

Approved February 17, 1986

Date

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION

The meeting was called to order by Representative Don E. Crumbaker at
Chairperson

3:39 ~~mm~~/p.m. on February 13, 1986 in room 313-S of the Capitol.

All members were present except: Rep. Kline, Apt, who were excused.

Committee staff present: Avis Swartzman, Revisor of Statute's Office
Ben Barrett, Legislative Research
Lynda Cory, Secretary to the Committee

Conferees appearing before the committee:

Dr. Robert C. Harder, Secretary to Social Rehabilitation Services
Jan Waide, Director, Children in Need of Care Services, Youth Services of SRS
Pat Baker, Kansas Association of School Boards
Mrs. Brilla Scott, Associate Executive Director, United School Administrators
Cecil Deel, President, Kansas Association of School Administrators (Supt. at Sterling, Ks)
Craig Grant, Kansas-National Education Association
Austin Vincent, Topeka Attorney
Lois Jebo, Kansas Action for Children
Sheila Frahm, State Board of Education

The Chairman welcomed the large audience in the Old Supreme Court Room who were guests of KASB for the weekend and invited Dr. Robert Harder to present HB 2795.

Dr. Harder's explanation for SRS to be in favor of HB 2795 was the reduction of staff and increase of truancy cases. Each SRS staff member averages 67 case loads, or about 250-350 people, for the State of Kansas. In Missouri the average case load per worker is 25. Priorities are left to local SRS offices, and truancy is not top priority. (Attachment 1)

Jan Waide gave a brief rundown on the current system. First call to their office, a letter goes to the parents. Second call, a personal visit from SRS, sometimes a ride to school. SRS does not, however, have the authority to force the truant student to return to school.

Pat Baker, KASB, opposed HB 2795. They were sympathetic to SRS for enforcement and overburdened, but did not feel it reasonable to expect a district attorney to file criminal charges on each family. Since 30% of truancy students are also within SRS family cases as stated by Dr. Harder they felt that truancy was a social issue as well as educational issue made into a public issue that interrelated. (Attachment 2)

Brilla Scott, USA, reported opposition to HB 2795 because the current system has been in effect only since 1983 and has had only three years to work. She felt the education personnel did not have the enforcement clout that state personnel have. (Attachment 3)

Cecil Deel, in opposition to HB 2795, reported how the previous system did not work because the reporting was done to the district attorney. Depending on the case load, and county to county district attorneys, the lag time was too long to be effective. (Attachment 4)

Craig Grant, K-NEA, opposed HB 2795 because it was taking the teeth out of the reporting system, as well as dealing with the family, but not dealing with the child. (Attachment 5)

A local attorney, Austin Vincent, opposed HB 2795 on the grounds that when also approaching the residential private schools, he enjoyed having SRS involved. The superintendent has no authority with private schools, and it helps the attorney in giving a good report to the district attorney. He regretted the elimination of the middle step that HB 2795 would create, and felt that the issue of legalizing home schools would cause the problem to grow, and, therefore, it was going to take a chunk in somebody's load, no matter who it was.

Lois Jebo, arriving late, reported that her group favored HB 2795 because her citizen-based organization felt that SRS would still be available for truancy and to work with the families involved, therefore, HB 2795 helped eliminate the state level under mandate. (Attachment 7)

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION,
room 313-S, Statehouse, at 3:39 ~~am~~/p.m. on February 13, 1986.

Sheila Frahm reported for the State Board of Education as being opposed to HB 2795. (Attachment 6)

Dr. Harder was called back to the stand for discussion. Rep. Leach recommended that the school districts sort the truancy students into two groups, those that would fall into the SRS category of a child in need of care and those that do not, and only turn those cases over to the SRS that were in the category.

Rep. Reardon insisted that it was still a money issue that could be handled with alternative choices. After further discussion, Dr. Harder indicated that SRS would be willing to work out a compromise in that they would continue to be responsible for the elementary-aged truancy students because grade school children are more in the category of children in need of care and the effective rate is much higher with that age group. But they would not be willing to be responsible for the junior and senior high truancy students because the effective rate is much lower to nonexistent.

After the Chairman had asked several of the conferees if they had a suggested solution, he announced that a sub-committee would be organized to meet with the various people involved in this issue, and especially since another bill, HB 2982, had just been introduced on this same issue the morning of this meeting, to work out another solution.

The Chairman announced this concluded the hearings on HB 2795.

The meeting adjourned at 4:45 p.m.

DATE 2-13-86

GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
Joe Shaneyfelt	USD 323	St George Ks
Elinor St. Kappelman	League of Women Voters	Lawrence Ks
Hasika N. Alb	" " " "	" "
Marita Koblach	U.S.D. #489	Hayes, Ks
Jean Ross	USD #489	Hayes, KS
Don Williams	USD 279	Jawell, Ks
Mike Kullin	USD 375	LaCrosse, Ks
Lenaine Ryan	" 395	McCracken, Ks
Willow Brack	USD 395	McCracken, Ks
Alex A. Herrman	USD 395	La Crosse, Ks
Ray Beckford	USD 481	Hope, Ks
Randy Freeman	USD 481	Hope, Kansas
B. J. McDaniel	USD 481	Hope, Ks.
Sam Emig	USD 481	Hope, Ks.
Eldon Ruffel	U.S.D. # 481	Hope, Ks.
Ken Rost	U.S.D. 473	Chapman, Ks
Bob Shank	USD 347	Kinsley Ks
Bill Hirt	USD 259	Wichita
Bill Malley	USD 465	Winfield
Martha Butler	USD 465	Winfield
Chris Miller	" 465	Winfield
Mike Barclay	USD 462	Broaden
Duane C. Grisher	USD 465	Winfield
Chuck Stuart	USD 379	Clay Center

DATE 2-13-86

GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
Leo R. Lake	USD 435	Abilene
Judy Cutsinger	KSDE	Topeka
Harley Meckling	USD 257	Clara
Carol Doepe	USD 258	Humboldt, Ks.
Don Bain	USD # 257	Ida Ks
Fred Campbell, Jr.	USD # 234	Ft. Scott, Ks.
Wale A. Fultz	USD 506	Parsons
L. A. Curran	USD 506	Attamout
Henry G. Steff	USD 250	Bethsburg
Doug Floyd	USD 487	Herington
L. J. Weller	USD 487	Herington
J. D. Will	USD 397	Fort Springs
Binda Peterson	USD 397	Burdick
Bob H. _____	USD 410	Hillsboro Ks.
Marvin P. Edwards	USD 501	Topeka
Ken Rupp	Parola	L. O. E.
Wilson Thurston	USD 445	Coffeyville
Jim Youally	M. S. D. # 512	Shawnee Mission
Joan Bowman	USD # 512	Lenexa
Heather Anderson	USD # 512	Shawnee Mission
Stuart Merrill	T.C.A.	Topeka
Kon Bass	USD 494	Syracuse Kanse
Kathy Adams	USD 294	Oberlin, Ks.
Gew Hitch	USD 323	Westmoreland, Ks.

DATE 2-13-86

GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
Karlton O'Brien	KASB USD 253	2067 Antebony Avenue
Kim Huang	KASB U.S.D. 352	Goodland, Kansas
Juanita Barnett	KASB USD 352	Goodland, Kansas
Judy Shell	USD 315	Colley, Ks
Bob Wells	USD 474	Naviland
Jean Anne	USD 315	Colley
Janis Lee	USD #238	Lexington
Betty Flatters	USD #484	Box 572 Fredonia, Ks
Elaine Lawrence	U.S.D. #373	R4 Box 56, Newton Co.
Sue Ice	U.S.D. 373	Newton
Bob Wells	USD 271	Stockton
Alice Jade Tries	USD 290	Ottawa
Almeda Edwards	USD 290	Ottawa
Mayorie J. Van Buren	Judicial Administrator	Topeka
Kim McDonald	USD 271	Stockton
Karen McDonald	USD 271	Stockton
Margaret Wells		Stockton
Ruth Ann Biggs	USD 271	Stockton
Thomas C. Biggs	USD 271	11
Doris Hupe	USD 343	Perry
Connie Robertson	USD 343	Perry - Leamington
Lynn Price	USD 366	Yates Center, Ks.
Thomson	KASB USD 382	Platt
Jim Miller	USD 483	Plains

DATE 2-13-86

GUEST REGISTER

HOUSE

EDUCATION COMMITTEE

NAME	ORGANIZATION	ADDRESS
Gerald Anderson	USA	Topeka
Robert King	USD 473	Chapman
Good Johnson	USD 473	R5 obilene
Don Henry	USD 441	Daff
Van C. Lauer	USD 441	Sabetha
Glen R. Stollen	USD 441	Sabetha
Rixey Wertenberger	USD 441	Sabetha
Ken Harbster	USD 441	Manly
Jack Kalk	USD 440	McPherson
Beille Hochstetler Scott	USA	Lawrence
Neil D. Kubla	KAB	Elsworth
Matha R. Miller	KASB USD 383	Manhattan
Cecilia Weil	KASA - USD 376	Sterling
Hal Rowe	USD 383	Manhattan
Kendall Clarenburg	USD 383	Manhattan
Bert Hitchcock	USD 327	ELSWORTH
Don Waide	SRS	Topeka
Robert Ottman	SRS	Topeka
Alfred H. Meyer	USD 340	Osawatomie
Lou Bugas	USD 340	Meriden
Ed. Jones	USD #211	Dough
Gene Kraussman	USD 490	El Dorado
Robert Case	USD 490	El Dorado
Monty Atwell	USD 301	Ellice

State Department of Social and Rehabilitation Services

Statement Regarding House Bill No. 2795

1. Title

An Act concerning juveniles, amending the Kansas Code for Care of Children; amending KSA 38-1502(a) (6), repealing the existing section, also amending 72-113 and repealing the existing section.

2. Purpose

The purpose of this bill is to delete children not attending school as required by KSA 72-977 or 72-1111 as a definition for a child in need of care. This would remove Social and Rehabilitation Services responsibility for receiving and responding to reports of children who are truant.

3. Background

When the Kansas Code for Care of Children and the Kansas Juvenile Offenders Code became law on January 1, 1983, truancy was deleted as a juvenile offense and schools were directed to report to SRS those children who were not attending school as required by law. These children were defined as Children in Need of Care. This change greatly increased the number of children who were reported to SRS as children alleged to be in need of care and for whom SRS needed to respond. A chart showing these numbers is attached: Reports Received/Case Openings FY-83--FY-85. We have determined that some truants are children in need of care and some children in need of care are truants, but the terms are not synonymous. When the lack of school attendance is associated with service needs that require the intrusion of the public agency for the safety and well-being of the child, these families and children could have been reported and found eligible for service under the remaining definitions of a "child in need of care".

SRS staff time has been diverted from efforts involved in (1) investigating reports of child abuse/neglect and sexual abuse; (2) providing services to families to ameliorate their problems and maintain children in the home; (3) providing services to children in the custody of the Secretary as children in need of care or juvenile offenders; and (4) providing services needed to reintegrate separated families. The enforcement of the compulsory education law is not a social service and SRS cannot enforce school attendance. We can provide social services to families who are experiencing problems. SRS cannot meet all the social service needs of families and children and we must set responsible priorities based on need and the agency's ability to deliver services.

For example, in fiscal year 1973, fifty-three reports of sexual abuse were received and investigated statewide by SRS field staff. In ten years this number had increased to 1,133 in 1983. In FY-85 this number rose to 1,403. Indicators are that the number of reports of suspected sexual abuse will continue upwards with the heightened public awareness of the problem of sexual abuse of children. SRS has defined sexual abuse services as a priority.

A survey of 48 states was conducted and responses received from forty-one. Only in Kansas are the school districts required to report truancy to the social service agency. In all forty-one states absence from school was deemed an educational responsibility with court intervention used as needed for enforcement and initiated by school personnel.

In 14 states, absence from school is a reason for adjudging a child under provisions similar to those found in the Kansas Code for Care of Children with action taken against the parents; but the action is initiated by the school authorities either through a prosecutor's office or directly to the court. In all states action could be brought against the parents in the district/circuit court but again this action is initiated by the school authorities and handled by the court.

In eight of the states the school attendance officer was responsible for providing intervention services to the student and family. In many other states, services of the school counselor, social worker or psychologist are utilized. In situations in which the level of needed intervention is more intense than that which the school can provide, a referral to the state social service agency or other private provider is made. But, the receipt of, investigation of, and response to lack of school attendance is the responsibility of the school authorities in 97.6% of the states responding to the survey. (The complete survey results are attached.)

4. Effect of Passage

The amendments as proposed would remove from SRS the mandate of receiving and responding to reports of children who have unexcused school absences in violation of the law and would allow additional staff time to respond to social service needs of children and their families.

5. SRS Recommendation

SRS recommends passage of this bill.

Robert C. Harder
Office of the Secretary
Social and Rehabilitation Services
296-3271

CHILDREN IN NEED OF CARE
 REPORTS RECEIVED/CASE OPENINGS
 FY 83 - FY 85

Type of Report	FY-1983	FY-1984	FY-1985
Child Abuse/Neglect	19,498	22,450	24,551
Unexcused School Absences		3,357	3,398
Other Children In Need of Care		3,060	3,168
Total	19,498	28,867	31,117

Percent of Confirmation/Case Opening By Type of Report

Type of Report	FY-1983	FY-1984	FY-1985	TOTAL
Total CAN Reports	19,498	22,450	24,551	63,499
No. Confirmed	6,439	7,657	7,724	21,820
Percent	33%	34%	31%	34%
Total Reports of Unexcused School Absences		3,357	3,398	6,755
No. of Cases Open to Services		1,013	1,095	2,108
Percent		30%	32%	31%
Total Reports of Other Children In Need of Care		3,060	3,168	6,228
No. of Cases Open to Services		2,070	2,126	4,196
Percent		68%	67%	67%

State	Duties of School Attendance Officer			School Reports To				*Court Action	
	Invest	Enforce	Service	SSA	Law Enforc	Prosc	Court	Pnt. Criminal	Juv. Ct.
Alabama	x					x		x	
Alaska									
Arizona	x				x	x		x	C
Arkansas	x					x			N
California									
Colorado	x					x			N
Connecticut	x						x	x	C
Delaware									
Florida									
Georgia	x		x				x	x	C
Hawaii									
Idaho	x					x	x	x	N
Illinois	x						x	x	
Indiana	x						x	x	C/J
Iowa	x					x		x	J
Kansas	x			x					C
Kentucky	x						x	x	N
Louisiana	x		x			x		x	C
Maine	x		x			x		x	
Maryland									
Massachusetts									
Michigan	x				x				
Minnesota	x					x			
Mississippi		x					x		
Missouri	x				x			x	N
Montana	x						x	x	J
Nebraska	x					x	x	x	N
Nevada	x						x	x	N
New Hampshire	x						x	x	
New Jersey	x					x	x	x	C
New Mexico	x					x	x	N	C
New York	x					x	x	x	
North Carolina									
North Dakota	x					x		N	N
Ohio	x					x		x	J
Oklahoma	x					x	x	N	N
Oregon	x					x	x	N	N
Pennsylvania	x						x	x	C
Rhode Island	x	x					x	x	J
South Carolina	x		x			x		x	C/J
South Dakota	x		x			x		x	C
Tennessee	x					x	x	x	J
Texas	x					x		N	N
Utah	x	x	x				x	x	J
Vermont	x	x				x		N	J
Virginia									
Washington	x	x				x		N	N
West Virginia	x		x			x		x	C
Wisconsin	x		x			x		x	C/J
Wyoming	x					x		x	C

* C=Child in need of care type action
 J=Juvenile offenders action
 N=Not certain

TRUANCY SURVEY

Alabama Local schools have attendance officers who investigate and provide notice to parents. The superintendent of the school district is responsible for bringing criminal action against the parents when they have not responded to the school's efforts.

Alaska Did not contact

Arizona Local schools have attendance officers. They report to law enforcement and local prosecutors to bring criminal action against the parents or a child in need of care type action in behalf of the child.

Arkansas Local school districts write their own policy. School personnel work in conjunction with local prosecutors and the juvenile court.

California No response

Colorado Local school districts have an attendance officer. Referrals due to violations of the compulsory attendance laws are made to the local prosecutor and are heard by the juvenile court.

Connecticut Schools have attendance officers who recommend to the court legal action against the parents for educational neglect or in behalf of the child under a child in need of care type action.

Delaware No response

Florida No response

Georgia Social workers, hired by the local school board, serve as attendance officers. They determine why a child is not attending school and provide intervention services. When this fails the school social worker makes a report to the court. Action can be brought against parent(s) in juvenile court or in district court.

Hawaii Did not contact

Idaho School attendance officer reports to the court which can refer to the prosecuting attorney's office for investigation and possible filing of charges--either criminal charges against the parents or charges in juvenile court against the child.

Illinois Attendance officers have no recourse through the juvenile court system. Truancy is not considered a status offense and is not covered under their Minors Requiring Authorative Intervention proceedings. School personnel can refer to the court for criminal prosecution of the parent. The Department of Education is trying to get legislation that will again make truancy a status offense.

Indiana Local schools have an attendance officer. The school refers to court for criminal action against the parent(s) for educational neglect or delinquency of the child.

Iowa Attendance officers refer truancy to local prosecutors for criminal action against the parent(s) or for delinquency action against the child.

Kansas School attendance officer refers to SRS; SRS refers to prosecutor for CINC action.

Kentucky Attendance officer refers to district court when enforcement action is needed.

Louisiana Each school district has an attendance officer and a child welfare officer who provide services to the family. When school efforts fail referral is made to the prosecuting attorney to file criminal action against the parent(s) or file a child in need of care type action.

Maine Local attendance officers are responsible for working with the family or may file for criminal action against the parent(s). Truancy is not an offense.

Maryland No response

Massachusetts No response

Michigan No state laws. All attendance issues are handled at the local school level with related policies written at this level. School officials report truancy to law enforcement.

Minnesota Attendance officers are not mandated. When a student has had 15 days of unexcused absences the student is dropped from school and the prosecutor is notified.

Mississippi School attendance officers are employees of the court. Compulsory education laws cover ages 6 to 9 only. Referral of children over 9 may be made to the court attendance officer.

Missouri Attendance officers report to the prosecutor; action is filed in juvenile court; social services agency investigates educational neglect reports.

Montana Local attendance officers report non-compliance to the court. Action can be brought against parents; or child can be declared a juvenile delinquent.

Nebraska Local attendance officer reports to prosecutor or juvenile court.

Nevada Local schools may have attendance officer, they report violations to the court.

New Hampshire Attendance officers try to gain parental cooperation; truancy is not a status offense. School district can refer parent to court and parent may be fined up to \$35 per day.

New Jersey Local attendance officer reports violations to prosecutor/court. Parent can be fined \$25 for first offense and \$100 for each subsequent offense. Court action can be brought against the parent or the child as a disorderly person.

New Mexico Local attendance officer in conjunction with prosecutor and juvenile court can find child(ren) to be in need of supervision.

New York Local attendance officer reports violators to the prosecutor who may file a Parents in Need of Supervision petition. Truancy is not an offense.

North Dakota School district reports non-attendance to the state attorney for prosecution.

Ohio Local attendance officer refers to prosecutor for criminal action against parent or a delinquency action against the child.

Oklahoma Local attendance officer works in conjunction with local prosecutor and court.

Oregon First level is referred to a local attendance officer; continued violations are referred to a regional educational service district; and district staff refers to prosecutor.

Pennsylvania Local attendance officer determines if absence is excused or unexcused. When continued unexcused absences occur, referral is made to magistrate court and parents are fined. Court can place the child in the custody of the social service agency.

Rhode Island Attendance officers are constables and have law enforcement powers. The attorney for the school district files court actions against the parents who can be fined up to \$50 per day or placed in jail for up to 30 days. Child may be found wayward and placed in a juvenile corrections facility.

South Carolina Attendance officers must provide intervention services to get the child in school. If this fails, referrals are made to the prosecutor for criminal actions against the parent(s), or child could be found to be delinquent or neglected.

South Dakota Attendance officers work first with parents; when this fails referral is made to prosecutor who may file criminal charges against the parent or a CINC protection action.

Tennessee Local attendance officers report to prosecutors and court action may be taken in juvenile or circuit court. Truancy is an offense.

Texas Local attendance officer works in conjunction with the prosecuting attorney.

Utah Local attendance officers work with child/family. The parents/child must attend a truancy school which is held at night for which the parent must pay. If this fails, parent/child are referred to a court referee and are court ordered to attend the truancy school; if this is not successful, parents are subject to fines and jail; and youth to detention.

Vermont Attendance officer determines why the child is not in school; provides notices to all parties and refers to local prosecutors for legal actions against child or parent.

Virginia No response

Washington Local attendance officer may be school employee or law enforcement officer. School districts may use their own attorneys to file charges or they may refer to local prosecutors.

West Virginia Local social services and attendance officers are part of a local system, are responsible to determine why a child is not in school and are responsible to provide intervention services. When this fails, referrals are made to the magistrate court where criminal action or educational neglect can be brought against the parent(s).

Wisconsin Attendance officers determine why the child is not in school and provide intervention services. Schools must provide alternate education programs. Referrals can be made to the prosecutor against the parents or students.

Wyoming Attendance officers are responsible for determining why the child is not in school and for reporting violations to the prosecutor for court action where either criminal action may be taken against the parent or a neglect action initiated in behalf of the child.



TESTIMONY BEFORE THE HOUSE EDUCATION COMMITTEE
ON HOUSE BILL NO. 2795

By

Patricia E. Baker, Senior Legal Counsel
Kansas Association of School Boards
February 13, 1986

Mr. Chairman, members of the Education Committee, thank you for giving me the opportunity to appear before you today to address, on behalf of our member boards of education, a topic which goes to the heart of our public education system. That subject is compulsory attendance.

The people of the State of Kansas, through their elected representatives, decided many years ago that education was sufficiently important to the future of the State that attendance at school should be more than recommended -- it should be required. Today every state in the union has a Compulsory Attendance Law. The methods of enforcing that law vary considerably. The Kansas Legislature determined that enforcement of compulsory school attendance should be more than just punitive. Truancy is a social/educational problem and should be addressed as such. When the legislature revised the Juvenile Code, it was the recognition of school attendance as a social issue that prompted this body to put enforcement of attendance in the State Agency with the staff, resources and authority to deal with social problems.

House Bill 2795 not only removes the enforcement of compulsory attendance from the purview of the Department of Social and Rehabilitation Services -- it

effectively wipes out any meaningful enforcement. We still have compulsory attendance under this bill -- but we no longer have truancy. No reporting of truancy is required, indeed there is no one to report to! By amending the Juvenile Code to eliminate any reference to school attendance from the section on Children in Need of Care is to wish away a problem.

If House Bill 2795 is enacted, school officials may request that the County or District Attorney bring criminal charges against the parents. Once this issue is exclusively in the hands of criminal courts, the remedies are punitive not educational. SRS claims a lack of manpower and time to address truancy in Kansas. Yet their solution is to put the question before prosecutors and judges who already are faced with clogged court dockets and sparse resources. Even if the prosecutors and courts do proceed to utilize the criminal law to penalize adults, there is little indication this will result in the fulfillment of the intent of the Compulsory Attendance Law -- to get and keep children in school.

The criminal code, as amended by House Bill 2795, would only address those cases in which the parents caused or allowed children between 7 and 16 to be truant. Those children who, without parental encouragement, are truant would simply fall through the cracks and remain outside of the educational environment.

To wipe out compulsory attendance because it is difficult, time consuming and frustrating to enforce is to undo decades of Kansas commitment to education for all its citizens. We are sympathetic to the difficulties expressed by SRS but to withdraw without substituting any meaningful alternative is irresponsible and poor public policy.

We strongly recommend the rejection of House Bill 2795, but offer to work with SRS, the legislature and others to find solutions to the present difficulties without abandoning the children whom we all serve.



SUBJECT: HB 2795

Mr. Chairman, Members of the Education Committee:

My name is Brilla Highfill Scott, and I am Associate Executive Director for United School Administrators of Kansas. I appreciate the opportunity to visit with you this afternoon in opposition to House Bill 2795. This amendment is drafted to remove truancy from the "child in need of care" portion of the law and eliminate the investigative role of Social and Rehabilitation Services in assisting schools in determining reasons children are absent from school without valid excuse.

I should like to present a perspective on the original intent of this statute. When I became an administrator, truant students were reported to the Juvenile Court. While I was principal of West Junior High School in Lawrence, I served as a member and chair of the Court/Education/SRS Liaison Committee. One of the purposes of this advisory committee was to formulate guidelines to assist school administrators in developing strategies for the retention of individual students and procedures for involving SRS when school district efforts failed. In 1983 Dr. Bolton, then Commissioner of Education; Dr. Harder, Secretary of SRS; and Chief Justice Schroeder, Supreme Court, approved these guidelines for implementation in the 1983-84 school year.

The regulations involving SRS have been in place less than three years. Please do not change procedures for reporting trancies for the third time in five years.

The prevention of truancies is the responsibility of individual school districts as well as the State of Kansas. The Institute for Educational Leadership lists Kansas among the top eight states in the nation in the retention of students to graduation. In order to maintain this status, educators of Kansas must have the investigative assistance of a state agency which reports "children in need of care" to the courts.

Brilla Highfill Scott
Brilla Highfill Scott
Associate Executive Director

BHS/ed

ATTACHMENT 3 February 13, 1986
HOUSE EDUCATION COMMITTEE

Representative Crumbaker and members of the committee: My name is Cecil Deel and I'm representing the Kansas Association of School Administrators.

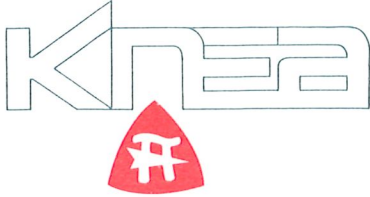
House Bill 2795 is of particular interest to us as it affects the truancy and compulsory attendance laws of Kansas. Our concern centers on the withdrawal of the Social and Rehabilitation Services from the investigative and enforcement procedures associated with truancy and non-compliance with the compulsory attendance laws. As we read HB 2795, there is no provision to replace SRS with any other governmental service. Insofar as truancy is concerned, it seems that school authorities would not have anywhere to report truanicies and there would be no recourse save the county attorney filing criminal charges against parents.

We believe that with no agency assigned to deal with the issue, truanicies and absenteeism will fall victim to a system of benign neglect and that the compulsory attendance laws will be emasculated.

We further believe that enforcement of the compulsory attendance laws is a community-state function. Passage of this bill, without a replacement for SRS in the formula, will result in school personnel keeping records, determining excuses for absences, and adhering to local policies on attendance while having no satisfactory source of assistance in the investigative and enforcement process. Youngsters who do not comply with attendance policies then will either drop out of school or be dropped from school rolls and thus be on their own.

We urge you to carefully consider the ramifications that passage of HB 2795 would have in this regard. We believe the current system is preferable to no system.

Thank you for your consideration.



Craig Grant Testimony Before The
House Education Committee
February 13, 1986

Thank you, Mr. Chairman. Members of the Committee, my name is Craig Grant and I represent Kansas-NEA. I appreciate this chance to visit with you about HB 2795.

As we read this bill, HB 2795 would take the teeth out of the compulsory attendance laws of Kansas. It appears that we are continuing to deal with any parent or guardian who would contribute to or encourage a child to not attend school as required by law, but we are neglecting to deal with the child involved. We think it is appropriate to designate a child who does not attend school as a "child in need of care." The bill does not instruct a board or its designated agent what to do if a child is in violation of our school attendance laws.

Although we understand the burden this has placed on the SRS department in the past, we think that this department is the proper one to deal with the family and attempt to bring the family into compliance. Because of our belief, we would hope that you report HB 2795 unfavorably.

Thank you for listening to our concerns.

Kansas State Board of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612-1103



Kay M. Groneman
District 1

Connie Hubbell
District 4

Bill Musick
District 6

Evelyn Whitcomb
District 8

Kathleen White
District 2

Sheila Frahm
District 5

Theodore R. Von Fange
District 7

Robert J. Clemons
District 9

Dale Louis Carey
District 3

February 13, 1986

Marion (Mick) Stevens
District 10

TO: House Education Committee
FROM: State Board of Education
SUBJECT: House Bill 2795

My name is Sheila Frahm, Legislative Committee member of the State Board of Education. I appreciate the opportunity to appear before the Committee on behalf of the State Board.

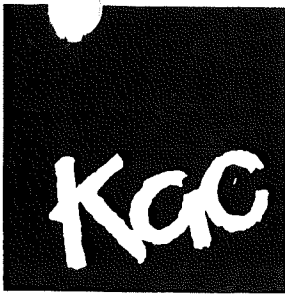
The State Board of Education would like to raise some questions on how House Bill 2795 would be implemented. Currently, local boards of education are required to report to the Secretary of Social and Rehabilitation Services all cases of children who are not attending school which are covered by the compulsory school attendance law. This includes students who have unexcused absences on three consecutive days or five or more unexcused absences in any semester and students who are not enrolled. It appears under House Bill 2795 that the school districts would not be reporting such students to the Secretary of SRS. The question the State Board would like to raise is the following. "Who should school districts notify when students are not in compliance with the compulsory school attendance law?"

The State Board feels very strongly that some official governmental agency other than unified school districts should be responsible for following up on all noncompliance issues related to the compulsory school attendance law.

ATTACHMENT 6

February 13, 1986

HOUSE EDUCATION COMMITTEE



Because all children need someone who cares . . .
**Kansas Action
for Children, inc.**
A non-profit, tax-exempt organization.

Testimony given before the House Committee on Education

HB 2795

Kansas Action for Children, Inc. appreciates the committee accomodating our request to address the committee on HB 2795.

Kansas Action for Children is a citizen based organization that has statewide representation. Among the members of our board of directors are previous school board members and members of the PTA. I have just returned from a day long board member at which we debated this bill.

Kansas Action for Children supports the removal of the responsibility for truants from SRS. As we have monitored the ability of the Youth Services Division to meet the additional mandates given to the division under the Code for Care of Children in 1983, we are concerned that quality services cannot be maintained when limited agency personnel is required to cover too large a client group.

KAC appreciates the testimony of those opponents that have indicated a need for additional resources to work the truancy issue. However, we would to like remind the committee that no additional funds and only 8 positions statewide were given SRS to cover not only truants, but all other categories of previous status offenders, now defined into the Code for Care of Children.

KAC recognizes the importance of naming an agency to have ultimate responsibility for truancy. It is the opinion of our organization that that responsibility lies with the Legislature's policy making tasks; and, because that decision is not included in this bill is not a reason to kill the bill.

In summary, Kansas Action for Children supports the removal of responsibility for truancy from the Kansas Department of Social and Rehabilitation Services.