



THE STATE  
of **ALASKA**  
GOVERNOR MICHAEL J. DUNLEAVY

Office of the Governor

COMMISSION FOR HUMAN RIGHTS

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## RESOLUTION 2023-04

### Drawing Attention to the Parental Rights of Disabled People

**WHEREAS**, the Alaska State Commission for Human Rights is the State of Alaska's civil rights enforcement agency; and,

**WHEREAS**, the Alaska State Commission for Human Rights enforces the Alaska Human Rights Act, AS 18.80 *et seq.*; and,

**WHEREAS**, over the past decade, news entities in other states reported stories about parents with physical or mental disabilities having their parental rights terminated or threatened to be terminated due in total or part to their disabled status; and,

**WHEREAS**, scholarly articles such as *Clients with Mental Illness and Their Children: Implications for Clinical Practice* in "Issues in Mental Health Nursing;" *When a Parent Has a Mental Illness: Child Custody Issues*, in "Mental Health America;" and *Mothers with Mental Illness* in "Family Relationships & the Context of Parenting" have all found that upwards of seventy percent of parents with mental disabilities will lose custody of their children at some point in their life, despite these parents having the lowest rate of previous legal problems and relatively high rates of complying with reunification plans in comparison to other parents facing custodial termination; and,

**WHEREAS**, many advocates in the disabled community from both the National Federation of the Blind and the National Association of the Deaf have expressed concerns about the legal and regulatory barriers that are faced by those who are "Parenting While Blind" or raising the Children of Deaf Adults; and,

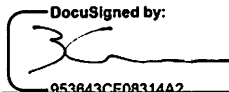
**WHEREAS**, AS 18.80.255 makes it unlawful for the state, "to refuse or deny to a person any local, state, or federal funds, services, goods, facilities, advantages, or privileges because of physical or mental disability"; and,

**WHEREAS**, Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act prohibit discrimination on the basis of disability in services of public entities and federally-assisted programs.

**THEREFORE, BE IT RESOLVED** that the Alaska State Commission for Human Rights calls on the Alaska Department of Family and Community Services and other relevant state organizations to work through training and education to ensure that parents with mental and physical disabilities in Alaska do not have their parental rights unlawfully terminated solely on the basis of their disabilities and minimize implicit biases against disabled parents whenever possible.


Copies of this resolution shall be forwarded to the Alaska Department of Family and Community services and the Governor of Alaska.

**ADOPTED** in Anchorage, Alaska, this 22nd day of August, 2023.

DocuSigned by:  


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\_\_\_\_\_  
Zackary Gottshall  
Chairperson  
Alaska State Commission for Human Rights

I hereby certify that the foregoing Resolution 2023-04 is a true and accurate copy of the language adopted by the Commission on August 22, 2023.

  
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Gina Aumuvae  
Secretary  
Alaska State Commission for Human Rights