

SB 378 continued -

Senator Parrish moved to report the bill favorably; Senator Gaines seconded the motion. On a vote of two in favor to three opposed, the motion failed.

Senate Bill No. 379 - Juvenile code, educational needs assessments. Senator Parrish reported that the subcommittee recommended that the bill be amended, and then reported favorably. Following committee discussion after explanation of the recommended amendments by the subcommittee, Senator Parrish moved to adopt the suggested amendments; Senator Gaines seconded the motion. Following further committee discussion, the motion carried. Senator Parrish then moved to report the bill favorably as amended; Senator Gaines seconded the motion, and the motion carried.

Proposed Substitute for Senate Bill No. 76 - Enacting a tort claims act applicable to the state and local units of government.

Mr. Griggs reviewed the amendments to the draft that had been made by the committee on Friday, and committee discussion followed concerning the bill. Senator Steineger moved to amend the draft with regard to the manner in which judgments could be paid; Senator Hess seconded the motion, and the motion carried. Senator Gaar moved to amend the draft to provide that the insurance should be purchased in Kansas if it is available, but if it is not available from a Kansas company, it could be purchase elsewhere; Senator Burke seconded the motion. Committee discussion followed. Senator Hess made a substitute motion to provide that insurance could be purchased from any company; Senator Simpson seconded the motion, and the substitute motion carried. Further committee discussion followed.

The chairman reminded the committee of the working session at 12:45 today.

The meeting adjourned.

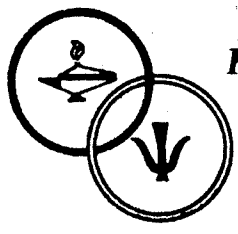
These minutes were read and approved
by the committee on 4-25-79.

3-5-79

GUESTS

SENATE JUDICIARY COMMITTEE

NAME	ADDRESS	ORGANIZATION
Steve Henry	Topeka	Ks. Assoc. of School Psychologists
Boo Grant	"	KAEI
Bill Gough	"	KACE
Don Bill	U	AP
<i>Ed Johnson</i>	"	Kan Assoc of Psychiat Cns Jnr. Cr
Maureen H. Gasser	"	Dad, Capital
Kathleen Sedelius	Topeka	KTLA
BARRY NEED	3506 Harvard, Lawrence	KASP
Muhamed Smer	Topeka	KANU-FM
<i>John [unclear]</i>	"	Boyle
Matt Matt	Topeka	ASCB?



**Kansas Association for
School Psychologists**

DATE: March 5, 1979

TO: Honorable Elwain F. Pomeroy, Chairman, and members of the
Senate Judiciary Committee

FROM: Stephan A. Henry, Kansas Association of School Psychologists
3120 Sena Drive
Topeka, Kansas 66604
273-5619 (home) 233-3483 (office)

SUBJECT: Further comments and clarifications regarding Senate
Bill No. 379 which would require courts to refer
juvenile first-offenders to local boards of education
to be considered for special educational assessment
and services.

At the Tuesday, February 27 hearing for Senate Bill No. 379 there was some discussion and disagreement as to the intent and rationale of the bill.

Last week I further researched the background of the bill and spoke with Mr. Anderson, Chairman of the Governor's Task Force on the Problems of Youth. I also spoke with Mr. Warren Bell, Director of State and Federal Programs for the State Department of Education, and the Commissioner's delegate to the Task Force. Both of these gentlemen indicated that the Task Force recommended that legislation be enacted which would require the courts to refer juvenile first-offenders to their home school districts to be considered for special educational assessment and services. The rationale which they expressed was that many of the children who come to the attention of the courts have unidentified and thus untreated learning problems. It is clear, then, that the testimony which KASP presented before your committee was based on an accurate interpretation of the intent and rationale for Senate Bill No. 379.

The following documents should be helpful in this matter;

1. Report entitled Governor's Task Force - Problems of Youth Under SECTION I: INVESTING IN PREVENTION, see Recommendation #9, page 24, which states:

"The Task Force recommends legislation to require courts to refer all youth who are first-time court referrals to schools to be considered for special-educational assessment and services. . . Requiring this referral procedure allows the school to examine a youth's records, to consider the youth for educational screening and to provide educational services if it is warranted."

2. Governor's Special Message on Children and Youth to the Kansas Legislature. (see House and Senate Journals for February 7, 1979) Under the heading "EVALUATION OF PROBLEM YOUTH" the Governor's message states:

"Many problem youth are seen many times by the court before they are removed from the home. However, they seldom receive an educational or psychological evaluation prior to an out of home placement. Thus, I am proposing two measures that will result in early evaluation.

1. Require an Educational Assessment by the School for Youth Coming Into Contact with the Court for the First Time.

This requirement will result in the court having better information on the child's needs and will result in the child's problems being brought to the attention of the school. In some cases, a change in a child's educational program may prevent future problems."