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STATE OF ALASKA
THE LEGISLATURE

POUCH Y - STATE CAPITOL
BUREAU, ALASKA 99811
907.465.3800

LEGISLATIVE AFFAIRS AGENCY
LEGISLATIVE REFERENCE LIBRARY

May, 1988

Copies of minutes listed below were originally included in this file. The minutes are available on the STAIRS database CMPR. In order to save space copies of minutes have not been left in the files.

Mary Van Nimwegen

H. JUD. 5-2-87 8:30a.m.

HOUSE COMMITTEE REPORT

7)
Date referred: 4/3/87

FURTHER REFERRALS:

Finance

DATE: 5-2-87

The Judiciary Committee has considered CSSB 33 (HESS)

An Act relating to violation of compulsory education laws."

RECOMMENDS:

- replace with HCS CSSB 33 (HESS) [the same title
- attached amendment(s) [a new title
- do pass
- do not pass
- no recommendation
- individual recommendations
- additional referral to the _____ Committee

DOPTS: [_____ letter of intent

ATTACHES NEW FISCAL NOTE(S):

- fiscal impact [same as previous fiscal note published _____
- zero fiscal note [same as previous zero fiscal note published _____
- zero with analysis

SIGNING DO PASS:

Walter Kuenber

Chad L. Taylor

SIGNING OTHER RECOMMENDATIONS:

[Signature]

Chairman's signature

Alaska State Legislature

Senator Paul A. Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269 H



While in Juneau
Pouch V
Juneau, Alaska 99811
(907) 465-3791

State Senate

April 4, 1987

To: Representative John Sund, Chairman
House Judiciary Committee

From: Senator Paul Fischer *P.F.*

Subject: SB 33; VIOLATIONS OF TRUANCY LAWS

SB 33 would rewrite the provision of current law that releases liability for truancy at the end of the school year. Currently, enforcement of this law is usually delayed until then and the case is automatically dropped.

The purpose of our truancy law is to insure that children under the age of 16 are getting an education. This is not the case as the law is currently written.

Last session, a similar bill (SB 226) passed the Senate and almost made it through the House. The opinions and lessons of that bill's history are incorporated in SB 33.

The new language in the H.Hess Committee Substitute alters the parents responsibility to maintain versus [INSURE] that their children are going to school. The penalty has been reduced from a class B misdemeanor to a simple violation. Each five days constitutes a new and separate violation.

I would greatly appreciate the scheduling of this bill as soon as possible.

Alaska State Legislature

Senator Paul A. Fischer
Senate District D
Box 784
Soldotna, Alaska 99669
(907) 262-9420 W
262-9269 H



While in Juneau
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Juneau, Alaska 99811
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State Senate

March 16, 1987

To: Representative Niilo Koponen, Co-Chair
Representative Johnny Ellis, Co-Chair
House Health Education & Social Services Committee

From: Senator Paul Fischer *P.F.*

Subject: SB 33; VIOLATIONS OF TRUANCY LAWS

SB 33 would rewrite the provision of current law that releases liability for truancy at the end of the school year. Currently, enforcement of this law is usually delayed until then and the case is automatically dropped.

The purpose of our truancy law is to insure that children under the age of 16 are getting an education. This is not the case as the law is currently written.

Last session, a similar bill (SB 226) passed the Senate and almost made it through the House. The opinions and lessons of that bill's history are incorporated in SB 33.

Your favorable consideration is appreciated.

**STATE OF ALASKA 1987 LEGISLATIVE SESSION
FISCAL NOTE**

REQUEST: _____

Bill Version: Senate Bill No. 33
Publish Date: _____

Revision Date: _____
Title: "An act relating to the violation
of compulsory education laws"
Sponsor: Senator Paul Fischer
Requestor: Senator Paul Fischer

Agency Affected: Department of Corrections
BRU: _____
Components: _____

EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 87	FY 88	FY 89	FY 90	FY 91	FY 92
PERSONAL SERVICES						
TRAVEL						
CONTRACTUAL						
SUPPLIES						
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	0	0	0	0	0	0
CAPITAL	0	0	0	0	0	0
REVENUE	0	0	0	0	0	0

FUNDING: (Thousands of Dollars)

GENERAL FUND	0	0	0	0	0	0
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:


FULL-TIME	0	0	0	0	0	0
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

Prepared by: Susie Riley, Budget Analyst
Division: Administrative Services
Approved by Commissioner: William W. Ladwig
Agency: Department of Corrections

Phone: 465-3376
Date: 01/26/87
Date: 01/26/87

Distribution (by preparer):
Legislative Finance
Legislative Sponsor
Requestor
Office of Management and Budget
Impacted Agency(ies)
Senate Secretary



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 North Binkley Street

• Soldotna, AK 99669

• Phone 907/262-5846

December 4, 1986

cc: Paul Fischer

Senator Paul Fischer
P.O. Box 784
Soldotna, Alaska 99669

INDIVIDUAL LETTERS WERE SENT TO
ALL MEMBERS OF THE STATE SENATE.

RE: AS 14.30.020-030

Dear Senator Fischer:

Kenai Peninsula Borough Schools maintain a firm, fair and compassionate disciplinary system for dealing with the problems students and their parents bring to us. It enjoys the support of parent advisory groups and local police departments. It works because we keep the student's behavior the focus of attention and recognize that students often learn more from their mistakes than anything else.

One problem with a few students each year is based not in student behavior but with their parents. Chronic truancy has increased in the past several years and we developed procedures to advise both student and parent about the student's regular attendance in school. We just can't teach them much when students are not in school.

Each year a few students and their parents do not respond to admonishments to come to school on a regular basis. In that event, I send a series of written announcements and, if there is no improvement, ask the school board for permission to refer the parent to the district attorney's office. Under procedures worked out with that office, every effort is made to inform the parents of their legal responsibility for the student without going to court.

Our difficulty is with the wording of the AC 14.30.020 which includes the following statement.

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

This statement forces us to bring truancy cases to the district attorney prior to December 15 each year or forget about them. Attorney's can (and have) delayed these cases beyond "the expiration of the school year", rendering them moot. The District Attorney's Office is unwilling to waste their time on cases they have no chance of winning. And the school district is forced to begin again next school year as if the truancy had never occurred.

CORRESPONDENCE

Our recommendation is to delete the sentence above from the current statute. No other change is necessary and the revised statute would permit schools to deal with truancy without clogging up the court system. This recommendation was presented in the last legislative session and almost made it into law. I request your support when it comes before you in committee or on the floor this year.

Please contact me if you have any questions.

Cordially,

Dr. Dennis Daggett
Associate Superintendent
Instructional Services

cc: Executive Secretary, Alaska ASA

encl

DD/set

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.

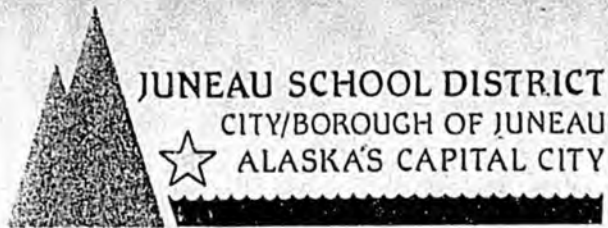
If you have any questions, please call.

Very truly yours,

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

Shannon D. Turner
Assistant District Attorney

SDT:11



10014 Crazy Horse Dr., Juneau, AK 99301 • (907) 586-2303

January 19, 1987

Representative Bill Hudson
P.O. Box V
State Capitol
Juneau, Alaska 99811

Dear Representative Hudson:

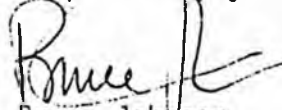
Thank you for the opportunity to comment on proposed SB33, relating to the Violation of Compulsory Education Laws.

The deletion of the language in AS 14.30.020 as follows: [In any event, at the expiration of the school year, the person shall be released and discharged from all penalties provided by this section] is appropriate in my opinion. The City and Borough of Juneau School District has found that most student attendance related difficulties do not come about suddenly, but rather develop from a general habit of not attending school on a regular basis beginning during the elementary school years. School attendance habits do not start or end with the school year calendar. Therefore, as Superintendent of the Juneau Schools, I would support the revision.

The issue of whether a high school or middle school student should be "charged" related to non-attendance rather than just charging the parents has also been discussed by our Board of Education. On many occasions, parents have informed the school that they no longer effectively control their child and to fine or imprison the parent will in no way improve school attendance of their youngster. Your thoughts on this issue would be welcomed.

Best wishes for a productive 15th Legislative Session.

Respectfully yours,


Bruce Johnson
Superintendent

cc: Board of Education
Senator Duncan
Representative Ulmer

BJ/sj