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STATE OF ALASKA

DEPARTMENT OF LAW

CRIMINAL DIVISION/THIRD JUDICIAL DISTRICT
OFFICE OF THE DISTRICT ATTORNEY

BILL SHEFFIELD, GOVERNOR

REPLY TO:

- 1031 WEST 4th AVENUE, SUITE 520
ANCHORAGE, ALASKA 99501
PHONE: (907) 277-8622
- P.O. BOX 3070
DILLINGHAM, ALASKA 99576
PHONE: (907) 842-2482
- 145 MAIN STREET LOOP, ROOM 201
KENAI, ALASKA 99611
PHONE: (907) 283-3131
- 326 CENTER AVE, SUITE 205
KODIAK, ALASKA 99615
PHONE: (907) 486-5744
- 809 S. CHUGACH ST.
PALMER, ALASKA 99645
PHONE: (907) 745-5027
- P.O. BOX 671
VALDEZ, ALASKA 99686
PHONE: (907) 835-2462

February 8, 1985

Dr. Dennis Daggett
Associate Superintendent
Instructional Services
Box 1200
Soldotna, Alaska 99669

Re: Tony Hansen
Johnny Colwell



Dear Dr. Daggett,

On May 24, 1984, we received your letter regarding the above students and a complaint alleging failure to educate a child was filed June 26, 1984. Because of difficulty in serving a summons, Mrs. Hanson was not arraigned until November 28, 1984. Her trial was set for February 11, 1985.

The public defender has indicated they would seek to have the case dismissed because of the wording of the statute which seems to relieve the parent of responsibility at the end of each school year. I have dismissed the case because I do not believe we could convince the court of any other interpretation of that statute.

Hopefully, we can begin these cases earlier in the school year so that we could get to trial (or whatever disposition is appropriate) before the statute creates a problem. Perhaps the statute should be changed.

If you have any questions, please call.

Very truly yours,

A handwritten signature in cursive script that reads 'Shannon D. Turner'.

Shannon D. Turner
Assistant District Attorney

SDT:11

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 North Binkley Street

Soldotna, AK 99669

Phone 907/262-5846



SB226

February 21, 1985

Senator Paul Fischer
State Senate
Pouch V
Juneau, Alaska 99811

Re: Student Attendance Laws
Alaska Statutes, Title 14, Education, Chapter 30. Pupils,
Article 1. Compulsory Education, paragraphs 020. Violation

Dear Senator Fischer:

Student truancy is an increasing problem here. As our student population increases at a 7% annual rate, there has been an even greater increase in the number of students who do not attend school regularly.

Several years ago, we worked out a procedure with the District Attorney to appropriately carry out the steps required before we turn matters over to his office.

All administrators carry out building level counseling and disciplinary procedures in all truancy cases. Emphasis is given to procedures that keep students in class rather than suspending them for not coming to school.

Students with 10 or more days of unexcused absence are referred to my office and I initiate a series of three formal parent contacts that inform them of their rights and responsibilities, offer assistance, inform them of alternatives to regular school attendance, and, finally, indicate that they will be referred to the District Attorney's office if student truancy continues.

After students have been truant for 20 or more days, I request permission for the School Board, as required by current law, to make and file a report with the District Attorney who represents the branch of government empowered to take further action.

At this point, the issue has been transferred to the judicial arena and further delays occur as the case is processed, calendared and heard.

And, at this point, the wording of the law cited above renders both the school district and the District Attorney's office powerless to act whenever parents or their attorneys arrange delays that extend beyond the end of the school year because -

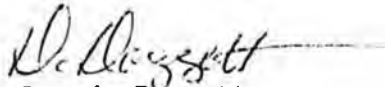
"In any event, at the expiration of the school year, the person shall be released and discharged from all penalties provided by this section." from Sec. 14.30.020. See attached.

At the present, state law only requires students to attend school from age 7 to 16 or nine years of a 13 year K-12 system. Current truancy law makes it impossible to really require parents to have their children in school for the nine years.

I request your assistance in modifying the existing law by deleting the sentence noted above. This action would permit school districts, through the District Attorney's office, to enforce the law from year to year.

Please contact me if I can provide you with assistance or information.

Cordially,



Dr. Dennis Daggett
Associate Superintendent
Instructional Services

encl

cc: Shannon Turner
Thomas Wardell
District Principals

DD/set