

MINUTES OF THE HOUSE CORRECTIONS AND JUVENILE JUSTICE COMMITTEE

The meeting was called to order by Chairman Ward Loyd at 1:30 p.m. on February 11, 2004 in Room 241-N of the Capitol.

All members were present except:

Representative Eric Carter - absent

Committee staff present:

Jill Wolters, Revisor of Statutes Office  
Jerry Ann Donaldson, Legislative Research Department  
Nicoletta Buonasera, Legislative Research Department  
Connie Burns, Committee Secretary

Conferees appearing before the committee:

Finessa Ferrell, NCSL  
Pat Baker, KSAB  
Gerry Ray  
Judge Allen Slater, 10<sup>th</sup> Judicial Dist.  
John Fritz, Asst. DA, Juvenile Division Johnson Cnty  
Sheryl Bussell, Wyandotte County Asst. DA  
Mary Thrower, Asst. DA Saline County  
Peg Kokken-Opat, Student Services USD #305

Others attending:

See Attached List.

**HB 2320 - Dispositions for children in need of care because of truancy**

Chairman Loyd opened the hearing on **HB 2320**

Finessa Ferrell, National Conference of State Legislatures, briefed the committee on truancy. Research shows that kids who feel safe, valued and connected to family, their school community and the community at large are much more likely to stay in school and much less likely to engage in disruptive, self-destructive, violent or criminal behavior. (Attachment 1) The packet of information is available in the Legislative Research office and Chairman Loyd's office.

Kids who have these "risk factors" in their lives, particularly if there is more than one operating together, are far more likely to end up in the juvenile justice system.

Risk Factors:

Truancy  
Dropping out of school  
Poor academic performance  
Poor family relationships  
Drug use  
Alcohol use  
Family lives in poverty  
Teen pregnancy  
Poor relationships with peers or a peer group engaged in the same risky behaviors  
History of child abuse and neglect  
Being a bully or the victim of a bully at school  
Feeling depressed, hopeless or suicidal

Having no positive relationships with adults  
Little or no parental involvement in school or other aspects of their lives  
Gang membership

The common denominator in all of this is connection. All the factors of risk, the factor that “protects” is dependent on kids feeling someone cares about them, and have an emotional connection.

Truancy Outcomes:

Truancy has been linked to chronic unemployment, dependence on governmental assistance and criminal behavior. Potential factors have been identified as potential cause of truancy including an unstable home life, poverty, substance abuse teen parenthood, a lack of interest in school, and the perception by young people that their parents, communities and schools do not care about their academic progress.

Pat Baker, Deputy Executive Director Kansas Association of School Boards, appeared before the committee to address truancy. She stated that the issue is affecting every school in Kansas and a problem in search of a solution and offered several suggestions. ([Attachment 2](#))

Gerry Ray, chair of the Public Policy of United Community Services of Johnson County, are interested in truancy because of its potential as a warning sign for crisis situations or criminal behavior in the lives of today’s youth. ([Attachment 3](#))

Judge Allen Slater, 10<sup>th</sup> Judicial District, spoke in favor of the bill. ([Written testimony was not provided](#))

John Fritz, Assistant Johnson County District Attorney, stated that it is a well known fact that when communities reduce truancy rates, they also make a significant impact in juvenile crime rates. Keeping kids in school has a positive effect on quality of life issues for a community. He felt the bill would allow the court system to help these kids. ([Attachment 4](#))

Sheryl Bussell, Wyandotte County Assistant DA, her project has seen satisfactory results including 26% decline in juvenile offender filings from the calendar year of 2001 to the present. This bill would provide greater options for the courts to deal with the students and their families in relation to truancy. ([Attachment 5](#))

Mary Thrower, Assistant Saline County Attorney, spoke that truancy is a pervasive problem in many of our communities. The goal is to get children to school, not to prosecute. The court is utilized when all other measures have failed. ([Attachment 6](#))

Dr. Peg Kokken-Opat, Executive Director of Administrative and Student Support Services stated the current Kansas Compulsory Attendance statute KSA 72-1113 is ineffective in addressing truancy in schools in Kansas. They believe that legislation regarding school attendance must change and must establish a means of holding parents/students accountable. Also, that the age of compulsory attendance should begin at age 6 and once a student has begun the educational process, a continuance of the educational process should be compulsory. ([Attachment 7](#))

Chairman Loyd will continue hearing **HB 2320** on Friday, February 13.

The meeting was adjourned at 3:30 pm. The next scheduled meeting is February 12, 2004.