educational association to use Denakkanaaga as resource center for proper instructional needs of our children throughout TCC/Doyon region; and

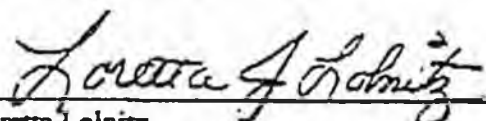
BE IT FURTHER RESOLVED that the TCC Board of Directors recognize the need to help fund a grant to document traditional resources for future use as instructional material to enforce this resolution.

C E R T I F I C A T I O N

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 15, 1997 at Fairbanks, Alaska and a quorum was duly established.



Yukon Flats Subregion


 Loreta Lolnitz
 Secretary/Treasurer

**TANANA CHIEFS CONFERENCE
BOARD OF DIRECTORS
Resolution No. 97-40**

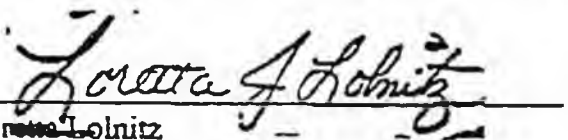
**AUTHORIZING TCC TO PURSUE FINANCING FOR ATHABASCAN LANGUAGE
PRESERVATION**

- WHEREAS,** the Huslia Tribal Council is the legal governing body for the village of Huslia; and
- WHEREAS,** many influences of the western culture has and continues to contribute to the disappearance of our aboriginal languages; and
- WHEREAS,** without intervention and aggressive action, all existing Interior Athabascan languages are expected to be extinct by 2050; and
- WHEREAS,** the Tanana Chiefs Conference, Inc.'s 1996 Planning Year funded by the Administration for Native Americans indicates that development of younger Athabascan speakers is a priority among the villages involved.

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Board of Directors directs TCC staff to pursue language revitalization implementation funding from the Administration for Native Americans, to develop and implement an individualized, intensive mentor/intern language learning program in our language area (Deg Hit'an, Holikachuk, Koyukon, or Upper Kuskokwim) in order to develop younger fluent speakers of our Athabascan language.

CERTIFICATION

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 15, 1997 at Fairbanks, Alaska and a quorum was duly established.


Loreta Lohritz
Secretary/Treasurer



Huslia Tribal Council

**TANANA CHIEFS CONFERENCE
BOARD OF DIRECTORS
Resolution No. 96-48**

**PROTECTION AND PRESERVATION OF INDIGENOUS NATIVE LANGUAGE AS
FIRST LANGUAGE**

WHEREAS, throughout history there has been a systematic and devastating movement to eliminate the use of indigenous languages by the first people of the nation, the American Indians; and

WHEREAS, the recovery process has been slow to reverse the damaging impact caused by the policies established by the dominant society; and

WHEREAS, presently there are legislative bills in Congress and State Legislature proposing to designate English as the first language of the nation; and

WHEREAS, these policies as proposed would have a negative impact to the native people of the United States and Alaska;

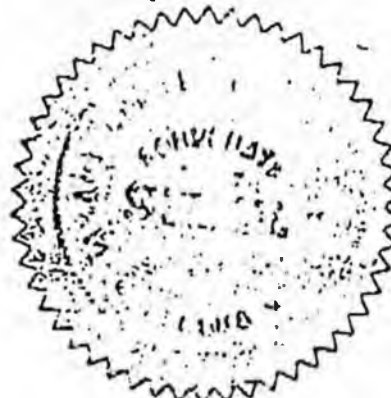
NOW THEREFORE BE IT RESOLVED that the member villages of the 1996 Annual Convention oppose English as the first language in the United States unless it expressly provides adequate disclaimers that the policies are not in any way intended to diminish or prohibit the use of indigenous languages as the first language of any American Indian, Alaska Native and/or their tribal governments.

C E R T I F I C A T I O N

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 14, 1996 at Fairbanks, Alaska and a quorum was duly established.

Loretta Lolnitz
Secretary/Treasurer

Submitted by: Yukon Flats Subregion



**TANANA CHIEFS CONFERENCE, INC.
BOARD OF DIRECTORS
Resolution No. 95-15**

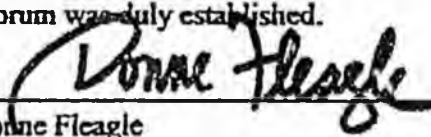
**SUPPORT OF SENATE BILL 32 AND HOUSE BILL 160, ACTS RELATING TO A
CURRICULUM FOR NATIVE LANGUAGE EDUCATION**

- WHEREAS,** the preservation and enhancement of the Athabascan languages have been issues of discussion and concern of the Athabascan elders and youth of the Interior for the past several generations; and
- WHEREAS,** numerous resolutions have been introduced and supported by village delegates at annual TCC conventions over the years which have supported the concerns of Athabascan elders and youth; and
- WHEREAS,** it has been predicted by experts that Yupik and Inupiaq, only two out of Alaska's twenty indigenous languages will survive by the year 2055; and
- WHEREAS,** community members have opportunities now to implement language projects through funding from the Administration of Native American (ANA) program; and
- WHEREAS,** the instruction of Athabascan languages are still being conducted by schools in a piece meal fashion and largely, on an elective basis, depending on the availability of Johnson O'Malley (IOM), and Indian Education monies; and
- WHEREAS,** through support of two legislative bills, there is an opportunity to change a "crisis level" situation of losing languages into that of enhancing and preserving languages;

NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Conference, Inc. Board of Directors supports Senator Lincoln's Senate Bill No. 32 and Representative Nicholia's House Bill No. 160, and directs TCC staff to work for their passage.

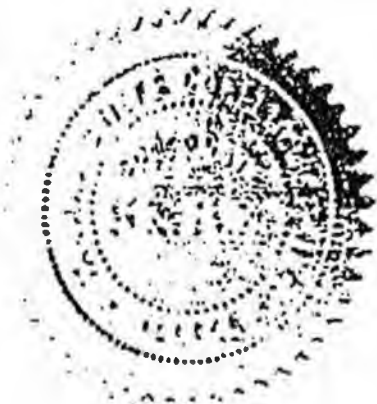
C E R T I F I C A T I O N

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 16, 1995 at Fairbanks, Alaska and a quorum was duly established.



Donne Fleagle
Secretary/Treasurer

Interior Education Council
Resolutions Committee



Bill would promote Native language teaching

Thursday, May 13, 1999

By PAUL QUEARY
Associated Press Writer

JUNEAU -- A bill passed by the Senate on Wednesday would require predominantly Native school districts to consider teaching Native languages.

The bill sponsored by Sen. Georgianna Lincoln, D-Rampart, would require such districts to establish a Native-language curriculum advisory board for each school where a majority of students are Alaska Natives.

If the board recommended establishment of Native language programs, local school boards could start teaching Native languages, but they wouldn't be required.

Lincoln said she never learned Athabascan properly because her mother was punished for speaking it in school.

"I always felt sad that I couldn't teach my children the Native language," Lincoln said. "Ninety percent of the Native languages are no longer spoken by children."

The bill passed 19-1 after Sen. Jerry Ward, R-Anchorage, proposed an amendment that would have weakened the requirement for advisory boards but broadened the bill to cover the entire state.

"There are Alaska Natives in Kenai, the Kenaitze, and in Anchorage," Ward said. "We were there before anybody got there and we're going to be there after a whole bunch of people have gone back to Texas or wherever they're from." The amendment failed.

Sen. Robin Taylor, R-Wrangell, questioned why the bill was even being offered, since it earmarks no money for Native language programs and does not require the districts to do anything except consider offering such classes.

"What are we really doing here?" Taylor asked, noting that districts are free to teach Native languages now. "It's a gesture, I guess."

A few districts, most notably the North Slope Borough and Lower Kuskokwim School District, teach in Native languages, said Harry Gamble, a spokesman for the Department of Education.

The measure goes to the House next.



TANANA CHIEFS CONFERENCE, INC.



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May 12, 1999

Senator Georgianna Lincoln
State of Alaska Senate
State Capitol Building, Room 11
Juneau, Alaska 99801-1182

Dear Senator Lincoln:

The Tanana Chiefs Conference, Inc. (TCC) strongly supports Senate Bill (SB) Number 103 relative to "An Act relating to a curriculum for Native language education; and providing for an effective date". Enclosed are six TCC Resolutions numbering 95-15, 96-48, 97-40, 97-34, 97-32, and 99-68, which were passed unanimously by forty-two village delegates in attendance each year at the annual TCC Conventions from 1995-1999. Please note that there were no resolutions passed by village delegates in support of Athabascan languages and culture in 1998 due to their wholehearted but futile efforts to overturn SB 36.

The enclosed resolutions highlight some crucial issues and reasons why SB 103 should be enacted into law. Historically, the instruction of our Athabascan languages have been administered by the majority of our schools on an elective basis, thereby limiting the quantity and quality of classes to our young indigenous population. Rather than incorporating language classes in the curricula and coursework for a more relevant student use, many classes were delivered to students after school. Additionally, many schools depended on limited Johnson O'Malley (JOM) and/or Indian Education monies from the federal government to deliver limited linguistic or cultural classes to students. In view of the historical attitudes and conduct of schools and school districts towards the teaching of the languages within the academic systems of our villages, we were appalled but not surprised to learn seven years ago that all eleven of our Athabascan languages would be extinct in sixty years or in the year 2055:

For the past fifteen years, TCC has worked hard to circumvent further erosion of our Athabascan languages by applying for funds from different sources to implement community-based language projects within our region. After several failed attempts, TCC was successful in 1997 in obtaining two years of grant funds from the Administration of Native Americans (ANA) for the implementation of Athabascan Mentor/Apprentice programs within four language areas of our region. We also became partners in a successful five-year grant proposal to the US Department of Education with the University of Alaska Fairbanks (UAF) Alaska Native Language Center to supplement and add more candidates to our mentor/apprentice projects. These grants though are

geared largely to adults learning their indigenous languages within their communities and not to students in public schools.

Through the enactment of SB 103 into law, we have a larger opportunity to change a "crisis level" situation of losing our languages into that of enhancing and preserving our languages. The preservation and enhancement of the Athabascan languages has been an issue of discussion and concern of the Athabascan elders of the Interior for the past several generations! Their concerns have been shared by the youth delegates to the TCC Annual Convention who reported eleven years ago on March 17, 1988 that:

"Many youth delegates have expressed a concern of learning their Native tongue. They would like to see Native languages being taught in schools for a credit. All Alaskan Natives know we have to do something about the low percentage of Natives who fluently speak their Native language. The language is the basis for our culture, without it - we are lost. I hope TCC will do their BEST to implement a Native language course in school curriculums or direct the Board of Education to do so".

Numerous resolutions have been introduced at TCC Annual Conventions since then which support the concerns of Athabascan elders and youth. Budget constraints and the lack of ongoing commitment on the part of school district personnel and funding agencies have prevented us from instituting long range Athabascan language programs within our schools.

In reference to the preservation and enhancement of the Athabascan languages and culture, we receive our direction from the elders who have stated consistently that respect and adherence to traditional culture and values are an important part of the equation which allows Native people within the TCC region to be able to develop and maintain their self-esteem and community identity. Our elders advise us that tradition and cultural values form the unique root from which Athabascan people can feel strong as a group of people while bridging the gap with the Western culture. Athabascan people have suffered much from alcoholism, domestic violence, and suicide caused by the acceleration of rapid changes in their lifestyles within the past 50 years. Language and the unique thoughts and concepts inherent in language are viewed as important tools, which serve to empower individuals by giving them the strong values, which define who they are.

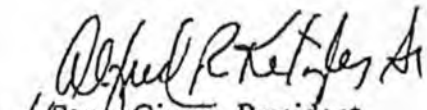
Through the enactment of SB103, it is hoped that the preservation and enhancement of our Athabascan languages and cultural values will assist greatly in circumventing many of the social problems facing our people. We feel that we must continue to learn from the elders as much as possible before they leave us. We would appreciate the support of the state legislation being proposed by your bill to assist us in learning thoroughly, through our languages, the lessons of our ancestors, through their thoughts and their words.... through our Native languages.

The Tanana Chiefs Conference, Inc. thanks you for Senate Bill 103. We support you for your introduction of this bill. We are committed to its' intent. We intend to be actively involved with villages in the planning and management of academic programs to preserve and enhance our eleven Athabascan languages.

Thank you for this opportunity to testify on behalf of Senate Bill Number 103.

Sincerely,

TANANA CHIEFS CONFERENCE, INC.


/s/ Steve Ginnis, President

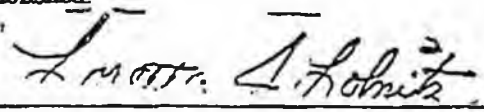
TANANA CHIEFS CONFERENCE
BOARD OF DIRECTORS
Resolution No. 99-68

CULTURAL/TRADITIONAL VALUES

WHEREAS, we are in danger of losing our cultural heritage; and
WHEREAS, with each generation we lose a little bit of our traditional culture and we need to teach each generation our traditional values; and
WHEREAS, the Native people of the TCC region have a rich traditional heritage; and
NOW THEREFORE BE IT RESOLVED that the Tanana Chiefs Board of Directors directs Tanana Chiefs Conference staff to seek funds to support the year round teaching of traditional values such as hunting, sewing, storytelling, building fish wheels and traps, traditional dancing, making traditional tools, and our Native languages.

C E R T I F I C A T I O N

I hereby certify that this resolution was duly passed by the Tanana Chiefs Conference, Inc. Board of Directors on March 18, 1999 at Fairbanks, Alaska and a quorum was duly established.



Loretta Lohnitz
Secretary/Treasurer

Submitted by: Youth Delegates



FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. Senate Bill 103

Revision Date/Time (Note if correction) _____ Dept. Affected Education
 Title An Act relating to a curriculum for BRU Teaching and Learning Support
 Native language education _____ Component _____
 Sponsor Senator Lincoln _____
 Requester HOUSE HESS _____ Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

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

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
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 (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

* While there is no fiscal impact for the department, related to Senate Bill 103, there may be some fiscal impact on school districts required to establish a local Native language curriculum advisory board.

Prepared by Barbara Thompson Phone 465-8727
 Division Teaching and Learning Support Date/Time 4/15/00 10:20 AM
 Approved by Commissioner: Richard S. Cross Date 4/15/00
 Agency Department of Education

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Alaska language among 'endangered'

The Associated Press

Foks Daily News/Miner
2/14/18

NEW HAVEN, Conn.—Tucked away deep in Alaska's interior, there are three households where Upper Kuskokwim is still spoken. In Oregon, two people in their 70s keep Klamath alive. And in northern Australia, about 10 native speakers of Jingulu are left.

Kuskokwim, Klamath and Jingulu are among the world's most endangered languages, having fallen victim to social and economic pressures that demand people learn more common tongues like English.

As the world becomes smaller, so does the number of viable languages: Linguists predict half of the approximately 6,000 languages spoken today will be extinct within the next century.

At Yale University, a modest effort is being made to counter the trend through a fund that allows researchers to travel to far-off regions to study and help resurrect dying languages, often by compiling dictionaries and other written records.

Set up four years ago by linguist Douglas H. Whalen, the Endangered Language Fund is this year financing its first projects. Ten projects, including efforts to preserve Kuskokwim, Klamath and Jingulu, will each get \$1,000.

"A lot of communities have been forced in various ways to start abandoning their language. I think people often don't realize that there's cultural value in their language until it's too late," said Whalen in a recent inter-

view at his office at Haskins Laboratories, a New Haven research institute that studies speech processes and disorders.

A distinct language, he said, often defines a unique community and binds it together but can become threatened by other encroaching languages and even, in some cases, by governmental force, Whalen said. Endangered languages exist on all continents, including North America.

"There's been direct government suppression of languages all over the world. In the United States, for example, the native American languages are the ones that were here first and for centuries there were deliberate attempts to get those languages to stop being used," he said.

Other victims of government suppression include Kurdish, which is currently banned in Turkey, and the language of Tasmania, which died out when the native speakers were killed.

More often, languages die because of the prevalence of more common languages like Chinese, English or Swahili. Modern technology and easy transportation have quite shrunk the planet in linguistic terms.

Although experts say there are at least 100 languages that are down to one native speaker, numbers don't always tell the full story.

For example, a language can have relatively few speakers, but if it is spoken by a community that remains fairly isolated and the language is used as the main instrument

of communication by all generations, the language may continue to thrive.

Conversely, a language can have thousands of speakers and still be considered endangered if all of the speakers are more than 50 years old and the younger generation doesn't use it.

That is what has happened to the Tohono O'odham language, which is an Indian tongue spoken by roughly 12,000 people in parts of Arizona and Mexico.

While the eldest generation speaks Tohono O'odham, many of their children refused to teach it to the next generation, deferring instead to English. That's because they themselves faced discrimination when they spoke it as children in U.S. schools, said native Ofelia Zepeda, a grant recipient.

"Across the country, you have a generation of native speakers who were not allowed to speak their languages or who were punished for speaking them," said Zepeda, an associate professor of linguistics at the University of Arizona.

"Now they are parents and many have no interest in teaching the language. It took a long time to convince parents that their children wouldn't be punished for it," she said.

Zepeda will use the grant money to help finance a three-year project to produce a comprehensive dictionary that could be used as a teaching tool to recover Tohono O'odham.

"It will help the young children who are now learning the language. It's difficult because English is so pervasive," Zepeda said.



FRAME *of* REFERENCE

A PUBLICATION OF THE ALASKA HUMANITIES FORUM • VOL. VI, NO. 1 • DECEMBER 1995

IN THIS ISSUE:

LANGUAGE LOSS IN AMERICA

Languages represent the web and wealth of human life. So why are we losing so many of them?

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SPEAKERS BUREAU

The Forum prides in lineup of speakers for the 1995-96 season.

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COMMUNITIES OF MEMORY and TALKING ANCHORAGE

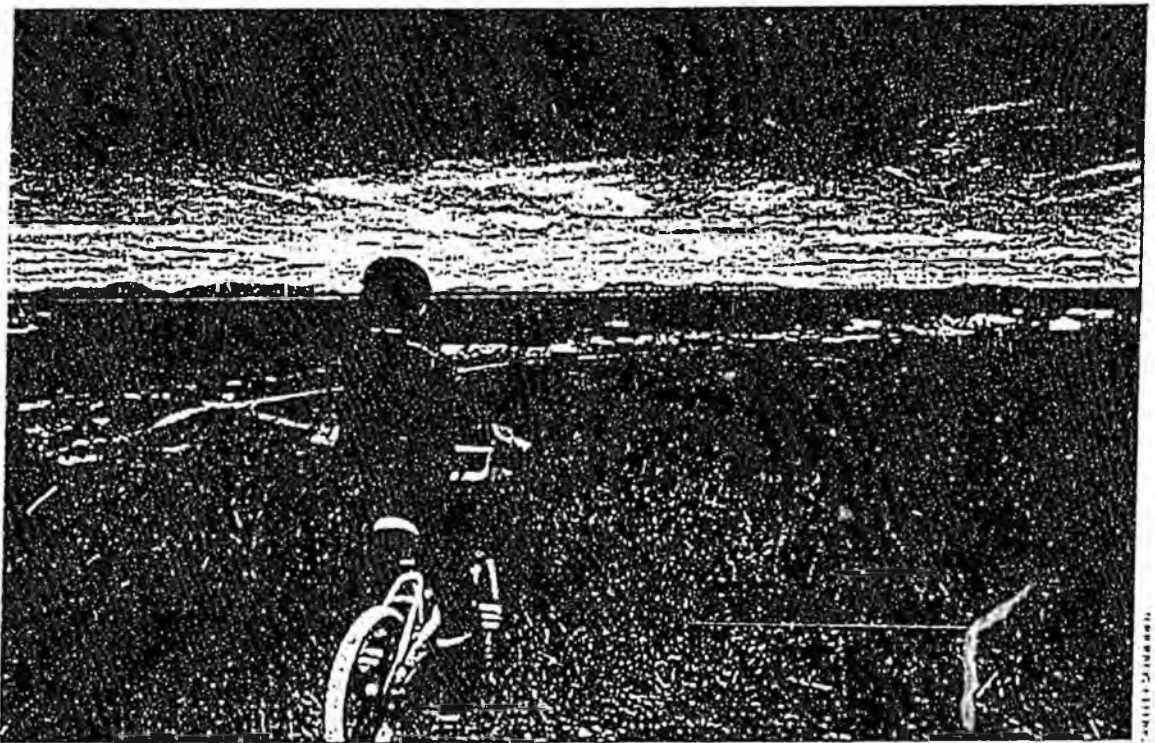
Community-based public forums gather momentum in 10 towns statewide and in Anchorage.

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MAKING FRIENDS

Friends of the Humanities continues to grow. Please join us—or give a gift membership!

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LANGUAGE LOSS IN ALASKA, THE UNITED STATES, AND THE WORLD

— by Michael J. Krauss

WE KNOW BY EXPERIENCE THAT LANGUAGES are passed from generation to generation by being spoken to children. From time immemorial this has been the way, a supremely human miracle, a process that works so naturally—and so irreplaceably. Elders simply speak the language to children and the children simply learn, with fluent control over the complex grammar and vast vocabulary that every language has. This is how a language lives on to perpetuate a people's unique culture and identity.

Why, then, don't we understand that if a language is not spoken to the children, it will die within a lifetime—and that with the language extinct, the people will suffer immeasurable loss to their culture and identity?

As every adult Alaska Native must know, the American educational system—beginning in the 1880s forbade all use of Alaska Native languages in school. This was not done to make Alaska Natives bilingual in English in addition to their own languages—a per-

fectly possible goal, as the Russians' had been with Russian—but rather to wipe out Alaska Native languages and replace them with English. That system, brutally imposed on children with mental and physical punishment, has now nearly reached its goal. At first it produced a generation of people who were bilingual in Native and English, but who were trained to speak English and not their Native language to their children, with the false understanding that children can easily and naturally learn only one language, and that the language should be English, English only, as the Native language was inferior, an obstacle to their progress and assimilation from an "inferior" culture and identity to a "superior" one.

By the 1930s in many parts of Alaska, parents who were now bilingual began to raise the first generations of children who could not speak the language of their grandparents. The result now is that of the 20 Alaska Native languages alive today, *[continued on page 3]*

LANGUAGE LOSS

from page 1

only two—Siberian Yup'ik and Central Yup'ik—are still being learned in the traditional way, of parents speaking to children.

One language, Eyak, has left only one speaker, and she is in her 70s. Two languages, Tsimshian and Haida, have no speakers in Alaska younger than 60. Eleven languages have no speakers younger than 40; they are Aleut, Alutiiq, Tlingit, and seven of the 11 Athabaskan languages: Ahtna, Tanaina, Ingalik, Holikachuk, Koyukon, Tanana, and Han. Three Athabaskan languages, Upper Kuskokwim, Upper Tanana and Tanacross Athabaskan, may still be spoken by younger adults in their 20s or 30s. Younger adults or teenagers in a few isolated communities speak Aleut at Atka, Alutiiq at English Bay, Inupiaq on the Upper Kobuk, Tanaina at Lime Village, and Kutchin at Arctic Village and Venetie.

With just two languages being passed on in the traditional way, 90 percent of the Native languages of Alaska are no longer spoken by children. Without radical change, these languages will be extinct or have no native speakers left some time during the first half of the century nearly upon us.

Let us now broaden our consideration to put Alaska in perspective, to compare the Alaska situation with that of Native North America and the rest of the world.

Something over 300 Native languages were once spoken in what are now the United States and Canada. Of those 300 or so languages, about 210 are still spoken or remembered. Considering the disastrous history, it is surprising that perhaps two-thirds of these languages survive. But for how much longer?

Thirty-five of the 210 North American languages are spoken exclusively in Canada, leaving about 175 still being spoken in the United States (including the 20 in Alaska). I have divided these languages into five classes for degree of viability, or amount of time they may endure as living, spoken languages.

In Class A are languages that are still spoken by many, most, or all of the children. These languages are still viable, and may go on forever. As we shall see, however, they are by no means unendangered or "safe." In this very small and elite class are at best 20 of the 175, about 11 percent. (These include the two

Alaska languages noted above).

Class B consists of languages no longer spoken by children, but by adults of all ages, including the immediate parental generation. This class, larger than A but still the second smallest, has about 30 languages, or about 17 percent.

The largest is Class C, those languages now spoken only by middle-aged or older adults, the grandparental generation and up. About 70 Native U.S. languages are in this class, or 40 percent. (This class, as noted, includes most Alaska Native languages.)



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Then there is Class D, those languages spoken, or rather remembered, by a small handful — say one to a half-dozen — of the very oldest individuals. To this class of very nearly extinct languages belong the remainder, about 55 of the 175, a deeply alarming proportion of U.S. languages, about 31 percent.

Thus, at the rate things are going, most of these languages will become extinct unless radical changes are made and people take determined measures to preserve their own languages. Otherwise, by the year 2000 or soon thereafter, of the present 175 U.S. languages, 55 will be gone; by 2025, 70 more will be gone; and by 2050, 30 more will have joined class E — extinct Native American languages.

Will the remaining 20 languages, those fortunate few in Class A, also be on the road to extinction?

Not even the Class A languages are safe. One would think Navajo—by far the largest North American Native group, with some 200,000 people—would enjoy safety in numbers. But apparently not: In 1969-70, 90 percent of the children in first grade, age 6, came to school able to speak, dominant in, or monolingual in Navajo. Now, according to informal reports, it is quite the reverse: Eighty to 90 percent of Navajo children coming into the schools at age 6 are able to speak English but unable to speak Navajo.

During the past 25 years, then, a major American tragedy has taken place — silently, with no press coverage that I know of. Navajo had more children speaking their Native language than the other 174 languages put together. If Navajo is not safe, then none of these uniquely American languages is. All Native American languages are threatened — or beyond that.

How does Alaska compare? Despite its relative remoteness and late contact with Europeans, only two of 20 languages still are spoken by children, compared with 18 of 155 in the other States. Alaska is at best typical, or perhaps a bit worse off, than the rest of the United States.

Let us now look at the whole globe. There are currently some 6,000 languages (give or take 10 percent, depending on the distinction between languages and dialects, which is often difficult to draw consistently). Given that mankind's population is approaching 6 billion, the "average size" language would be spoken by about a *(continued on page 4)*

LANGUAGE LOSS

from page 3

million people. But the 15 largest languages account for more than half the world's population, leaving still, say, 5,985 languages spoken by the other half. There are actually only about 250 languages with a million or more speakers, and the median language—that is, the three-thousandth largest or smallest language—has only 5,000 to 10,000 speakers.

Much more difficult to count is the number of languages still being learned by children. Statistics for this are very hard to come by.

The best single published source is the Summer Institute of Linguistics (Wycliffe Bible Translators') *Ethnologue*, edited by Barbara Grimes, most recently in 1992. *Ethnologue* lists the world's languages and their numbers of speakers. For about 60 percent of the 6,000 it also gives an assessment of viability in terms of need for Bible translation. Grimes (in a personal communication) estimates that a maximum of 20 percent are not viable enough to warrant Bible translation.

But I believe 20 percent is a minimum figure for the languages no longer being learned by young children. From private estimates by linguists who have worked widely in various parts of the world, I estimate that as many as 50 percent of the world's languages either are already no longer transmitted to children or by the end of this century no longer will be. Thus I believe it most likely that between 20 percent and 50 percent of the world's 6,000 languages will become extinct during the coming century.

The only way to estimate the number of languages that are merely "endangered" is by setting aside those at the other end of the scale that we may term "safe." How may we define these?

One obvious criterion is sheer size in number of speakers. Navajo, in 1970 the largest North American language with perhaps 175,000 speakers (20 times the world median), is a sad lesson that 175,000 speakers may not be enough. Breton, the Celtic language of Brittany in France, had a million speakers in living memory, but now probably has fewer child speakers than Navajo. Under certain circumstances even a million speakers is not a safe number.

Another important factor is official state use and support, which Breton did not have. With state support, even much smaller languages,

such as Icelandic (250,000 speakers), or Greenlandic Eskimo (45,000), seem quite safe.

With increasing local autonomy and a growing number of independent states in the world, the number of state-supported languages may soon increase to about the same number—250—as are spoken by a million people or more. The majority of these states, however, support mainly English (45), French (30), Spanish (20), Arabic (20), Portuguese (6), and only about 70 others, most of which (including, e.g., emerging Estonian or Slovenian) have more than a million speakers anyway.

Still, it does not seem unrealistic to guess on these bases that 300 languages may be deemed "safe"—that children will still be learning them at the end of the coming century. Let us be generous and optimistic, even, and double the number to 600, or 10 percent.

Of the world's 6,000 languages, then, 5 to 10 percent are "safe." Another 20 percent to 50 percent are headed for extinction during the next century insofar as they are not being learned by children. This leaves between 40 percent and 75 percent, 2,400 to 4,500, that are merely "endangered." The fate of these languages—that is, whether or not they will be spoken by children at the end of the next century—hangs in the balance.

We might well ask: What "balance?"

Consider what has happened already in the United States (language mortality approaching 90 percent of 175 aboriginal languages) and Australia (mortality beyond 90 percent of 250). Nine countries have more than 200 languages: Zaire and Brazil (210 each), Mexico (240), Australia (250), Cameroon (270), India (380), Nigeria (410), Indonesia (670), and at the top Papua New Guinea (with 850!). These nine countries alone account for nearly 3,300 of the world's 6,000 languages. Another dozen countries, including, for instance, Ethiopia, Chad, and Burma, have more than 100 languages each. Consider the social conditions in many of these countries as they "develop" (in the direction of the United States and Australia?!). What is likely to be the fate of their linguistic minorities?

Considering again the fact that the median-sized language has 5,000 to 10,000 speakers, one can grasp the enormity of the loss we face. It is a very realistic possibility that 90 percent of mankind's languages will become extinct or doomed to extinction during the coming century.



Languages are more than just practical systems of communication. Each is also a creation of beauty, through the collective and creative spirit of countless generations of our ancestors, with spiritual and emotional values unique to the identity of each society.



Why are we so unaware of or indifferent to the fate of our planet's linguistic diversity? Compare especially our growing concern for and willingness to act, even to sacrifice, for our planet's biological diversity — for whooping cranes and snail darters and perhaps even spotted owls.

The statistics of animal species endangerment are interesting to compare with the ones just given for languages. There is an "official" list (Red Book) of "endangered" or "threatened" species. Here let us take the two categories most visible and "charismatic" to us, mammals and birds. There are about 4,400 species of mammals, of which about 330, or 7.5 percent, are officially listed as "endangered" or "threatened." There are about 9,000 species of birds, of which 240, or 2.7 percent, are so listed. Because of politics, economics, and inaccessibility, however, it is certain that these figures are gross undercounts. Many conservation biologists estimate that the number of endangered species may be as high as 50 percent. Even the lower counts for endangered species have caused us great alarm, with good reason.

Yet the best estimate for the future of language diversity is worse than the worst for

biological diversity. Should we not be at least as concerned for languages? Is not human life as we know it utterly dependent on language?

I think the reason we do not care about the loss of language diversity is that we believe one or a few languages — the one or ones we know — would do for all mankind, even that mankind would be better off with only one language. It is a question considered at least since Babel. This is certainly a typical American English-speaker's belief: that with one language — presumably English — there would be greater mutual understanding and therefore peace on earth. That is an understandable argument, one with which I am often challenged.

The conflicts in Somalia and the former Yugoslavia are strong counterevidence to that hypothesis. Linguistically, Somalia is one of the least diverse countries of Africa, with 90 percent of its population speaking Somali or languages very close to Somali. Serbian and Croatian are the same single language; the difference does not even correspond to the dialectal differences within the language, but is strictly religious and political, expressed in different alphabets (Roman for Croatian, modified Cyrillic for Serbian) and in conflict that has nothing to do with language.

So much for the argument that one language would bring world peace and understanding.

On the contrary. The loss of any one language diminishes us all. Every language is as infinitely complex as a living organism, and the most marvelous manifestation of the human mind. A hundred linguists working a hundred years could not fully fathom the mystery of a single language, let alone the world of human languages.

Frighteningly late, we have barely begun to see the world of our languages as an interdependent system. In this we are still far behind our emerging understanding of the biological world as an interdependent system. Just as all life utterly depends on the natural world to sustain it, surely human life as such depends on the linguistic world to sustain it.

At the very least, just as our biological survival depends on an ecosystem, a web of life, can we be at all certain that our 6,000 languages are not at least as essential a part of an intellectual and social system upon which our humanity depends? How many languages are expendable, and which?

I can see at least four types of reasons why we must value and do our best to maintain mankind's linguistic diversity.

First, let us take the aesthetic or spiritual reasons. Languages are more than just practical systems of communication. Each is also a creation of beauty, through the collective and creative spirit of countless generations of our ancestors, with spiritual and emotional values unique to the identity of each society. The very diversity of languages itself constitutes its own beauty, of which we are still less aware or mainly take for granted by comparison with the beauty of the natural world.

If we were forced to choose only a few flowers to look at or smell — say, only roses and tulips, nice as those are — would not the world become a less satisfying place to live, dangerously less so? Might not the same be true about languages? Can man live by bread alone? Granted, this is only an aesthetic or spiritual argument, probably the weakest one, yet even this alone could be crucial for the survival of humanity.

Second, I cite the political, social, or ethical argument of human rights. Language, as noted, is also the expression of our culture, nationhood, and identity. Many people do not like to give up their language and take on another instead. So, from an ethical or even strictly pragmatic point of view, who is to choose which language gets to be the one everybody has to speak? People surely tend to prefer their own. A pure pragmatist, believing that might makes right, may not have to worry about Alet preferences, which might not give much trouble. But what of Estonian, or French, or certainly Chinese? Well, alright, let's allow for several languages. But how many? Where do we draw the line between 2 and 6,000 — and who gets to draw it?

Do we just permit survival of the fittest, as we seem to be doing today? (Actually, these are not necessarily the "fittest" languages — there are no primitive or unfit languages. Fittest here means the most powerful and aggressive societies.) Are we not obligated, because of our very humanity and for the sake of humanity, to use instead our ability to make reasonable and responsible decisions?

Third, to an argument of perhaps still greater enormity. Our languages are our knowledge and understanding of the universe, our intellectual wealth, mankind's accumulated experience, store of ideas and insights. As

anyone who has learned more than one language surely has found out, different languages are not simply different or mechanically convertible ways of saying the same thing. Every language is priceless in that it expresses a unique knowledge and understanding of the world, an infinitely complex system of human thought, with information and concepts unique to it. Concepts can be transferred or borrowed, as English has done more than any other language. Some simple examples are the words omelette, kangaroo, kayak, and quinine. But even English has barely begun to incorporate the knowledge that is present in other languages of, say, history, technology, or medicinal plants.

Further, with the loss of any language, with its different grammar and way of interpreting reality, we lose our ability to think in different ways — even our freedom to think in different ways.

What could be worse than that? The fourth and final argument is that we simply do not know the answer to that question, or the ones before it. In our extermination of languages we simply do not know what we are doing. We do not know what further negative effects on human existence would result from the loss of all languages but one, or even all but 600 (which, as I point out, is a very real threat). Without fully understanding the consequences of what we are doing, do we have the right to make such irrevocable decisions?

Might not the lesson of Babel be that we were meant, for our own good, to live in intellectual and cultural diversity with our many languages? Or does our behavior show that we have now finally reached such a pinnacle of wisdom and reason that we no longer need our diversity?

I would add, finally, that for mutual understanding and peace on earth it is not necessary or even desirable to eliminate a single language. It is perfectly possible, in fact quite normal—though not so much currently in the tradition of American English speakers—to learn more than one language, to form a worldwide network of people who can understand each other and get along, and at the same time to maintain the web and wealth of human life that is our languages. ■

MICHAEL KRAUSS is director of the Alaska Native Language Center at the University of Alaska Fairbanks.

A matter of voice

ADN 1-11-98

Native speakers would be lost without their language

By FERN GREENBANK
Special to the Daily News

"I don't know what you mean," the students said over and over.

It seemed like a mantra and an excuse to avoid working. When you're a visiting teacher, you never know what teenagers will try.

After a few weeks in the village of Nunapitchuk, I started to wonder, "Maybe they really don't know what I mean." So, I asked them.

"What do you mean, you don't know what I mean?"

What a dumb question, their faces answered.

"We just don't know what your words mean," one student would say.

"Just keep talking," another would add. "We'll get it."

OPINION

Eventually, I'm the one who got it. Students discussed questions and issues in Yup'ik and answered me in English. I knew how it felt to be the minority.

FIRST THINGS FIRST: YUPIK

The majority of high school students in the Southwest Alaska village of Nunapitchuk are considered Yup'ik speakers. I only heard them speak English when they were talking to English-only speakers.

My visit to Nunapitchuk was my first experience with Native speakers. All other school media projects had taken me to villages where

Please see Page F-5, LANGUAGE

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES

LANGUAGE: Native students say

Continued from Page F1

English is the first language for students, with bits and pieces of Inupiaq or Athabaskan spoken by elders.

In the end, I realized the problem was not so much English as it was my choice of words, rate of speed, new concepts, isolated environment and the hodgepodge of educational programs the students had experienced over the years. It wasn't that they couldn't get it or didn't want to get it, they just didn't get it yet.

And, if the Legislature had anything to do with it, they might not have the chance to get it.

DEPENDS HOW YOU LOOK AT IT

People are placed in positions all the time where they have to make decisions that affect others' lives without having any first-hand knowledge or understanding of those lives. Government policies reflect this. Media coverage reflects this. Classroom materials reflect this. It's easy to make mistakes from a distance. Alaska has a lot of distance.

In Anchorage, I investigated all points of view, but being in the village was different, surrounded by children just living their lives. The issue of money or resurrection and preservation of language seemed moot. Whenever I questioned students about why it was important to have Yup'ik language instruction, they just looked at each other with bewildered expressions as if I were asking why they were Yup'ik.

"We're just like you," said Nunapitchuk junior Nick Williams. "We don't want to lose our language anymore than you'd want to lose yours."

"If I didn't speak my language, I would just look Yup'ik but I wouldn't be Yup'ik," said senior Joni Larson.

"If a young person doesn't understand what their Elder is saying to him, he would be very ashamed to call himself a Native person," said Gabe Serradell.

One student chose to stand back and look at herself. "Christina wants to start all over again using her own language."

But what about the cost, I asked. There's a big fuss going on, you know?

WHAT FUSS?

Ask any student in Nunapitchuk what all the funding fuss is about, and they'll tell you they didn't know there was a fuss. They know English is the first language for other villages, but not for them. It's difficult to tell them it isn't that simple.

If you ask students the same questions you ask school officials or legislators, you're likely to solicit more telling, more truthful answers, if the truth is what you're after. Students say they are not immigrants, they are Native Americans and they have the right to speak their Native language first. They look incredulous when you discuss the state's right to take it away.

My job was to help the students under-

bilingual education important

Sunday, January 11, 1998 F-5

LETTER: Language helps to maintain culture

Continued from Page F-1

the bond between Native land and Native people, especially elders.

English is necessary because it helps us deal with a changing world. Native people who were bilingual made our Native land and lifestyle more accessible for use by passing ANCSA.

Without bilingual education, we would be speaking only one language, which would cause great confusion among people and would keep us from working and living together successfully.

To me, bilingual education is like having the key to the door of opportunity — self-esteem, confidence and a will to dedicate ourselves to future generations.

If the legislators said we should not have Yup'ik culture taught in the schools or if the state wanted to stop bilingual education, it would be helping to destroy our bond of respect toward Native ways. They would be helping to destroy and abandon our elder's great wisdom and understanding. How would we, in return, show our appreciation and gratitude if we don't speak our Native language? Without our Native language, we are nothing with a name called "nobody."

I feel fortunate because I am able to understand what the elders and white people are saying. But, when I'm speaking in Yup'ik and can't say what I have in my

mind, I use English to carry on to another subject till I can say my ideas in Yup'ik. I'm still having some trouble translating ideas in Yup'ik because there isn't always a Yup'ik word for a Western idea.

In our village, Nunapitchuk, which means "small piece of land," I usually hear people speaking in Yup'ik. The only time I hear them speak in English is when they are talking to a white person. Children usually speak in Yup'ik except for those whose parents speak in English to their relatives.

Bilingual people get a sense of pride because of the confidence they gain from having learned their language. Alexie Isaac and Lillian Afichelle, Yup'ik broadcasters at KYUK radio, said that if we value our language, we value our culture and the people around us. Lillian said that when a child asks what a Yup'ik word means, it is a sign that we are losing our language.

They said that people with bilingual skills are needed by businesses in the Delta because they are able to translate orally and in writing. They allow Natives and non-Natives to communicate.

The school district should be allowed to continue spending money on bilingual education. The reward is greater than money; it is the ability to learn and deal with a changing world.

— Alice Tobeluk

stand an issue that affects them and then write about it persuasively. I repeated all the opposing arguments: Some want to make English the official language because it is easier and cheaper. Some are concerned that students will develop trouble functioning outside the village if they are enrolled in Yup'ik-only programs. We talked about villages that do not speak the Native language. We discussed the state's responsibility vs. the family and the cost, always the cost.

"What does money have to do with it?" students asked.

Every year for the past few years the Alaska Legislature has debated the merits of bilingual education, the level to which it should be funded and the formula by which money is distributed for language instruction. The issue is a political live wire across the nation. Those legislators opposing a change in the funding formula, and a resultant drastic cut in bilingual education dollars, are often criticized for not supporting Alaska Natives. Those favoring continuation and even expansion of bilingual education are often called on the carpet for not being realistic in light of available funds and test scores.

If I came to another community and

spending three weeks in Nunapitchuk with Yup'ik speaking students, it was this: The state of bilingual education, and funding, is one of the most difficult ethical dilemmas facing Alaska because it calls into question our understanding of ethnicity, identity and assimilation. It redefines the role of our educational system.

YOU HAD TO BE THERE

Nunapitchuk was unlike any village I had ever visited. The community is actively involved with making, and enforcing, school policies. People are interested in what you do, not why you're there or how soon you're leaving. Children downright funny, curious, friendly and kind.

It looks much like any other village externally: empty horizons, fierce blowing snow, messy dog yards, roaring snowmachines and fantastic sunsets. The village is built on soggy tundra that requires an elaborate system of boardwalks to keep from sinking knee-deep in muck.

The airstrip is across the river, which is fine when it's frozen and fine when it's not, but when it's in between, travel to meet planes takes some creativity and a bit of bravery. On a good day, you can showma-

chine to Bethel in 25 minutes. There are several villages within eye shot, giving Nunapitchuk a less-isolated feel. The village itself is spread out more than most; it's hard to find stable ground to build on. Every year, foundations have to be adjusted to keep up with the heavens.

The students also were unlike any group of students I'd worked with before. Sure, some had trouble expressing themselves in writing. Their English skills appeared below average. They struggled with skills such as making phone calls or setting up interviews, following through with tasks or thinking for themselves. A few had attitudes. But, they know who they are. Their sense of self and identity is remarkable and refreshing. They understand there are problems adjusting to life outside the village and that speaking English is a necessity to succeed out there. They will talk openly and honestly about race, intolerance and stereotypes.

HEARING IS BELIEVING

I knew the student's experience was more revealing and more accurate than any piece of documentation we could dig up. But, I had to explain that Westerners historically do not accept heart, spirit or instinct as evidence. You can't turn in a paper with the only argument, "I know it's true because I feel it."

"Why not?" they asked.

Sometimes being a teacher sucks.

From experience, I knew the students' "distinctive" voices would not be published. I also knew there was a chance their "Western" voices would sound dry and monotone. It's just the harsh reality and one I don't like dealing with. Village English is interpreted by most readers as poor English and illiteracy. Heavy handed "clean up" of village English makes the essays take on my voice. While the original essays had more heart, my job is to teach journalistic writing skills based on facts.

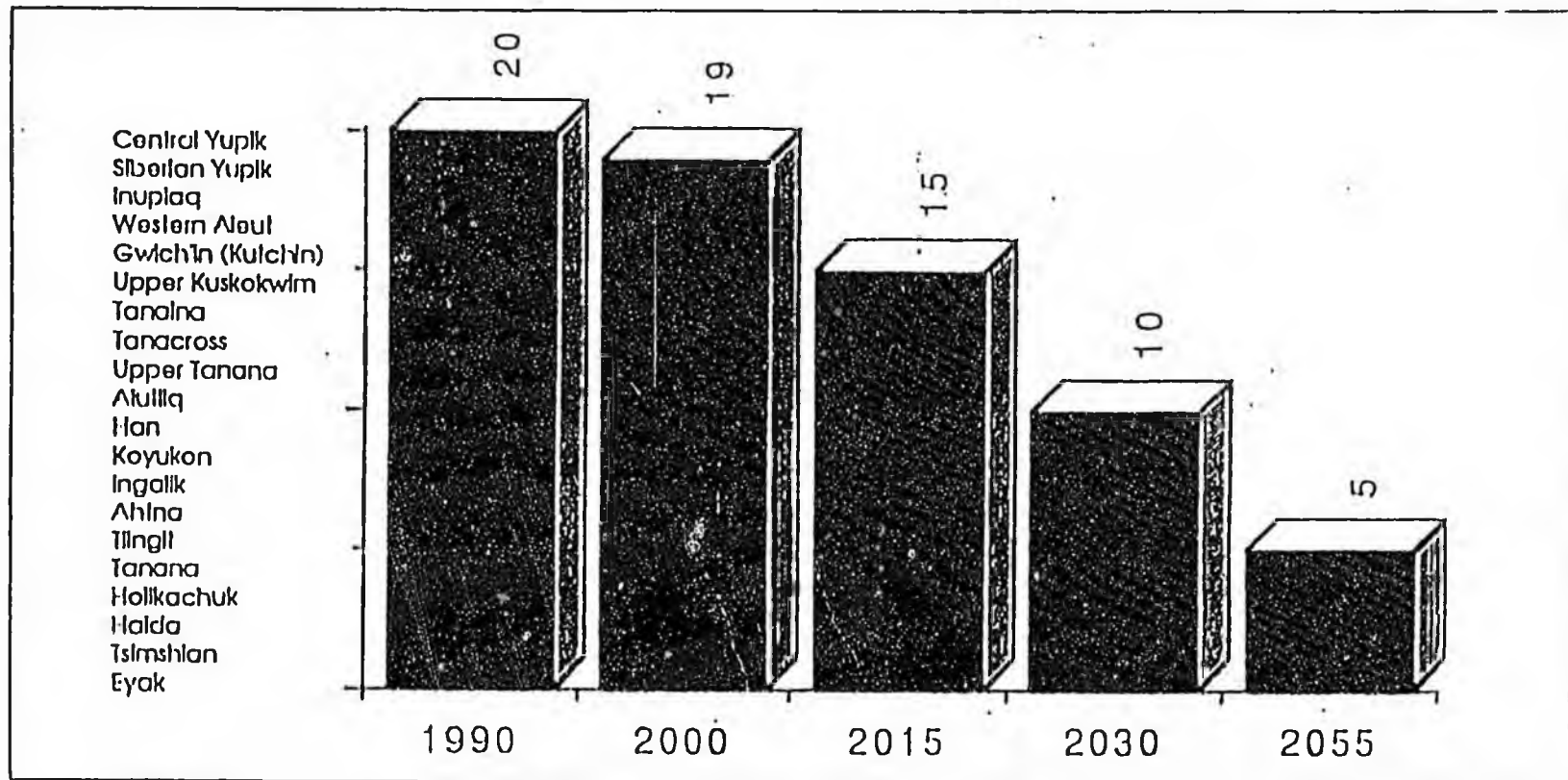
The trick is to blend the heartfelt experiences of a culture with the Western standards of publishing. Three weeks just wasn't long enough.

When the students adhered to the tenets of editorial writing, they lost some of their "voice." The final essays don't sing like the original gut-felt essays. But, I know they have "distinctive" voices, both Yup'ik and English, because they let me get to know them.

The students' solution to the entire issue was simple; relocate the state capital to Nunapitchuk so legislators would get to know them and hear their bilingual voices. As the likelihood of this happening is slim, here are their Westernized voices. It helps to read between the lines.

□ Fern Greenback is director of The Village News Network, an independent media studies program for rural students. She also is former director of special projects for the University of Alaska Anchorage Journalism and Public Communications Department.

Languages in Peril



Not allowing for miracles, Eyak will probably not survive this century; Alaska Tsimshian, Alaska Haida, Holikachuk, and Tanana will probably be extinct by 2015; and Tlingit, Ahl'na, Ingalik, Koyukon and Han will probably be extinct by 2030. Furthermore, Alutiq, Upper Tanana, Tanacross, Tanaina and Upper Kuskokwim have an extremely doubtful future . . . not allowing for miracles or other radical changes, they will probably be extinct within a lifetime, by about 2055. By that year, then, probably only five of the twenty Alaska languages will still be spoken . . . Western Aleut . . . Kulch'n . . . Inupiaq . . . Central Alaska Yupik and Siberian Yupik . . .

Dr. Michael Krauss
 Alaska Native Languages: Past, Present and Future
 Alaska Native Language Center Research Papers - 1980
 University of Alaska Fairbanks

SCAL NOT No. 1

STATE OF ALASKA
1999 LEGISLATIVE SESSION

Bill Version: SB 103
(S) Publish Date: 4-27-99

Revision Date/Time (Note if correction) _____ Dept. Affected Education
 Title An Act relating to a curriculum for BRU Teaching and Learning Support
 Native language education _____ Component _____
 Sponsor Senators Lincoln, Ellis _____
 Requester Senate HESS Component Serial No. _____

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2000	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005
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

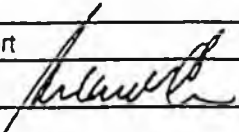
Estimate of any current year (FY99) cost: 0.0

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

* While there is no fiscal impact for the department, related to Senate Bill 103, there may be some fiscal impact on school districts required to establish a local Native language curriculum advisory board.

Prepared by Barbara Thompson Phone 465-8727
 Division Teaching and Learning Support Date/Time 4/26/99 3:00 PM
 Approved by Commissioner: Richard S. Cross  Date 4/23/99
 Agency Department of Education

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(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: May 14, 1999

FURTHER REFERRALS:

Date of Committee Action: 4/13/00

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

SB 103 am

SENATE BILL NO. 103 am

NATIVE LANGUAGE EDUCATION

"An Act relating to a curriculum for Native language education; and providing for an effective date."

recommends it be replaced with the following committee substitute

House CS for SB 103(HES)

the same title
 a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

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

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
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CHAIR'S SIGNATURE

[Signature]

4/13/00

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1 2 5

(7)

JUSE COMMITTEE REPC

Date Referred to Committee: April 29, 1999

FURTHER REFERRALS:

Date of Committee Action: 5/6/99

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

CSSB 125(CRA)

CS FOR SENATE BILL NO. 125(CRA)

SCHOOL SAFETY PLAN

"An Act relating to school crisis response planning."

recommends it be replaced

with the following committee substitute

HCS CSSB 125 (HES)

the same title

a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

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

APPROVES PREVIOUS: _____ (Dept/Date)

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) MVA

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
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CHAIR'S SIGNATURE *[Signature]*

[Signature]



Health, Education, and Social Services Committee
Alaska State Legislature
House of Representatives

MEMORANDUM

May 4, 1999

To: House HESS Committee Members
From: Wes Keller, House HESS Committee Aide
RE: CSSB 125 School Crisis Response Planning

Assuming we don't want to waste time or duplicate our efforts:

We need a motion to move CSSB 125 (CRA) (1-LS0774\H) out of Committee with attached zero fiscal note and the amendments to make it identical to CSHB 165 (HES) (1-LS0506\K) which we passed out of the House HESS Committee on 4/27/99.

Both of the bills mentioned in the proposed motion are attached.

To refresh your memory look at highlighted items on page two of CSHB 165 (HES).

It was passed out with six signatures (DP).

• NORTH SLOPE BOROUGH SCHOOL DISTRICT

Box 169 • Barrow, Alaska 99723 • (907) 852-5311 • Fax (907) 852-5984

Leland L. Dishman, Superintendent



Nunamiut Wolves
Nunamiut School
P.O. Box 21029
Anaktuvuk Pass,
Alaska 99721
(907) 661-3226
FAX (907) 661-3402

April 28, 1999

Atkasuk Eagles
Meade River School
Atkasuk, Alaska 99791
(907) 633-6315
FAX (907) 633-6215

Senator Lyman Hoffman
State Capitol, Room 7
Juneau, AK 99801

Barrow Whalers
Barrow High School
P.O. Box 960
Barrow, Alaska 99723
(907) 852-8950
FAX (907) 852-8969

Dear Lyman:

Thank you for sponsoring a bill related to student and school safety. We in education need all the help we can get in protecting our students from dangers beyond our control. Any measure of prevention far outweighs the consequences of an attack on students and/or employees.

HMS Wolves
Eben Hopson, Sr.,
Memorial Middle School
P.O. Box 509
Barrow, Alaska 99723
(907) 852-3880
FAX (907) 852-7794

Here is a copy of a page from our Crisis Management Plan Book. We believe it to be very informative and useful in preparing our principals and employees for unforeseen emergencies.

Arctic Foxes
Fred Ipalcock
Elementary School
P.O. Box 450
Barrow, Alaska 99723
(907) 852-4711
FAX (907) 852-4713

The Crisis Management Book costs about \$200 per copy and it is also available on a CD-ROM that allows schools to customize their plans.

Kaveolook Rams
Harold Kaveolook School
P.O. Box 10
Kaktovik, Alaska 99747
(907) 640-6626
FAX (907) 640-6718

I have used this material since 1995 and highly recommend that a copy be placed in the hands of each school principal in the state. I have included the name and address of the company providing the Crisis Management Plan Book and CD.

Nuiqsut Trappers
Trapper School
Nuiqsut, Alaska 99789
(907) 480-6712
FAX (907) 480-6621

If I can be of additional assistance on this matter, please give me a call.

Tikiqaa Harpooners
Tikiqaa School
P.O. Box 148
Point Hope, Alaska 99766
(907) 368-2662 or 368-2663
FAX (907) 368-2770

Professionally yours,

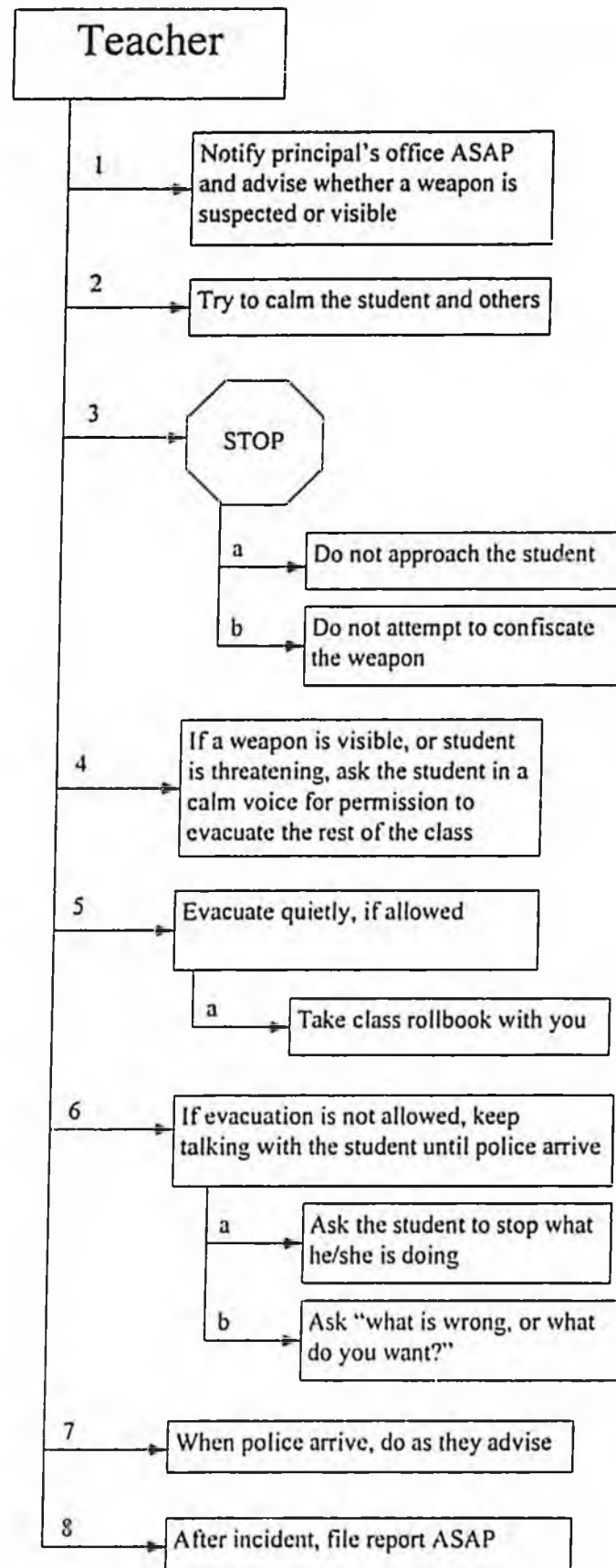
Leland Dishman,
Superintendent

Kali Qavviks
Kali School
Point Lay, Alaska 99759
(907) 833-2311
FAX (907) 833-2315

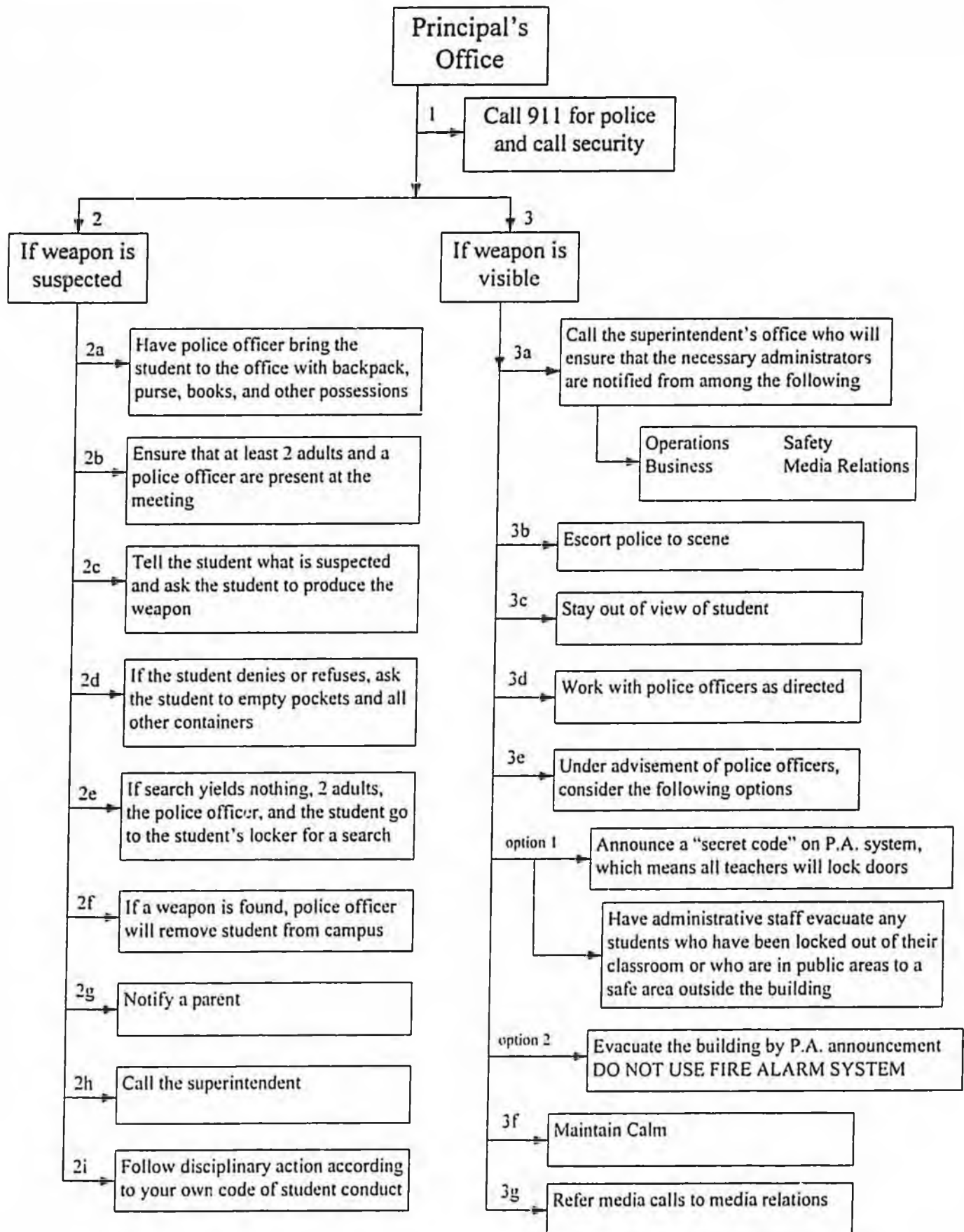
cc Senator Al Adams
Representative Reggie Joule

Alak Huskies
Alak School
P.O. Box 10
Wainwright, Alaska 99782
(907) 763-2541
FAX (907) 763-2550

Armed Student or Hostage



Armed Student or Hostage (Cont'd)



J. BERRA ENGINEERING, INC.
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Karleen Berra

VICE PRESIDENT

333 NORTH SAM HOUSTON PKWY. EAST
SUITE 230
HOUSTON, TEXAS 77060

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FAX: (281) 447-8088
e-mail: JBerraEng@aol.com



Senator Lyman F. Hoffman

Alaska State Legislature
State Capitol • Juneau, Alaska 99801-1182 • (907) 465-4453

District T

- Adak
- Aktachak
- Aklak
- Akutan
- Aleknagik
- Amchitka
- Atka
- Atmautluak
- Attu
- Belkofski
- Bethel
- Cheformak
- Chignik
- Chignik Lagoon
- Chignik Lake
- Clark's Point
- Cold Bay
- Dillingham
- Dutch Harbor
- Eck
- Egegik
- Ekuk
- Elkwok
- False Pass
- Goodnews Bay
- Igluigig
- Iliamna
- Ivanof Bay
- Kasigluk
- King Cove
- King Salmon
- Kipnuk
- Kokhanok
- Kokhanok Bay
- Kolliganek
- Kongiganak
- Kwethluk
- Kwigillingok
- Levelock
- Manokotak
- Naknek
- Napaklak
- Napaskiak
- Nelson Lagoon
- New Stuyahok
- Newhalen
- Nikolski
- Nondalton
- Nunapituchuk
- Oscarville
- Pedro Bay
- Perryville
- Pilot Point
- Platinum
- Port Alsworth
- Port Heiden
- Port Moller
- Portage Creek
- Quinhagak
- Saint George Island
- Saint Paul Island
- Sand Point
- Shemya
- South Naknek
- Squaw Harbor
- Togalak
- Tuntutullak
- Twin Hills
- Ugashik
- Unalaska
- Unga

To: Representative Fred Dyson Co-Chair
 Representative John Coghill Co-Chair
 House Hess Committee

From: Senator Lyman F. Hoffman ^{LH.}

Re: Hearing request: CSSB 125 (CRA)- "An Act relating to School
 Crisis Response Planning"

Date: April 30, 1999

Mr. Chairman,

I would respectfully request a hearing for the above-mentioned bill in your House Hess Committee.

As I'm sure you remember back in 1997 when gun fire exploded in the halls of the Bethel Regional High School ending the lives of Principal Ron Edwards and Student Josh Palacios. In the days following the crisis there was a lot of confusion regarding who was in charge and what should we have done.

Senate Bill 125 would require that each school district to develop a school specific response plan to assure communities that if a similar event occurs a crisis response plan will be in place and we are prepared to respond to the situation.

Thank you for your attention to this matter and, should you have any questions, please feel free to contact me at your earliest convenience.

Quyana.

P.O Box 886 • Bethel, Alaska 99559 • (907) 543-3541



Senator Lyman F. Hoffman

Alaska State Legislature
State Capitol • Juneau, Alaska 99801-1182 • (907) 465-4453

Senate Bill 125 School Crisis Response Planning

Sponsor Statement

In February of 1997, gunfire exploded in the hallways of the Bethel Regional High School ending the lives of principal Ron Edwards and student Josh Palacios.

The actions that took place immediately following this tragedy still haunt the residents of Bethel with questions such as, should we have..? And Why didn't we..?, or Who should we turn to..? These are the questions we hope can be addressed.

I sincerely hope that no other school or community will experience this type of trauma and the pain that accompanies it. If, however, a crisis, which affects the life, health, and emotional well being of students, does happen, schools must be prepared to respond. Some schools in Alaska have planned for such crises, others have not. SB 125 would make sure that every school has a crisis response plan.

SB 125 adds a new section to the educational statutes requiring each school to develop a site specific crisis response plan.

- 1) The Dept. of Education would provide the standards.
- 2) Each School District would develop a template for use by their schools.
- 3) Each school would then put into place their site specific crisis response team.

SB 125 has had valuable input from numerous individuals and organizations involved in school safety issues. It became obvious early on that the scope of this bill was very broad and can involve a variety of school safety issues. SB 125 targets one critical component: It asks each school to engage in the forethought and planning to be prepared to meet the needs of students in times of tragedy and crisis.

It is our intent to keep this a crisis response bill, and to work on many of the other school safety issues in future legislation.

P.O. Box 886 • Bethel, Alaska 99559 • (907) 543-3541

District

Adak
Akiachak
Aktak
Akutan
Aleknagik
Amchitka
Atka
Atmautluak
Attu
Belkofski
Bethel
Chefornak
Chignik
Chignik Lagoon
Chignik Lake
Clark's Point
Cold Bay
Dillingham
Dutch Harbor
Eek
Egegik
Ektuk
Ekwok
False Pass
Goodnews Bay
Igluigig
Iliamna
Ivanof Bay
Kasigluk
King Cove
King Salmon
Kipnuk
Kokhanok
Kokhanok Bay
Koliganek
Kongiganak
Kwethluk
Kwigillingok
Levelock
Manokotak
Naknek
Napadkak
Napaskiak
Nelson Lagoon
New Stuyahok
Newhalen
Nikolski
Nondalton
Nunapituk
Oscarville
Pedro Bay
Perryville
Pilot Point
Platinum
Port Alsworth
Port Heiden
Port Moller
Portage Creek
Quinhagak
Saint George Island
Saint Paul Island
Sand Point
Shemya
South Naknek
Squaw Harbor
Togalak
Tuntutuliak
Twin Hills
Ugashik
Unalaska
Unga

FISCAL NOTE

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BILL NO. SB125

Revision Date: _____ Dept Affected: Military & Veterans Affairs
 Title: An Act relating to school crisis response BRU: Disaster Planning & Control
planning. Component: Disaster Planning & Control
 Sponsor: Senator Hoffman
 Requestor: (S) HES Component Serial No. #1808

Expenditures/Revenues (Inflation not included unless otherwise noted below) (Thousands of Dollars)

OPERATING EXPENDITURES	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
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 (FY99) cost: \$ none

POSITIONS

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

ANALYSIS:

(Attach a separate page if necessary)

While not specifically tasked in the proposed bill, it is implied that the Department of Military and Veterans Affairs/Division of Emergency Services, as the State's primary agency dealing with natural disasters, would be tasked or requested to provide planning and training assistance to the Department of Education and school districts. This assistance would be provided as part of the regular duties of the Division of Emergency Services.

Prepared by: Jim Butchart, Plans and Preparedness Manager Phone: 907) 428-7000
 Division: Emergency Services Date: 13-Apr-99
 Approved by Commissioner: Waco Adams for General Oates Date: 4-14-99
 Agency: Military & Veterans Affairs

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(7)

JUSE COMMITTEE REPC

Date Referred to Committee: April 29, 1999

FURTHER REFERRALS:

Date of Committee Action: 5/6/99

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

CSSB 125(CRA)

CS FOR SENATE BILL NO. 125(CRA)

SCHOOL SAFETY PLAN

"An Act relating to school crisis response planning."

recommends it be replaced with the following committee substitute HCS CSSB 125(HES) the same title a new title

additional referral to _____ Committee
 attached amendment(s)

ADOPTS: _____ Letter of Intent

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

APPROVES PREVIOUS: (Dep/Date) _____

fiscal note(s) _____

fiscal note(s) _____

zero fiscal note(s) _____

zero fiscal note(s) MVA

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
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CHAIR'S SIGNATURE *[Signature]*

[Signature]

The attached House CS for CSSB 125 simply makes the changes the House HESS Committee made to HB 165.

A motion to pass this CS for CSSB 125 out of Committee, with attached zero fiscal note, will make an exact copy of CSHB 165(HES) passed out of our Committee on 4/27/99.

1-LS0774A
Ford
5/5/99

HOUSE CS FOR CS FOR SENATE BILL NO. 125(HES)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

**Offered:
Referred:**

Sponsor(s): SENATORS HOFFMAN, Mackie, Lincoln, Elton, Phillips, Tim Kelly, Ellis, Wilken

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to school crisis response planning."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1. AS 14.33 is amended by adding a new section to read:**

4 **Article 2. Required School Crisis Response Planning.**

5 **Sec. 14.33.100. Required school crisis response planning.** (a) Each district
6 shall develop a model school crisis response plan for use by each school in the district.
7 Each school in a district shall develop a school specific crisis response plan. Each
8 school shall form a crisis response team consisting of the principal, one certified and
9 one classified member of the school staff, and one parent whose child attends the
10 school. The crisis response team may include one member of the governing board or
11 advisory school board, a school counselor, a member from local law enforcement
12 authorities, and one student in grade 10 or higher if the school has those grades. The
13 district and each school within the district shall consult with local social services
14 agencies and local law enforcement authorities when developing the school crisis
15 response plan.

1 (b) A school specific crisis response plan must meet standards as determined
2 by the department by regulation. A school specific crisis response plan must include

3 (1) the person in charge and a designated substitute;
4 (2) the names of the crisis response team members and their specific
5 job functions relating to a crisis;

6 (3) a communication plan;
7 (4) protocols for responding to immediate physical harm of students,
8 faculty, or staff and to traumatic events, including the period after the events have
9 concluded;

10 (5) disaster and emergency procedures to respond to earthquakes, fire,
11 flood, explosions, or other events or conditions in which death or serious injury is
12 likely;

13 (6) crisis procedures for safe entrance to and exit from the school by
14 students, parents, and employees, including an evacuation and lock down plan; and

15 (7) crisis policies for enforcing school discipline and maintaining a safe
16 and orderly environment during the crisis.

17 (c) Each district shall annually review and update as appropriate each school's
18 crisis response plan. A copy of each school's crisis response plan, as annually updated,
19 shall be retained by the district and a copy provided to each local agency that has a
20 role in the plan. Notice of completion of the annual review and update and the
21 location of a school's crisis response plan shall be posted at each school in the district.
22 A school crisis response plan shall be printed and available for inspection by the
23 public.

24 (d) Each district shall annually provide to each district employee training in
25 crisis response, including evacuation and lock down drills.

26 (e) In this section,

27 (1) "crisis" includes a traumatic event or emergency condition that
28 creates distress, hardship, fear, or grief;

29 (2) "district" has the meaning given in AS 14.17.990.

30 * Sec. 2. TRANSITION. A city or borough school district or regional educational
31 attendance area shall complete the initial model school crisis response plan required by

1 AS 14.33.100, added by sec. 1 of this Act, on or before July 1, 2000. A school in a city or
2 borough school district or regional educational attendance area shall complete the initial school
3 specific crisis response plan required by AS 14.33.100, added by sec. 1 of this Act, on or
4 before December 31, 2000.

FISCAL NOT^{ICE} No. 1

STATE OF ALASKA
1999 LEGISLATIVE SESSION

BI Bill Version: SB125
(S) Publish Date: 4-21-99

Revision Date: _____ Dept Affected: Military & Veterans Affairs
 Title: An Act relating to school crisis response BRU: Disaster Planning & Control
planning. Component: Disaster Planning & Control
 Sponsor: Senator Hoffman
 Requestor: (S) HES Component Serial No. #1808

Expenditures/Revenues (Inflation not included unless otherwise noted below) (Thousands of Dollars)

OPERATING EXPENDITURES	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0
CAPITAL EXPENDITURES	0.0	0.0	0.0	0.0	0.0	0.0
CHANGE IN REVENUES (fund code)	0.0	0.0	0.0	0.0	0.0	0.0

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
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 (FY99) cost: \$ none

POSITIONS

POSITIONS	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005
FULL-TIME	0	0	0	0	0	0
PART-TIME	0	0	0	0	0	0
TEMPORARY	0	0	0	0	0	0

ANALYSIS:

(Attach a separate page if necessary)

While not specifically tasked in the proposed bill, it is implied that the Department of Military and Veterans Affairs/Division of Emergency Services, as the State's primary agency dealing with natural disasters, would be tasked or requested to provide planning and training assistance to the Department of Education and school districts. This assistance would be provided as part of the regular duties of the Division of Emergency Services.

Prepared by: Jim Butchart, Plans and Preparedness Manager Phone: 907) 428-7000
 Division: Emergency Services Date: 13-Apr-99
 Approved by Commissioner: Mico Agos in General Order Date: 4-14-99
 Agency: Military & Veterans Affairs

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SB

204

(7)

HOUSE COMMITTEE REPORT

Date Referred to Committee: March 3, 2000

FURTHER REFERRALS:

Finance

Date of Committee Action: 04/13/00

The HEALTH, EDUCATION AND SOCIAL SERVICES Committee considered:

SB 204

SENATE BILL NO. 204

EXTEND ALASKA COMMISSION ON AGING

"An Act extending the termination date of the Alaska Commission on Aging; and providing for an effective date."

recommends it be replaced with the following committee substitute House CS for SB 204 the same title a new title

additional referral to _____ Committee

attached amendment(s)

ADOPTS: _____ Letter of Intent

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

APPROVES PREVIOUS: (Dept/Date) _____

fiscal note(s) _____

fiscal note(s) NOA

zero fiscal note(s) _____

zero fiscal note(s) _____

SIGNING WITH RECOMMENDATIONS	DP	DNP	NR	AM
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CHAIR'S SIGNATURE

[Signature]

4/13/00



Health, Education, and Social Services Committee
Alaska State Legislature
House of Representatives

MEMORANDUM

April 12, 2000

To: House HESS Committee Members
From: Rep. Fred Dyson, Chair, House HESS
RE: CS for SB 204

This CS moves the Long Term Care Ombudsman from the Older Alaskans' Commission to the Legislative Branch.

In order for the long term care of the elderly to be monitored and investigated properly we must move the Long Term Care Ombudsman's (LTCO) office out of its current conflicted position. It is not possible for the Director of the Commission on Aging to neutrally monitor the Long Term Care Ombudsman who may be investigating actions of that Director, his/her employees, and colleagues within the Department of Administration. A recent Legislative Audit, #02-4591-00, clearly shows the conflict that exists under the present system. Alaskans have a right to be assured that they, or their friends and relatives who are under the care of a state operated facility will be accorded the same rights to a full and fair investigation of care as are persons in the care of a private facility.

The only way to be sure that investigations of public and private long term facilities are seen equal is to move the responsibility for investigation of complaints and advocacy for the rights of seniors away from a body that also operates some of these facilities.

1-LS1288\D
Lauterbach
4/10/00

HOUSE CS FOR SENATE BILL NO. 204()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 "An Act extending the termination date of the Alaska Commission on Aging;
2 transferring the office of the long-term care ombudsman from the Alaska
3 Commission on Aging to the legislative branch; and providing for an effective
4 date."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** AS 24 is amended by adding a new chapter to read:

7 **Chapter 57. Office of the Long-Term Care Ombudsman.**

8 **Sec. 24.57.010. Office of the long-term care ombudsman.** There is created
9 in the legislative branch of the state the office of the long-term care ombudsman.

10 **Sec. 24.57.020. Appointment of the long-term care ombudsman.** (a) A
11 candidate for appointment as the long-term care ombudsman shall be nominated by the
12 long-term care ombudsman selection committee composed of three members of the
13 senate appointed by the president of the senate and three members of the house of
14 representatives appointed by the speaker of the house. One member of a minority

1 party caucus in each house shall be appointed to the selection committee.

2 (b) The long-term care ombudsman selection committee shall examine persons
3 to serve as long-term care ombudsman regarding their qualifications and ability and
4 shall place the name of the person selected in nomination. The appointment is
5 effective if the nomination is approved by a roll call vote of two-thirds of the members
6 of the legislature in joint session and approved by the governor. However, the
7 governor may veto the appointment and return it, with a statement of objections, to the
8 legislature. Upon receipt of a veto message, the legislature shall meet immediately in
9 joint session and reconsider approval of the vetoed appointment. The vetoed
10 appointment becomes effective by an affirmative vote of two-thirds of the membership
11 of the legislature in joint session. The vote on the appointment and on reconsideration
12 of a vetoed appointment shall be entered in the journals of both houses.

13 (c) The appointment of the long-term care ombudsman becomes effective if,
14 while the legislature is in session, the governor neither approves nor vetoes it within
15 15 days, Sundays excepted, after its delivery to the governor. If the legislature is not
16 in session and the governor neither approves nor vetoes the appointment within 20
17 days, Sundays excepted, after its delivery to the governor, the appointment becomes
18 effective.

19 **Sec. 24.57.030. Term; removal.** (a) The term of office of the long-term care
20 ombudsman is five years. An incumbent may be reappointed but may not serve for
21 more than three terms. If the term of a long-term care ombudsman expires without the
22 appointment of a successor under this chapter, the incumbent continues in office until
23 a successor is appointed. If the long-term care ombudsman dies, resigns, becomes
24 ineligible to serve, or is removed or suspended from office, the person appointed as
25 acting long-term care ombudsman under AS 24.57.040 serves until a new long-term
26 care ombudsman is appointed for a full term.

27 (b) The legislature, by a concurrent resolution adopted by a roll call vote of
28 two-thirds of the members in each house entered in the journal, may remove or
29 suspend the long-term care ombudsman from office, but only for neglect of duty,
30 misconduct, or disability.

31 **Sec. 24.57.040. Staff; employment policies.** (a) The long-term care

1 ombudsman shall appoint a person to serve as acting long-term care ombudsman in the
2 absence of the long-term care ombudsman. The long-term care ombudsman shall also
3 appoint assistants and clerical personnel necessary to carry out this chapter.

4 (b) The long-term care ombudsman is a full-time position in the exempt
5 service under AS 39.25.110, and neither the long-term care ombudsman nor the staff
6 of the office of the long-term care ombudsman is subject to the employment policies
7 under AS 24.10 or AS 24.20.

8 **Sec. 24.57.050. Financial interests.** Neither the long-term care ombudsman
9 nor the staff of the office of the long-term care ombudsman may have a financial
10 interest in a long-term care facility in the state.

11 **Sec. 24.57.060. Duties and powers of the long-term care ombudsman.** (a)
12 The long-term care ombudsman shall investigate and resolve a complaint made by or
13 on behalf of an older Alaskan who resides in a long-term care facility in the state if
14 the complaint relates to a decision, action, or failure to act by a provider or a
15 representative of a provider of long-term care services, or by a public agency or social
16 services agency, that may adversely affect the health, safety, welfare, or rights of the
17 older Alaskan.

18 (b) The long-term care ombudsman may investigate and resolve a complaint
19 made by or on behalf of an older Alaskan relating to the long-term care or residential
20 circumstances of the older Alaskan. Complaints under this subsection may relate to
21 any issue not covered under (a) of this section, including the older Alaskan's landlord,
22 senior citizen housing, a public assistance program, a public grant program for services
23 to older Alaskans, public utilities, health care facilities, and health care providers.

24 (c) The long-term care ombudsman may

25 (1) subpoena witnesses, compel their attendance, require the production
26 of evidence, administer oaths, and examine any person under oath in connection with
27 a complaint described under (a) of this section; the powers described in this paragraph
28 shall be enforced by the superior court;

29 (2) pursue administrative, legal, or other appropriate remedies on behalf
30 of an older Alaskan who resides in a long-term care facility in the state.

31 (d) The long-term care ombudsman shall adopt regulations under AS 44.62

1 (Administrative Procedure Act) to implement this chapter.

2 **Sec. 24.57.070. Training and certification of staff.** (a) The long-term care
3 ombudsman shall hire and provide for the training and certification of office staff,
4 including volunteers and other representatives of the office of the long-term care
5 ombudsman. Training must include instruction in federal, state, and local laws and
6 policies relating to long-term care facilities in the state and in investigative techniques.
7 The long-term care ombudsman may require other appropriate training. The long-term
8 care ombudsman may decertify a person under this section for good cause in
9 accordance with regulations adopted by the ombudsman.

10 (b) An employee, volunteer, or other representative of the office of the long-
11 term care ombudsman may not investigate a complaint under AS 24.57.060 unless the
12 person has been certified as having completed training under (a) of this section and
13 approved by the long-term care ombudsman as qualified to investigate the complaint.

14 (c) The employees of the office of the long-term care ombudsman are in the
15 exempt service under AS 39.25.110.

16 **Sec. 24.57.080. Access to long-term care facilities, older Alaskans, and**
17 **records.** (a) A person may not deny access to a long-term care facility or to an older
18 Alaskan by the long-term care ombudsman or an employee, volunteer, or other
19 representative of the office of the long-term care ombudsman.

20 (b) Notwithstanding the provisions of AS 24.57.060(c)(1), the long-term care
21 ombudsman may obtain medical or other records of an older Alaskan who resides in
22 a long-term care facility in the state only with the consent of the older Alaskan or the
23 older Alaskan's legal guardian or, if the older Alaskan is unable or incompetent to
24 consent and does not have a legal guardian, only with a court order.

25 **Sec. 24.57.090. Confidentiality.** (a) Records obtained or maintained by the
26 long-term care ombudsman are confidential, are not subject to inspection or copying
27 under AS 09.25.110 - 09.25.120, and, except as provided in (b) of this section, may
28 be disclosed only at the discretion of the long-term care ombudsman.

29 (b) The identity of a complainant or an older Alaskan on whose behalf a
30 complaint is made may not be disclosed without the consent of the identified person
31 or the person's legal guardian, unless required by court order.