

ALASKA LEGISLATURE COMMITTEE FILES 1999-2000 8672

10065 SENATE HEALTH EDUCATION & SOCIAL SERVICES

The next 10 questions ask about violence-related behaviors.

12. During the past 30 days, on how many days did you carry a **weapon** such as a gun, knife, or club?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days
13. During the past 30 days, on how many days did you carry a **gun**?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days
14. During the past 30 days, on how many days did you carry a weapon such as a gun, knife, or club **on school property**?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days
15. During the past 30 days, on how many days did you **not** go to school because you felt you would be unsafe at school or on your way to or from school?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days
16. During the past 12 months, how many times has someone threatened or injured you with a weapon such as a gun, knife, or club **on school property**?
- A. 0 times
 - B. 1 time
 - C. 2 or 3 times
 - D. 4 or 5 times
 - E. 6 or 7 times
 - F. 8 or 9 times
 - G. 10 or 11 times
 - H. 12 or more times

17. During the past 12 months, how many times were you in a physical fight?
- A. 0 times
 - B. 1 time
 - C. 2 or 3 times
 - D. 4 or 5 times
 - E. 6 or 7 times
 - F. 8 or 9 times
 - G. 10 or 11 times
 - H. 12 or more times
-
18. During the past 12 months, how many times were you in a physical fight in which you were injured and had to be treated by a doctor or nurse?
- A. 0 times
 - B. 1 time
 - C. 2 or 3 times
 - D. 4 or 5 times
 - E. 6 or more times
19. During the past 12 months, how many times were you in a physical fight on school property?
- A. 0 times
 - B. 1 time
 - C. 2 or 3 times
 - D. 4 or 5 times
 - E. 6 or 7 times
 - F. 8 or 9 times
 - G. 10 or 11 times
 - H. 12 or more times
20. During the past 12 months, did your boyfriend or girlfriend ever hit, slap, or physically hurt you on purpose?
- A. Yes
 - B. No
21. Have you ever been forced to have sexual intercourse when you did not want to?
- A. Yes
 - B. No

The next 5 questions ask about sad feelings and attempted suicide. Sometimes people feel so depressed about the future that they may consider attempting suicide, that is, taking some action to end their own life.

22. During the past 12 months, did you ever feel so sad or hopeless almost every day for two weeks or more in a row that you stopped doing some usual activities.
- A. Yes
 - B. No
23. During the past 12 months, did you ever seriously consider attempting suicide?
- A. Yes
 - B. No
24. During the past 12 months, did you make a plan about how you would attempt suicide?
- A. Yes
 - B. No
25. During the past 12 months, how many times did you actually attempt suicide?
- A. 0 times
 - B. 1 time
 - C. 2 or 3 times
 - D. 4 or 5 times
 - E. 6 or more times
26. If you attempted suicide during the past 12 months, did any attempt result in an injury, poisoning, or overdose that had to be treated by a doctor or nurse?
- A. I did not attempt suicide during the past 12 months
 - B. Yes
 - C. No

The next 12 questions ask about tobacco use.

27. Have you ever tried cigarette smoking, even one or two puffs?
- A. Yes
 - B. No

28. How old were you when you smoked a whole cigarette for the first time?
- A. I have never smoked a whole cigarette
 - B. 8 years old or younger
 - C. 9 or 10 years old
 - D. 11 or 12 years old
 - E. 13 or 14 years old
 - F. 15 or 16 years old
 - G. 17 years old or older
29. During the past 30 days, on how many days did you smoke cigarettes?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days
30. During the past 30 days, on the days you smoked, how many cigarettes did you smoke per day?
- A. I did not smoke cigarettes during the past 30 days
 - B. Less than 1 cigarette per day
 - C. 1 cigarette per day
 - D. 2 to 5 cigarettes per day
 - E. 6 to 10 cigarettes per day
 - F. 11 to 20 cigarettes per day
 - G. More than 20 cigarettes per day
31. During the past 30 days, how did you usually get your own cigarettes? (Select only one response.)
- A. I did not smoke cigarettes during the past 30 days
 - B. I bought them in a store such as a convenience store, supermarket, or gas station
 - C. I bought them from a vending machine
 - D. I gave someone else money to buy them for me
 - E. I borrowed them from someone else
 - F. I stole them
 - G. I got them some other way
32. When you bought cigarettes in a store during the past 30 days, were you ever asked to show proof of age?
- A. I did not buy cigarettes in a store during the past 30 days
 - B. Yes
 - C. No

33. During the past 30 days, on how many days did you smoke cigarettes on school property?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days
34. Have you ever smoked cigarettes regularly, that is, at least one cigarette every day for 30 days?
- A. Yes
 - B. No
35. Have you ever tried to quit smoking cigarettes?
- A. Yes
 - B. No
36. During the past 30 days, on how many days did you use chewing tobacco or snuff, such as Redman, Levi Garrett, Beechnut, Skoal, Skoal Bandits, or Copenhagen?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days
37. During the past 30 days, on how many days did you use chewing tobacco or snuff on school property?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days

38. During the past 30 days, on how many days did you smoke cigars, cigarillos, or little cigars?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days

The next 5 questions ask about drinking alcohol. This includes drinking beer, wine, wine coolers, and liquor such as rum, gin, vodka, or whiskey. For these questions, drinking alcohol does not include drinking a few sips of wine for religious purposes.

39. During your life, on how many days have you had at least one drink of alcohol?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 9 days
 - D. 10 to 19 days
 - E. 20 to 39 days
 - F. 40 to 99 days
 - G. 100 or more days
40. How old were you when you had your first drink of alcohol other than a few sips?
- A. I have never had a drink of alcohol other than a few sips
 - B. 8 years old or younger
 - C. 9 or 10 years old
 - D. 11 or 12 years old
 - E. 13 or 14 years old
 - F. 15 or 16 years old
 - G. 17 years old or older
41. During the past 30 days, on how many days did you have at least one drink of alcohol?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days

42. During the past 30 days, on how many days did you have 5 or more drinks of alcohol in a row, that is, within a couple of hours?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 to 5 days
 - E. 6 to 9 days
 - F. 10 to 19 days
 - G. 20 or more days
43. During the past 30 days, on how many days did you have at least one drink of alcohol on school property?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days

The next 4 questions ask about marijuana use. Marijuana also is called grass or pot.

44. During your life, how many times have you used marijuana?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 to 99 times
 - G. 100 or more times
45. How old were you when you tried marijuana for the first time?
- A. I have never tried marijuana
 - B. 8 years old or younger
 - C. 9 or 10 years old
 - D. 11 or 12 years old
 - E. 13 or 14 years old
 - F. 15 or 16 years old
 - G. 17 years old or older

46. During the past 30 days, how many times did you use marijuana?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times

47. During the past 30 days, how many times did you use marijuana on school property?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times

The next 9 questions ask about cocaine and other drugs.

48. During your life, how many times have you used any form of cocaine, including powder, crack, or freebase?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times
49. During the past 30 days, how many times did you use any form of cocaine, including powder, crack, or freebase?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times

50. During your life, how many times have you sniffed glue, breathed the contents of aerosol spray cans, or inhaled any paints or sprays to get high?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times
51. During the past 30 days, how many times have you sniffed glue, breathed the contents of aerosol spray cans, or inhaled any paints or sprays to get high?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times
52. During your life, how many times have you used heroin (also called smack, junk, or China White)?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times
53. During your life, how many times have you used methamphetamines (also called speed, crystal, crank, or ice)?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times

54. During your life, how many times have you taken **steroid pills or shots** without a doctor's prescription?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times
55. During your life, how many times have you used a needle to inject any **illegal drug** into your body?
- A. 0 times
 - B. 1 time
 - C. 2 or more times
56. During the past 12 months, has anyone offered, sold, or given you an **illegal drug on school property**?
- A. Yes
 - B. No

The next 8 questions ask about sexual behavior.

57. Have you ever had sexual intercourse?
- A. Yes
 - B. No
58. How old were you when you had sexual intercourse for the first time?
- A. I have never had sexual intercourse
 - B. 11 years old or younger
 - C. 12 years old
 - D. 13 years old
 - E. 14 years old
 - F. 15 years old
 - G. 16 years old
 - H. 17 years old or older

59. During your life, with how many people have you had sexual intercourse?
- A. I have never had sexual intercourse
 - B. 1 person
 - C. 2 people
 - D. 3 people
 - E. 4 people
 - F. 5 people
 - G. 6 or more people
60. During the past 3 months, with how many people did you have sexual intercourse?
- A. I have never had sexual intercourse
 - B. I have had sexual intercourse, but not during the past 3 months
 - C. 1 person
 - D. 2 people
 - E. 3 people
 - F. 4 people
 - G. 5 people
 - H. 6 or more people
61. Did you drink alcohol or use drugs before you had sexual intercourse the last time?
- A. I have never had sexual intercourse
 - B. Yes
 - C. No
62. The last time you had sexual intercourse, did you or your partner use a condom?
- A. I have never had sexual intercourse
 - B. Yes
 - C. No
63. The last time you had sexual intercourse, what one method did you or your partner use to prevent pregnancy? (Select only one response.)
- A. I have never had sexual intercourse
 - B. No method was used to prevent pregnancy
 - C. Birth control pills
 - D. Condoms
 - E. Depo-Provera (injectable birth control)
 - F. Withdrawal
 - G. Some other method
 - H. Not sure

CORRECTION

THE FOLLOWING DOCUMENT(S)
HAVE BEEN REFILMED TO
ASSURE LEGIBILITY OR PAGINATION



Rev. 6/98

Central Microfilm Services
Department of Education & Early Development
State of Alaska

59. During your life, with how many people have you had sexual intercourse?
- A. I have never had sexual intercourse
 - B. 1 person
 - C. 2 people
 - D. 3 people
 - E. 4 people
 - F. 5 people
 - G. 6 or more people
60. During the past 3 months, with how many people did you have sexual intercourse?
- A. I have never had sexual intercourse
 - B. I have had sexual intercourse, but not during the past 3 months
 - C. 1 person
 - D. 2 people
 - E. 3 people
 - F. 4 people
 - G. 5 people
 - H. 6 or more people
61. Did you drink alcohol or use drugs before you had sexual intercourse the **last time**?
- A. I have never had sexual intercourse
 - B. Yes
 - C. No
62. The **last time** you had sexual intercourse, did you or your partner use a condom?
- A. I have never had sexual intercourse
 - B. Yes
 - C. No
63. The **last time** you had sexual intercourse, what **one** method did you or your partner use to **prevent pregnancy**? (Select only **one** response.)
- A. I have never had sexual intercourse
 - B. No method was used to prevent pregnancy
 - C. Birth control pills
 - D. Condoms
 - E. Depo-Provera (injectable birth control)
 - F. Withdrawal
 - G. Some other method
 - H. Not sure

64. How many times have you been pregnant or gotten someone pregnant?
- A. 0 times
 - B. 1 time
 - C. 2 or more times
 - D. Not sure

The next 7 questions ask about body weight.

65. How do you describe your weight?
- A. Very underweight
 - B. Slightly underweight
 - C. About the right weight
 - D. Slightly overweight
 - E. Very overweight
66. Which of the following are you trying to do about your weight?
- A. Lose weight
 - B. Gain weight
 - C. Stay the same weight
 - D. I am not trying to do anything about my weight
67. During the past 30 days, did you exercise to lose weight or to keep from gaining weight?
- A. Yes
 - B. No
68. During the past 30 days, did you eat less food, fewer calories, or foods low in fat to lose weight or to keep from gaining weight?
- A. Yes
 - B. No
69. During the past 30 days, did you go without eating for 24 hours or more (also called fasting) to lose weight or to keep from gaining weight?
- A. Yes
 - B. No
70. During the past 30 days, did you take any diet pills, powders, or liquids without a doctor's advice to lose weight or to keep from gaining weight? (Do not include meal replacement products such as Slim Fast.)
- A. Yes
 - B. No

71. During the past 30 days, did you vomit or take laxatives to lose weight or to keep from gaining weight?
- A. Yes
 - B. No

The next 7 questions ask about food you ate or drank during the past 7 days. Think about all the meals and snacks you had from the time you got up until you went to bed. Be sure to include food you ate at home, at school, at restaurants, or anywhere else.

72. During the past 7 days, how many times did you drink 100% fruit juices such as orange juice, apple juice, or grape juice? (Do not count punch, Kool-Aid, sports drinks, or other fruit-flavored drinks.)
- A. I did not drink 100% fruit juice during the past 7 days
 - B. 1 to 3 times during the past 7 days
 - C. 4 to 6 times during the past 7 days
 - D. 1 time per day
 - E. 2 times per day
 - F. 3 times per day
 - G. 4 or more times per day
73. During the past 7 days, how many times did you eat fruit? (Do not count fruit juice.)
- A. I did not eat fruit during the past 7 days
 - B. 1 to 3 times during the past 7 days
 - C. 4 to 6 times during the past 7 days
 - D. 1 time per day
 - E. 2 times per day
 - F. 3 times per day
 - G. 4 or more times per day
74. During the past 7 days, how many times did you eat green salad?
- A. I did not eat green salad during the past 7 days
 - B. 1 to 3 times during the past 7 days
 - C. 4 to 6 times during the past 7 days
 - D. 1 time per day
 - E. 2 times per day
 - F. 3 times per day
 - G. 4 or more times per day

75. During the past 7 days, how many times did you eat **potatoes**? (Do not count french fries, fried potatoes, or potato chips.)
- A. I did not eat potatoes during the past 7 days
 - B. 1 to 3 times during the past 7 days
 - C. 4 to 6 times during the past 7 days
 - D. 1 time per day
 - E. 2 times per day
 - F. 3 times per day
 - G. 4 or more times per day
76. During the past 7 days, how many times did you eat **carrots**?
- A. I did not eat carrots during the past 7 days
 - B. 1 to 3 times during the past 7 days
 - C. 4 to 6 times during the past 7 days
 - D. 1 time per day
 - E. 2 times per day
 - F. 3 times per day
 - G. 4 or more times per day
77. During the past 7 days, how many times did you eat **other vegetables**? (Do not count green salad, potatoes, or carrots.)
- A. I did not eat other vegetables during the past 7 days
 - B. 1 to 3 times during the past 7 days
 - C. 4 to 6 times during the past 7 days
 - D. 1 time per day
 - E. 2 times per day
 - F. 3 times per day
 - G. 4 or more times per day
78. During the past 7 days, how many **glasses of milk** did you drink? (Include the milk you drank in a glass or cup, from a carton, or with cereal. Count the half pint of milk served at school as equal to one glass.)
- A. I did not drink milk during the past 7 days
 - B. 1 to 3 glasses during the past 7 days
 - C. 4 to 6 glasses during the past 7 days
 - D. 1 glass per day
 - E. 2 glasses per day
 - F. 3 glasses per day
 - G. 4 or more glasses per day

The next 8 questions ask about physical activity.

79. On how many of the past 7 days did you exercise or participate in physical activity for at least 20 minutes that made you sweat and breathe hard, such as basketball, soccer, running, swimming laps, fast bicycling, fast dancing, or similar aerobic activities?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days
80. On how many of the past 7 days did you participate in physical activity for at least 30 minutes that did not make you sweat or breathe hard, such as fast walking, slow bicycling, skating, pushing a lawn mower, or mopping floors?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days
81. On how many of the past 7 days did you do exercises to strengthen or tone your muscles, such as push-ups, sit-ups, or weight lifting?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

82. On an average school day, how many hours do you watch TV?
- A. I do not watch TV on an average school day
 - B. Less than 1 hour per day
 - C. 1 hour per day
 - D. 2 hours per day
 - E. 3 hours per day
 - F. 4 hours per day
 - G. 5 or more hours per day
83. In an average week when you are in school, on how many days do you go to physical education (PE) classes?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
84. During an average physical education (PE) class, how many minutes do you spend actually exercising or playing sports?
- A. I do not take PE
 - B. Less than 10 minutes
 - C. 10 to 20 minutes
 - D. 21 to 30 minutes
 - E. More than 30 minutes
85. During the past 12 months, on how many sports teams did you play? (Include any teams run by your school or community groups.)
- A. 0 teams
 - B. 1 team
 - C. 2 teams
 - D. 3 or more teams
86. During the past 12 months, how many times were you injured while exercising, playing sports, or being physically active and had to be treated by a doctor or nurse?
- A. 0 times
 - B. 1 time
 - C. 2 times
 - D. 3 times
 - E. 4 times
 - F. 5 or more times

The next question asks about AIDS education.

87. Have you ever been taught about AIDS or HIV infection in school?

- A. Yes
- B. No
- C. Not sure

**This is the end of the survey.
Thank you very much for your help.**

United States Code : Title 20, Section 1232h

<http://www4.law.cornell.edu/uscode/20/1232h.text.html>

Sec. 1232h. Protection of pupil rights

(a) Inspection of instructional materials by parents or guardians

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the children.

(b) Limits on survey, analysis, or evaluations

No student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information concerning -

- (1) political affiliations;
- (2) mental and psychological problems potentially embarrassing to the student or his family;
- (3) sex behavior and attitudes;
- (4) illegal, anti-social, self-incriminating and demeaning behavior;
- (5) critical appraisals of other individuals with whom respondents have close family relationships;
- (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
- (7) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, **without the prior written consent of the parent** (*emphasis added*).

(c) Notice

Educational agencies and institutions shall give parents and students effective notice of their rights under this section.

(d) Enforcement

The Secretary shall take such action as the Secretary determines appropriate to enforce this section, except that action to terminate assistance provided under an applicable program shall be taken only if the Secretary determines that -

- (1) there has been a failure to comply with such section; and
- (2) compliance with such section cannot be secured by voluntary means.

(e) Office and review board

The Secretary shall establish or designate an office and review board within the Department of Education to investigate, process, review, and adjudicate violations of the rights established under this section.



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Centers for Disease Control
and Prevention (CDC)
Atlanta GA 30333

October 16, 1998

3

John P. Middaugh, M.D.
State Epidemiologist
Alaska Division of Public Health
3601 C Street, Suite 540
P. O. Box 240249
Anchorage, Alaska 99524-0249

Dear Dr. Middaugh:

You inquired about the classification of the Youth Risk Behavior Survey (YRBS) with respect to its research status. The YRBS is actually two surveys. One survey is a national YRBS which is conducted by the Centers for Disease Control and Prevention (CDC). CDC contracts with a survey firm to conduct the survey in several hundred schools throughout the country. The intent of this survey is to generate generalizable knowledge about youth health behaviors. The survey is classified as research and reviewed and approved by the CDC institutional review board (IRB) and the contractor's IRB.

The other YRBS is a survey that may be conducted at the state level through the cooperative agreements CDC awards to state Departments of Education. These surveys are one of several activities for which states may use the funds. They are conducted at the state's discretion and used for program planning. We do not consider these state surveys to be research because their primary intent is not to generate or contribute to generalizable knowledge. However, in any particular state, state officials may decide to use the funds to conduct a research survey; in such a situation, the survey would be required to have IRB approval.

*

In Alaska, the purpose of conducting the YRBS is to enhance programs targeted to youth. The data are used by school and health officials for program planning. Thus, the survey does not constitute research as defined in the Federal Regulations for Protecting Human Research Subjects (Title 45 CFR Part 46).

I hope this information is helpful. If you have further questions, please contact me at 404 639-7260.

Sincerely yours,

Marjorie A. Speers, Ph.D.
Deputy Associate Director for Science

State used for research??

MESSAGES FROM THE GOVERNOR

A message dated April 24, 1979 was read stating the Governor has signed the following resolution and is transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

HJR
32
amS

HOUSE JOINT RESOLUTION NO. 32amS
(requesting the establishment of an Arctic Circumpolar Cultural and Technical Interchange Center)
Legislative Resolve No. 14

A message dated April 24, 1979 was read stating the Governor has signed the following bills and is transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

CSSS
HB
33

COMMITTEE SUBSTITUTE FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 33
(relating to the disposal of state land formerly under a United States Forest Service permit; and providing for an effective date)
chapter 26, SLA 1979

HB
90

HOUSE BILL NO. 90
(making a supplemental appropriation to the Department of Community and Regional Affairs, division of local government assistance; and providing for an effective date)
chapter 28, SLA 1979

CSTHB
108
amS

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 108amS
(relating to the function and organization of the state library distribution and data access center)
chapter 27, SLA 1979

CSTHB
211am

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 211am
(relating to public elementary and secondary education; and providing for an effective date)
chapter 24, SLA 1979

SB
164
am

SENATE BILL NO. 164am
(relating to nonprofit electric or telephone cooperatives)
chapter 25, SLA 1979

The following message dated April 24, 1979 was read:

HB
98

Dear Mr. Speaker:

I have signed the following bill and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 98
(relating to the administration of questionnaires in public schools; and providing for an effective date)
chapter 23, SLA 1979

While the apparent intent of this bill (to protect the family's right to privacy) is laudable, the right to privacy is already guaranteed by the general language of Art. 1, § 22 of the Alaska Constitution. To that extent, the bill may be regarded as superfluous. This bill would prevent school or public health workers from inquiring into a student's family history of areas such as communicable diseases, even when the information could be in the public's compelling interest. Similarly, use of broadly based anonymous surveys of school-age children and youth to determine the frequency of alcohol, drug, and child abuse -- tools used in determining the efficiency of government programs -- would also be precluded by this bill.

However, I have determined that keen legislative interest in adoption of the measure warrants that I sign it into law.

Sincerely,

J. S. Hammond
J. S. Hammond
Governor

MESSAGES FROM THE SENATE

A message dated April 24, 1979 was read stating the Senate has concurred in the House amendment to COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 14, thus adopting:

HOUSE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 14
(development of national and state parks)

A message dated April 24, 1979 was read stating the Senate has concurred in the House amendment to SENATE BILL NO. 77, thus adopting:

HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 77
(compensation for criminal injuries; effective date)

A message dated April 24, 1979 was read stating the Senate has passed COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 107 (supplemental appropriation for the payment of miscellaneous claims; effective date) with the following amendment:

SENATE COMMITTEE SUBSTITUTE FOR COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 107 (same title)

and is transmitting the same for consideration.





**ANCHORAGE COUNCIL OF
PARENT TEACHER ASSOCIATIONS**

ADVOCATING FOR ANCHORAGE CHILDREN SINCE 1960

May 3, 1999

The Honorable Fred Dyson
Alaska State Legislature
House of Representatives
State Capitol, Room 104
Juneau, Alaska 99801-1182

Re: CSHB70

"An Act relating to questionnaires or surveys administered in public schools"

Dear Rep. Dyson:

Attached is a copy of a resolution passed by the Alaska PTA Convention on April 27, 1990, in support of requiring written, informed parental consent for K-12 students prior to being given "attitude" surveys and tests, as described by the resolution.

This resolution continues to be the current position of the body of the Alaska PTA. As the Vice President for Legislation for the Anchorage Council of PTA's I have been asked by our President, Diane Etter, to forward this document to you, since it speaks to the current legislation proposed under CSHB70.

We understand from the Bill History that this legislation was transmitted to the Senate on April 30. In the interest of time we are faxing you our position and asking your office to forward it to the appropriate members today. We will follow with more communication directly to them.

Thank you for your assistance in this matter and we will be available to assist you in whatever way we can.

Sincerely,

Susan Jayich

Vice President for Legislation

Anchorage Council of PTAs

Phone: 345-5130; Fax: 345-7194

Parental Consent

Adopted by Alaska PTA Convention, April 27, 1990

- Whereas,** Parents are recognized as the primary educators of their children; and
- Whereas,** There has been an increase in the number of testing and survey instruments being used to evaluate our children's attitudes toward school, their coping skills, and their feelings about themselves and their experiences; and
- Whereas,** Alaska School Law (Chapter 4, Sec. 14.03.110) mandates that questionnaires and surveys which inquire into the private family affairs of the student which are not a matter of public record require written permission from the student's parent or guardian before they may be administered; and
- Whereas,** The Protection of Pupil Rights Act (20 U.S. Code 1232h) states that no student shall be required to take part in psychiatric or psychological examinations, testing, or treatment in which the primary purpose is to reveal private information, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of unemancipated minors, without the prior written consent of the parent; therefore be it
- Resolved,** That the Alaska PTA supports strict adherence by all Alaska school districts to Federal and State laws requiring written, informed parental consent for both elementary and secondary students prior to the administration of the above described attitude surveys and tests.

Rationale

In an attempt to assess the needs of children, some school districts have developed a number of testing and survey instruments which measure the affective area of a child's being. These instruments attempt to measure things such as locus of control, attitude toward school, general self-esteem, academic self-esteem, social interaction, coping with stress and anxiety skills, health habits, and identification with school. In many cases, teachers, school psychologists, and administrators discuss and analyze results among themselves and with students, but not with parents. Students have been encouraged to dialogue with teachers about their feelings in regard to affective testing instruments, but parents have not generally been included.

Specific written parental consent forms are often utilized at the elementary level, but hardly ever at the secondary level.

High school students who are taking health classes or AIDS curricula are often required to take attitudes surveys dealing with feelings toward AIDS, homosexuals, sexual feelings, and sexual behavior. These surveys fall under the "Protection of Pupil Rights" federal statute and require written parental consent.

Clarification of and adherence to Federal and State statutes is required of all school districts in the State of Alaska. Psychological probing and surveying should not be done without parental consent and knowledge.

APR 26 1999

Dear Mr. Fred Bryson,

My name is Andrew DeLoose and I am writing this letter for Awanas which is an organization that is run by my church. This letter will help me get my patriotism badge.

I see you are supporting HB 34, the Good Samaritan Law. I see you must like children because you have many foster kids

I hope you will support HB 70 that says parents must approve questionnaires taken by school by children.

Thank you for serving our community.

Your Friend

Andy

Andy DeLoose
10120 Chuckaloon
Eagle River, Alaska
99577

Subject: HB 70 "Public School Surveys"

Date: Sun, 18 Apr 1999 10:34:18 -0800

From: "jferrell" <jferrell@alaska.net>

To: <Representative_Fred_Dyson@Legis.state.ak.us>

Dear Representative Dyson:

I support the passage of HB 70. The kind of Personal information asked of our students on the Youth Risk Behavior Survey is alarming. I believe that underage, minor children are the chief responsibility of their parents. I empathize with the health care providers who feel this intimate information is essential to preventing some of these high risk behaviors. I believe the statistics are well known, knowing the exact numbers is not essential to helping youth avoid risky behavior. I would prefer to err on the side of parental authority. Thank you for your efforts on behalf of Parental Rights.

Sincerely,

Lorraine M. Ferrell

Fairbanks, Alaska

A subsequent conversation with the Assistant Principal revealed:

1) How much time was this taking from the class curriculum?

Answer: One class day per month "plus two short periods of time."

2) Is this part of the District's approved curriculum?

Answer: "Apparently" it is not part of the approved curriculum.

3) Were parents asked to give written permission for their son/daughter to participate in the program?

Answer: "Apparently" not.

4) Were parents given written notification or provided any information about the program?

Answer: "Apparently" not.

After the above information was provided to me, I was told the program was put on hold indefinitely. For the remainder of the year, that program was not a part of my son's class.

As a parent who has been very involved with my children's education from the day they entered kindergarten, I knew this program did not belong in the classroom until it had been approved as part of the curriculum and until proper active parent notification had occurred. I resent the amount of time my son spent on the unauthorized surveys and I resent that it was done without my permission or knowledge.

I urge your support of CS HB 70 requiring active parent permission as described in Section 1 of the proposed bill. As far as a fiscal note is concerned, I suggest that the department or organization requesting to survey our children should bear the cost of administering such survey -- but only after proper screening and approval by the district and after active parent permission is received.

Sincerely,

Marti Hughes
Marti (Marilyn) P. Hughes

MARTI P. HUGHES
12825 Lindsey Circle
Anchorage, Alaska 99516
Phone: (907) 345-8337
Fax: (907) 345-6706

April 14, 1999

Representative Fred Dyson
FAX (907) 465-4587
Juneau, Alaska

Dear Representative Dyson:

I am writing to you (and the members of the HESS committee) in support of CS HB 70. Of particular importance to me is the *component requiring parents' active permission before any survey inquiring about my teenager's or my family's personal information could be administered to my child at school.*

While numerous health officials and even top administrators in our State Department of Health and Social Services have testified against this bill, I urge you to remember the rights of parents and the importance of privacy regarding family issues and beliefs.

When my son was a freshman at an Anchorage School District high school last year (1997/1998), I heard him and some of his classmates discussing some 'touchy-feely' questions they had to answer in their World History class. A visit with the Assistant Principal of Curriculum at the school revealed that my son's history class was one of the 9th grade classes randomly selected to participate in a grant-sponsored program. The weekly program involved survey questions, guest speakers, and group discussions. Some of the future topics to be discussed were "Payoff's; Reactions/Moods; Depression & Suicide Prevention; Lessons on relationships...personal health; Relationships; and Choices and Decision Making." I was never provided a listing of the topics that had already been discussed in class.

Subject: HB 70 Support

Date: Wed, 14 Apr 1999 18:26:57 -0500

From: Andree McLeod <mcleodak@alaska.net>

To: Representative Dyson <Representative_Fred_Dyson@legis.state.ak.us>

Dear Representaive Fred Dyson,

Thank you for taking the time to protect parent's and family's right to privacy.

It's hard enough raising children without having to worry about government agencies going into schools behind our backs, intruding in on our children's privacy and diminishing their study time at school by asking questions.

The compromise you have reached in your bill, as I understand it, is to give annual blanket permission at the time of school registration. Also, parents will be notified in advance before specific surveys are administered where parents can opt to not have their children participate.

Again, thank you for all your efforts on this issue. It has not been easy dealing with most health professional in this state as they have used their power to usurp our privacy. But when the Attorney General's office backs the Administration's position, hopelessness and helplessness abounds for us common folk. You have truly been a saving grace.

Andree McLeod

ANCHORAGE DAILY NEWS
Letters
APR 14 1999

HB 70 supports parents' rights

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I support passing House Bill 70 to protect my parental rights to give written permission when it deals with schools asking my children personal questions. I cannot depend on the Anchorage School District to guarantee that my children's right to privacy is protected. When schools ask students private questions, I want to know about it before they're asked.

It's my parental right to guide my children as they learn what and how much of themselves they should divulge and to whom. It's my parental duty, not the school's, to teach values to my children. It's my parental responsibility to keep track and monitor what my children do.

Please support HB 70 so it will become law. This school district has already shown me indifference when I've gone to them for help in resolving situations with my children. What about teaching students so they can get their diplomas, instead of snooping into private lives? Whose business is it anyway? Help me protect our children's right to privacy when we can't be there to protect them.

This bill was introduced by Rep. Fred Dyson and is being heard by the Health, Education and Social Services Committee. Call your local Legislative Information Office to find out when. Last I knew, they would take public testimony on the bill on Thursday. In Anchorage, call the LIO at 258-8111 and sign up to testify. Also send support by e-mail to Representative_Fred_Dyson@legis.state.ak.us.

P.S. I'm an ordinary citizen, I don't work in the health industry, and I don't live on the Hillside.

- Frank R. Phillips

Anchorage

Subject: HB 70

Date: Wed, 07 Apr 1999 20:29:29 -0800

From: Susan <English@alaska.net>

To: Representative_Fred_Dyson@Legis.state.ak.us

I would like to express my support for HB 70 requiring parental permission for school surveys. As a parent of three girls 3rd grade, 8th and 10th I would want to know what the schools are requiring of students. It makes sense and I hope it passes without delay. You may pass this on to the HESS committee members if you like. Thank you for your efforts.

Susan Fischetti
10336 Stewart Dr.
Eagle River, AK 99577
907-694-7944

Subject: YRBS

Date: Wed, 7 Apr 1999 09:15:23 -0800

From: "Larry Erickson" <erickson@ptialaska.net>

To: "Fred Dyson" <Representative_Fred_Dyson@legis.state.ak.us>

CC: "Lisa Torkelson" <Lisa_Torkelson@legis.state.ak.us>

Honorable Representative Dyson:

First I want to thank you for doing the right thing. I believe HB 70 can go along way in protecting our children from the pornography that our schools are exposing our children to. I don't believe the school has the right to do psychological profiles on our children and their families.

I strongly believe that there must be parents permission for surveys given to our children at school, during time that our children are suppose to being educated.

I must question the purpose of these surveys. What does performing psychological profiles have to do with educating our children? Is it even legal to perform this psychological profiles? A few weeks ago the local municipalities along with representative from the Kenai Peninsula conducted an Alaska's Economy Planning For The Future conference in Kenai. The first question the Work Groups had answer was "What is your vision for Alaska 10 years from now?". Among many comments almost every group said "less government intrusion in our lives"! I guess I would like to ask what is the legislatures vision for our schools and children in Alaska? Is it to have government controlled and run schools by conduction psychological profiles of our children so there are more excuses to instituted more government programs to take education time away from our teachers and children and dumb down our children or is to provide the best education possible for our children. This does not mean spend as much money as possible in the name of education. We are held hostage by the Federal Government in order to use our tax money and I think its time to get the Federal Government and its change agents out of our school system. It many save us some money if we don't have to conform to all their degrading and illegal requirements such as the YRBS.

Sincerely:

Larry Erickson

AMENDMENT

1

OFFERED IN THE SENATE

TO: CSHB 70(RLS) am

1 Page 1, line 15, following ".":

2 Insert "The school shall provide each student's parent or legal guardian at least two
3 weeks' notice before administering a questionnaire or survey described under this subsection."

4 Page 2, lines 4 - 5:

5 Delete all material.

6 Insert "questionnaire or survey is administered.

7 (d) The school shall give a student's parent or legal guardian an opportunity
8 to review the questionnaire or survey described under (b) or (c) of this section and
9 shall"

10 Reletter the following subsection accordingly.

#2

AMENDMENT

OFFERED IN THE SENATE

TO: CSHB 70(RLS) am

- 1 Page 2, following line 12:
- 2 Insert a new subsection to read:
- 3 "(e) In this section, "questionnaire or survey" means a list of questions to, or
- 4 information collected from, a class or group of students."



Alaska State Legislature

- Interim (May-Dec) -
10928 Eagle River Rd., Suite 140
Eagle River, Alaska 99577
☎ (907) 694-6683
FAX (907) 694-1015

- Session (Jan-May) -
Alaska State Capitol
Juneau, Alaska 99801-1182
☎ (907) 465-2199
FAX (907) 465-4587

Toll free (800) 342-2199

REPRESENTATIVE FRED DYSON

CSHB 70 Sponsor Statement

"An Act relating to questionnaires or surveys administered in public schools."

Alaska State Law (AS 14.03.110) requires parental consent for student questionnaires. There has been some confusion over "passive" versus "active" parental consent. A controversy arose recently with the use of the anonymous "Youth Risk Behavior Survey," sponsored by the Alaska's Department of Health and Human Services (DHSS). The successful completion of the "Youth Risk Behavior Survey" is reported to be necessary for the securing of Federal grant funds.

The survey was administered by some districts without parental permission. Some schools, and districts, chose to not use the survey, in deference to parental concerns. Other districts obtained legal opinions indicating that they did not require "active" parental consent in apparent contradiction of the intent of the legislature. While parents were upset with the lack of involvement offered, the survey was considered by many to be too invasive and far too personal. Samples of some of the questions are included in the bill packet.

The immediate solution to the dilemma would appear to be getting active parental consent for the surveys. However, public health officials maintain that it would be impractical to handle the logistics and that too few parents would respond positively. Committee Substitute for CSHB 70 attempts to solve this dilemma by allowing for a once a year blanket parental consent for anonymous questionnaires and surveys. The sponsor anticipates that each district or school would obtain the blanket annual anonymous questionnaire permission at the time of student registration. With automation, the school should be able to enter and retrieve the list of authorized questionnaire recipients. Public health officials argue that even this won't work. Even with all-inclusive annual parental permission, CSHB 70 requires that parents and students be given two weeks notice before the anonymous survey and another opportunity to decline to participate.

CSHB 70 tries to strike a practical balance between the rights of parents to control the educational experience of their children while allowing public officials to obtain apparently needed information and the grants that follow.

- E-mail -
Representative_Fred_Dyson
@Legis.state.ak.us

- Internet -
<http://www.akrepublicans.org>

Voice of The Times

Solution to school survey issue at hand

By ANDRÉE MCCLOUD

Here are the top 10 reasons why people should contact legislators in support of House Bill 70, "An act relating to questionnaires or surveys administered in public schools."

1. Defend and protect privacy.

The Alaska Constitution states, "The right of the people to privacy is recognized and shall not be infringed upon." Parents are legally responsible for their children, who they send to school with an understanding that they'll be taught to read, write and do math. Anything done outside those parameters cannot be done without parents' prior knowledge. School administrators, teachers and parents work extremely hard at maintaining this fragile and sensitive mutual trust. Violating this trust has a chilling effect on this all-too-important partnership.

2. Ensure parents' right to know.

Existing state law says that parents must provide written permission before a school may hand out surveys dealing with "private family affairs." Bureaucrats in the Alaska Health and Social Services department find this phrase ambiguous. With legal opinions in hand challenging the meaning of the phrase, they have proceeded this past school year to insidiously, and in a stealth-like manner, administer surveys to students in 26 out of 28 school districts without getting prior written consent from parents. The surveys consisted of extremely private questions dealing with a student's personal behavior outside of school. (Anchorage Superintendent Bob Christal did not permit the surveys in the Anchorage School District, so students here were not harassed with these invasive surveys.) HB70 adds the word "personal" to the existing state law, which hopefully will dispel future confusion on the part of health department officials.

3. Clarify the term "written permission."

The bill stresses the type of permission schools must obtain before handing out surveys. Parents will decide to give or deny permission, in writing, at the time they register their child about whether they want their child to answer personal questions in anonymous surveys. For non-anonymous surveys, the school must contact parents and obtain additional written permission at least two weeks prior to administering them.



4. Stop erosion of academic time.

Surveys dealing with personal behaviors detract from the important task of learning. Parents who don't want their children wasting time on surveys finally have a say in the matter. One potential result of HB70 will be to indulge students with learning matters of academic substance instead of diminishing their educational opportunities.

5. Allow parents opportunity to accept rights and responsibilities.

Parents can exercise their right, duty and responsibility to teach children about privacy issues and when, how and to whom children should divulge private information.

6. Make parents accountable.

The governor's children's agenda is admirable in its intent to curb the abuse of children. However, most parents do follow the rules and don't break these laws. In the state's quest to find the people who violate child abuse laws, great care should be taken to not dilute personal and civil liberties of innocent people. Those fighting the war against abuse must look with a broader view and recognize that many Alaskan families lead functional lives. Most parents do know what is best for their children and strive to do better by them without government intervention.

7. Efficient government.

State health officials must find alternative methods for information gathering. Why survey each child? How about a stratified sample of the population? Or obtaining real, hard numbers by surveying health clinics and physicians who compile patient and service records? Health educators have told me that the "key-determinant" method of collecting data is not only more accurate but cheaper. It's our money paying for all this prying, after all.

8. Stimulate community involvement.

HB70 encourages communities and groups to start talking with young citizens. Sitka's Teen Center is in the forefront of this by initiating a program bringing adults and children together, outside of school, to speak about issues important in maintaining a healthy and risk-free community.

9. Track public health spending.

The controversy surrounding the bill should send a red flag to the Legislature to initiate a full and complete audit of public health and education funds used in this state. The reason for the intense lobbying efforts by health officials appears to have more to do with perpetuating their own welfare than that of the children. Bringing about accountability of public funds will guide the Legislature and inform taxpayers, who want to know where all the money is going.

10. The government's right to know does not supercede the right to privacy of Alaskan families.

Legislators are told that mainstream Alaskan parents don't really object to the way schools administer these surveys. As a parent, I have strong feelings about being put in a taxing position, lobbying legislators to demand state health officials abide to the intent of the law (1979 House Journal), as students are used as guinea pigs to generate money from the feds, behind the back of parents.

Please support the survey bill by contacting the sponsor, Rep. Fred Dyson, as soon as you can. Phone: (907) 465-2199; Fax: (907) 465-4587; e-mail: Representative_Fred_Dyson@legis.state.ak.us

Andrée McCloud of Anchorage is, among other things, a concerned parent and an unabashed citizens' advocate.

1999 Youth Risk Behavior Survey

This survey is about health behavior. It has been developed so you can tell us what you do that may affect your health. The information you give will be used to develop better health education for young people like yourself.

DO NOT write your name on this survey. The answers you give will be kept private. No one will know what you write. Answer the questions based on what you really do.

Completing the survey is voluntary. Whether or not you answer the questions will not affect your grade in this class. If you are not comfortable answering a question, just leave it blank.

The questions that ask about your background will be used only to describe the types of students completing this survey. The information will not be used to find out your name. No names will ever be reported.

Make sure to read every question. Fill in the ovals completely. When you are finished, follow the instructions of the person giving you the survey.

Thank you very much for your help.

5. How tall are you without your shoes on?

Directions: Write your height in the shaded blank boxes. Fill in the matching oval below each number.

Example

Height	
Feet	Inches
5	7
3	0
4	1
5	2
6	3
7	4
	5
	6
	7
	8
	9
	10
	11

Height	
Feet	Inches
3	0
4	1
5	2
6	3
7	4
	5
	6
	7
	8
	9
	10
	11

6. How much do you weigh without your shoes on?

Directions: Write your weight in the shaded blank boxes. Fill in the matching oval below each number.

Example

Weight		
Pounds		
1	5	2
0	0	0
1	1	1
2	2	2
3	3	3
	4	4
	5	5
	6	6
	7	7
	8	8
	9	9

Weight		
Pounds		
0	0	0
1	1	1
2	2	2
3	3	3
	4	4
	5	5
	6	6
	7	7
	8	8
	9	9

The next 10 questions ask about violence-related behaviors.

12. During the past 30 days, on how many days did you carry a **weapon** such as a gun, knife, or club?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days
13. During the past 30 days, on how many days did you carry a **gun**?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days
14. During the past 30 days, on how many days did you carry a weapon such as a gun, knife, or club **on school property**?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days
15. During the past 30 days, on how many days did you **not** go to school because you felt you would be unsafe at school or on your way to or from school?
- A. 0 days
 - B. 1 day
 - C. 2 or 3 days
 - D. 4 or 5 days
 - E. 6 or more days
16. During the past 12 months, how many times has someone threatened or injured you with a weapon such as a gun, knife, or club **on school property**?
- A. 0 times
 - B. 1 time
 - C. 2 or 3 times
 - D. 4 or 5 times
 - E. 6 or 7 times
 - F. 8 or 9 times
 - G. 10 or 11 times
 - H. 12 or more times

The next 5 questions ask about sad feelings and attempted suicide. Sometimes people feel so depressed about the future that they may consider attempting suicide, that is, taking some action to end their own life.

22. During the past 12 months, did you ever feel so sad or hopeless almost every day for **two weeks or more in a row** that you stopped doing some usual activities.
- A. Yes
 - B. No
23. During the past 12 months, did you ever **seriously** consider attempting suicide?
- A. Yes
 - B. No
24. During the past 12 months, did you make a plan about how you would attempt suicide?
- A. Yes
 - B. No
25. During the past 12 months, how many times did you actually attempt suicide?
- A. 0 times
 - B. 1 time
 - C. 2 or 3 times
 - D. 4 or 5 times
 - E. 6 or more times
26. **If you attempted suicide** during the past 12 months, did any attempt result in an injury, poisoning, or overdose that had to be treated by a doctor or nurse?
- A. I did not attempt suicide during the past 12 months
 - B. Yes
 - C. No

The next 12 questions ask about tobacco use.

27. Have you ever tried cigarette smoking, even one or two puffs?
- A. Yes
 - B. No

33. During the past 30 days, on how many days did you smoke cigarettes on school property?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days
34. Have you ever smoked cigarettes regularly, that is, at least one cigarette every day for 30 days?
- A. Yes
 - B. No
35. Have you ever tried to quit smoking cigarettes?
- A. Yes
 - B. No
36. During the past 30 days, on how many days did you use chewing tobacco or snuff, such as Redman, Levi Garrett, Beechnut, Skoal, Skoal Bandits, or Copenhagen?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days
37. During the past 30 days, on how many days did you use chewing tobacco or snuff on school property?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days

42. During the past 30 days, on how many days did you have 5 or more drinks of alcohol in a row, that is, within a couple of hours?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 to 5 days
 - E. 6 to 9 days
 - F. 10 to 19 days
 - G. 20 or more days
43. During the past 30 days, on how many days did you have at least one drink of alcohol on school property?
- A. 0 days
 - B. 1 or 2 days
 - C. 3 to 5 days
 - D. 6 to 9 days
 - E. 10 to 19 days
 - F. 20 to 29 days
 - G. All 30 days

The next 4 questions ask about marijuana use. Marijuana also is called grass or pot.

44. During your life, how many times have you used marijuana?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 to 99 times
 - G. 100 or more times
45. How old were you when you tried marijuana for the first time?
- A. I have never tried marijuana
 - B. 8 years old or younger
 - C. 9 or 10 years old
 - D. 11 or 12 years old
 - E. 13 or 14 years old
 - F. 15 or 16 years old
 - G. 17 years old or older

50. During your life, how many times have you sniffed glue, breathed the contents of aerosol spray cans, or inhaled any paints or sprays to get high?
- A. 0 times
 - B. ~~1 or 2 times~~
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times
51. During the past 30 days, how many times have you sniffed glue, breathed the contents of aerosol spray cans, or inhaled any paints or sprays to get high?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times
52. During your life, how many times have you used **heroin** (also called smack, junk, or China White)?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times
53. During your life, how many times have you used **methamphetamines** (also called speed, crystal, crank, or ice)?
- A. 0 times
 - B. 1 or 2 times
 - C. 3 to 9 times
 - D. 10 to 19 times
 - E. 20 to 39 times
 - F. 40 or more times

59. During your life, with how many people have you had sexual intercourse?
- A. I have never had sexual intercourse
 - B. 1 person
 - C. 2 people
 - D. 3 people
 - E. 4 people
 - F. 5 people
 - G. 6 or more people
60. During the past 3 months, with how many people did you have sexual intercourse?
- A. I have never had sexual intercourse
 - B. I have had sexual intercourse, but not during the past 3 months
 - C. 1 person
 - D. 2 people
 - E. 3 people
 - F. 4 people
 - G. 5 people
 - H. 6 or more people
61. Did you drink alcohol or use drugs before you had sexual intercourse the last time?
- A. I have never had sexual intercourse
 - B. Yes
 - C. No
62. The last time you had sexual intercourse, did you or your partner use a condom?
- A. I have never had sexual intercourse
 - B. Yes
 - C. No
63. The last time you had sexual intercourse, what one method did you or your partner use to prevent pregnancy? (Select only one response.)
- A. I have never had sexual intercourse
 - B. No method was used to prevent pregnancy
 - C. Birth control pills
 - D. Condoms
 - E. Depo-Provera (injectable birth control)
 - F. Withdrawal
 - G. Some other method
 - H. Not sure

71. During the past 30 days, did you vomit or take laxatives to lose weight or to keep from gaining weight?
- A. Yes
 - B. No
-

The next 7 questions ask about food you ate or drank during the past 7 days. Think about all the meals and snacks you had from the time you got up until you went to bed. Be sure to include food you ate at home, at school, at restaurants, or anywhere else.

72. During the past 7 days, how many times did you drink 100% fruit juices such as orange juice, apple juice, or grape juice? (Do not count punch, Kool-Aid, sports drinks, or other fruit-flavored drinks.)
- A. I did not drink 100% fruit juice during the past 7 days
 - B. 1 to 3 times during the past 7 days
 - C. 4 to 6 times during the past 7 days
 - D. 1 time per day
 - E. 2 times per day
 - F. 3 times per day
 - G. 4 or more times per day
73. During the past 7 days, how many times did you eat fruit? (Do not count fruit juice.)
- A. I did not eat fruit during the past 7 days
 - B. 1 to 3 times during the past 7 days
 - C. 4 to 6 times during the past 7 days
 - D. 1 time per day
 - E. 2 times per day
 - F. 3 times per day
 - G. 4 or more times per day
74. During the past 7 days, how many times did you eat green salad?
- A. I did not eat green salad during the past 7 days
 - B. 1 to 3 times during the past 7 days
 - C. 4 to 6 times during the past 7 days
 - D. 1 time per day
 - E. 2 times per day
 - F. 3 times per day
 - G. 4 or more times per day

The next 8 questions ask about physical activity.

79. On how many of the past 7 days did you exercise or participate in physical activity for at least 20 minutes that made you sweat and breathe hard, such as basketball, soccer, running, swimming laps, fast bicycling, fast dancing, or similar aerobic activities?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days
80. On how many of the past 7 days did you participate in physical activity for at least 30 minutes that did not make you sweat or breathe hard, such as fast walking, slow bicycling, skating, pushing a lawn mower, or mopping floors?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days
81. On how many of the past 7 days did you do exercises to strengthen or tone your muscles, such as push-ups, sit-ups, or weight lifting?
- A. 0 days
 - B. 1 day
 - C. 2 days
 - D. 3 days
 - E. 4 days
 - F. 5 days
 - G. 6 days
 - H. 7 days

The next question asks about AIDS education.

87. Have you ever been taught about AIDS or HIV infection in school?

- A. Yes
 - B. No
 - C. Not sure
-

This is the end of the survey.
Thank you very much for your help.

United States Code : Title 20, Section 1232h

<http://www4.law.cornell.edu/uscode/20/1232h.text.html>

~~Sec. 1232h. Protection of pupil rights~~

(a) Inspection of instructional materials by parents or guardians

All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the children.

(b) Limits on survey, analysis, or evaluations

No student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information concerning -

- (1) political affiliations;
- (2) mental and psychological problems potentially embarrassing to the student or his family;
- (3) sex behavior and attitudes;
- (4) illegal, anti-social, self-incriminating and demeaning behavior;
- (5) critical appraisals of other individuals with whom respondents have close family relationships;
- (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or
- (7) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program), without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent (*emphasis added*).

(c) Notice

Educational agencies and institutions shall give parents and students effective notice of their rights under this section.

(d) Enforcement

The Secretary shall take such action as the Secretary determines appropriate to enforce this section, except that action to terminate assistance provided under an applicable program shall be taken only if the Secretary determines that -

- (1) there has been a failure to comply with such section; and
- (2) compliance with such section cannot be secured by voluntary means.

(e) Office and review board

The Secretary shall establish or designate an office and review board within the Department of Education to investigate, process, review, and adjudicate violations of the rights established under this section.

MESSAGES FROM THE GOVERNOR

A message dated April 24, 1979 was read stating the Governor has signed the following resolution and is transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

HIJR
32
amS

HOUSE JOINT RESOLUTION NO. 32amS
(requesting the establishment of an Arctic Circumpolar Cultural and Technical Interchange Center)
Legislative Resolve No. 14

A message dated April 24, 1979 was read stating the Governor has signed the following bills and is transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

CSSS
HB
33

COMMITTEE SUBSTITUTE FOR SPONSOR
SUBSTITUTE FOR HOUSE BILL NO. 33
(relating to the disposal of state land formerly under a United States Forest Service permit; and providing for an effective date)
chapter 26, SLA 1979

HB
90

HOUSE BILL NO. 90
(making a supplemental appropriation to the Department of Community and Regional Affairs, division of local government assistance; and providing for an effective date)
chapter 28, SLA 1979

CSIB
108
amS

COMMITTEE SUBSTITUTE FOR HOUSE
BILL NO. 108amS
(relating to the function and organization of the state library distribution and data access center)
chapter 27, SLA 1979

CSIB
211am

COMMITTEE SUBSTITUTE FOR HOUSE
BILL NO. 211am
(relating to public elementary and secondary education; and providing for an effective date)
chapter 24, SLA 1979

Sb
164
am

SENATE BILL NO. 164am
(relating to nonprofit electric or telephone cooperatives)
chapter 25, SLA 1979

The following message dated April 24, 1979 was read:

HB
98

Dear Mr. Speaker:

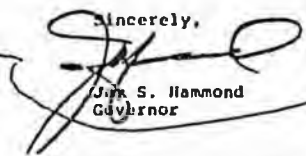
I have signed the following bill and am transmitting the enrolled and engrossed copies to the Lieutenant Governor's Office for permanent filing:

HOUSE BILL NO. 98
(relating to the administration of questionnaires in public schools; and providing for an effective date)
chapter 23, SLA 1979

While the apparent intent of this bill (to protect the family's right to privacy) is laudable, the right to privacy is already guaranteed by the general language of Art. 1, § 22 of the Alaska Constitution. To that extent, the bill may be regarded as superfluous. This bill would prevent school or public health workers from inquiring into a student's family history of areas such as communicable diseases, even when the information could be in the public's compelling interest. Similarly, use of broadly based anonymous surveys of school-age children and youth to determine the frequency of alcohol, drug, and child abuse -- tools used in determining the efficiency of government programs -- would also be precluded by this bill.

However, I have determined that keen legislative interest in adoption of the measure warrants that I sign it into law.

Sincerely,


Jack S. Hammond
Governor

MESSAGES FROM THE SENATE

A message dated April 24, 1979 was read stating the Senate has concurred in the House amendment to COMMITTEE SUBSTITUTE FOR SENATE CONCURRENT RESOLUTION NO. 14, thus adopting:

HOUSE COMMITTEE SUBSTITUTE FOR
COMMITTEE SUBSTITUTE FOR SENATE
CONCURRENT RESOLUTION NO. 14
(development of national and state parks)

A message dated April 24, 1979 was read stating the Senate has concurred in the House amendment to SENATE BILL NO. 77, thus adopting:

HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 77
(compensation for criminal injuries;
effective date)

A message dated April 24, 1979 was read stating the Senate has passed COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 107 (supplemental appropriation for the payment of miscellaneous claims; effective date) with the following amendment:

SENATE COMMITTEE SUBSTITUTE FOR
COMMITTEE SUBSTITUTE FOR HOUSE BILL
NO. 107 (same title)

and is transmitting the same for consideration.



**ANCHORAGE COUNCIL OF
PARENT TEACHER ASSOCIATIONS**

ADVOCATING FOR ANCHORAGE CHILDREN SINCE 1960

May 3, 1999

The Honorable Fred Dyson
Alaska State Legislature
House of Representatives
State Capitol, Room 104
Juneau, Alaska 99801-1182

Re: CSHB70
"An Act relating to questionnaires or surveys administered in public schools"

Dear Rep. Dyson:

Attached is a copy of a resolution passed by the Alaska PTA Convention on April 27, 1990, in support of requiring written, informed parental consent for K-12 students prior to being given "attitude" surveys and tests, as described by the resolution.

This resolution continues to be the current position of the body of the Alaska PTA. As the Vice President for Legislation for the Anchorage Council of PTA's I have been asked by our President, Diane Etter, to forward this document to you, since it speaks to the current legislation proposed under CSHB70.

We understand from the Bill History that this legislation was transmitted to the Senate on April 30. In the interest of time we are faxing you our position and asking your office to forward it to the appropriate members today. We will follow with more communication directly to them.

Thank you for your assistance in this matter and we will be available to assist you in whatever way we can.

Sincerely,

Susan Jayich
Vice President for Legislation
Anchorage Council of PTAs
Phone: 345-5130, Fax: 345-7194

Parental Consent

Adopted by Alaska PTA Convention, April 27, 1990

- Whereas, Parents are recognized as the primary educators of their children; and
- Whereas, There has been an increase in the number of testing and survey instruments being used to evaluate our children's attitudes toward school, their coping skills, and their feelings about themselves and their experiences; and
- Whereas, Alaska School Law (Chapter 4, Sec. 14.03.110) mandates that questionnaires and surveys which inquire into the private family affairs of the student which are not a matter of public record require written permission from the student's parent or guardian before they may be administered; and
- Whereas, The Protection of Pupil Rights Act (20 U.S. Code 1232h) states that no student shall be required to take part in psychiatric or psychological examinations, testing, or treatment in which the primary purpose is to reveal private information, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of unemancipated minors, without the prior written consent of the parent; therefore be it
- Resolved, That the Alaska PTA supports strict adherence by all Alaska school districts to Federal and State laws requiring written, informed parental consent for both elementary and secondary students prior to the administration of the above described attitude surveys and tests.

Rationale

In an attempt to assess the needs of children, some school districts have developed a number of testing and survey instruments which measure the affective area of a child's being. These instruments attempt to measure things such as locus of control, attitude toward school, general self-esteem, academic self-esteem, social interaction, coping with stress and anxiety skills, health habits, and identification with school. In many cases, teachers, school psychologists, and administrators discuss and analyze results among themselves and with students, but not with parents. Students have been encouraged to dialogue with teachers about their feelings in regard to affective testing instruments, but parents have not generally been included.

Specific written parental consent forms are often utilized at the elementary level, but hardly ever at the secondary level.

High school students who are taking health classes or AIDS curricula are often required to take attitudes surveys dealing with feelings toward AIDS, homosexuals, sexual feelings, and sexual behavior. These surveys fall under the "Protection of Pupil Rights" federal statute and require written parental consent.

Clarification of and adherence to Federal and State statutes is required of all school districts in the State of Alaska. Psychological probing and surveying should not be done without parental consent and knowledge.

APR 26 1999

Dear Mr. Fred Bryson,

My name is Andrew DeLoose and I am writing this letter for Awanas which is an organization that is run by my church. This letter will help me get my patriotism badge.

I see you are supporting HB 34, the Good Samaritan Law. I see you must like children because you have many foster kids

I hope you will support HB 70 that says parents must approve questionnaires taken by school by children.

Thank you for serving our community.

Your Friend

Andy

Andy DeLoose
10120 Chickaloon
Eagle River, Alaska
99577

A subsequent conversation with the Assistant Principal revealed:

1) How much time was this taking from the class curriculum?

Answer: One class day per month "plus two short periods of time."

2) Is this part of the District's approved curriculum?

Answer: "Apparently" it is not part of the approved curriculum.

3) Were parents asked to give written permission for their son/daughter to participate in the program?

Answer: "Apparently" not.

4) Were parents given written notification or provided any information about the program?

Answer: "Apparently" not.

After the above information was provided to me, I was told the program was put on hold indefinitely. For the remainder of the year, that program was not a part of my son's class.

As a parent who has been very involved with my children's education from the day they entered kindergarten, I knew this program did not belong in the classroom until it had been approved as part of the curriculum and until proper active parent notification had occurred. I resent the amount of time my son spent on the unauthorized surveys and I resent that it was done without my permission or knowledge.

I urge your support of CS HB 70 requiring active parent permission as described in Section 1 of the proposed bill. As far as a fiscal note is concerned, I suggest that the department or organization requesting to survey our children should bear the cost of administering such survey -- but only after proper screening and approval by the district and after active parent permission is received.

Sincerely,

Marti Hughes
Marti (Marilyn) P. Hughes

Subject: HB 70 Support

Date: Wed, 14 Apr 1999 18:26:57 -0500

From: Andree McLeod <mcleodak@alaska.net>

To: Representative Dyson <Representative_Fred_Dyson@legis.state.ak.us>

Dear Representaive Fred Dyson,

Thank you for taking the time to protect parent's and family's right to privacy.

It's hard enough raising children without having to worry about government agencies going into schools behind our backs, intruding in on our children's privacy and diminishing their study time at school by asking questions.

The compromise you have reached in your bill, as I understand it, is to give annual blanket permission at the time of school registration. Also, parents will be notified in advance before specific surveys are administered where parents can opt to not have their children participate.

Again, thank you for all your efforts on this issue. It has not been easy dealing with most health professional in this state as they have used their power to usurp our privacy. But when the Attorney General's office backs the Administration's position, hopelessness and helplessness abounds for us common folk. You have truly been a saving grace.

Andree McLeod

Subject: HB 70

Date: Wed, 07 Apr 1999 20:29:29 -0800

From: Susan <English@alaska.net>

To: Representative_Fred_Dyson@Legis.state.ak.us

I would like to express my support for HB 70 requiring parental permission for school surveys. As a parent of three girls 3rd grade, 8th and 10th I would want to know what the schools are requiring of students. It makes sense and I hope it passes without delay. You may pass this on to the HESS committee members if you like. Thank you for your efforts.

Susan Fischetti
10336 Stewart Dr.
Eagle River, AK 99577
907-694-7944

HB

85

FISCAL NOTE

STATE OF ALASKA
2000 LEGISLATIVE SESSION

BILL NO. CS HB85 (FIN) AM

Revision Date/Time (Note if correction) _____ Dept. Affected Education & Early Dev.
 Title Teachers' Licenses, Discipline & Ethics BRU Commissions and Boards
 Component Professional Teaching Practices
 Sponsor: Rules Committee at Request of Governor Commission
 Requester Senate HESS Component No. 190

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 (FY2000) cost: _____

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Any fees collected from imposed fines will be deposited into the General Fund.

Prepared by: Sanna Green, Executive Director *BK* *Lape* *for* Phone 269-6579
 Division Professional Teaching Practices Commission Date/Time _____
 Approved by Commissioner Richard S. Cross Date 2/2/00
 Agency Education & Early Development

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SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Work Session
February 2, 2000
1:35 p.m.

MEMBERS PRESENT

Senator Gary Wilken
Senator Kim Elton

MEMBERS ABSENT

Senator Mike Miller, Chairman
Senator Pete Kelly, Vice-Chairman
Senator Drue Pearce

DRAFT

COMMITTEE CALENDAR

SENATE BILL NO. 204

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

-HEARD AND HELD

CS FOR HOUSE BILL NO. 85(FIN) am

"An Act relating to licensure and professional discipline of members of the teaching profession and providing for related penalties; relating to grounds for dismissal of a teacher; relating to the Professional Teaching Practices Commission; relating to limited immunity for procedures under the Educator Ethics Act; making conforming amendments; and providing for an effective date."

-HEARD AND HELD

Presentation by the State Independent Living Council (SILC)

PREVIOUS SENATE COMMITTEE ACTION

SB 204 - No previous committee action.

HB 85 - No previous committee action.

WITNESS REGISTER

Margaret Evans
1615 Birchwood St.
Anchorage, AK 99508

POSITION STATEMENT: Discussed SILC's PSA program

Linda Bjorge

P.O. Box 756
Wrangell, AK 99925
POSITION STATEMENT: Commented on Assisted Living Home Rates

Jerie Best
P.O. Box 426
Soldotna, AK 99669
POSITION STATEMENT: Discussed Transportation Needs of the Disabled

Patrick Reinhart
Director, State Independent Living Council
1016 W. 6th Ave. #205
Anchorage, AK 99501
POSITION STATEMENT: Presented John Woodward, SILC Chairman

David Jacobson
Executive Director of the State Independent Living Council
4214 Mathison Court
Fairbanks, AK
POSITION STATEMENT: Discussed Housing Needs of the Disabled

Ruth L'Hommedieu
3282 Adams Drive
Fairbanks, AK
POSITION STATEMENT: Discussed Employment Needs of the Disabled

Sanna Green, Executive Director
Professional Teachers Practices Commission
344 3rd St. #127
Anchorage, AK 99508
POSITION STATEMENT: Presented HB 85

Jane Demmert
Executive Director, Older Alaskans Commission
PO Box 110209
Juneau, AK 99811-0209
POSITION STATEMENT: Presented SB 204

Beth Lape, Special Assistant
Department of Education
801 W 10th St. Ste 200
Juneau, AK 99801-1894
POSITION STATEMENT: Supports SB 204

ACTION NARRATIVE

TAPE 00-03, SIDE A

Number 001

SENATOR WILKEN called the the work session of the Senate Health, Education and Social Services (HESS) Committee to order at 1:35 p.m. Senator Wilken announced that Chairman Miller was ill, Senator Pearce was on business in Washington, D.C., and Senator Pete Kelly was on business in McGrath. The first order of business to come before the committee was a presentation by the State Independent Living Council.

MR. PATRICK REINHART, Director of the State Independent Living Council (SILC), noted that John Woodward would begin the presentation. MR. REINHART informed committee members that copies of the SILC annual report were provided to the committee.

Number 248

MR. JOHN WOODWARD, Chairman of SILC, stated that SILC is a governor-appointed group of people with disabilities. Mr. Woodward said the State is heading in the right direction regarding independent living services for Alaskans with disabilities which is apparent in SILC's annual report. The amount invested in independent living services by the Legislature last year was the largest ever and that investment has paid big dividends. SILC's five centers for independent living helped 18 Alaskans leave institutional care and begin a life in a community of their choice. SILC helped another 165 individuals receive services that prevented them from having to enter a nursing home or hospital. Most of these clients are on Medicaid therefore SILC's services saved the State more than \$13 million.

Number 428

MS. RUTH L'HOMMEDIU, liaison to the Governor for SILC, said employment issues among disabled people is her main focus. President Clinton recently signed into law the "Ticket to Work and Work Incentive Improvement Act of 1999," a law that will go a long way to remove outdated Medicaid and Medicare coverage rules that created barriers for people with disabilities who want to work. The Act allows individuals on Medicaid to buy into the program when they are employed so that they will not lose their Medicaid health coverage. As a result, SILC anticipates more Medicaid dollars coming into Alaska which will allow the State to expand its Medicaid program. Alaska was one of the first states to pass legislation allowing for the Medicaid buy-in; it has been acknowledged as a forerunner in this area. Approximately 70 percent of disabled Alaskans are unemployed. People with disabilities want the opportunity to find a job and live independently in their own communities. Ms. L'Hommedieu personally thanked Senator Elton for intervening on behalf of a Juneau client with a kidney dialysis need.

MR. DAVID JACOBSON, Executive Director of Access Alaska, reported that SILC's mission is to help persons with disabilities live and work in the community of their choice - one activity that makes that goal possible is making homes accessible. People with disabilities typically do not have the financial resources available to make necessary modifications. Access Alaska helps to make those homes accessible throughout the State. Last year over 340 homes were made accessible for persons with disabilities to enable people to live safely, comfortably and independently. Mr. Jacobson asked the committee to continue to support those types of services. The Alaska Housing Finance Corporation (AHFC) has requested \$250,000 for a special needs program to help make homes accessible for people with disabilities. SILC actively seeks

multiple funding resources; it works in partnership with many different programs to help find funding and equipment.

SENATOR WILKEN asked if Access Alaska gets State money through AHFC and federal money as a match or a grant.

MR. JACOBSON said that the federal dollars go directly to a broad array of services targeted at independent living services. AHFC funds are used for specialized housing needs.

SENATOR WILKEN asked if the \$250,000 is an ongoing appropriation.

MR. JACOBSON said the amount was larger in the previous year. He added, "They did get a match with the Mental Health Trust, so it is that match that the \$250,000 AHFC plus about \$150,000 from the Trust, so they are combined."

SENATOR ELTON asked if AHFC money can be used for people who already own homes not financed by AHFC.

MR. JACOBSON said that is correct, it is for anyone who has the need for home modifications.

Number 995

MS. LINDA BJORGE, a board member of SILC from Wrangell, informed committee members she is a licensed practical nurse. She currently runs an assisted living home in Wrangell. When she opened her assisted living home, there were not a lot of programs or funds available, now AHFC offers loans for assisted living homes. She asked committee members to support Senator Miller's bill that increases the rate paid by the state for clients at assisted living

homes from \$37.50 to \$75 per day. Disabled people are better off staying within their own communities, to be near family and friends, but at \$37.50 per day, most family members cannot afford to stay home to care for a relative with a disability.

SENATOR WILKEN said one thing that became evident from testimony heard by members of the Long Term Care Task Force was that people need to remain in some sort of home base whenever possible, which is the intention of Senator Miller's bill.

SENATOR ELTON commended Senators Wilken and Miller for being instrumental on addressing some of the issues discussed today.

MS. BJORGE stated that ideally, the ability of people to stay in their homes should not change because of a disability.

Number 1224

MS. MARGARET EVANS, a resident of Fairbanks, informed committee members that she uses personal assistance services on a daily basis and that, without that service, she would be unable to complete daily tasks, work, and attend school. SILC is creating a new self directed care model for the Personal Care Attendants Program. The new model will enable the clients who use personal care attendants to direct their own care by hiring and firing their own personal care attendants. SILC is also trying to get more personal care attendants involved in the program and to get salary increases for longevity in the program. The program is funded by Medicaid. She asked for legislators' continued support of the Medicaid program. A website, named PCA.infoinsights.com, contains more information about that program.

SENATOR WILKEN asked if the self-directed PCA program is funded with a federal grant from Senator Stevens, and whether that program will be available throughout the state in a few years.

MS. EVANS said SILC hopes to get the program up and running later this year.

SENATOR WILKEN noted the career ladder for PCAs is limited at this time. He has been working with the University of Alaska to provide PCAs with a stepped RN program that will take two or four years. In addition, the Alaska Vocational Technical Center (AVTEC) is very interested in offering a two year program for PCA's.

Number 1418

MS. JERIE BEST introduced SILC's new board member, Peter McDowell.

MS. BEST informed committee members she focuses on transportation issues for SILC. Funding for capital expenses, such as buying vans and equipment, is surprisingly easy to find. SILC has received money from the Department of Agriculture, the Department of Transportation, and the Alaska Mental Health Trust Authority (AMHTA), so purchasing equipment to transport people is fairly easy. Finding funding for operations is not easy. Existing transit systems cannot buy fuel, pay drivers or buy tires. Kodiak's transit system recently shut down, and Mat-Su's is currently in a holding pattern. New transit systems need time to

establish a large enough clientele to operate on their own. Lack of transportation is a big issue for people with disabilities who are trying to live independently. SILC coordinates and pairs its transit systems with those used by senior citizens.

MS. BEST asked that highway funds be earmarked for transit systems, especially for the smaller, rural areas. Fairbanks, Anchorage, and Juneau can get federal funds because of their sizes. She also suggested using one percent of the proposed fuel tax for SILC's transit system. The opportunity to buy bulk fuel and other items, such as tires or insurance, by coordinating with state or municipal agencies, would reduce operating costs.

The Native villages' priorities need to be dealt with and they need help making appropriate choices when purchasing community vehicles. For example, a village may choose to buy an ambulance as the community vehicle but ambulances only carry a driver, passenger, and patient, and they are too high off of the ground for elderly people to get into.

MS. BEST explained that SILC gets "5311" federal money for areas with large populations and for communities that are close to each other. That program works for communities like Kenai and Soldotna, but it does not work for the Mat-Su Valley because transit between Wasilla and Palmer is too far and operational costs are too high.

SENATOR WILKEN asked if, when federal money is granted, a slice automatically goes toward disabled transportation.

MS. BEST replied that federal requirements mandate that any city that gets federal funds for a transit system must make that system accessible to the disabled.

SENATOR WILKEN asked how a system is judged to be accessible.

MS. BEST replied the system must be accessible to wheelchair users. In addition, specific federal regulations require that additional service be provided outside of the transportation corridor in certain instances. The service must be equal and the fare for disabled riders cannot be higher than the regular fare. Anyone who has an I.D. card for the disabled transit system can ride anywhere within the United States; that benefit is very popular.

SENATOR WILKEN thanked the participants and announced the next order of business to come before the committee was SB 204.

#SB 204

SB 204-EXTEND ALASKA COMMISSION ON AGING

MS. JANE DEMMERT, Executive Director of the Older Alaskans Commission (OAC), said the OAC is very involved in bringing together the interests of many organizations that represent seniors across the State. The State demographer recently projected a population of 80,000 elderly people within the next 15-18 years in Alaska.

Over 180 communities in Alaska are affected by the funding given to local non-profit organizations by OAC that provide direct services to older Alaskans. OAC programs are available to all people age 60 and over, with the exception of the Senior Employment Program which is available to people aged 55 and older. OAC administers four grant programs.

OAC will be working with organizations to provide community support in whatever area is necessary. The only increase in funding that

OAC has received over the past few years is through the Alaska Mental Health Trust Authority (AMHTA). State agencies have coordinated services to meet the needs of both seniors and people of all ages who are disabled, transportation being a prime example.

OAC works in partnership with the AMHTA and AHFC to meet the transportation and housing needs of seniors and disabled people. Anything legislators can do to help AHFC maintain its capacity to meet seniors' needs in a consistent manner is very important to prevent a crisis 15 years from now.

MS. DEMMERT commented that the Long Term Care Task Force has been very instrumental in moving forward much needed legislation, and it has also provided an opportunity for agencies to come together and see how many issues are integrated. She thanked task force members for their efforts and noted that people were most appreciative at the Common Ground Conference.

MS. DEMMERT said she provided an update to the committee on the work the OAC has done since last session in regard to the long-term care ombudsman position. The OAC has restructured its by-laws and its committees to accommodate the steps necessary to enable the ombudsman function to be robustly supported within the OAC. The OAC is about to begin recruitment for a new long term care ombudsman. Ms. Demmert thanked the Legislature for all the support it has given to the OAC.

Number 2316

SENATOR WILKEN noted that one recommendation in the Legislative Budget and Audit (LBA) report is to separate the long term care ombudsman position from the Department of Administration. He asked

if that is being done.

MS. DEMMERT said that as the OAC went through this process, it drew material from four entities that fit the criteria: the Alaska Legal Services and the Disability Law Center, and the State ombudsman's office and the AMHTA. The OAC concluded that the long term care ombudsman position should be retained within a State agency. The OAC felt that having the ombudsman function in a legal setting would not be as conducive to the progress that needs to be made, and that placing it within government would have more impact than placing it in a non-profit setting.

The OAC had extensive discussions with the state ombudsman and the AMHTA. The state ombudsman did a review of options and concluded that key points of divergence between the state ombudsman and long term care ombudsman offices would make those offices incompatible and that combining the two would not be beneficial to either function. The AMHTA remains interested, but it is premature for them to make a decision. AMHTA is promulgating regulations to create a redress mechanism for beneficiaries of the trust. AMHTA has acknowledged that the work of the trust and the work of the long term care ombudsman are quite compatible so it is open to discussion about a future relationship. Two representatives of the AMHTA have agreed to be on the search committee for the long term care ombudsman. A new OAC standing committee will have oversight of that position and the committee will report to the full OAC.

SENATOR WILKEN asked if the committee will establish the "arms-length" relationship that LBA thought was missing.

MS. DEMMERT replied that is correct.

SENATOR WILKEN asked about the other LBA recommendations.

MS. DEMMERT said some of the accounting recommendations were addressed when OAC made new grant awards. The new awards provide for some of the notification that had been omitted in the past. Second, OAC sped up its process of notifying grantees of the proportion or amount of grantee funds that are federal so that they will be notified on a timely basis if they come under federal audit requirements. A third recommendation regarding a cost allocation plan issue is in the process of being finalized by OAC.

Number 2245

SENATOR WILKEN noted the LBA recommended that the OAC be extended to 2004. He also noted the committee is awaiting a fiscal note. MS. DEMMERT affirmed that the fiscal note was delivered.

SENATOR ELTON thanked Ms. Demmert for her discussion about the long term care ombudsman, and pointed out that one can make an argument that the long term care ombudsman is an advocate as well as an ombudsman so it differs from the state ombudsman.

SENATOR WILKEN asked whether anyone is opposed to the extension of the OAC.

MS. DEMMERT said she is not aware of any opposition.

MARIE DARLIN, representing the Capital City Task Force of AARP, made the following comments. AARP supports the extension of the OAC because it is vital to the concerns of AARP members. AARP will be watching long term care issues this year, particularly the assisted living home issue.

There being no further testimony on SB 204, SENATOR WILKEN announced it will be held until the next meeting.

#

#HB 85

HB 85-TEACHERS' LICENSES, DISCIPLINE & ETHICS

SANNA GREEN, Executive Director of the Professional Teaching Practices Commission (PTPC), explained that the PTPC is an ethics board whose major function is discipline. HB 85 pulls many provisions related to ethics and licensing into one section of statute. Very few changes have been made to the licensure provisions. One proposed change is replacing the word "certificate" with "license" to follow a national trend. A license indicates a level-entry qualification while the word "certificate" is used to denote a higher level of recognition. This name change makes no changes to the licensing qualifications.

SENATOR WILKEN asked if the PTPC will require teacher's licenses rather than certificates.

MS. GREEN said that is correct.

SENATOR WILKEN asked how other states compare.

MS. GREEN was not sure of the number, but repeated it is a national trend.

Number 2039

SENATOR WILKEN asked the reason for the change.

MS. GREEN stated that a license is generally recognized as an entry level credential while a certificate is recognized as requiring a more stringent process. She noted that most states that attended the Western States conference are changing the word to "license."

SENATOR WILKEN asked if the fact that Alaska gives a teacher's exam has anything to do with the name change.

MS. GREEN said it does not.

SENATOR WILKEN pointed out that a criminal history background check has been added to page 1, line 13.

MS. GREEN replied the background check is not being added, it is already required. Many of the provisions related to teaching practices are being incorporated into one place in the statutes.

SENATOR ELTON indicated that he is waiting for a response from the Department of Education regarding the ability to waive licensure, a matter he has discussed with Ms. Green.

MS. GREEN noted that PTPA's main concern is the safety of children in classrooms and, because schools are a victim-rich environment, PTPA must continually be on the alert for sexual abuse by educators. Alaska must be cognizant of the fact that it is viewed as quite remote but it has effective ways to deal with the problem. A national network has been created; that network registers educators who have been disciplined. Those records can be checked when teachers apply for positions in Alaska, however not all states report. She fears that offenders from states that do not participate in the registry look to Alaska as the farthest place they can go where their reputations will not follow them. She

repeated that PTPC has been very careful in that regard.

MS. GREEN referred to the sponsor statement and reviewed the new provisions contained in HB 85. First, a new section includes a compilation of the grounds for denial of application. The PTPC currently recommends application denials to the certification office in the Department of Education (DOE) but the reasons for denial are not contained in statute. Second, the bill allows reciprocal discipline of an educator who was disciplined in another jurisdiction. At present, if another state has revoked a license from a teacher who is also licensed in Alaska, Alaska must hold a due process hearing before it can revoke the license.

SENATOR ELTON questioned how many teachers have licenses in multiple states.

MS. GREEN said many. She noted that Alaska has about 8,000 teachers in the State but it has jurisdiction over 25,000 certificates. She pointed out that two teachers with Alaska teaching certificates had their licenses revoked by the State of Florida after which the PTPC revoked the Alaska licenses.

MS. GREEN explained that the bill expands the waiting period for license reinstatement from one year to five years.

SENATOR WILKEN asked how that compares to the rest of the nation.

MS. GREEN replied that some states can revoke a license for life, Alaska cannot. She said five years is average.

SENATOR WILKEN asked how the phrase, "resided out of state" on page 2, line 23, is defined.

MS. GREEN explained that a teacher does not have to apply for a renewal unless that teacher's license has expired, regardless of whether the teacher is residing in state or not. A renewal application will require a criminal history check and applies when a teacher has not been residing in Alaska and requests a renewal. Alaska will have no record of what that teacher has been doing while residing out-of-state.

SENATOR ELTON asked what the PTPC currently does when a person applies for reinstatement after one year of being disciplined.

MS. GREEN said the PTPC reviews the entire record and any material presented by the applicant.

SENATOR ELTON asked if a small community was comfortable rehiring a teacher who was disciplined after one year whether the new provision would prevent the community from doing so.

MS. GREEN said that is correct but added that licenses are not revoked unless the offense is very serious.

MS. GREEN continued to explain the new provisions in HB 85. A misrepresentation of a material fact on an employment application can be considered as a ground for discipline. Currently, the PTPC can only consider that as a ground for discipline if the misrepresentation is made on the certification application, not on applications for employment with school districts. Such an offense would not result in license revocation. In addition, HB 85 allows PTPC to put conditions on a teaching license. PTPC has taken that liberty already but the Department of Law advised that authorizing language be put in statute.

The next provision gives the PTPC the authority to impose civil fines against teachers who are regulated by state law but do not hold licenses. That group includes teachers in higher education, private school educators, unlicensed administrators, and others. Although that group falls under the jurisdiction of the PTPC, the PTPC has no way to discipline that group.

SENATOR ELTON asked what kind of authority the PTPC exercises over private school educators and why some administrators do not have to be licensed.

MS. GREEN said most administrators do have to be licensed, but legislation has been proposed that would allow superintendents to be unlicensed. She noted some personnel directors are not licensed teachers. Most private school educators have certificates but some do not. Most private school contracts require those educators to obey the code of ethics which falls under the jurisdiction of PTPC.

SENATOR ELTON asked if the PTPC only has jurisdiction over those educators who have signed contracts that refer to the code of ethics.

MS. GREEN said that is correct and, as far as she knows, the PTPC has no jurisdiction if the contract does not mention the code.

SENATOR ELTON asked if the PTPC gets a fee from private schools for doing that kind of work.

MS. GREEN said it does not get a fee.

MS. GREEN indicated the next new provision would preclude a person, whose license is suspended or revoked from employment as a member

of the teaching profession, even if the position does not require a license. She explained that PTPC had a case against a superintendent at Adak for gross fiscal mismanagement. PTPC's only jurisdiction was over the superintendent's certificate, which it revoked. The superintendent was then hired at Chevak as an uncertificated, paid consultant. After rigorous objection, the district backed down because, under those circumstances, a certificate would have had no meaning. This provision does not allow a person to be reemployed as an educator immediately after his license has been revoked.

SENATOR ELTON asked if this provision would give the PTPC the authority to prevent a school district from hiring a teacher with a revoked license as a lobbyist.

MS. GREEN said she was not sure how far that provision would extend, but the intent was to prevent the teacher from working in the central office as a consultant.

SENATOR ELTON expressed concern that, by extending PTPC's authority to preclude employment by contract, PTPC is setting up two classes because a person whose license was revoked in another state would not be precluded from taking that job. He expressed interest in continuing the dialog on how far PTPC's authorities extend over contract employees at another time.

MS. GREEN agreed to discuss that question with the Department of Law and expressed concern that the PTPC does not want to hamstring villages from hiring for the services they need.

SENATOR ELTON pointed out he believes a school district would be foolish to hire a person whose license was revoked but he does not

want to create a two class system.

MS. GREEN added that licenses are revoked in very severe cases only. For other cases, licenses are suspended or conditions are applied.

SENATOR WILKEN asked Ms. Green to respond to Senator Elton's concern when the bill is scheduled for another hearing.

MS. GREEN explained that a provision was included to protect the confidentiality of minors and of investigatory files. Although initials are used to protect confidentiality, initials are recognizable in smaller villages therefore a different notation needs to be used. PTPC does not share any information from its files from cases in which the charges were not proven or found to be frivolous, to prevent a person's reputation from being ruined.

SENATOR ELTON asked whether an investigatory file is considered an open file once the PTPC has decided to revoke a license.

MS. GREEN replied that only evidence which the PTPC provides at the hearing.

SENATOR ELTON asked if only that information used to make the decision is available.

MS. GREEN said yes and noted that hearings are public so that information would be available at the hearing.

The last new provision allows immunity from liability for persons who participate in good faith in investigations and proceedings of the PTPC.

MS. GREEN noted the PTPC would like to change its name to the Educator Ethics Commission which clarifies the Commission's mission. In law, her position is referred to as "executive secretary." She has adopted the title of "executive director." She asked that the title be changed in statute.

Number 785

SENATOR WILKEN asked whether the entire Commission supports HB 85.

MS. GREEN said yes and that members went through the legislation line-by-line.

SENATOR WILKEN asked about the Department of Education's position.

BETH LAPE, Special Assistant, Department of Education, stated that DOE supports the legislation.

MS. GREEN clarified that she and her assistant attorney general instigated this legislation.

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There being no further business to come before the committee, SENATOR WILKEN adjourned the meeting at 3:04 p.m.

STATE OF ALASKA

DEPARTMENT OF EDUCATION & EARLY DEVELOPMENT

*Professional Teaching
Practices Commission*

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Patricia Truman
Sue Cast

HOUSEBILL 85 SPONSOR'S STATEMENT

This bill enhances the state's ability to protect students by strengthening and streamlining licensure and discipline provisions for members of the teaching profession.

The current regulatory provision requiring criminal history background checks for applicants would be strengthened and placed in statute, and all of the regulatory and statutory grounds for discipline would be consolidated into a single statutory provision.

New sections include:

A compilation of the grounds for denial of application

Allow reciprocal discipline of an educator who was disciplined in another jurisdiction

Expand from one year to five years the waiting period for reinstatement

Adds misrepresentation of a material fact on an employment application as a ground for discipline

Authority to put conditions on a teaching license

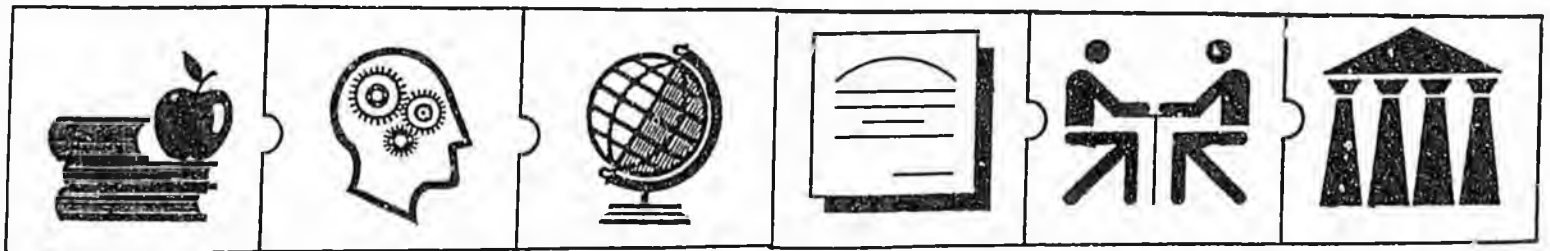
Authority to impose a civil fine against a person, who is regulated by state law, but does not hold a license. This would include teachers in higher education, some educators in private schools, some unlicensed administrators, and possibly others.

Provisions that would preclude a person, whose license is suspended or revoked from employment as a member of the teaching profession, even if the position does not require a license.

Provisions to protect the confidentiality of minors and of investigatory files

A provision to provide immunity from liability for persons who participate in good faith in certain investigations and proceedings of the commission or the Department of Education

Sanna Green
Executive Director



PROFESSIONAL TEACHING PRACTICES COMMISSION
Promoting ethics in the profession
Fall '99 Newsletter

The Professional Teaching Practices Commission Statement on Contractual Issues

The Professional Teaching Practices Commission is specifically cited in statute to investigate allegations of contract violations. This does not include negotiated agreements, only the breach of contract by unilateral termination. The PTPC revised the statement of procedures with regard to contract violations at the general meeting October 21. All educators should be aware of possible sanctions against their certificate as described in the new statement.

I. PROCEDURES OF PTPC ON BREACH OF CONTRACT DUE TO UNILATERAL TERMINATION BY AN EMPLOYEE

- A. An educator under contract with a school district who fails to give written notice of intent to terminate the contract, or who leaves the position following such notice without having the written assent of the employer, shall be deemed to have breached the contract and may be subject to disciplinary action including possible revocation of certificates by the PTPC.
- B. If the unilateral termination of the educator occurs more than 30 days prior to the educator's first duty day, and there are insufficient mitigating circumstances, the PTPC will issue a warning to the educator that the action is unprofessional and is on record with the PTPC.
- C. If the unilateral termination by the educator occurs 30 days prior to the educator's first day of work, or any time thereafter, the PTPC has adjudged that such a violation is serious enough that a sanction against the certificate will be considered.

The following mitigating circumstances will be taken into account when determining a sanction:

- 1. Extenuating circumstances that gave rise to the resignation request, such as family or health consideration.
- 2. Attempts to reach an accommodation with the employer or otherwise ameliorate the plight of the employer.
- 3. A misrepresentation of the conditions of employment or working conditions by the employer.

II. PTPC RECOMMENDATIONS TO SCHOOL BOARDS

The Professional Teaching Practices Commission would recommend that each school district develop a policy, which addresses:

- A. What the school district will do in the event an educator requests to resign from contract or leaves a position with notice, and;
- B. What procedures the school district will follow when recruiting an educator currently under contract with another school district, including an educator who has not obtained a written release from that employer.

PROPOSED CODE OF ETHIC CHANGES

At the general meeting on October 21, the Professional Teaching Practices Commission voted to promulgate changes in the Code of Ethics. The changes as follows are being circulated for comments from the education public. After a period of public comment the Commission may adopt these changes, which will then be in Alaska State regulations. All members of the public are invited to send comments to PTPC, 344 West 3rd Avenue, Suite 127, Anchorage, 99501.

20 AAC 10.020 (b)(1) currently reads: *may not restrain a student from independent action in the student's pursuit of learning or deny the student access to varying points of view without reasonable cause;* (b)(2) currently reads: *may not deliberately suppress or distort subject matter relevant to a student's progress;*

(b)(1) and (b)(2) will be replaced with a new (b)(1) *may not deliberately distort or suppress, or deny access to curricular materials or educational information in order to promote the personal view, interest, or goal of the license holder.* Provisions (c)(1), (3), (d), (8), (9) and (14) will be deleted and replaced by (d)(1).

(c)(1) Currently reads: *may not misrepresent an institution or organization with which the educator is affiliated;*
(c)(3) Currently reads: *may not knowingly distort or misrepresent facts concerning educational matters;*
(d)(8) Currently reads: *may not submit fraudulent information on any document in connections with professional activities;*
(d)(9) Currently reads: *may not knowingly distort an evaluation of the educator's or another's professional performance;*
(d)(14) Currently reads: *may not knowingly withhold or distort information regarding a position from an applicant or misrepresent an assignment or conditions of employment;*

The replacement will be: (d)(1) *shall not falsify any document, or make a misrepresentation on any matter related to licensure, employment, evaluation, test results, or professional duties;*

The category of age will be added to the classes protected from discrimination in 20 AAC 10.020 (d)(1).

The complete text of proposed changes will be mailed out for public comment or is available by contacting the PTPC office.

LOOKING FOR A QUICK FIX

A new Louisiana law will require children to address their teachers, and other adult school employees as "ma'am" or "sir" and to use Mr., Mrs., or Miss when calling them by name. State Senator Don Cravins, a Democrat, drafted the bill in an attempt to teach children civility and respect, and to put an end to school violence.

NEW MEMBERS ON THE COMMISSION

Bob Christal, superintendent of the Anchorage School District, is the new superintendent's representative on PTPC. He has been with the Anchorage District since 1970 when he taught at Ptarmigan Elementary School. He was also an elementary school principal, Elementary Supervisor, and Assistant Superintendent. He has been active with the Boy Scouts, the Boys and Girls Club of Alaska, and Anchorage Chamber of Commerce, and served on the Board of Directors of the Alaska Association of School Administrators. He replaces Bruce Johnson who left the Commission when he became Deputy Commissioner of Education.

Pat Truman has been appointed by the governor as teachers' representative on the Commission, to complete the term of Pat Chitty, who retired from education. Born and raised in Montana, Truman came to Alaska in 1978 to teach at Fort Yukon. She has also taught in Fairbanks and Mat-SU in the gifted and talented program and as reading specialist. She currently teaches Language Arts at Palmer Junior Middle School, and is a state consultant for quality schools. Recognized as Mat-Su teacher of the Year in 1996, she was runner up for Alaska teacher of the year. In 1997 she traveled to Japan as a Fulbright recipient. This October she traveled to Washington D.C. to receive her National Board Certification.

PTPC MEETINGS

The Professional Teaching Practices Commission will meet in general session January 26, and 27, 2000, and April 18 and 19, 2000 in the conference room of the Alaska State Library of Talking Books at 344 W 3rd Avenue, in Anchorage. The meetings are open to the public.

PTPC DISCIPLINARY ACTION

At the May 22, 1999 Meeting the PTPC:

- ◆ Revoked the certificate of Mark Leary for sexual misconduct with a student.
- ◆ Revoked the certificate of Greg Baldrige for contract violation.
- ◆ Suspended the certificate of Gary Anderson for endangering the safety of students.
- ◆ Suspended the certificate of Loree Howard for two years for contract violation.
- ◆ Suspended the certificate of Kristin Wilkening for 6 months for contract violation.

IN OTHER ACTION THE PTPC:

- Revised the statement on procedures for handling contract violation cases.
- Proposed changes in the Code of Ethics to be promulgated.
- Developed a statement on the ethical obligations of educators with regard to testing.
- Made a procedural change, which will require five affirmative votes for any action, not just a majority of those present.
- Made a procedural change, which provides that members may not abstain from voting on an issue but must cast a vote, unless recused for cause.

TEACHER STUDENT BOUNDARIES

The largest number of hearings conducted by the PTPC is the result of allegations of misconduct with students. Many of these cases are the result of overt sexual relationships. However, some of them are unprofessional relationships that do not reach the level of sexual contact. Educators must be very careful about developing a relationship with a student, which is based on the educator's emotional need.

Friendly behaviors are those that create a safe environment for students to grow and learn, to seek help in solving problems and to develop socially through activities. Overly friendly behaviors can cross the boundaries separating student from teacher and create a personal relationship that puts the student and teacher at risk.

PTPC offers the following guidelines for educators in evaluating their own conduct.

STAYING WITHIN BOUNDARIES

1. State the limits of the relationship.
2. Reaffirm the helping nature of the relationship.
3. Suggest a specific plan for addressing the students' needs.

EFFECTIVE ADVISORS:

1. *Understand their own emotional needs*
Teacher/advisors who are in emotional need are most vulnerable to the seductive dependency of an unprofessional relationship.
2. *Understand propriety issues related to helping relationships*
Professional and personal boundaries become blurred when teachers take students to lunch, write and receive personal notes or make physical contact.
3. *Understand the emotional and physical development of students*
Students who believe no one listens to them often transfer feelings of affection to the teacher/advisor.

TESTING STUDENTS

Incoming 10th graders across Alaska will be the first students required to pass the state's new high school graduation qualifying examination.

The test is designed to evaluate the skills of graduating seniors. Educators don't expect to see a large number of sophomore's pass. Those who do, though, won't have to worry about taking the test again.

The graduation exam measures a student's skills in the three basic subject areas: reading, writing, and mathematics. Students are required to demonstrate proficiency and achieve a passing score in each section.

The Alaska High School Graduation Qualifying Examination may be taken more than once. Beginning the school year of 2000/2001, a student may take it twice as a sophomore, twice as a junior, and beginning in 2002, twice as a senior.

Once a student passes the exam, he or she does not have to take it again. A student, who passes one or two parts of the test, only has to retake the part that was failed.

An individual who completes high school requirements without passing the test still has the option of taking it twice a year for three more years after leaving high school.

COMMISSION MEMBERS

Linda Connelly.....Chair/Principal Rep
Mary Lou Madden.....Vice-Chair/Higher Ed
Chris Miller-Dart.....Secretary/Teacher Rep
Bob Christa.....Superintendent Rep
Judith Entwife.....Dept of Education Rep
Pat Truman.....Teacher Representative
Sue Cast.....Teacher Representative
Steve Beardsley.....Teacher Representative
Vickie McCubbin.....Teacher Representative
Sanna Green.....Exec Director/Editor

WHAT COLLEGES REALLY LOOK FOR

Here's the most-wanted list.

1. **A challenging high school curriculum.** That means honors or advanced placement classes.
2. **Grades.** A good GPA goes a long way toward opening doors, but colleges would prefer to see slightly lower grades in a rigorous program over straight A's in less challenging classes.
3. **Solid scores on standardized tests.** SAT and ACT scores should at least match with national performance.
4. **Involvement in activities.** The graduate doesn't have to participate in five extracurricular activities. Colleges are looking for depth of involvement, not breadth. And those activities should demonstrate leadership and initiative.
5. **Community service.** This signals concern for other people, as well as a global view.
6. **Work or out-of-school experience.** These activities should illustrate responsibility, education, and development of areas of interest, as well as meaningful use of time.
7. **Well-written essay.** The personal essay should provide insight into his or her personality, values, and goals.
8. **Letters of recommendation.** These can come from teachers, administrators, coaches, and after-school or summertime bosses.
9. **Standouts.** Anything that makes the applicant stand out from the crowd. It could be special honors, unusual talent of activities, or awards.

ALASKA ADVANCED CERTIFICATION

Alaska has an advanced certificate for educators who have passed the national board certification. The certificate is good for the life of the national certification, which is currently 10 years. There are seven Alaska educators holding the advanced certificate. They are: Linda Fry and Lauren Leonard in the Fairbanks School District; Jo Ellen Solmonson and Chana Boyko in the Anchorage School District; Cynthia Curran and Patricia Truman in the Mat-Su School District; and Karen Stapf-Harris in the Denali School District.



TEACHERS' LITERACY SKILLS AKIN TO OTHER PROFESSIONALS

New research shows that by one measure, teachers hold their own against people in other lines of work.

The Princeton NJ based Educational Testing Service carried out the analysis for the study. Based on results from more than 26,000 individuals, the ETS report defines three areas of ability: "prose literacy", the ability to use and understand information from texts, such as news stories and fiction; "document literacy", the ability to locate and use information in everyday materials; and "quantitative literacy", proficiency in mathematics.

About half the teachers scored at least at the fourth-highest level, out of five, in all three areas, compared with about 20 percent for adults nationwide.

The analysis also found teachers, on average, performing about the same as lawyers, marketing professionals, and social workers in prose literacy, and at least as well in document literacy as other professionals, with the exception of electrical engineers. And, though outperformed by auditors and computer-systems analysts in quantitative literacy, teachers scored about as well as other managers and professionals in that category.

The report also shows teachers earning significantly less than other professionals who possess the same level of skills.

AND THESE GUYS GET PAID MORE THAN TEACHERS

The following ACTUAL questions from lawyers, taken directly from court records, come from the 24th issue of "The Milwaukee Badge."

1. Was that the same nose you broke as a child?

2. Now, doctor, isn't it true that when a person dies in his sleep, in most cases he just passes quietly away and doesn't know anything about it until the next morning?
3. Q. What happened then?
A. He told me, he says, "I have to kill you because you can identify me."
Q. Did he kill you?
4. Was it you or your brother that was killed in the war?
5. Were you alone or by yourself?
6. Do you have any children or anything of that kind?
7. Q. I show you exhibit 3 and ask if you recognize that picture.
A. That's me.
Q. Were you present when that picture was taken?
8. Q. Do you know how far pregnant you are?
A. I'll be 3 months on November 8th
Q. Apparently, then the date of conception was August 8th?
A. Yes
Q. What were you doing at the time?
9. So you were gone until you returned?
10. Q. She had 3 children, right?
A. Yes
Q. How many were boys?
A. None
Q. Were there girls?
11. A Texas attorney, realizing he was on the verge of unleashing a stupid question, interrupted himself and said, "Your Honor, I'd like to strike the next question."
12. Q. Do you recall approximately the time that you examined the body of Mr. Edington at the Rose Chapel?
A. It was in the evening. The autopsy started about 8:30 p.m.
Q. And Mr. Edington was dead at the time is that correct?