

ALASKA LEGISLATURE COMMITTEE FILES 2001-2002 8672

10231 HOUSE HEALTH EDUCATION & SOCIAL SERVICES



# Alaska State Legislature

Please enter into the record my testimony to the House HESS  
committee name

Committee on HB 464, dated March 7, 2002  
bill # / subject

I am writing to ask that you adopt the HB 464 and that in be done in a timely manner. I am an I.D.E.A. parent and have been for 3 years. I have watched this program grow from 150 sutdents, to 3,500 students. The effort that is put into making this program succeed is outstanding. This wonderful program is the product of years of parent/teacher/administration input. It works the way it is - it doesn't need to be fixed or changed. Thank you for considering HB 464. Without its adoption I feel that we will be unduly restricted and discriminated against in our attempts to educate our children.

Signed: Catherine W. Bishop  
Testifier

Representing (optional)

P.O. Box 2986 Seward, AK 99664  
Address

(907) 224-2394  
Phone number



# Alaska State Legislature

Please enter into the record my testimony to the House HES Committee Members  
committee name

Committee on HB 464, March 7, 2002  
bill # / subject

I ask that you consider and adopt the Committee Substitute of HB 464.

I encourage the timely passage of this bill.

Thank your for your consideration.

Signed: Marsha Ware *Marsha Ware*  
Testifier

IDEA  
Representing (optional)

P.O. Box 7059 NIKISIKI, AK 99635  
Address

(907) 776-8981  
Phone number

THE  
FOLLOWING  
DOCUMENT(S)  
ARE  
POOR  
ORIGINAL  
COPIES



# Alaska State Legislature

Please enter into the record my testimony to the House Health, Education, and Social Services  
committee name

Committee on CS of HB464, dated 3,4,2002 (3/7/02) AS.  
bill # / subject

I have been informed of your work on behalf of the Homeschoolers of the State that choose to enroll our children in a State Correspondence Group. Thankyou for your work. I'd like to encourage you to forward your Committee Substitute for HB464 so that we can continue to school our children and enjoy the very valuable help that we receive from the good folks at IDEA. The added scrutiny that HB464 calls for would be burdensome and costly, and would serve no purpose regarding a better education for our children. The educational needs of our children and ourselves as parent/educators as best served by the local control and accountability that your Committee Substitute allows, and indeed, that we have enjoyed for some time.

Signed: Darrell W. Kincaid  
Testifier

Parent/Educator in the IDEA program  
Representing (optional)

38710 Highcrest Court Sterling, Alaska 99672  
Address

907-262-1535  
Phone number

PLEASE ENTER MY TESTIMONY INTO THE RECORD TO THE HESS  
COMMITTEE IN THE REGARD TO THE HB 464 TELECONFERENCE ON MARCH  
7, 2202.

Please recognize the difference between in-district correspondence programs and statewide correspondence programs. District programs work closely with the local school board for curriculum adoption, testing policies etc. and have students who reside in the district, support the local businesses and pay the local taxes. Statewide programs, on the other hand, have scattered students which do not support the local economy, actually funnel money away from the local community and do not have representation on local school boards. This is not what we teach our children about democracy; this is not what we should practice in our state schools.

SIGNED (Russell J. Persson) Russell J. Persson  
ADDRESS: Box 459 Tok AK 99780 883-2591



State of Alaska  
Legislature

PLEASE ENTER MY TESTIMONY INTO THE RECORD TO THE

HHES

(COMMITTEE NAME)

COMMITTEE IN REGARD TO THE

HB 464

(BILL/SUBJECT)

ON 3/7/02

(DATE)

I support the Committee Substitute for HB464.  
The wording of this substitute accurately  
represents what I feel is fair and necessary  
legislation for statewide school district correspondence  
study programs.

SIGNED

Jeanette Pedginski

(PLEASE PRINT)

PO Box 486, Tok AK 99780 883-4343

(ADDRESS AND PHONE NUMBER)



State of Alaska  
Legislature

PLEASE ENTER MY TESTIMONY INTO THE RECORD TO THE

HIES

(COMMITTEE NAME)

COMMITTEE IN REGARD TO THE

HB 464

(BILL/SUBJECT)

ON 3/7/02

(DATE)

*I support the committee substitute  
for house bill # 464.*

SIGNED

Ruth Sonnenberg

(PLEASE PRINT)

P.O. Box 70, Tok, AK 907.883.5400

(ADDRESS AND PHONE NUMBER)

March 6, 2002

Alaska State House of Representatives  
Chairman, House Education and Social Services Committee  
State Capitol Room 104  
Juneau, Alaska 99801-1182

Dear Representative Dyson:

I have worked as an Otolaryngologist at the Alaska Native Medical Center for the last eight years. Prior to the implementation of Denali KidCare in March of 1999, we had great difficulty delivering treatment to disadvantaged Native Alaskan children in a consistent fashion. It was typical to see a child with a clear indication for surgery during one of our outreach clinics in rural Alaska but not have the opportunity to perform the surgery due to the family's inability to afford a trip into Anchorage. Denali KidCare changed that dramatically. We have had much better success in delivering treatment to these children.

My specialty is unique in that relatively simple procedures such as the placement of ear tubes, repair of eardrum perforations, and the removal of recurrently infected tonsils can have a substantial effect on the health and development of a child. It is heartbreaking to see a child with entrenched speech and language developmental delay from a hearing loss that could have been corrected with a five minute operation. From a public health standpoint, the costs to society dealing with a delayed child are many multiples higher than that cost of a simple corrective procedure performed at the appropriate time.

The changes in eligibility mandated by HB 367 would not only lose health care coverage for currently eligible Alaskan children but would also result in the loss of federal matching funds that the state currently receives. In fact, for every dollar spent on Denali KidCare, 71 cents comes from the federal government. For children eligible for Native Health Services, the argument to maintain current eligibility standards is even more compelling as those services are paid 100% by federal funds. It would seem to me that HB 367 would actually result not only in a loss of dollars for health care specifically but for the overall state economy in general.

I cannot think of another program or initiative that has been as successful as Denali KidCare in realizing its goal: to improve the health status of Alaskan children from all walks of life. I would encourage you and your colleagues to continue your support for this vital program.

Sincerely yours,



John Kokesh, MD  
Chief, Department of Otolaryngology  
Alaska Native Medical Center

RE: HB 464 "An Act relating to statewide school district correspondence study programs

TO: HES Committee members

MEMO: Please enter into the record my testimony to the House HES Committee on HB 464, dated March 7, 2002, as follows:

**Please vote yes on the Committee Substitute version of HB 464** pertaining to statewide school district correspondence study programs such as IDEA, Cyberlynx, etc. I am a homeschooling mother and a certified teacher who believes in educational **CHOICE**. Please defend our educational freedoms by supporting HB 464.

Margaret Seeley  
#142, 3875 Geist Rd., Ste. E  
Fairbanks, AK 99709

**Attention: House HES Committee**

**From: Judith R Thomas  
1910 Jupiter Dr  
North Pole AK 99705  
907-490-9089**

**March 7, 2002**

**I am writing to encourage you to adopt the committee substitute of HB 464. I appreciate your efforts to keep the choices associated with homeschooling in the hands of the parents. I am with IDEA and have found it to be well organized and very helpful, without need of further regulations. Please do all you can to see the timely passage of this bill.**

*Judith R. Thomas*  
**Judith R. Thomas**

**Please enter into the record my testimony to the House HES Committee on HB 464, dated March 7, 2002.**

Testimony for CS HB464

March 7, 2002

To: House HES Committee Members:

Rep. Fred Dyson, Chair,  
Rep. Peggy Wilson, Vice-Chair,  
Rep. John Coghill,  
Rep. Gary Stevens,  
Rep. Vic Kohring,  
Rep. Sharon Cissna,  
Rep. Reggie Joule,

My name is Debraly Gamache; I am a homeschooling mother of three children. I represent IDEA and I would like my testimony entered into the record for the House HES committee on HB464, March 7, 2002. I urge each one of you on this committee to adopt the committee substitute for HB464 and pass the legislation quickly.

This is extremely important for those of us who have devoted ourselves to give our children the best education possible. The Dept. of EED is going well beyond the clear intent of the legislature towards homeschoolers and programs like IDEA and as a result our freedom to choose is in jeopardy. Please support our efforts and adopt CS HB464 and pass it quickly.

Respectfully,  
Debraly Gamache  
P.O. Box 348  
Barrow, Alaska 99723  
(907) 852-3257

*Debraly Gamache*

1530 Crescent Drive  
Anchorage, AK 99508  
6 March 2002

Anchorage Legislative Information Office  
716 West Fourth Avenue, Suite 200  
Anchorage, AK 99501

To whom it may concern:

Please, enter into the record my sentiments to the House HES Committee on HB464, dated 7 March 2002. I am in favor of HB464 and am in agreement with the comments and statements of Carol Simpson of Homer. My address is listed above and my phone number is (907) 563-9068.

Thank you for your time and for making note of my support of HB464.

Sincerely,

Cynthia Wilson

Post-it® Fax Note	7671	Date	3-7-02	# of pages	1
To	Anch. Legislative I.O.	From	Cynthia Wilson		
Co./Dept.		Co.			
Phone #	269 0111	Phone #	563 9068		
Fax #	269 0229	Fax #	563 9028		

MARCH 7, 2002

TO WHOM IT MAY CONCERN:

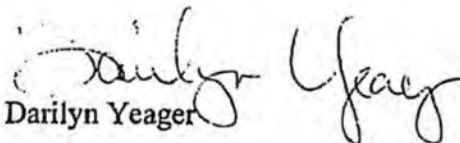
From: Darilyn Yeager  
7121 E 34<sup>th</sup> Ave  
Anchorage, AK 99504  
907-562-8268  
Represent self

Please enter into the record my testimony to the House HES Committee on HB 464, dated March 7, 2002.

I am sending this to let you know that I am in favor of HB 464. I agree with Carol Simpson of Homer. This is our 13<sup>th</sup> year of homeschooling . Programs like IDEA, help give our children a broader education. We feel our children are getting a better education at home, then they would in the public school, due to one on one teaching. Our oldest is going to graduate this May, and she was in the first class to take the Exit Exam. She passed all three tests the first time.

Thank you for your time to read this.

Sincerely,

  
Darilyn Yeager

NANCY A. WOLD  
12547 CRESTED BUTTE DRIVE  
EAGLE RIVER, AK 99577-7655  
PHONE: 696-8794

March 7, 2002

Anchorage Legislative Information Office

716 W 4th Avenue, Suite 200

Anchorage, AK 99501-2133

Fax: (907) 269-0229

Dear LIO Staff:

Hello! My name is Nancy Wold from Eagle River, Alaska. I am writing on behalf of myself, as a homeschool teacher working with IDEA (Interior Distance Education of Alaska).

I am in favor of HB464. I also agree with Carol Simpson who is speaking on our behalf in Homer.

Please enter into the record my testimony to the House HES Committee on HB464, dated March 7, 2002.

Thank you for your consideration in this matter.

Sincerely,



Nancy Wold

**Subject:** [Fwd: HB464]

**Date:** Thu, 07 Mar 2002 08:47:26 -0900

**From:** Anchorage LIO <Anchorage\_LIO@legis.state.ak.us>

**To:** Barbara Norrell <Barbara\_Norrell@legis.state.ak.us>

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**Subject:** HB464

**Date:** Thu, 07 Mar 2002 07:54:59 -0900

**From:** The Schwichts <schwicht@alaska.net>

**Organization:** IDEA

**To:** Anchorage\_LIO@legis.state.ak.us

Debra & Stephen Schwicht  
11820 Humble Court  
Anchorage, AK 99515  
(907) 522-9988

We agree with Carol Simpson of Homer, and we urge you to pass HB464, to help preserve the supportive atmosphere homeschool students have so greatly benefited from in the state of Alaska.

We are the parents of six children, four of whom are currently being homeschooled. We homeschool through IDEA and have been very pleased with the teacher/staff support and service IDEA has provided us. Greatly aided by the IDEA program, we have been able to provide an excellent, personalized education tailored to the needs of each of our children for the last 3+ years. Our daughter, who graduated through IDEA is now a successful university student. Our other students/children have had numerous successful educational experiences which we could relate, but you'd get tired of reading them. They are becoming well educated and IDEA, its program and staff, is and has been an invaluable resource for us. In short, it works! Please do all in your power to preserve it as is.

The State Board of Education's push to take much greater control of homeschooling seems to be motivated more by politics than by a concern for what's best for the students involved. The BOE seems to have forgotten the wisdom of the age old, "If it ain't broke don't fix it." If anything, they should be trying to strengthen the homeschooling movement in Alaska because it is proving successful for so many students!

Thank you so much for your assistance.

Debra & Steve Schwicht  
Emmalee, Jeffrey, Daniel, & Sarah Schwicht

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Anchorage LIO <Anchorage_LIO@legis.state.ak.us> (907) 269-0111
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**Subject: Re: HB 464**

**Date:** Thu, 07 Mar 2002 08:05:15 -0900

**From:** Anchorage LIO <Anchorage\_LIO@legis.state.ak.us>

**To:** Larrisa <larrisa@gci.net>, Barbara Norrell <Barbara\_Norrell@legis.state.ak.us>

Hi Larrisa:

We will pass this on to the committee.

Thank you.

Barbara  
Anchorage LIO

Larrisa wrote:

> ...From: Larrisa Cummings, 2932 Kingfisher, Anchorage AK 99502, 248-7830  
>  
> This email represents myself in the interests of quality, and equitable  
> homeschooling.  
>  
> Please enter into the record my testimony to the House HES Committee  
> on HB 464, dated March 7, 2002.  
>  
> I support the committee substitute for HB 464. Education is both  
> collective and individual, and nothing should interfere with our  
> ability both as private citizen and as an education community to  
> be select methods and curriculum that works for our children.  
> If we as parents are willing to make the effort to homeschool our  
> children, we need to have more options, more flexibility, and  
> creativity. Part of why I homeschool is so that I and my children  
> aren't LOCKED in a box, but rather are able to plan and act  
> according to what works for each of my children. We have been  
> very successful thus far. My oldest scored in the 98 percentile  
> in her last standardized (CATS??) tests! My youngest scored at or  
> above average. The test scores don't mean as much to me as they do  
> to some folks....but are nice reassurance that we aren't totally missing  
> the boat! Please consider all the input regarding the adopting of this  
> CS for HB 464, especially from the folks in the trenches (the parents,  
> and the homeschool community)!!  
>  
> Thank you, Larrisa Cummings

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Anchorage LIO <Anchorage_LIO@legis.state.ak.us> (907) 269-0111
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**Subject: [Fwd: HB 464]**

**Date:** Thu, 07 Mar 2002 08:50:36 -0900

**From:** Anchorage LIO <Anchorage\_LIO@legis.state.ak.us>

**To:** Barbara Norrell <Barbara\_Norrell@legis.state.ak.us>

B

Can you please let these folks know that you've received their email.

Thanks.

L

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**Subject: HB 464**

**Date:** Thu, 7 Mar 2002 08:38:50 -0900

**From:** "Dan & Linda Wiese" <dwiese@ideafamilies.org>

**To:** <Anchorage\_LIO@legis.state.ak.us>

Dear LIO:

We are Dan & Linda Wiese, 17506 Baronoff Ave, Eagle River, Alaska; phone number 907-696-8771. We have two boys who are students in the IDEA program. Please enter into the record our testimony to the House HES Committee on HB 464, dated March 7, 2002, that would like for you to adopt and quickly pass bill HB 464.

Dan and Linda Wiese

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Anchorage LIO < <a href="mailto:Anchorage_LIO@legis.state.ak.us">Anchorage_LIO@legis.state.ak.us</a> > (907) 269-0111
--

FROM: TANYA THOMPSON  
POB 91735  
ANCHORAGE, AK 99509  
907 243 7596  
FANCYMOOSE@GCI.NET

TO: REGION A LEGISLATIVE INFORMATION OFFICES  
716 WEST 4<sup>TH</sup> AVENUE SUITE 200  
ANCHORAGE, ALASKA 99501  
FAX 907 269-0229

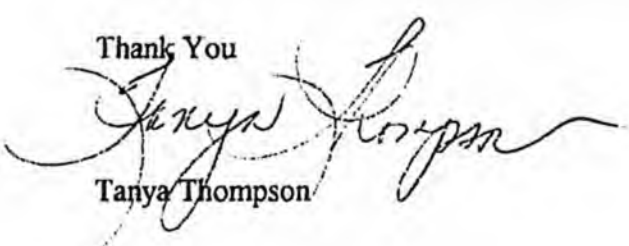
TO WHOM IT MAY CONCERN:

Please enter into the record, my testimony to the House HES Committee on HB 464, dated 7 March 2002.

I am in favor of HB 464 and could not be there today, due to testing for my 9<sup>th</sup> grade child. I have been home schooling all my children since 1979 and firmly believe that we as parents have the right to choose the type of education, curriculum and type of home schooling program we want for our children. It is a proven statistic that home schooled children are more mature, score higher academically and function in society and hold jobs longer than an average public schooled child. My youngest son attended West High School this year (10<sup>th</sup> grade) after refusing to continue with home school. He had refused since 8<sup>th</sup> grade to participate in home school and his father let him lay around for 8<sup>th</sup> and 9<sup>th</sup> grade watching TV and sleeping. When he enrolled him in West, he had no transcripts at all, as he had done nothing. West put him in 10<sup>th</sup> grade and the child holds a 3.0---and does very little work. An average public schooled child could not miss 2 years of school and shoot into the 10<sup>th</sup> grade and pick right up. I have personally seen what happens when they are out of school for Spring and Christmas break.

I am very much in favor of HB464 and want that on record.

Thank You

  
Tanya Thompson

**Request:** Please work to change the Department of Education's proposed regulations on correspondence schools and support Representative James's bill for a preemptive change to these **school ending regulations**.

First I would like for legislators and correspondence school participants to key in on the most important changes to the regulations in AAC 33.420 -- 33.490. These most important changes are those that will make it **difficult or impossible for correspondence schools to continue to operate** or for families to choose to attend them depending on their private purchases. These regulations fall into 4 categories:

List of regulations that will force students out of correspondence schools, or close the school down:

1. Regulations that **significantly increase the teacher cost** for each student and regulations that increase the **overhead** of the school significantly.
2. Regulations that will **prevent the teacher from assisting** in educational areas that the correspondence family has chosen to privately purchase religious materials for.
3. Regulations that will **dramatically change the structure** by a wholesale replacement of the authority and judgement of the parents with that of the certified teacher, who currently assists the parents.
4. Regulations that will remove students from the program for not taking assessment exams, and those that **close down the school** if assessment attendance does not register within 10% of the state participation average.

A cursory reading of the regulations may show them to be less than disastrous. A more complete review will reveal that **many of the regulations fall into one of these 4 categories**. While some of the regulations do, in fact, represent the current structure of the correspondence schools, most of the regulations appear to be either **discriminatory** to correspondence school students, **disruptive** to the home school, or **excessively restrictive** interpretations of State laws regarding purchasing and course content.

**Suggested law:**

Representative James is currently sponsoring a bill that will continue a cooperation with correspondence schools, treating them no differently than other students.

I have reviewed the regulations proposed by the Department of Education regarding Chapter 33 about Special Schools. The particular area for the proposed changes includes State-wide correspondence schools, including those run by charter school programs. Aside from the findings above, here are my findings:

1. The proposed regulations enact **significant changes to the existing law**.
2. The proposed regulations will **reduce the individual student account by approximately 75%**.
3. The proposed regulations will **divert teacher and monetary resources away from students who need it most** (in traditional public schools) and is therefore not in the 'best interest of the State.'

It appears that the regulations proposed by the Department of Education are not an enactment of the will of the legislature embodied in the law that allowed for the formation of the correspondence school option, but rather a significant change to it. The Department of Education is implementing regulations that will replicate the less successful school vision that exists in traditional schools, which will lead to a reduced effectiveness and *simplicity of the successful correspondence / home school*. Finally, *these regulations will be costly*, effectively wiping out the account that allows parents barely able to afford to home educate the ability to continue to do so. Please also read the in-depth review that I have provided for you via e-mail.

Thank you,

Glen M. Biegel

5951 Barry Ave  
Anchorage, AK 99507

Please enter into the record my testimony to the House HES committee on HB 464.  
Dated March 7, 2002  
Donna Claus  
P.O. Box 109  
Chitina, AK 99566 (907) 258-0636

To: The Honorable members of House HES.  
Thank you for taking the time to consider this bill in a timely fashion.

I agree with Carol Simpson and others supporting Committee substitute HB464.

We live 180 miles by plane from the nearest school within the Wrangell/St. Elias National Park. We must home school. But, we would choose this option even if we lived in town. We are enrolled in I.D.E.A. a statewide home school program. With their help we are producing 3 great citizens of the future.

Our children have won numerous awards here in Alaska and nationally. They have been featured in film & print documentaries. They have traveled all over the world for extended times. We will be in Antarctica for 2 months beginning in November of this year with our own airplane. We will simply explore the continent on our own.

Our home is a hive of activity, 52 countries & all states have been represented at our dinner table. It is not uncommon to have 5 languages in use in our home at a time.

We live a very different lifestyle and appreciate the freedom that the legislature originally intended for those of us that choose to teach our own children at home. I.D.E.A. works so well don't put unnecessary binders on it & other homeschool programs. We are equal to public schools & don't need extra regulation.

We live a very different lifestyle and appreciate the freedom that the legislature originally intended for those of us that choose to teach our own children at home. I.D.E.A. works so well, don't put unnecessary binders on it and other home schooling programs. We are equal to public schools, we don't need extra regulation.

Donna Claus

**Subject: HB 464**

**Date:** Thu, 07 Mar 2002 13:48:23 -0800

**From:** Anna Maus <timmaus@gci.net>

**To:** Anchorage\_LIO@legis.state.ak.us

ANNA MAUS  
P.O. Box 670725  
20640 Chapel Drive  
Chugiak, AK 99567-0725

re: IDEA Representation for HB 464

***PLEASE ENTER INTO THE RECORD*** my testimony to the House HES Committee on HB 464,  
**dated March 7, 2002.**

**I am in support of HB 464.**

Sincerely,  
Anna Maus

**Subject: HB 464**

**Date:** Thu, 07 Mar 2002 13:55:11 -0800

**From:** Anna Maus <timmaus@gci.net>

**To:** Anchorage\_LIO@legis.state.ak.us

LILLIAN M. PERSON

24120 Ramblers Rd.

Chugiak, AK 99567

(907) 688-3678

**RE:** IDEA Representation for HB 464

PLEASE ENTER INTO THE RECORD my testimony to the House HES Committee on HB 464, dated March 7, 2002.

**I am in support of HB 464.**

Thank you for your willingness to accept my e-mail. Please forward as necessary to those involved.

Sincerely,  
Lillian M. Person

**Subject:** HB464

**Date:** Thu, 7 Mar 2002 10:53:41 -0900

**From:** "David Stockwell" <davedebs@ideafamilies.org>

**To:** <Anchorage\_LIO@legis.state.ak.us>

To whom it may concern:

I want it to go on record that I agree with Carol Simpson who is representing IDEA in Homer, and that I strongly support the HB464.

Thankyou for this attention.

Debbie Stockwell  
2351 Foxhall Dr.  
Anchorage, AK 99504

907-332-2227

**Subject: HB464**

**Date:** Thu, 7 Mar 2002 10:53:46 -0900

**From:** "albanil family" <jalbanil@ideafamilies.org>

**To:** <Anchorage\_LIO@legis.state.ak.us>

I began homeschooling after four years of substandard public school. I tried for years to work with the system but my children were growing up and feeling incapable of excellence. I began homeschooling one son and it was so successful that I now homeschool both sons. They now feel capable of so much and we have time to master all the concepts and still have family time. I use I.D.E.A. and have for four years after a brief and unhappy time with Alyeska.

IDEA has been wonderful for my sons. I can accommodate their very different learning styles and participate in the "Battle of the Books", "Geography Bee", "Book-It", and "Math Counts". IDEA offers seminars, activity days, field trips and other educationally enriching activities much like the other schools in Alaska. My children excel in this correspondence program. We belong to a Science co-op, a Spanish study group, fencing group, boy scouts, youth group, and volunteer as a family in the community. We would not be happy or as active in a public school. I support your actions to protect my correspondence school from needless regulation and pointless changes. The representatives of my homeschool DO speak for me and I support HB464. I agree with the testimony of Carol Simpson and am thankful for my school, IDEA. Thank you for your consideration.

I am Cindy Albanil. My telephone number is 243-4924. I live at 9224 Kavik St., Anchorage, AK 99502.

**Subject: HB464**

**Date:** Thu, 7 Mar 2002 11:25:42 -0900

**From:** "Garrett & Melanie Heusser" <mheusser@ideafamilies.org>

**To:** <Anchorage\_LIO@legis.state.ak.us>

Melanie Heusser

7805 Kiana Cr. Anchorage, AK 99507 907-522-7345

Representing myself as a homeschooling member of I.D.E.A.

Please enter into the record my testimony to the House HES Committee on HB 464, dated March 7, 2002.

I am in favor of HB464. I agree with Carol Simpson in Homer.

Please help us reserve the right to school our children with freedom.

Melanie Heusser

**Subject: HB464**

**Date: Thu, 07 Mar 2002 23:58:51 +0000**

**From: alaskaisfrozen@att.net**

**To: Anchorage\_LIO@legis.state.ak.us**

Nancy Frost  
14030 Specking Ave.  
(907)349-5028

Please enter into the record my testimony to the House  
H&S Committee on HB464, dated March 7, 2002.  
I am in favor and support HB464.

Respectfully,  
Nancy Frost

**Subject: HB464**

**Date: Fri, 08 Mar 2002 00:07:27 +0000**

**From: alaskaisfrozen@att.net**

**To: Anchorage\_LIO@legis.state.ak.us**

Buck Frost  
14030 Specking Ave.  
Anchorage, AK 99515  
(907) 349-5028

Please enter into the record my testimony to the House  
HES Committee on HB464, dated March7,2002.  
I am is favor of HB464.

Sincerely,  
Buck Frost

Please enter into the record my testimon...ommittee on HB 464, dated March 7, 2002."

**Subject: Please enter into the record my testimony to the House HES Committee on HB 464, dated March 7, 2002."**

**Date:** Thu, 7 Mar 2002 11:13:38 -0900

**From:** "Susan Teel" <susan@beluga.com>

**To:** <Anchorage\_LIO@legis.state.ak.us>

Please enter into the record my testimony to the House HES Committee on HB 464, dated March 7, 2002."

My name is Susan Teel  
PO Box 671996  
Chugiak, AK 99567  
907-688-7800

I represent myself.

I agree with Carol Simpson of Homer and  
SUPPORT HB464

Thank-you,

Susan Teel

~~~~~  
Susan Teel  
[www.teelfamily.com](http://www.teelfamily.com)  
[susan@beluga.com](mailto:susan@beluga.com)  
~~~~~

**Subject: Testimony for HB464**

**Date:** Thu, 7 Mar 2002 13:33:23 -0900

**From:** "Susan Kiggins" <mkiggins@ideafamilies.org>

**To:** <Anchorage\_LIO@legis.state.ak.us>

To Whom It May Concern:

My name is Susan Kiggins, I can be reached at 1910 Cleveland Ave. Anchorage, AK 99517 or 907-562-3538. I am a Homeschooler with IDEA. Please enter into the record my testimony to the House HES Committee on HB464, dated March 7, 2002. As a Homeschooler for my 5 children I am in favor of HB464. I also agree with Carol Simpson in Homer.

**Subject: HB 464**

**Date:** Thu, 7 Mar 2002 13:22:56 -0900

**From:** "Alaska Quade's" <jcquade@gci.net>

**To:** <Anchorage\_LIO@legis.state.ak.us>

Hello, my name is Carla Quade. My address is 20212 Paul Revere Circle, Eagle River, AK 99577. My phone number is 907-622-9504. I am with IDEA program.

***"Please enter into the record my testimony to the House HES Committee on HB 464, dated March 7, 2002."***

I am in favor of HB 464

I agree with Carol Simpson in Homer

Thank you for your consideration in this matter. Carla Quade

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Outgoing mail is certified Virus Free.

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Version: 6.0.286 / Virus Database: 152 - Release Date: 10/9/2001

**Subject: HB 464**

**Date:** Thu, 7 Mar 2002 10:18:36 -0900

**From:** "Tom & Grace Huhndorf" <thuhndorf@ideafamilies.org>

**To:** <Anchorage\_LIO@legis.state.ak.us>

**CC:** <Cordova\_LIO@legis.state.ak.us>

Andrea Grace Huhndorf  
POBOX 211826  
7520 E. 34th Street  
Anchorage, AK 99521  
907-333-3047

I am currently home schooling; I am enrolled with IDEA.

Hello, I am writing to document my support of HB 464. I agree with Carol Simpson in Homer.

AGH

**Main Identity**

**From:** "Sally" <sally@ideafamilies.org>  
**To:** <Anchorage\_LIO@legis.state.ak.us>  
**Sent:** Thursday, March 07, 2002 4:52 PM  
**Subject:** HB464 - March 7, 2002

*"Please enter into the record my testimony to the House HES Committee on HB 464, dated March 7, 2002*

*Marcella "Sally" Javier  
6425 East 16th Avenue  
Anchorage, Alaska 99504  
907-333-2255*

*I am truly sorry that I could not make it today. I have been helping with Benchmark testing of IDEA students.*

*I support HB464.*

*Thank you for taking the time to hear my voice.*

*Sincerely,  
Marcella "Sally" Javier*

**Main Identity**

**From:** "Sally" <sally@deafamilies.org>  
**To:** <Anchorage\_LJO@legis.state.ak.us>  
**Sent:** Thursday, March 07, 2002 4:52 PM  
**Subject:** HB464 - March 7, 2002

*"Please enter into the record my testimony to the House HES Committee on HB 464, dated March 7, 2002*

*Marcella "Sally" Javier  
6425 East 16th Avenue  
Anchorage, Alaska 99504  
907-333-2255*

*I am truly sorry that I could not make it today. I have been helping with Benchmark testing of IDEA students.*

*I support HB464.*

*Thank you for taking the time to hear my voice.*

*Sincerely,  
Marcella "Sally" Javier*

**Subject: HB464 - March 7, 2002**

**Date: Thu, 7 Mar 2002 16:52:07 -0900**

**From: "Sally" <sally@ideafamilies.org>**

**To: <Anchorage\_LIO@legis.state.ak.us>**

*"Please enter into the record my testimony to the House HES Committee on HB 464, dated March 7, 2002*

*Marcella "Sally" Javier  
6425 East 16th Avenue  
Anchorage, Alaska 99504  
907-333-2255*

*I am truly sorry that I could not make it today. I have been helping with Benchmark testing of IDEA students.*

*I support HB464.*

*Thank you for taking the time to hear my voice.*

*Sincerely,  
Marcella "Sally" Javier*

Laura Wilmot  
P.O.Box 771002  
Eagle River, Ak. 99577

Re: IDEA Representation for HB 464

Please enter into record my testimony to the House HES Committee on HB 464,  
dated March 7, 2002.

I am in support of HB 464

Thank you for your willingness to accept my e-mail. Please forward as necessary  
to those involved.

Sincerely,  
Laura Wilmot

**Subject:** [Fwd: Galena School Districe/IDEA]

**Date:** Wed, 13 Mar 2002 09:07:24 -0900

**From:** Matsu LIO <MatSu\_LIO@Legis.state.ak.us>

**Organization:** Alaska State Legislature

**To:** Representative Fred Dyson <Representative\_Fred\_Dyson@Legis.state.ak.us>,  
Representative Peggy Wilson <Representative\_Peggy\_Wilson@Legis.state.ak.us>,  
Representative Vic Kohring <Representative\_Vic\_Kohring@Legis.state.ak.us>,  
Senator Lyda Green <Senator\_Lyda\_Green@Legis.state.ak.us>,  
Senator Loren Leman <Senator\_Loren\_Leman@Legis.state.ak.us>,  
Senator Robin Taylor <Senator\_Robin\_Taylor@Legis.state.ak.us>,  
Representative Lesil McGuire <Representative\_Lesil\_McGuire@Legis.state.ak.us>

---

**Subject:** Galena School Districe/IDEA

**Date:** Wed, 13 Mar 2002 05:16:27 -0900

**From:** "Tiedeman I" <tiedeman4@gci.net>

**To:** <MatSu\_LIO@legis.state.ak.us>

To whom it may concern;

Please do not pass the proposed regulations regarding GSD and IDEA. Myself and many other enrolled Home Teachers, will feel we have no other choice than to disenroll and go it alone if forced to use only one curriculum. It has become obvious, especially as homeschoolers, that not all curriculums work well with all kids, or with all Home Teachers for that matter.

These proposals would have only negative impacts including but not limited to: loss of revenues for the program to the State and School District, loss of jobs. Loss of supervision, Certified Teacher assistance for the Home Teacher and loss of mandated testing for those enrolled in a State program. But, last and most definitely NOT LEAST, the children would lose out the most. They would not be getting the quality, supervised, controlled and tested education that they are getting now. The GSD/IDEA kids are testing VERY well.

We need your help. I understand the concerns of those who wrote these proposed regulations, but they clearly don't understand homeschoolers. They seem to assume that we'd just accept the new regs. and go on with the program, but those kind of regs. were why a great proportion of us left other programs or signed up with IDEA rather than go it alone in the first place.

Please vote against these regulations. They are, to put it plainly, UNNEEDED.

GSD/IDEA is a great program. If there are areas they need to improve on to fit State mandates, I'm sure they can do that without ruining the program we homeschoolers are so happy with now.

We will all lose. Please don't let that happen.

I thank you for your valuable time,

Mrs. Marianne Tiedeman  
[rtiedeman@ideafamilies.org](mailto:rtiedeman@ideafamilies.org)

**Subject: Homeschool Regulations**

**Date:** Sat, 9 Mar 2002 11:51:20 -0900

**From:** Jared Wandell <wandell@ak.net>

**To:** "'Representative\_Fred\_Dyson@legis.state.ak.us'" <Representative\_Fred\_Dyson@legis.state.ak.us>

Dear Fred Dyson,

I have been investigating some other Department of Education & Early Development regulations that would effect our family. Next year my husband will be joining the Air Force and we will be moving from Alaska. We plan on keeping our Alaska residency and house so we can return to Alaska after we do our required time in service. Under the new proposed regulations our older two children could continue to be enrolled in State wide correspondence school but our younger children would not qualify. As a State of Alaska resident all of our children should qualify for state wide correspondence programs. I feel that this is not fair for families who are serving for the armed services. I do not know if this matter will be addressed in HB 464, but feel strongly that it will hurt our family and other families serving in the armed forces.

Regulations Adopted by the Board and Awaiting Filing"

in the first document "4AAC 09.015, Student Counts for Foundation Formula" at <http://www.eed.state.ak.us/regs/4aac09revisedregs.pdf> section 4AAC 09.015 #2k.

Sincerely,

Janine Wandell

**Subject: HB 464**

**Date:** Mon, 11 Mar 2002 08:07:30 -0900

**From:** "Sue and Doug Badilla" <dbadilla@ideafamilies.org>

**To:** <Representative\_Fred\_Dyson@legis.state.ak.us>

Dear Representative Dyson,

I am a homeschooling parent with the IDEA correspondence program and I am writing in support of the committee substitute for this bill. I feel very strongly that homeschooling families

- 1) should not be over regulated
- 2) should be able to choose the curriculum
- 3) should be given an allotment of funds to help us educate our children.

These are the most important issues to our family. Thank you for your time on this important bill.

Sincerely,

Sue Badilla  
1067 Arctic Circle  
Juneau, AK 99801

**Subject: HB 464**

**Date:** Thu, 7 Mar 2002 14:32:02 -0900

**From:** Jared Wandell <wandell@ak.net>

**To:** "Representative\_Fred\_Dyson@legis.state.ak.us" <Representative\_Fred\_Dyson@legis.state.ak.us>

Dear Sir,

Please adopt the CS (Committee Substitute) of HB464 and the timely passage of this bill.

Attached letter written to the Department of Education & Early Development.

Thank you,

Janine Wandell

<u>Homeschool letter.doc</u>	<b>Name:</b> Homeschool letter.doc <b>Type:</b> WINWORD File (application/msword) <b>Encoding:</b> x-uuencode
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**Subject: support of CS HB 464**

**Date:** Fri, 08 Mar 2002 12:24:20 -0900

**From:** "Tammy Moser" <yoginni@hotmail.com>

**To:** Representative\_Fred\_Dyson@legis.state.ak.us

I am writing to voice my support of committee substitute HB 464.

Sincerely, Tammy Moser

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STATE OF ALASKA  
THE LEGISLATURE

LEGISLATIVE AFFAIRS AGENCY  
DIVISION OF PUBLIC SERVICES

PETERSBURG LEGISLATIVE INFORMATION OFFICE

PHONE: 772-3741

FAX: 772-3779

FAX TRANSMISSION

TO: (H) HESS

FAX: 465-4587

DATE: March 15, 2002

MESSAGE: Please enter into the record + put on  
members desks for HB 464 today


Dear House HES. Committee Members:

Thank you for hearing the testimony of the public concerning CS HB 464. I have been a homeschooling parent of three for the last nine years. We are very happy with the I.D.E.A. program and would hate to see the DEED change things so much that we would lose the opportunities afforded to us by the Galena City School District. If these regulations are passed without the protection of this Bill, we will be forced to withdraw from the program and continue on our own as we have always done before the I.D.E.A. program became our advocate.

If the education of our children is the primary concern, which DEED assures us it is, then we need to look at the facts. The facts of the case in our family are that my oldest son is working on having his doctorate by the age of 24, my second son is 11 and is doing high school work and my third grade daughter is doing the work of a fifth grader. This acceleration could not happen in the conventional school system where just maintaining the status quo is the primary goal. With our tailor-made classes, we are able to take full advantage of the flexibility that the homeschool offers without worrying about any non-educational interruptions that occur during every class period in the public school system.

With the moneys that we are able to access through the wise distribution of education funds from the state, we have been able to excel in music and art, as well as participate in the State Spelling Bee in Anchorage, geography bees, and reading programs. We also have access to a resource room with a trained staff that is willing to aid us in our goal to home educate our children. Many hours of preparation go into what we do in our families and the funding has been a great blessing to those of us who will continue to homeschool in the face of opposition. Please consider the education of our children as a primary concern when passing this bill out of Committee with a favorable response.

Thank you very much.

  
Sincerely,  
Christie Axmaker

March 14, 2002

HHESS Committee:

RE: Proposed changes to regulations concerning state wide homeschooling programs.

Our family has been involved in homeschooling our children for the past ten years. Our first experience was with the predecessor of the Alyeska Central School when one of our daughters was in Kindergarten. While we appreciated the efforts of the staff, we found the paperwork and record keeping requirements of the program excessive. It was up to us to adapt the materials to insert our Christian material into the curriculum. It was way more work than we were interested in and we 'dropped out' prior to finishing the year. Subsequently we continued homeschooling on our own with all of our children, using Christian based curriculum which did not need adapting. There were no reporting requirements. We got the hang of homeschooling and decided to use it through high school.

In 1998 we enrolled in the IDEA program to supplement our homeschooling program. The following features of the IDEA program attracted our attention:

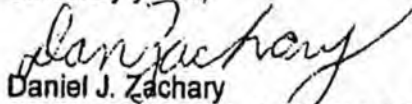
- Minimum reporting requirements
- Flexibility to choose or write our own curriculum (mix and match).
- Ability to use Christian curriculum (at our own expense), but still receive credit for completing the work.
- The IDEA staff was available as a resource to discuss teaching issues.
- Ability to include the more expensive extra-curricular activities that public school students benefit from with no additional cost to us. (Music instruction, Physical Education instruction, art instruction).

One of the requirements of being involved in the IDEA program was that we agree to have our children take the standardized achievement testing to verify that they are within normal limits in their academic instruction. I believe that our test scores have demonstrated that with or without a program like IDEA, homeschooling works and DEED is getting it's moneys worth when they support homeschooling options.

The greatest asset to programs like IDEA is the individuality and flexibility that is permitted. If you attempt to put homeschooling into a public school 'box' by controlling and limiting options it will fail. Homeschooling works because we can mix and match a program to fit the student. If our student is in 4<sup>th</sup> grade in math, but 7<sup>th</sup> grade in history and 5<sup>th</sup> grade in language, we can assemble a curriculum to do that. Public school does not give us that option. It's all 4<sup>th</sup> grade or nothing.

Please use great care when writing regulations that attempt to make homeschooling look like a traditional public school. I see these proposed regulations as taking great strides in this direction and if they are adopted it is most likely that we will withdraw from working under a state program and return to homeschooling independently as we have done in the past.

Sincerely yours,

  
Daniel J. Zachary  
PO Box 1531 - 14 South Third Street  
Petersburg, AK 99833

March 14, 2002

Page 1.

To: the HEES Committee  
Re:  
From: Sharylee Zachary, Petersburg, AK

"Hello, again!"

I gave testimony at the March 7 meeting and submitted a comment letter that same day.

I will not go over what I already said, but I do have a few more thoughts.

When someone is working with, say, cancer, the goal is to 'get rid of it and bring the person back to health'! No two cancers are the same, yet they have similar characteristics. Several avenues of medical treatment are pursued to attain 'the goal', - i.e. surgery, chemotherapy, radiation ... sometimes a combination of procedures is needed to attain the goal. Everyone understands this principle.

The goal of education in Alaska is to be sure that all children in Alaska are availed of the opportunity to get the best education in academics, as well as character building, so they become self-supporting, honorable and upstanding citizens with proper work ethics, loyalty to country, and reaching out to help their fellow citizens; - that they are part of the strength of our Nation, and not part of it's downfall. No two students are the same. Learning styles vary. Family situations vary. The building - based schools have been set up to accommodate a large number of children with teachers, supplies, programs, etc. to reach 'the goal'. Certain procedures and rules do need to be applied in order to work with so many children in a controlled and effective way. But this is only one, limited method of schooling and there are many methods, i.e. homeschooling, that can be used to reach the goal of education.

Homeschooling is an entirely different, yet just as effective way, of educating our children. It looks, feels, and functions differently because it can be designed according to the child and the family. During the schooling years, children will be at different levels in different areas. Yet, when they graduate, the - same goal is met.

Because of programs like IDEA, Cyberlinks, & Pace our family has been able to educate our children with resources we have never had available to us before.

You might ask, "Then why did you not put your children in the public school system?"

While we agree with a lot of things being taught in the school system, we see areas that are being taught that we feel are very dangerous for children to be exposed to. I won't go into them here, but those areas tear down the 'character building' that we are trying to do in our children. If we send our children into the public school system, we are sending them into an area that will lead them to make extremely unwise choices in their lives. We teach our children to treat all people with respect and kindness, but that does not mean that they need to believe that 'what' people are doing is o.k.

Now, it seems to me that the DEED is wanting to prevent us from having funds to educate our children because we do not want to function as a 'building-based' school, and we do not agree with all that is taught. Also, they do not want us to be allowed to use curriculum that teaches 'character building' principles that are based on Biblical principles that our country was founded on.

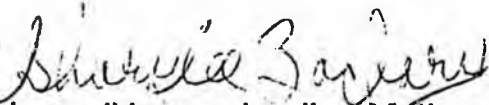
We do not want our children put in 'harm's way' by certain ideas taught as o.k. and 'the norm'. Over 10,000 children in Alaska will be penalized from funding because the DEED does not understand that homeschooling is different from 'building based' and because we do not agree with with certain things that are being taught in the public arena.

Our family and thousands of others in the system believe firmly enough in what we are trying to accomplish in our children's lives that we will forgo the funding and carry on with less resources by leaving the program if we have to.

We want to be excellent examples to our children of Americans standing up for what they believe, in spite of the consequences that may come from it ... because what we believe is more important to our Nation in the long run, than a comfortably and easier way of doing things (which may look good in the beginning, - but may have unsavory consequences when everything is said and done!

Thank you for reading my comments!

Respectfully,



Sharylee Zachary (Homeschooling Mother of Three)  
P.O. Box 1531, Petersburg, AK 99833 dzachary@pobox.com

March 6, 2002

Re: HB 464

Representatives Jeannette James, and Fred Dyson  
State Capitol, Juneau, Alaska

I would like to give you a copy of the attached letter to the Dept. of Education and Early Development regarding their proposed regulations for statewide correspondence programs (4AAC 33.421 450) because I feel there may be some things overlooked that may be addressed by additions in your bill if you were willing to amend, or add something into it.

I did bold, on page 3 of my letter, something that I feel may change state law regarding the freedom of all parents to home school. I feel it may be implementing punitive circumstances for all home school families, whether they are associated to a correspondence program or not (33.450), if they are independently home schooling but opt to not do a benchmark, denying them also any entry into a state funded correspondence program for the current year they apply, and the following year from the first year they attempt to apply, which goes against the wishes of the legislature in the freedom home schooling families currently enjoy.

I would like to hear from you specifically on how we can help further the success of HB 464, and anything you feel we can do to help this bill successfully move towards passage.

Thank you so much for its introduction. I feel it is a very good thing you to have had the insight to have moved forward with this.

Sincerely,



Joan Dangel  
Box 34711  
Juneau, AK 99803-4711  
790-7265 [startraveler@aci.net](mailto:startraveler@aci.net)

I would appreciate it if Ms. James & Mr. Dyson were allowed to read this personally as it may in some way aid the content of HB464.  
Thank you much.  
Joan

Commissioner Shirley Holloway  
801 West Tenth Street, Suite 200  
Juneau, AK 99801-1894

March 4, 2002

Re: 4 AAC 33.421 Statewide Correspondence  
Study Program Requirements

Dear Commissioner Holloway,

I am a proactive and involved parent of an autistic child with sensory integration and expressive language disorders home schooling my son successfully, using the CyberLynx program to help with sound educational advice and resources to do so. I am homeschooling my son by myself, without any public district involvement, as was my wish due to their negative input, lack of working with my son, and after 3.5 years with them (2 preschools and 2 kindergartens they had him), reporting to me my son was totally incapable of learning enough to move past a preschool level. After being put on a 'complaint campaign' the public school system usually ensues with children with unusual differences, and being told he could not learn. I had to take my child out because I wanted him to make it to college, and I could see he was capable and felt in my heart he could learn. And, he could. I had asked all contacts with the child to work with him, they would not - and no - IEPs do not cause services to occur, they often exist as a paper tiger to obtain mis-distributed funding only. I went to the public school each day myself to work with my son after the 1.5 years of the kindergarten part they had with him, requesting they work with him, but they would not. I went into a panic state inside, because I felt he needed an education - it was my love to make him a success in this world that caused me to get proactive in his life in this area. And that it is clear to many, many parents in this state, IDEA's provisions are not enforceable when it comes down to all the attorneys and disability law office involvement, as we currently see a number of families going through the same process I did, pulling their autistic children out of the schools in Juneau, just to find their children absolutely 'could' do it, had someone just stopped to sit at the table and work with them personally. As certified as they claim their educators to be - they are mis-certifying children as unable when it is untruthful in many cases right here in Juneau. I have obtained success unimaginable ~~prior to~~ <sup>during</sup> their involvement.

I am concerned over the proposed regulations regarding correspondence programs due to the high success I have achieved with my son, as the correspondence program stands as it exists now. The proposed regulations immediately sharply appear too broad to know specifically what some of them are actually doing. To be accurately informed, I had requested from the Department (DEED) an accurate, honest, narrative explicitly stating exactly what and how each proposed regulation changed things, and did not receive one.

The regulations appear in many areas to come across as strongly bias to home schooling - when some children are receiving absolutely wonderful strides forward, they would not have otherwise experienced had they left it up to an incapable public system. By being bias to this worthy avenue of home schooling, it is ignorant of an avenue that is the only avenue that will or can work for some children in the world.

I am not a drifter type of home school parent, and most parents home schooling, I have found, are doing so because they want their children's education to be of a higher quality. Where classroom teacher campaigns are geared that the answer is in raising their salary, I disagree sharply. It is that they need to enforce lowering the teacher/student ratio to discontinue ruling it for each generation of children to 16, from the enormous amount of children a district is leaving a teacher alone to educate, as Cheney, Washington recently did with marked success.

Each year, my son is subjected to work much harder than anything ever handed to him in a public system. He does Saxon Phonics, a very difficult reading program and Saxon Mathematics. He was asked to pass an inquiry for level of academic understanding for entry into first grade after I home schooled him in CyberLynx a kindergarten year using Calvert's complete home school curriculum. He passed that home school curriculum, and did it in one school year. Please remember, that although it was his third attempt at kindergarten, it was his 1<sup>st</sup> year with me, and he passed his requirements in a timely period (one regular school year time), but could not pass two prior kindergartens under the public system's care. He is required to keep up with state standards.

When we began first grade, it was a very, very difficult program (Saxon), but my son will finish his first grade year in April, before the public system is even finished. I don't know if you have ever read the Saxon Phonics manual, but they are extensive and very, very difficult. Saxon only has phonics programs for K-3. Our advisor was a 5<sup>th</sup>-grade teacher, she said that some of the Saxon 1<sup>st</sup> grade program was so difficult it was stuff she was teaching to 5<sup>th</sup> graders. Set aside the difficulty level that I am not totally in agreement with for such a young

child with sensory processing issues, the program has wonderful structure to it with assessments each week, spelling tests each Friday, so many development worksheets it is up in the hundreds – but they are extremely well-prepared in their presentation. When other parents of autistic children leaving the district ask to see the Saxon things, they are just in awe of what my son can do. His progress and improvements have been significant (especially as he experiences 'actual' and hard-earned successes instead of constant flunking). Side-by-side with a research program (we found through Evening Magazine news show) he is on for a unique nutrient for central nervous system disorders discovered that is coming out of three universities in Canada, my son has come a long way. My son has earned his progress by very, very hard work.

I feel the author of the proposed home school regulations mistakenly feels home schooling is a 'lazy' lifestyle taking funds away from public schools. I am trying to make it clear to you that home schooling is not a lazy home life business. It is something that many parents take extremely serious and work very hard at. I have the education from 9-12. Then, we continue on the day with P.E. classes at the gymnastics program in Juneau, the Racquet Ball Club, or Juneau City Borough. Then, we have private speech and sensory processing therapies to attend. The day is full and there is gas money, food money, class money to worry about – as a single parent it is very difficult and I gave up everything to do this because I wanted him to make it in this world – to make it to college. If I had just given up and left it up to the public system and believed them he was incapable, it would have altered the course his life forever. The sacrifices are difficult and filled with hardships of their own to give up everything to educate a child. I ask that there be more mercy towards those taking responsibility for their children's education due to this, and the fact that we were not asked to help form these regulations so they appear to be a negative encroachment, or a negative, maliciously planned 'surprise' for home school families.

I have specific objections to the following provisions:

**33.421(c) Requiring curriculum material to be of the same quality as offered in the public schools programs** because there is apparent unforeseen inappropriate limitations this could be covering. For example, physical education services in Alaska are limited due to a majority of it being 'rural.' We take what we can, what comes up. If in some situations there are extreme limitations for art, physical education, music, etc., this could be a venue for forcing families to take what is dictated (like Alyeska), rather than the only variety there is available in small communities. Additionally, this provision does remove flexibility from home schoolers if something very good is found, like we do find wonderful things now. One significant advantage of home schooling is our ability to fit the education to the individual needs of our children. I believe serious parents are better able than the school administrators to make this determination for children. It appears the regulation is written to force home schoolers to use only state sponsored and approved curriculum. This is very objectionable to me.

**Under 33.421(d) No instruction using religious; partisan, sectarian; or denominational curricula purchased privately by the parent, ...if the curricula teach particular religious beliefs, or a particular religion as true:** I have personal concerns for this reason – I used the Calvert full curriculum program for pre-kindergarten and kindergarten for a full year. (Calvert out of Baltimore, Maryland), having NO knowledge at all it had anything to do with religion whatsoever until your agency did an onsite review of CyberLynx and stated they wanted to enforce Calvert's being discontinued. I, as a parent, do not choose to teach with religious curriculum. The Calvert program was so good, a fully transcribed, educational plan – and I never found even one reference in any of its education based parts to religion ever. I did see in an optional paragraph at the beginning of the lessons towards the start where a number of things were listed as possible contemplative discussions for an opening discussion to the school day, such as discuss the purpose of school, a salute to the flag, or even a review of yesterday's work or talk about something important to the child, etc. One of those items listed, and it is only listed at the very beginning of the book, was, if you want, you could say a prayer and they tell you what they do say for a prayer at the actual Calvert Academy. I feel it is a terrible mistaken disservice to the correspondence programs of this state to want to outlaw a course with extremely high educational benefit, for one small reference to a 'religious option', without putting religion itself in its curriculum such as Calvert does not do. Calvert does not put religious content into their program anywhere – and I feel it shows a little too much negative intent to have targeted Calvert like your team did. It is a wonderful, full, curriculum program. It just shocked me to see your agencies willingness to go after anything and everything. That program sends you everything for your \$300.00. It sends the pencils, the paint, the tape and glue, the rulers, the math books, the reading books – anything you could imagine, it sent everything and not even one religious book came in those highly educational natured boxes; not even one. I think the reviewers bias is so significant here – that to throw this curriculum out showed there was something wrong to me. Although we are

not a religion-based home schooling family. I feel 33.421(d) is an attempt to deliberately attempt to remove religious students from the correspondence programs.

**33.421(e)(2) grades, or standards met determined and assigned by a certified teacher.** After our experience with the public system, all the 'certification' it was claimed to have, this proposed reg can cause some resentment that we are stuck with an unstable, ineffective system, because you have allowed it to police itself by being the only one allowed to assign a grade. I know a certified teacher is not the only one competent for this task. Also, taking away all grading rights of parents makes Alaska one of the strictest in the nation when it was, before this proposed reg, one of the most user friendly for home schooling families in the entire union - and probably was so due to the large size of our state and remote locations of families administrative costs are very high. I feel the correspondence programs should be allowed to set this requirement up or not based on the student's in their districts apparent needs as they come up, such as staying behind for too long. You are in fact creating an added administrative burden for the correspondence school, but not putting a fiscal note with the section - is this to make things harder on the correspondence programs?

**33.421(h)(2) material purchased with state funding are property of the program; non consumable material must be returned to the program when the students exit the program for any reason.** This provision is ineffective totally. With Saxon Publishing rights alone, they say right in their manual they will not allow you to 'share' their materials - that it is intended for just your family's use. With my child's unique learning style, I also need to keep the manuals, dictionaries, and space and human body encyclopedias at least one year longer as encyclopedias for memory issues. Given to the correspondence program, they will sit useless upon a shelf with rules of law governing its inability to be given to anyone else. Also, our computers are purchased with part of our own money, part is purchased with school money - they are non-consumable. How are you going to account for that in this reg? Also, you are turning parents and the correspondence program into expensive mailing, sorting, inventorying, storage and redistribution agencies. They will have to purchase a warehouse to put all the things - how will we ship desks? Where will we get the money? How will we ship large calendar displays and software, which outdates quickly? The software will sit upon a shelf unusable by anyone else. This takes money from the needs of the children, to make a new and greater financial need you are not providing the money for. This specifically complicates things and seems like someone's over zealous imagination got carried away. A successful program stays that way by keeping it simple for children and families.

**33.450 If a student fails to take a state-mandated assessment test, the student is ineligible for enrollment in the statewide correspondence programs for the following year unless the district of enrollment has excused the student from the state mandated test.** This seems to punish all home schooling families in the state and once again, the author's sincerity is questioned as it is unclear why it is written so austere towards home schooling families. **This appears to be punitive towards families attached to a correspondence program or not. If a family has been home schooling all along, and decides they could benefit from enrolling in a correspondence program, they are turned down the requesting year, and the next year, if in their private home schooling experience they did not do benchmark examinations. Well, our legislatures kindness towards home schooling families did not have this in mind, that they be punished in any way for exercising this right. This seems to violate existing state laws and should be stricken from the proposed regs: It does not provide for alternate testing dates whatsoever and seems to punish 'children' for nothing, for absolutely nothing.** I further object to the district where the tests are being taken having any say in the student's educational future. The correspondence program district should have sole oversight of the students along with the parents. At the very least, there should be a pattern of non-compliance for the correspondence program to feel concern - for example, refusing to take the test two years in a row. Alternate testing dates are a must if enrollment or re-enrollment is to be denied for failing to take a test.

My son is 8 years old and has progressed remarkably. My motivations for home schooling are so that my child will get an education as to where in the public system he was not getting an education at all. I plan to continue home schooling as long as I can and the Alaska Correspondence Program has provided an excellent forum for educating a child the district said 'could not be.' These changes proposed seem to prefer residential public school programs unfairly and are biased against the correspondence programs. No changes are needed in my view. The proposed changes seem to meet some education administrator's ideas of what meets his or her needs, but do little or nothing to help children and parents - none of these provisions should be adopted without a full, open, accessible, fair process. They go far beyond what is required by law.

Sincerely,

*Joan Dangel*

Cc: Rep.'s Jeannette James & Fred Dyson

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COMMENTS REGARDING NEW STATE REGULATIONS FOR  
CORRESPONDENCE PROGRAMS

February 17, 2002

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I am opposed to the potential instatement of regulations 4 AAC 33.421 and 4 AAC 06.450 concerning correspondence programs. The basic function of the existing correspondence programs referred to in these new regulations has been to assist homeschooling families like mine. Many of the new regulations are just adapting the traditional regulations of brick and mortar public schools. Original legislation should be drafted to fit these correspondence programs. It should be a process that involves a cross section of people who rely on the programs, a bottom up approach. Parent/Teachers should play a major role here. Program administrators and school board members need to contribute to make sure legislation will allow for enough leeway to fit their programs unique culture.

I am aware of at least three unique correspondence-homeschool programs being used in the Ketchikan area. REACH, PACE, and IDEA. REACH, Respecting Educational Alternatives & Choices in Homeschooling – the acronym alone couldn't make clearer their mission. The foundation on which the PACE program was built "...offers parents the opportunity to make decisions on how their children are educated (and)...provides alternative choices to the regular school experience." The IDEA program's objective is to "...build and foster a community of learners which views education as not confined to the traditional four walls of a classroom, rather a free-flowing exchange of knowledge and ideas ." Under the "new" proposed top down legislation, existing programs such as these will be re-formed into the generic public schools that the legislation was originally written for.

That being said, however, it is unlikely that legislation drafters will ever undertake such an endeavor. So at the very minimum, here are the areas in the proposed "new" state regulations that must be changed.

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4 AAC 33.421

*(b): The program must conform with statewide goals and performance standards as set out in:  
4AAC 04.010, 4 AAC 04.200*

Regulations 4 AAC 04.010 and 4 AAC 04.200 were designed to facilitate a relationship between the community and the school and protect the students in a public school institution and do not apply correctly to a homeschool situation where a child is most often being taught directly by the parents. This legislation should not be

“borrowed” and adopted for homeschoolers because much of it does not apply and infringes on the very rights that homeschoolers are often practicing when they choose alternative education. 4 AAC 04.010 needs to be rewritten or eliminated, as it was not written with homeschool students in mind. For example, 04 AAC 04.010 (b) (2) reads as follows: “empower the public with the knowledge that the skills and subjects included in this chapter are of great importance to education so that the public can participate in local educational planning with more authority and effect.” A homeschool does not need the public “empowered with the knowledge that the skills and subjects of this chapter are of great importance so that the public can participate in local educational planning with more authority and effect”. Homeschooling takes the “public” out of the equation and allows parents to be more than just participants. Homeschool parents ARE the educational planners for their children. Another example: 4 AAC 04.200 (a) reads as follows: “Subsections (b) and (c) of this section identify and describe content and performance standards that reflect the highest abilities and qualities of the teaching profession.” The list of performance standards in (b) and (c) referred to above is too extensive to copy here. Again, this does not apply to homeschoolers being taught by a parent who has a God-given right to be their child’s teacher and does not need to qualify by anyone’s criteria or performance standard.

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4 AAC 33.421

*(c): The program must use curriculum materials, including textbooks and other instructional aids, that have been reviewed and selected by the district school board, are of the same quality as those materials that the district offers in the district’s other programs, and are in compliance with AS 14.03.090 and AS 14.18.060.*

Here again the legislation is demanding public school legislation standards in my home. AS 14.03.090 reads: “...**partisan, sectarian, or denominational doctrines may not be advocated in a public school** (my home if I’m a part of a correspondence program) **during the hours the school is in session...**” My children are learning from the moment they awake in the morning until the moment they fall asleep at night. I teach my children “when you sit at home and when you walk along the road, when you lie down and when you get up” Deuteronomy 6:7. Even with set “school hours” at home this section cannot possibly apply. This subsection must not be passed! The government cannot regulate or limit the religious beliefs, denominational doctrines, partisan or sectarian biases that we wish to represent to, teach to or advocate to our children. As homeschoolers, many of us are teaching our children at home for the very reason that we wish to impart religious biases! We cannot allow the government to intentionally or inadvertently pass legislation that could jeopardize our freedom to influence our children. We are not talking about a hired teacher in a public institution when we are looking at these correspondence programs. We are talking about parents and their children in their own homes. We must be allowed to teach our children whatever we choose, whether the materials we use are purchased by the state or by our own funds.

Each family that chooses to homeschool has their own unique list of reasons why they chose this option. Some of the objections many of us have to the public institutions

will be brought into our homes with the proposed regulations above. As parents we need to be able to maintain control and freedom in choosing the materials we use in teaching our children at home. With the passing of this legislation, the government has the power to prevent me teaching my religion to my family with materials purchased by me in my home.

4AAC 33.421 subsection (h) specifies and regulates the appropriate spending of state funds. I understand that this is necessary and reasonable. It is a completely different issue than approving unfunded materials that are to be used. I am not objecting to the regulations of state funding, but to the regulation of curriculum and course of study as stated again in subsection (g) part 1 and in subsection (d) below:

*4 AAC 33.421*

*(g) The program must include a plan for receiving parental advice and involvement in planning, development, and evaluation of the correspondence study program, including the selection and evaluation of curriculum, teachers, and administrators; the plan must include a signed agreement between the statewide correspondence program certified teacher and the parent, or parents, of each student, the agreement*

- 1) must verify that the curriculum materials and course of study are aligned to state standards and c comply with AS 14.03.090 and appropriate for the student;*
- 2) must document the process used to ensure curriculum materials are aligned to state standards and in compliance with AS 14.03.090, including a certified teachers review of all curriculum materials for each student.*

*4 AAC 33.421*

*(d) The program staff, including certified teachers, shall not provide instruction using religious, partisan, sectarian, or denominational curricula purchased privately by the parent, or by the student if the curricula teach particular religious beliefs, or a particular religion as true.*

In (d) above, it is unclear whether the parent teaching the child is considered part of the program staff. If this regulation was interpreted that way then it would again prohibit religious instruction in the home. This regulation needs more clarity.

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The following regulations are proposed that would mandate state testing of the students enrolled in the above programs.

*4 AAC 33.421*

*(f) The district must require enrolled students to participate in the statewide student assessment program as required by 4 AAC 06.710 – 4 AAC 06.790; the program must*  
*(1) have staff inform parents of state testing requirements and the consequences of non-compliance under 4 AAC 33.450*

*4 AAC 33.450*

*FAILURE TO PARTICIPATE IN STATE MANDATED ASSESSMENT TESTS.*

*(a) If a student fails to participate in a state mandated assessment test the student will be ineligible for enrollment in the statewide correspondence program and denied enrollment in*

*any other statewide correspondence program, for the following year, unless the district of enrollment has excused the student from the state mandated assessment.*

This legislation should not be enacted. I understand that if the State is funding a program, they are going to need some way of monitoring and evaluating the program and all participants and staff for assessment. There are adequate provisions in subsection 4 AAC 33.421 (e) to achieve this.

*4 AAC 33.421*

*(e) To ensure the academic progress of enrolled students, the program must include an assessment plan of the same quality as an assessment plan that the district offers in the district's other programs; assessment must include:*

- (1) monitoring of the enrolled student by a certified teacher; the monitoring must include at least monthly review of the student's work and documentation of the certified teacher's review;*

Monthly review is an excessive burden to place on the parent but quarterly review would be sufficient to ensure that academic progress was being made.

Legislation requiring homeschoolers to participate in State testing must not be enacted. Any existing mandates need to be repealed or amended to include a provision for parents to opt out of the tests if they deem this to be best for their child. Giving correspondence program administrators the power to excuse students from testing and then requiring the high percentage of participation as spelled out in AAC 33.421 (f)(3) does not give them the freedom to allow parents/students to opt out of testing. There are legitimate reasons why homeschool parents might not want to participate in the assessment testing.

1. Testing is not an accurate assessment. This is especially true for homeschoolers because they are choosing an unconventional approach to education. One of the biggest benefits of homeschooling is the freedom it gives us to create a scope and sequence (what to teach and at what grade level to teach it) suited to our own children and of our own choosing – not the state's. We are not teaching to the test, nor do we want to be forced to just to prove our performance to the critics. Testing would require homeschool parents to teach what the government decides is appropriate for our kids to learn and at what age they should learn it. This unravels the very fabric of existing correspondence programs stated missions and objectives. And it erodes the very freedom many homeschoolers are trying to exercise. Often the reason a child is in a homeschooling setting, is because the scope or sequence of the public school did not suit the parents or the child. Testing would, in practice, dictate curriculum.

State tests are created to assess the knowledge, understanding, capabilities and advancement of students being taught in an institutionalized setting. Public schools are basically similar across the state and as they are governed by state standards, testing is going to be far more accurate among those who have gone through the system that they were designed to test. Conversely, the cultural atmosphere of a homeschool setting is going to vary greatly from home to home. State tests are going to be biased against this minority background. For example: one of the questions found on the second grade IOWA test of Basic Skills assessment test in the social studies section shows a picture of a chalk board and asks where that particular item would usually be found. The choices

are home, school and two other choices. This question would obviously be biased if "school" were the correct answer. On the IOWA test of Basic Skills test for first graders the same question is asked about a globe. Many homeschoolers have these kinds of resources in their homes and these kinds of questions would not correctly assess their knowledge. This is a good example of how standardized tests are going to be biased against the alternative culture of the homeschooling population.

There is also great controversy among psychologists as to the validity of standardized testing, and whether it does assess ability and knowledge, or rather familiarity and comfort with testing procedures and materials. Not all children are even familiar with the same types of testing procedures let alone the same educational materials. Furthermore, homeschool parents are intimately acquainted with their students and know them and their strengths and weaknesses so well that they often don't feel the need to "test" their knowledge. Consequently, these students are not likely to be as familiar with the whole concept of testing as conventional students. There is a greater range of variance in testing procedures and educational materials in a homeschool setting. There are such a wide array of educational materials available now for homeschoolers that accuracy in testing would be almost impossible. My first grader, who is reading at a third grade level and doing math at a second grade level has never even filled out a bubble answer sheet and may score poorly even on these categories of the tests simply because of the confusing process.

Another problem with standardized testing is that the tests presume a standard of knowledge that homeschoolers might not agree with. For example, most public school textbooks of world history teach that the earth is millions of years old and that dinosaurs were prehistoric animals. I have personally taught my kids a young-earth (only 6 or 7 thousand years old), creation view of history. They have learned that dinosaurs and people were, in fact, on the earth at the same time. That is what we believe based on the Bible. I use this example to show that any test questions about this are going to be religiously biased against my kids. If the tests show that my kids are not educated properly because they didn't "know that people and dinosaurs were not on the earth at the same time" or that certain archaeological findings date people back 12,000 years or more then the tests did not assess their knowledge but their beliefs. This would also be similar to a child taking a standardized test in the 1400's answering the question "what shape is the earth? a) flat b) round etc. One of the reasons I homeschool is because I want to teach my children our personal beliefs which are often not the perspective being taught in the public schools. The tests are going to be biased against this freedom of belief.

2. Testing has psychological ramifications. Many homeschool parents don't want to expose their children to the psychological stress, pressure and labeling of testing. They don't want grades to become the focus of learning nor a tool to alter self-esteem. Rather, they want learning to be a natural gathering of information and skills that the child can learn to use and apply and reason with. They don't want their child to aspire to a goal that is less worthy than the bare achievement of appreciating the world we live in and mastering it...simply a love of learning. To aspire to acquire a letter grade or a high score on a test cheapens and overshadows the goals that some of us want for our children. Many of us homeschool for this very reason. Again, this is yet another instance where

the rules and regulations for public schools cannot be imposed on homeschoolers without encroaching upon the rights we seek to keep.

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Government assisted homeschooling, via the existing correspondence programs, provides a wide range of opportunities that would not otherwise be available and is beneficial to many homeschoolers. Money spent on education in these unique cultural settings (homes) assures the state a continual diverse pool of future Alaskans. Changing or passing legislation that diminishes the difference between public schools and homeschools serves no logical end. Today, Alaska has the best climate for homeschoolers of any state for parents who want to teach their children without government funding or assistance. Why not set this goal for funded homeschool programs too?

February 24, 2002

Comments regarding:  
House Bill 464 by Representative James;

Proposed changes to the State Board of Education and Early Development, 4 AAC 33.420-.490  
Statewide Correspondence Programs;

Cyberlynx Correspondence School Audit;

Regarding House Bill 464 by Representative James. An Act relating to statewide school district correspondence study programs, and Memorandum Number 2002-17: Notice of proposed changes in the Regulations of the State Board of Education and Early Development to 4 AAC 33.420-490, Statewide Correspondence.

Regarding Sec. 14.07.175(a) (1), We support the approval process of 10 years. This will allow for the establishment of the school programs rather than starting over every year without a stable base and allow the predictability for long term items.

Regarding Sec. 14.07.175(a) (2), We support the school district to establish the monitoring intervals of the students. As they are involved with the students and the program, they can best determine what is needed, not a State Board of Education that is isolated from the students.

Regarding Sec. 14.07.175(a) (3) and (4), We support that the limits on use of teaching materials should not be more stringent than those placed on public schools. To cause correspondence schools and/or home schools to follow more stringent requirements, is to promote an attitude of aggression and discrimination against the correspondence and/or home schools and to favor the public schools.

Regarding Sec. 14.07.175(b), We support this definition as well as including other methods of home schooling that may be available.

With these ideas in mind it should be stated that a correspondence school/home school, should have less stringent and less restrictive regulations than a public school. How they are approved, accepted, and evaluated should be based on the quality of education they produce. Each school should be judged by itself and not as a group. They should be allowed to have the freedom to make their own choices regarding curriculum, monitoring, testing, grading, and use of funding. As correspondence and/or home schools are found in studies to produce a superior education, our opinion is that the State Board of Education should then support these schools above public schools with less stringent standards toward their operation.

Refer to:

Home Schooling: From the Extreme to the Mainstream

Release Date: 9 October 2001 by The Fraser Institute.

Home schooled children are, on average, more academically and socially advanced than public and private school students.

[http://www.fraserinstitute.ca/media/media\\_releases/2001/20011009.html](http://www.fraserinstitute.ca/media/media_releases/2001/20011009.html)

Regarding the proposed changes to the State Board of Education and Early Development, 4 AAC 33.420-490 Statewide Correspondence Programs. We oppose these changes because the correspondence schools do not need any special regulations, because they generally provide a better education, more suited to the student. They should be encouraged with fewer regulations. These proposed changes are also in conflict with 4 AAC 04.010 ( c ) that states in part that

“...The content standards and goals are intentionally broad to allow a school district to tailor its curriculum to the conditions, goals, and expectations of its community. A school district board, working with the public, teachers, and students shall choose and implement effective teaching strategies so that its students will achieve high performance in a subject area...”

To implement these changes would cause this section to be declared null and void. The total of these proposed changes emphasize the adage of “Follow the Money.” They indicate that the main reason for their existence is to keep the money for each student in the public school without regard to the effect on the educational quality. The proposed regulations either do this directly, such as in 4 AAC 33.432, or indirectly by doing whatever possible to eliminate correspondence schools from operating. Also 4 AAC 33.450 puts a burden on the correspondence schools that public schools would never be able to meet and is showing direct antagonism and discrimination against correspondence schools. This shows that these regulations are wrote in disregard to the quality of a students' education, but in an effort to close down correspondence schools even if it harms the education of Alaska students.

Regarding 4 AAC 33.420, Department Approval. To compel correspondence school to apply annually for is just a way for the State Board of Education to cause extra paperwork to be done by the correspondence programs. No state public schools are required to do this. If a public school had to apply every year for operation, it would take a considerable amount of time that could be spent for the educations of students. Also, a long term education plan cannot be set up one year at a time, but should be set up to work best for each individual toward an excellent education. This shows that the proposed regulations were not designed in the interest of the education of Alaska students, but in the interest of shutting down and restricting correspondence schools so that the public schools can then get the state funds. It also shows that the State Board of educations feels that public schools cannot compete with the correspondence schools in educational quality, so they must eliminate the correspondence schools so the poor public school results have nothing to be compared with.

Regarding 4 AAC 33.421, Statewide correspondence Study Program Requirements. These should be either less stringent or the same as public schools and be set up by the local individuals working with the student, as correspondence schools generally produce a better education for the student, because of the flexibility and individuality of each program. Implementing Statewide restrictions on this would harm this flexibility and individuality. The only purpose for this section is to decrease the quality of education of correspondence schools so that the public schools they are compared to do not look so bad. As to the requirement for grading and monitoring by a certified teacher, this should be left up to the correspondence school to determine because as each program is set up for each student individually, it defeats this purpose and advantage and will result in a lower quality of education. Also as every student will be using consumable materials, it should be up to the correspondence school to determine how to judge between consumable materials and items that become school property if purchased form the students account fund. To

take this decision away from the correspondence school is really just a method to cause an additional burden on them that is not placed on the public schools, to try and shut them down.

Regarding 4 AAC 33.430, Enrollment of Out-of-District Schools. This section would give the public school the authority to exclude a parent/student from enrolling in a correspondence school of their choice. This would then cause a significant decrease in the educational opportunities of that student. It would also take away the flexibility and individuality that most correspondence schools have of tailoring the education to the needs of each student individually. The only purpose for this section is to eliminate correspondence schools so that the public schools do not have to compete with them and also have their lower standards of education revealed.

Regarding 4 AAC 33.432, Enrollment of Special Education Students. To give the district of residence the ability to control the students' education regardless of the concern and choice of the parent shows that the regulations are not concerned with the education of the special education student, but that the main concern is that the majority of the funds for that student are to go to the district of residence, regardless of the education outcome. If a parent wants their special education student to receive the individual and flexible attention that a correspondence school can provide, then they should have that choice regardless of the attitude of the district of residence, and all funding for that student should then go to the correspondence school for the purpose of supporting that student. This section really reveals the intent of these proposed regulations, that the purpose is to let the public schools get as much funding as they can without regard to the students educational quality.

Regarding 4 AAC 3.450, Failure to Participate in State Mandated Assessment Test. There should not need to be a special section for this because it should be the same as for all students. To cause special restrictions on correspondence school is an act of discrimination. The only purpose for this is to cause hardship for correspondence school programs and remove students from them to enable public schools to enhance their funding. If a student fails or misses a test in a public school are they then going to be required to attend a correspondence school the next year? Public schools would never be subjected to this because it would hurt their funding and show that they are not able to provide the same level of individual education that correspondence schools can. There can be hundreds of reasons for missing or failing an assessment test. These should be considered individually for the student that is effected. Most of the time a correspondence school can do this more effectively because of the individual attention payed to each student and their individual education program.

Regarding 4 AAC 33.460, Program Review. This section is an effort to increase the paperwork requirements of the correspondence schools. If this is not required of public schools then it should not be required of correspondence schools. To make this a 'by request' basis, would be to open up an avenue for harassment of the correspondence school to further accomplish the effect of closing it down.

These proposals all point to the fact of the department of education wanting to rid the state of correspondence schools in the state of Alaska. They are trying to do this through discrimination, harassment, excess of paperwork, and excessive regulation. This is in complete disregard for the education of the students of Alaska and the superior individualized education that correspondence schools can provide. It should also be considered that the Alaska correspondence schools such as Cyberlynx are being looked at by teachers from other states as having the lead in the future of

education with the individual programs they can set up and the superior education they can provide. These proposals would eliminate these advantages for Alaska students and say that the Alaska board of education would rather have complete control and act as a 'police state' in education, than to provide a quality education to the students of Alaska

Regarding the Department of Educations Audit of Cyberlynx:

The attitude of the auditors of confrontation and disrespect shows that these auditors were not there to conduct their job of reviewing the correspondence school, but to find reasons to eliminate it. By being confrontational and disrespectful they could hope to cause nervousness in the administration and staff, and maybe incite a reaction to use against the school. It also shows that the report of the audit was predetermined, and the only purpose for being there was to look for information to substantiate the predetermined outcome in disregard for any other information. The fact that there were no members of the audit team from a correspondence school is a serious error. This would be considered criminal in a life-safety industry and should be considered for a criminal complaint in this instance. It would be the equivalent of having an auto mechanic making flight inspections on a 747. This should have been noted by the department of education and canceled the results of such an audit. It should also have been noted by the head of the audit team and he should have removed the team from the audit process until this was corrected. This act of defiance to normal standards should declare this audit null and void as well as any subsequent action. Also the fact that the head of the audit team was from a competing school type system is to be considered a conflict of interest that automatically disqualifies him from this position and declares that any further pursuing of this audit and subsequent regulations stemming from it could be considered a criminal and/or civil act that is being pursued by the department of education in disregard to any true issues to achieve there preplanned end of eliminating correspondence schools. The head of the audit team should also have to file a response on why he did not suspend the audit until it could be done properly before any actions on these regulations, or any other results of the audit information are considered. The audit team should also have to issue an apology to Cyberlynx for the unprofessional, uncooperative, and confrontational behavior. If any regulations are to be proposed, they should be that this type of audit, in this attitude should never again be preformed. The preplanned end of this audit is also shown by the short time frame given for Cyberlynx to respond to the audit, when the time any responses back to Cyberlynx have been very slow without care to resolving the issue.

Understand that the entire issue of this audit, and the proposed regulations are to eliminate any parent choice or control, and any individualism from the Alaska school system. It would seem that the Board of Education feels that the public schools are threatened by correspondence schools because of the individual attention and higher grade of education that usually results in a correspondence school. They feel that they must then cause a degradation of the correspondence school through additional regulations and more stringent requirements so that the public schools don't look so bad. This is in disregard to the opportunities and better education that can be presented to the students thru correspondence schools.

Reginald and Joy Swedberg  
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*Reginald Swedberg*  
*Joy E Swedberg*



State Of Alaska  
Legislative Affairs Agency  
Kenai LIO  
145 Main St Lp, Ste 217  
Kenai, AK 99611  
907-283-2030

Date: 3/20/02

Please accept the enclosed original(s) of written testimony for  
the ALBESS teleconference hearing that was  
scheduled on 3/21/02.

A copy of this testimony was transmitted to your committee via  
fax on 3/20/02.

Thank You,

Kenai LIO



*Filed  
3/20/02*

# Alaska State Legislature

Please enter into the record my testimony to the \_\_\_\_\_  
(committee name)  
committee on HB 464, dated 3/21/02  
(bill # / subject)

*Please accept the following as  
written testimony*

Signed:

*Kevai LHO*

\_\_\_\_\_  
Testifier

\_\_\_\_\_  
Representing (optional)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone

Honorable State Legislators,

3/19/02

**Support for HB 464 and against new DOE proposed regulations Chapter 33**

I am here to support HB 464, which protects the prospering of public correspondence programs.

My wife and I have 4 children enrolled in the Cyberlynx Correspondence program in Nenana. We have taught our kids for 6 years, three of these years without correspondence programs. These programs are now under attack by the Alaska Department of Education.

Alaska is, and has been in a unique position recently in this new idea of correspondence schooling and has captured the interest of other school districts in other states that are looking for ways to improve and renovate their programs. The whole idea of school vouchers is surpassed by this new experiment in home education that gives parents freedom and choice as they educate their children. Veteran home schoolers and newcomers alike are all attracted to school districts that are offering programs that are amicable toward their needs since parents want the best for their children.

There is however one element that has been antagonistic towards these programs and that is the regulations regarding correspondence proposed by the Alaska department of education. Our state has the opportunity to be at the cutting edge of educational alternatives. Instead of taking this opportunity to be innovative, progressive, and cooperative with parents to help them be the best educators they can be, the DOE's proposed regulations will... SHUT THE PROGRAMS DOWN! That is of course except for their own programs like Alyeska Correspondence. The DOE constantly indicates in their material that their programs are superior and home schooling is a less beneficial way of educating, even though public school educators tell us constantly that children who do better in public school are those that have parents at home involved in their learning. One can see this by reading the proposals, which include no encouraging language referring to the terms parents, families, or home schooling.

These proposed regulations undermine the main benefits for wanting to home school with public funds in the first place, and does this by making it impossible for these correspondence programs to operate without local school district control. In essence the DOE is stating that since local correspondence programs have to endure endless red tape, then everyone else has to also. It seems to me that less bureaucracy and more educating was supposed to be the main idea. Our experience is that our correspondence program has required quite a bit of documentation in order to prove that requested public funds are used solely for the education of the students. I feel the current requirements and state testing are sufficient to prove that children are being educated.

The DOE is making a big point as to accountability to their regulations, but I would like to know if they feel at all accountable to Parents who are working very hard to educate their children. Contrary to popular DOE belief parents do demonstrate good judgment and performance and can actually educate a child properly without imposed regulations.

Not only does the DOE state in their proposed regulations that school districts will pick out the curriculums and expect parents to send in all work to be graded by them, but it also says that since we are a public school entity, we cannot use religious, partisan, etc. material in our own homes even if we purchase the material. This I think is a very interesting topic since the DOE uses The Alaska Constitution and another state law in their wording to dictate what beliefs are taught in our home. These laws were written regarding public school facilities, not homes. The intent of these laws is to protect families, not public school systems interests.

The DOE however wants to show in their proposals that they are working hard to give parents a voice in their children's education. This is demonstrated by requiring the parent

to sign an agreement for a curriculum plan that they have no say in. In other words be involved in our plan and we'll tell you what to do. We believe that home educators and the DOE can work together successfully. This will require mutual trust for the benefit of all involved.

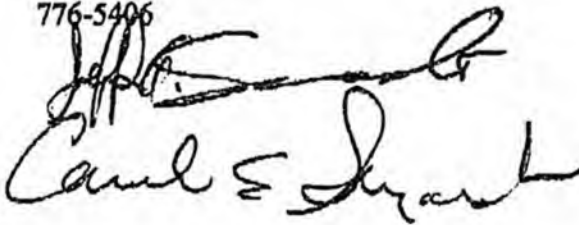
The truth is these programs are working, and further more, education funding is ultimately in existence to provide every child in this country with an education. The DOE however discriminates against home education and parental influence and believes government funding should be only for those individuals that are enrolled in their traditional methods. I believe the state needs to intervene and hold DOE accountable for these current and proposed regulations.

If DOE regulations continue their current trend towards increased micro management, tighter controls, and overbearing scrutiny over parental ability to teach their own children we will withdraw from public school programs. The DOE realizes that these regulations if accepted will phase out public school long distance education in the state.

Unfortunately, not only will our correspondence program lose out, DOE will lose funding as well. Please support HB 464 legislation...

Thank you for your time.

Jeff & Caroline Smardo  
45112 East Sunrise Court  
Kenai, Alaska 99611  
776-5406

Handwritten signatures of Jeff and Caroline Smardo. The signature for Jeff is written above the signature for Caroline. Both signatures are in cursive and appear to be written in black ink.

**Subject: HB 464 and SB 346**

**Date:** Sat, 16 Mar 2002 10:45:29 -0900

**From:** "Carol Simpson" <carols@ideafamilies.org>

**To:** "Wes Keller" <Wes\_Keller@legis.state.ak.us>,  
 "Whitney Highland" <Whitney\_Highland@legis.state.ak.us>,  
 "Richard Schmitz" <Richard\_Schmitz@legis.state.ak.us>

**CC:** "Representative Fred Dyson" <Representative\_Fred\_Dyson@legis.state.ak.us>,  
 "Jim Pound" <Jim\_Pound@legis.state.ak.us>,  
 "Senator Loren Leman" <Senator\_Loren\_Leman@legis.state.ak.us>

Hello all;

You are doing a magnificent job! Whitney, you were simply fabulous about holding the line regarding AS 14.14.090(7) and the appropriateness of the inclusion of the words "establish procedures"!!! It is true that both the old and new regs say that the local board must "review and select" all materials as opposed to establish procedures for such - my feeling, as I explained to Whitney on Thursday, is that this has always gone too far...i.e. beyond the statute. It is impractical and cumbersome for a program such as ours, which allows for latitude beyond the same "school in a box" for every student in every grade.

I so appreciate Loren's clear thinking in the midst of all that to explain the three options that programs then have (after the Board *establishes procedures*) in approving the purchase and/or use of materials. I think this is very appropriate and makes perfect sense, and it is exactly what we do! He explained it in a way that made even Ed agree with the concept! I also very much appreciated how much testimony Fred gave on our behalf (by his own admission) on Thursday, adding to Richard's explanations and lobbying for this bill.

When I left the meeting (LIO) yesterday, I was thinking that maybe we could look at some slight re-phrasing of (3) in order to make it more palatable to Ed so that he does not try to obstruct it. This was due to what he was saying about going along with the original phrasing of (3), along with Loren's 3 options. However, in looking it over, I really like it just the way it is. If you guys think that we can get it passed the way it is, let's just leave it.

Jim F and I were discussing some options for adding an element related to representation on the local school board and responsibility toward the correspondence students, with the thought in mind that if we can address these concerns of the DOE and the State Board, we can alleviate much of the push toward regulation. They keep saying that they need to regulate state-wide programs because (a) we do not have a legal responsibility for those students who reside out of our district, and (b) those families do not have representation on the local board. My feeling is that if we can find an appropriate way to address these twin concerns, we can cut them off at the pass. Jim has some ideas that may have evolved since we spoke last, so I'll leave it to him to discuss it with you.

By the way, Steve, Jim, and I all looked through all of the NW Association of Schools and Colleges accreditation stuff and can see nothing about the selection of materials. See [http://www.asdn.org/distance\\_education/ed\\_597\\_5k/](http://www.asdn.org/distance_education/ed_597_5k/) I had another thought, which I think is crucial. Remember Friday, Ed says that he called the NWASC and they thought that there *would* be a problem with this wording that backs off from the Board actually selecting the materials. One of you (who can be at these hearings - Whitney, since the Senate is first?) should call them ASAP Monday morning and ask them the same thing, explaining the wording in

these bills. Just like it was beneficial to have Whitney sitting there saying, "I have the law in my hand; it says "establish procedures!", it would be wise for someone to be able to respond if Ed says again, "Well, I called the NWASC and they had a problem with it; I am just trying to protect these programs' accreditation." It would be great if Whitney or someone could say, "Well, I called them this morning (go as high as you can on the contact) and spoke to the President (or whatever), and he said....." Not to show Ed up, but just to avoid the "I think ." and "well, I think...." kind of discussion. I think that this is VERY important. We can r out it will be better if you do it, so you can say that you spoke to them yourself.

By the way, in response to someone's question (I am not looking at my meeting notes), AS 14.08.101 (3) Powers of School Boards: "School districts must conduct all business through the school board."

Thank you once again, every one of you, for all your hard work! Please continue to keep me in the loop. See you in a few days!

Carol

909

HB



Alaska State Legislature

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## REPRESENTATIVE FRED DYSON

### HB 505—MENTAL HEALTH PROFESSIONALS SPONSOR STATEMENT

The growth of Alaska's clinical mental health profession is a commendable response to the needs of our state's youth and adults, and to Alaska's mental health system as a whole. More safety is needed for our citizens who experience acute psychiatric crises. Currently, in many regions of our state, there is a shortage of mental health professionals who are authorized to respond to a variety of significant public safety circumstances. Because of the limited focus of the current Title 47 definitions, many licensed professionals who are qualified to aid these Alaskans are not authorized to do so. HB 505 addresses this concern by updating the statutory definition of 'mental health professional,' resulting in an increase in the efficacy of Alaska's mental health system.

HB 505 expands the definition of 'mental health professional' to include (1) a licensed marital and family therapist, (2) a licensed professional counselor, (3) a licensed clinical social worker, and (4) a person who is trained and experienced and who is in the process of qualifying for licensure. This updates the current Title 47 definition, which was composed before the establishment of licensing standards for these master-level clinicians.

The broadening of the 'mental health professional' definition will increase the number of licensed, master-level professionals who will be (1) authorized to evaluate prisoners for psychological or psychiatric treatment, (2) authorized to evaluate minors who may need to be confined to, or released from, a residential treatment center, (3) liable to report incidents of harm, and (4) authorized to perform civil commitments.

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# FISCAL NOTE

**STATE OF ALASKA**  
**2002 LEGISLATIVE SESSION**

Fiscal Note Number: \_\_\_\_\_  
 Bill Version: HB 505  
 ( ) Publish Date: \_\_\_\_\_

Revision Date/Time (Note if correction): \_\_\_\_\_ Dept. Affected: Health & Social Services  
 Title: RELATING TO THE DEFINITION OF MENTAL HEALTH  
PROFESSIONAL BRU: Community Mental Health Grants  
 Component: General Comm Mental Hlth Grnts  
 Sponsor: HOUSE (HES)  
 Requestor: \_\_\_\_\_ Component Number: 307

**Expenditures/Revenues** (Thousands of Dollars)

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

OPERATING EXPENDITURES	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007	FY 2008
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
<b>TOTAL OPERATING</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

<b>CAPITAL EXPENDITURES</b>						
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<b>CHANGE IN REVENUES ( 0 )</b>						
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**FUND SOURCE** (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Othe (Specify Type--do not abbrevia						
<b>TOTAL</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Estimate of any current year (FY2002) cost: \_\_\_\_\_

Check this box (X) if funding for this bill is included in the Governor's FY 2003 budget proposal:

**POSITIONS**

Full-time						
Part-time						
Temporary						

**ANALYSIS:** (Attach a separate page if necessary)

HB505 changes the definition of MHP by adding the licensed disciplines of clinical social worker, marital and family therapist and professional counselor, and allowing experienced unlicensed master's level mental health graduates who are seeking licensure, and are supervised by a licensed MHP to do the work of an MHP. This bill increases access to mental health services to several different consumer populations by increasing the pool of prospective employees in a time of shortage. It also encourages licensure of experienced individuals, which increases the quality and accountability of the professions serving vulnerable Alaskans.

This bill has no fiscal impact.

Prepared by: Sarah Brinkley, Admin Manager Phone 465-3167  
 Division: Mental Health & DD Date/Time 03/20/02  
 Approved by: Elmer A. Lindstrom, Deputy Commissioner Date 03/2/002  
 Agency: Department of Health & Social Services

For distribution information, call the Governor's Legislative Office

## HB505--Changing the Definition of Mental Health Professional

### How the Initial Civil Commitment Evaluation for Ex Parte Works

When a person experiencing a mental health crisis needs an evaluation for possible admittance to a mental health hospital, a "mental health professional" (MHP) is called in to conduct an evaluation. The goal of the evaluation is to determine if the person has a mental illness, and as a result, is suicidal, homicidal or "gravely disabled". If the MHP determines that the person fits these criteria, and the individual refuses voluntary hospitalization, a call is placed to a consulting psychiatrist or physician. If the consulting psychiatrist or physician concurs with the evaluation that the person is at dire risk, the MHP contacts a judge, who hearing the results of the evaluation makes the decision whether or not to involuntarily commit the individual to a 72-hour hold. While hospitalized, a psychiatrist examines the person. If there continues to be sufficient risk of harm, there is a court hearing for extended commitment. At anytime during this process if the person no longer meets commitment criteria, they are released.

### Current Definition

The current definition included every discipline of mental health practitioner at the time: licensed psychiatrist or physician, licensed clinical psychologist or licensed psychologist, registered nurse with a master's degree in psychiatric nursing, or any kind of social worker with a master's degree and experience.

Since the statute was written in 1981, the nation and Alaska have been licensing Clinical Social Workers (LCSW), Licensed Marital and Family Therapists (LMFT) and Licensed Professional Counselors (LPC).

To do an ex parte eval you must work in a hospital or State funded mental health center. Across the state, there are approximately 140 mental health clinicians doing emergency services evaluations. In reality, only half of these clinicians fit the current definition.

Under current statute there is a legal precedent for having unlicensed, social workers with experience do evaluations. HB505 would include master's level clinicians who are experienced, but also supervised and working toward licensure.

- LMFTs, LPCs and LCSWs are clinically qualified to serve these needs.
- Including all licensed mental health disciplines and requiring that unlicensed clinicians hold a master's degree, be experienced, supervised and working toward licensure, enlarges the pool of MHPs who must meet legislatively mandated standards of education, experience and professionalism to qualify for one of the 140 present emergency services positions. **People who do not hold one of these jobs cannot do civil commitment evaluations. A judge makes the decision about commitment.**

## Comparison Chart for Mental Health Disciplines covered under HB505

License Requirement	Psychologist	Psych. Assoc.	LCSW	LMFT	LPC
<b>Education</b>	Ph.D. from program approved by Board	MA from program approved by the Board	MS from program approved by the Board	MA from a Regional Accrediting agency (Specifies course work)	MA from a National or Regional Accrediting Agency (60 total graduate hours)
<b>No Improper Conduct or Investigations in other states</b>	Not engaged in dishonorable conduct	Not engaged in dishonorable conduct	Of good moral character	Has not engaged in conduct that is grounds for disciplinary sanctions	Not under investigation in this or another jurisdiction, & has not had any license suspended or revoked
<b>Post Graduate Supervised Experience</b>	1 year	2 years	2 years or 3000 hours	1500 clinical contact hours, 100 hours of individual supervision, 100 hours of group supervision	3000 hours of clinical contact, 1000 hours of face to face counseling, 100 hrs face to face supervision
<b>Exam Required</b>	Yes	Yes	Yes	Yes	Yes
<b>Professional References</b>	5 required by regulation	2 required by regulation	3	1 verification of supervised experience & fitness	2 references and 1 verification of employment for 2 years
<b>Practice Definitions</b>	Diagnosis Treatment Emotional/Mental Disorders  Individual      group	Dependent on experience  and training	Diagnosis Treatment Mental & Emotional Disorders Individuals, families, groups, communities	Diagnosis Treatment Mental & Emotional Disorders  Individuals, families, groups	Diagnosis Treatment  Mental & Emotional Disorders Individual, group, and organizations

**For details please see Statutory Definitions of Alaska's Mental Health Disciplines document**

*Prepared by DHSS - based on current law*

**STATUTORY DEFINITIONS OF ALASKA'S MENTAL HEALTH DISCIPLINES**  
Presented in the order in which they were recognized with licensure

**Licensed Psychologists and Licensed Psychological Associates**

Psychologists (Ph.D.) in Alaska currently holding licenses 132

Psychological Associates (MA) currently holding licenses 38

**Sec. 08.86.130. Licensing requirements. (FOR PSYCHOLOGISTS)**

(a) The board shall issue a psychologist license to a person who

(1) holds an earned doctorate degree, from an academic institution whose program of graduate study for a doctorate degree in psychology meets the criteria established by the board by regulation, in

(A) clinical psychology;

(B) counseling psychology; or

(C) education in a field of specialization considered equivalent by the board;

(2) has not engaged in dishonorable conduct related to the practice of counseling or psychometry;

(3) has one year of post doctoral supervised experience approved by the board; and

(4) takes and passes the objective examination developed or approved by the board.

(b) The board may not deny recognition as an accredited or approved academic institution to an educational institution solely because its program has not been accredited by a professional organization of psychologists.

**Sec. 08.86.160. Licensing requirements. (FOR PSYCHOLOGICAL ASSOCIATES)**

(a) The board shall issue a psychological associate license to a person who

(1) holds an earned master's degree from an academic institution whose program of graduate study for a master's degree in psychology meets the criteria established by the board by regulation in

(A) clinical psychology;

(B) counseling psychology; or

(C) education in a field of specialization considered equivalent by the board;

(2) has not engaged in dishonorable conduct related to the practice of counseling or psychometry;

(3) has two years of post master's supervised experience approved by the board; and

(4) takes and passes the objective examination developed or approved by the board for psychological associates.

(b) The board may not deny recognition as an accredited or approved academic institution to an educational institution solely because its program has not been accredited by a professional organization of psychologists.

**Sec. 08.86.230. Definitions. In this chapter,**

(6) "to practice psychology" means to render or offer to render for a fee to individuals, groups, organizations, or the public for the diagnosis, prevention, treatment, or amelioration of psychological problems and emotional and mental disorders of individuals or groups or for conducting research on human behavior, a psychological

service involving the application of psychological principles, methods, and procedures of understanding, predicting, and influencing behavior, including

(A) the principles pertaining to learning, perception, motivation, emotions, and interpersonal relationships;

(B) the methods and procedures of interviewing, counseling, psychotherapy, biofeedback, behavior modification, and hypnosis;

(C) constructing, administering and interpreting tests of mental abilities, aptitudes, interests, attitudes, personality characteristics, emotions, and motivations.

**Sec. 08.86.164. Scope of practice by associate.**

(a) A psychological associate shall be licensed to provide psychological services within the nature and extent of the psychological associate's training and experience as defined in regulation.

**Licensed Social Workers**

Social Workers (Ph.D. or MA) currently holding licenses 347

**Sec. 08.95.110. License requirements.**

(a) The board shall issue a license to practice clinical social work to a person who

(1) has received a master's degree or a doctoral degree in social work from a college or university approved by the board;

(2) has completed, within the 10 years before application for licensure and under the supervision of a licensed clinical social worker, licensed psychologist, or licensed psychiatrist either

(A) a minimum of two years of continuous full-time employment in postgraduate clinical social work; or

(B) a minimum of 3,000 hours of less than full-time employment in a period of not less than two years in postgraduate clinical social work;

(3) is of good moral character;

(4) is in good professional standing and is fit to practice social work as determined by the board;

(5) has provided three professional references that are acceptable to the board, including, if the applicant

(A) was previously employed to practice social work, one reference from a person who was the applicant's employer while practicing social work unless the applicant demonstrates to the satisfaction of the board that the applicant is unable to satisfy the requirement of this subparagraph through no fault of the applicant; and

(B) is currently employed to practice social work, a reference from the applicant's current employer;

(6) has satisfactorily completed the examination given by the board for clinical social worker licensing; and

(7) has paid required fees.

(b) The board shall issue a license authorizing use of the title "master social worker" to a person who

(1) satisfies the requirements of (a)(1), (3) - (5), and (7) of this section; and

(2) has satisfactorily completed the examination given by the board for master social worker licensing.

Sec. 08.95.990. **Definitions.** In this chapter,

(2) "clinical social work" means the diagnosis of psychiatric disorders and the use of techniques of applied psychotherapy of a nonmedical nature while practicing social work;

(6) "social work" means a service in which a special knowledge of social resources, human capabilities, and the part that unconscious motivation plays in determining behavior is directed, through the application of social work principles and methods, at helping individuals to achieve more adequate, satisfying, and productive social adjustments;

(7) "social work principles and methods" include counseling of a nonmedical nature to assist in the treatment of mental and emotional conditions of individuals, families, and groups; providing information and referral services; providing or arranging for the provision of social services; explaining and interpreting the psychosocial aspects in the situations of individuals, families, or groups; helping communities to organize, provide, or improve social and health services; and doing research related to social work.

### **Licensed Marital and Family Therapists**

Marital and Family Therapists (Ph.D. or MA) currently licensed 100

Sec. 08.63.100. **Qualifications for license to practice.**

(a) The board shall issue a license to practice marital and family therapy to a person who

(1) applies on a form provided by the board;

(2) pays the fee established under AS 08.01.065 ;

(3) furnishes evidence satisfactory to the board that the person

(A) has not engaged in conduct that is a ground for imposing disciplinary sanctions under AS 08.63.210 ;

(B) holds a master's degree or doctorate in marital and family therapy or allied mental health field from a regionally accredited educational institution approved by the board for which the person completed a course of study that included instruction substantially equivalent to the following:

(i) three courses or nine semester or 12 quarter hours of course work in marital and family therapy;

(ii) three courses or nine semester or 12 quarter hours of course work in marital and family studies;

(iii) three courses or nine semester or 12 quarter hours of course work in human development;

(iv) one course or three semester or four quarter hours of course work in professional studies or professional ethics and law;

(v) one course or three semester or four quarter hours of course work in research; and

(vi) one year of supervised clinical practice in marital and family therapy;

(C) after receiving a degree described in (B) of this paragraph, has

(i) practiced marital and family therapy within three years of the person's application, including 1,500 hours of direct clinical contact with couples and families; and

- (ii) been supervised in the clinical contact for at least 200 hours, including 100 hours of individual supervision and 100 hours of group supervision approved by the board;
  - (D) has received training related to domestic violence; and
  - (E) has passed a written or oral examination administered by the board.
- (b) Under regulations adopted by the board, a person who holds a master's or doctorate degree in marital and family therapy or allied mental health field from a regionally accredited educational institution approved by the board, but whose course of degree study did not include all the courses or clinical practice requirements set out in (a)(3)(B) of this section may substitute post-degree courses or practice, as approved by the board, to satisfy the requirements of (a)(3)(B) of this section.
- (c) An applicant who fails an examination given under this section may not retake the examination for a period of six months from the date of the examination that the applicant failed.
- (d) A license issued under this section shall be renewed biennially by the applicant on a date set by the department and approved by the board. It shall be renewed by payment of the fee established under AS 08.01.065 and by satisfaction of the continuing education requirements established by the board for the renewal of licenses issued under this section.

Sec. 08.63.900. **Definitions.** In this chapter, unless the context indicates otherwise,

(5) "practice of marital and family therapy" means the diagnosis and treatment of mental and emotional disorders that are referenced in the standard diagnostic nomenclature for marital and family therapy, whether cognitive, affective, or behavioral, within the context of human relationships, particularly marital and family systems; marital and family therapy involves

(A) the professional application of assessments and treatments of psychotherapeutic services to individuals, couples, and families for the purpose of treating the diagnosed emotional and mental disorders;

(B) an applied understanding of the dynamics of marital and family interactions, along with the application of psychotherapeutic and counseling techniques for the purpose of resolving intrapersonal and interpersonal conflict and changing perceptions, attitudes, and behaviors in the area of human relationships and family life;

### **Licensed Professional Counselors**

Professional Counselors (Ph.D. or MA) currently licensed 275

#### **Sec. 08.29.110. Qualifications for licensure.**

- (a) The board shall issue a professional counselor license to a person who applies for the license, submits the required fee, submits two letters of recommendation from professional counselors who are familiar with the applicant's practice of professional counseling, and presents evidence satisfactory to the board that the person
- (1) is at least 18 years of age;
  - (2) is not under investigation in this or another jurisdiction for an act that would constitute a violation of this chapter;
  - (3) has not had a license related to the practice of counseling, psychology, marital and family therapy, or social work in this or another jurisdiction suspended, revoked, or

surrendered in lieu of discipline unless the license has been fully reinstated in that jurisdiction;

(4) has passed a written examination as required by the board; the board may provide that passing a nationally recognized examination for professional counselors is sufficient to meet the examination requirement of this paragraph;

(5) has successfully completed either

(A) an earned doctoral degree in counseling or a related professional field from a regionally accredited institution of higher education approved by the board; or

(B) an earned master's degree in counseling or a related professional field, from a regionally or nationally accredited institution of higher education approved by the board, consisting of at least 48 semester hours and at least 12 other graduate semester hours in counseling during or after earning the master's degree, for a total of at least 60 hours; and

(6) has, after completing the requirement of either (5)(A) or (B) of this subsection, had at least 3,000 hours of supervised experience in the practice of professional counseling performed over a period of at least two years under the supervision of a supervisor approved under AS 08.29.210, with at least 1,000 hours of direct counseling with individuals, couples, families, or groups and at least 100 hours of face-to-face supervision by a supervisor approved under AS 08.29.210 unless, under regulations of the board, the board allows the supervision to be by telephonic or electronic means because of the remote location of the counselor.

(b) The board may, in its regulations, specify the areas of study that must be covered in order to meet the educational requirements of (a) of this section.

**Sec. 08.29.490. Definitions.** In this chapter,

(1) "practice of professional counseling" means, subject to (C) of this paragraph, the application of principles, methods, or procedures of the counseling profession to diagnose or treat, other than through the use of projective testing or individually administered intelligence tests, mental and emotional disorders that are referenced in the standard diagnostic nomenclature for individual, group, and organizational therapy, whether cognitive, affective, or behavioral, within the context of human relationships and systems; if otherwise within the scope of this paragraph, "practice of professional counseling" includes

(A) the professional application of evaluation techniques, treatments, and therapeutic services to individuals and groups for the purpose of treating the emotional and mental disorders;

(B) an applied understanding of the dynamics of the individual and of group interactions, along with the application of therapeutic and counseling techniques for the purpose of resolving intrapersonal and interpersonal conflict and changing perceptions, attitudes, and behaviors in the area of human relationships; and

(C) consistent with regulations adopted by the board under AS 08.29.020(a)(4), administration and use of appropriate assessment instruments that measure or diagnose problems or dysfunctions within the course of human growth and development as part of a counseling process or in the development of a treatment plan;

## Initial Civil Commitment for Ex Parte

1. Person experiences a mental health crisis and needs an evaluation for possible admittance to a mental health hospital.
2. A "mental health professional" is called in to conduct an ex parte evaluation.
3. The evaluator must work in a hospital (a doctor or psychiatrist) or be employed at a state-funded community mental health center.
4. The evaluation is to determine if the person has a mental illness and, as a result, is suicidal, homicidal or "gravely disabled", each of these criteria require there to be an indication of real, imminent risk. Examples of "grave disability" are an individual who stops eating and is near starvation because they hear voices that say someone has poisoned the food, or they are so delusional that they are at risk of freezing to death because they have no awareness of their bodies needs for survival.
5. If the mental health professional determines the person fits this criteria and the individual refuses voluntary hospitalization, a call is placed to a consulting psychiatrist or physician.
6. If the consulting psychiatrist or physician concurs that the person is at risk, the mental health professional contacts a judge.
7. Upon hearing the results of the evaluation, the judge makes the decision as to whether or not there is sufficient criteria to initiate an ex parte hold of the individual for up to 72-hours for purposes of obtaining a full psychiatric evaluation done by a psychiatrist.
8. If there continues to be sufficient risk of harm, a court hearing is held to determine the appropriateness for a civil commitment.
9. Anytime throughout this process if the person no longer meets the commitment criteria, the individual is released from the hospital.

## Mental Health Professional

### Current Definition

1. Licensed Psychiatrist
2. Licensed Physician
3. Licensed Clinical Psychologist
4. Licensed Psychological Associate
5. Registered Nurse with a Master's Degree in Psychiatric Nursing
6. Any Type of Social Worker with a Master's Degree and Experience

### SB 302 New Definition

1. Licensed Psychiatrist
2. Licensed Physician
3. Licensed Clinical Psychologist
4. Licensed Psychological Associate
5. Registered Nurse with a Master's Degree in Psychiatric Nursing
6. Licensed Clinical Social Worker
7. Licensed Marital and Family Therapist
8. Licensed Professional Counselors
9. Master-level clinician, with experience, under supervision and seeking licensure

## Initial Civil Commitment for Ex Parte

1. Person experiences a mental health crisis and needs an evaluation for possible admittance to a mental health hospital.
2. A "mental health professional" is called in to conduct an ex parte evaluation.
3. The evaluator must work in a hospital (a doctor or psychiatrist) or be employed at a state-funded community mental health center.
4. The evaluation is to determine if the person has a mental illness and, as a result, is suicidal, homicidal or "gravely disabled", each of these criteria require there to be an indication of real, imminent risk. Examples of "grave disability" are an individual who stops eating and is near starvation because they hear voices that say someone has poisoned the food, or they are so delusional that they are at risk of freezing to death because they have no awareness of their bodies needs for survival.
5. If the mental health professional determines the person fits this criteria and the individual refuses voluntary hospitalization, a call is placed to a consulting psychiatrist or physician.
6. If the consulting psychiatrist or physician concurs that the person is at risk, the mental health professional contacts the judicial officer on call.
7. Upon hearing the results of the evaluation, the judicial officer makes the decision as to whether or not the testimony of the mental health professional is sufficient to support a judicial finding that the statutory criteria (threat of harm to self, others or grave disability) have been met. If the judicial officer determines that the testimony is sufficient, the judicial officer will enter a verbal and written order allowing the individual to be held at an evaluation facility for up to 72-hours so that a full psychiatric evaluation can be done by a psychiatrist. This what is commonly known as an ex parte order. This order is provided to the individual and states that there is probable cause to find that the individual is suffering from a mental illness and as a result of that illness they are a threat to self, others, or gravely disabled. This order also appoints the public defender to represent the individual if further proceedings are needed.
8. If at anytime during this process if the individual no longer meets the commitment criteria, the individual is released from the hospital.

## Mental Health Professional

### Current Definition

1. Licensed Psychiatrist
2. Licensed Physician
3. Licensed Clinical Psychologist
4. Licensed Psychological Associate
5. Registered Nurse with a Master's Degree in Psychiatric Nursing
6. Any Type of Social Worker with a Master's Degree and Experience

### SB 302 New Definition

1. Licensed Psychiatrist
2. Licensed Physician
3. Licensed Clinical Psychologist
4. Licensed Psychological Associate
5. Registered Nurse with a Master's Degree in Psychiatric Nursing
6. Licensed Clinical Social Worker
7. Licensed Marital and Family Therapist
8. Licensed Professional Counselors
9. Master-level clinician, with experience, under supervision and seeking licensure

The original statutory definition for "mental health professional" (MHP) was written into Title 47, when psychiatrists, physicians, psychologists, master's level psychologists (psychological associates) and psychiatric nurses were the only licensed mental health professions. At that time, master's level social workers were not licensed, but were acknowledged under the definition and allowed to do civil commitment evaluations if they had "substantial experience". Since then, the clinical mental health field has expanded to license social workers, marital and family therapists (MFT), and professional counselors (LPC).

In addition to the use of the mental health professional definition for persons evaluating adults in acute psychiatric crisis and facing mental health commitment, the definition also applies to those working with incarcerated adults with mental illnesses, youth in the custody of the Divisions of Family and Youth Services or Juvenile Justice, and with vulnerable adults in a variety of health care settings.

Licensing these professional mental health clinicians is critical to the public safety, and to hold accountable people working with vulnerable populations. Today, there are not enough people within the current definition of a mental health professional licensed to do this work. At the same time, there are hundreds of licensed professionals who do not fall within the current definition and cannot do the work.

This bill changes the definition of MHP to acknowledge the licensing of clinical social workers (LCSW), MFTs and LPCs, and makes provisions for those working toward licensure. By including experienced master's level clinicians working toward licensure, the bill also increases the capacity of our mental health system to protect Alaska's youth and adults who are experiencing acute psychiatric crisis in our communities, to protect and safeguard vulnerable adults from harm, and to treat mentally ill adults who are incarcerated.

Changing the definition of MHP would increase the number of trained professionals working in the field who are:

- required to report incidents of harm to vulnerable adults;
- allowed to provide mental health treatment to prisoners;
- authorized to evaluate children and minors in custody for appropriateness to be placed in secure residential treatment centers;
- eligible to work in one of the 140 jobs at community mental health centers where emergency evaluations are done on individuals experiencing a crisis, to determine suicidality, homicidality and grave disability in preparation for a judge's decision on appropriateness for mental health civil commitment to a hospital in Fairbanks, Anchorage or Juneau.