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COMMITTEE BILL FILE WORK-UP ON:

Bill #: ^{CS} SB33 *Violating compulsory Ed Laws*
Sponsor: *Fischer*
Room #: *508* Phone #: *466-3262*

- 1/23 1 Receive Original Bill and Log In.
Reg CS - Levy (Kirk) 3867
- 2 Duplicate Work Copies for Committee File and Senator's File.
- 3 File Original Bill in Special Locking File.
- 4 Set-Up Weekly Schedule of Hearings (2 Weeks in Advance if possible).
- 1/22 5 Notify Senate Secretary (5 Day Rule Applies - Allows Time to Get it Printed in Journal). A Copy of the Committee Agenda is Sufficient.
- 6 Move Work File to "Active" File Drawer.
- 7 Notify the Following Persons of the Hearing Date:

Committee Members	_____	Department Liaisons	<i>Steve Hols (Ed)</i>	_____
	_____		<i>Dick. (Law)</i>	_____
Bill Sponsor	-	Governor If Necessary	_____	_____

- 8 Request Back-Up Information from Bill Sponsor As Soon As Possible.
- 9 Request Witness Roster of Persons the Sponsor Has Notified or Desires to Have Notified.
- 1/23 *Law Ed NESS* 10 If First Committee of Referral, Request Fiscal Note from Pertinent Department Liaison(s) for each bill change (ie. SS, CS etc) - (5 Day Rule Applies).
- 11 If Necessary, Prepare or Request Sectional Analysis from Legal (3867) when pertinent for each change (ie. SS, CS etc). This is Pretty Much a Judgement Call.
- 12 Research and Prepare Back-Up Material as Necessary.
- 13 Prepare Committee Files (8 Copies: 1 ea for: Committee Members, Committee Aide, Senate Pool Secretary).
- 14 Prepare 10-15 Copies of All Documents to Hand Out to Public During the Hearing (ie. Bill, Short Synopsis, Others at Sponsor's Request).
- 15 Distribute Committee Agenda (Schedule).
- 16 If Requested, Provide Files As Soon As Possible On the Day of the Hearing. Otherwise, Provide the Files at the Beginning of the Hearing in the Committee Room.

1/28 *To Senate Sec. Passed out*

WITNESS ROSTER WORK SHEET

Bill # Title Date of Hearing

423

1. Name: Gail Horvitski (did not attend)
Address: _____ Phone #: 2428
Representing: DD Law Title: _____
2. Name: _____
Address: _____ Phone #: _____
Representing: _____ Title: _____
3. Name: _____
Address: _____ Phone #: _____
Representing: _____ Title: _____
4. Name: _____
Address: _____ Phone #: _____
Representing: _____ Title: _____
5. Name: _____
Address: _____ Phone #: _____
Representing: _____ Title: _____
6. Name: _____
Address: _____ Phone #: _____
Representing: _____ Title: _____
7. Name: _____
Address: _____ Phone #: _____
Representing: _____ Title: _____
8. Name: _____
Address: _____ Phone #: _____
Representing: _____ Title: _____
9. Name: _____
Address: _____ Phone #: _____
Representing: _____ Title: _____
10. Name: _____
Address: _____ Phone #: _____
Representing: _____ Title: _____
11. Name: _____
Address: _____ Phone #: _____
Representing: _____ Title: _____
12. Name: _____
Address: _____ Phone #: _____
Representing: _____ Title: _____

2 SPONSOR SUBSTITUTE FOR SENATE BILL NO. 33

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIFTEENTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the violation of compulsory
7 education laws."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 14.30.020 is repealed and reenacted to read:

10 Sec. 14.30.020. PENALTY. A person who violates AS 14.30.010 is
11 guilty of a class B misdemeanor. Each day of unlawful absence is a
12 separate offense.

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POSITION PAPER

HOUSE CS FOR CS FOR SB 226

For an Act entitled: "An Act relating to the violation of compulsory education laws."

This bill would amend AS 14.30.030 to provide procedures for referring children who do not comply with AS 14.30.010 - 14.30.040 to the Department of Health and Social Services for adjudication as a child in need of aid. This bill would also amend AS 47.10.010 (a) (2) to include habitually absent from school as a reason to adjudicate a child as a child in need of aid after the procedures in AS 14.30.030 have been exhausted.

School attendance is compulsory under AS 14.30.010 for "every child between seven and 16 years of age." Section 14.30.020 indicates that a person violating the attendance laws is "guilty of a misdemeanor and upon conviction is punishable by a fine of not less than \$50 nor more than \$200, plus the cost of prosecution, and may be imprisoned until the fine and costs are paid or until he has served one day for every \$2 of the fine and costs, at which time the fine and costs are automatically discharged." The Department would recommend that this section be implemented to handle truancy problems.

In 1977 a Children's Code Task Force, after considerable study and deliberation, recommended that truancy be eliminated as a reason for justifying adjudication of a child as a child in need of aid. The Department supported this recommendation which was accepted by the Legislature and became law. The Department does not consider truancy alone as sufficient justification to intervene in family matters and to initiate court action. If the Department is required to assume this additional responsibility it would be very costly, requiring the hiring of staff to deal with this problem area. In addition, if a child protection situation such as abuse, neglect, or abandonment exists in addition to habitual truancy, the Department can intervene and initiate court action under AS 47.10.010 (a) as it presently reads. Under AS 47.17.010, schools are required to report child abuse and neglect situation to the Department of Health and Social Services.

AS 14.30.050 authorizes governing bodies of school districts to appoint truant officers, if law enforcement agencies are not able to enforce AS 14.30.010. The Department of Health and Social Services believes that the truant officer function appropriately remains within school districts and should not be subsumed under the Department of Health and Social Services.

DEPT OF HEALTH & S.S.
POLICY STATEMENT & FISCAL NOTE

Position Paper
House CS For CS For SB 226
Page 2

For these reasons, the Department of Health and Social Services opposes passage of House CS for CS for Senate Bill No. 226.

RECOMMENDED: Michael L. Price
Michael L. Price, Director
Division of Family
and Youth Services

DATE: April 22, 1986

APPROVED: John R. Pugh
John R. Pugh, Commissioner
Department of Health
and Social Services

DATE: 4/22/86

DRAFT
Law

1 DEPARTMENT OF LAW
2 PROPOSED COMMITTEE SUBSTITUTE
3 FOR SB 226

4 For an Act entitled: "An Act relating to the violation of compulsory
5 education laws."

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

7 * Section 1. AS 14.30.020 is repealed and reenacted to read:

8 Sec. 14.30.020. PENALTY. A person violating AS 14.30.010 is
9 guilty of a violation as defined in AS 11.81 and as punishable under
10 AS 12.55. Each day of unlawful absence constitutes a separate
11 offense.
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SB 226: RELATING TO THE VIOLATION OF COMPULSORY EDUCATION LAWS.

** SB 226 DELETES A LINE IN STATUTE WHICH RELIEVES A PARENT AT THE END OF THE SCHOOL YEAR OF ALL CHARGES BROUGHT AGAINST THEM FOR VIOLATING THE COMPULSORY EDUCATION LAWS.

** PARENTS ARE RESPONSIBLE FOR THEIR CHILD'S TRUANCY. WHEN THE COMPULSORY EDUCATION LAWS ARE VIOLATED AND CORRECTIVE MEASURES ESTABLISHED BY THE SCHOOL DISTRICT HAVE NOT PROVEN EFFECTIVE, THEN PARENTS/GUARDIANS BECOME LIABLE.

** THE ATTORNEY GENERAL'S OFFICE IS OFFERING AN OPTION OF TWO AMENDMENTS. THE FIRST WOULD REPEAL THE SECTION AND REENACT IT BY STATING THAT A PERSON VIOLATING THE COMPULSORY ED LAWS IS FOUND GUILTY OF A CLASS B MISDEMEANOR. THE SECOND AMENDMENT WOULD REPEAL THE SECTION AND REENACT IT BY STATING THAT A PERSON VIOLATING THE COMPULSORY ED LAWS IS FOUND GUILTY OF A VIOLATION. AS THE LAW IS CURRENTLY WRITTEN, A PERSON IS FOUND GUILTY OF A MIX BETWEEN VIOLATION AND MISDEMEANOR.

** CLASS B MISDEMEANORS WOULD SERVE NO MORE THAN 90 DAYS IN JAIL AND PAY NO MORE THAN \$1,000. VIOLATORS WOULD PAY UP TO \$300.00 IN FINE WITH NO JAIL SENTENCE OR TRIAL PROCEEDINGS. ANY OR ALL PARTS OF EITHER SENTENCE CAN BE SUSPENDED BY THE COURT.

DEPT. OF LAW POSITION

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

REQUEST: _____

Bill Version : SSSB33

Publish Date : _____

Revision Date: _____

Agency Affected: Department of Law

Title: "An Act relating to the violation of compulsory education laws."

BRU: Prosecution

Sponsor: Sen. Fischer

Components: All

Requestor: Sen. Fischer

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-

CAPITAL						
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REVENUE						
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FUNDING: (Thousands of Dollars)

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

POSITIONS:

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

ANALYSIS : (Attach a separate page if necessary)

Please see attached analysis.

Richard I. Pegus

Prepared by: Richard I. Pegus, Director

Phone: 465-3672

Division: Administrative Services *J. Lorenson / EGR*

Date: Jan. 28, 1987

Ronald W. Lorenson,

Approved by Commissioner: Acting Attorney General

Date: Jan. 28, 1987

Agency: Department of Law

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SSSB33

The sponsor substitute repeals the existing penalty provisions, makes each violation a class B misdemeanor, and each day of unlawful absence a separate offense. The threshold question regarding fiscal impact is the number of new violators that may be prosecuted each year. It is still estimated that fifteen to twenty-five new prosecutions will occur, having a minimal fiscal impact.

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

REQUEST: _____
 Revision Date: _____
 Title: ...violation of compulsory
 education laws.
 Sponsor: Senator Fischer
 Requestor: Senate HESS

Bill Version: SB-33
 Publish Date: _____
 Agency Affected: Education
 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
CAPITAL						
REVENUE						

FUNDING: (Thousands of Dollars)

GENERAL FUND						
FEDERAL FUNDS						
OTHER						
TOTAL						

POSITIONS:

FULL-TIME						
PART-TIME						
TEMPORARY						

ANALYSIS : (Attach a separate page if necessary)

The bill has no fiscal impact on this department.

Prepared by: Steve Hole *Steve Hole* Phone: 465-2800
 Division: Commissioner's Office Date: 1/21/87
 Approved by Commissioner: Marshall L. Lind Date: 1/21/87
 Agency: Education

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

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

REQUEST: _____

Bill Version : SB33

Publish Date : _____

Revision Date: _____
 Title: "An Act relating to the violation
 of compulsory education laws."
 Sponsor: Sen. Fischer
 Requestor: Sen. Fischer

Agency Affected: Department of Law
 BRU: Prosecution

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						
---------	--	--	--	--	--	--

REVENUE						
---------	--	--	--	--	--	--

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)

Please see attached analysis.

Prepared by: Richard I. Pegues Director

Phone: 465-3672

Division: Administrative Services Bureau / EAC

Date: 1/22/87

Ronald W. Lorenson

Approved by Commissioner: Acting Attorney General

Date: 1/22/87

Agency: Department of Law

Distribution (by preparer):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)
- Senate Secretary

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. SB33

This bill amends AS 14.30.20 by deleting a provision in the current statute that, at the end of the school year, discharges and releases persons from penalties arising from the violation of the state's compulsory education law. Current statute provides that a parent, guardian or other person having control of a child between the ages of seven and 16 years may be fined between \$50 and \$200 for each violation, plus the cost of prosecution. A violator may be imprisoned until the fine and costs are paid or until the person convicted has served one day for every \$2 of the fine and costs.

Deletion of the end of the school year discharge and release provision will probably result in 15 to 25 new prosecutions each year. This minimal number of minor cases will not have any fiscal impact. It is problematic that the department will be able to handle any increase in workload, particularly of this minor nature, given the substantial decrease in attorney resources that the department faces in the coming fiscal year. Certainly, this additional prosecution tool will be available in the most egregious of cases.

SENATE COMMITTEE REPORT

FIRST COMMITTEE OF REFERRAL

Rules

Date of ~~1/19/87~~ 5-DAY NOTICE
IN ACCORDANCE WITH UNIFORM RULE 23

FURTHER:

**FISCAL NOTE(S) ATTACHED 3 **
IN ACCORDANCE WITH AS 24.08.035
(see below)

1/19/87

DATE TURNED INTO OFFICE _____

Mr. President:

HESS

Committee considered SB 33

relating to the violation of compulsory education laws.

and recommended:

replace with CS SB33 (HESS) same title
 attached amendment(s) and new title

do pass

do not pass

no recommendation

individual recommendations

further referral to _____

letter of intent adopted and attached

** Committee attached or adopted fiscal note(s)
3 zero fiscal impact 0

MEMBERS SIGNING DO PASS

OTHER RECOMMENDATIONS

[Signature]
[Signature]
[Signature]

Paul A. Frick Do Pass
Chairman signature and recommendation

Committee Backup Attached

STATE OF ALASKA 1986 LEGISLATIVE SESSION FISCAL NOTE

Revision Date: _____

REQUEST

Bill/Resolution No.: HCS CS SB 226
 Title: An Act relating to the violation
of compulsory education laws.

Sponsor: P. Fischer
 Requestor: _____
 Date of Request: 4/22/86

FISCAL DETAIL

Agency Affected: Health & Social Services
 BRU: Social Services

Components: _____

EXPENDITURES/REVENUES : (Thousands of Dollars)

OPERATING	FY 86	FY 87	FY 88	FY 89	FY 90	FY 91
PERSONAL SERVICES		474.9	474.9	474.9	474.9	474.9
TRAVEL		15.0	15.0	15.0	15.0	15.0
CONTRACTUAL		59.5	10.0	10.0	10.0	10.0
SUPPLIES		4.0	4.0	4.0	4.0	4.0
EQUIPMENT		13.7				
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING		567.1	503.9	503.9	503.9	503.9

CAPITAL						
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REVENUE						
---------	--	--	--	--	--	--

FUNDING : (Thousands of Dollars)

GENERAL FUND		567.1	503.9	503.9	503.9	503.9
FEDERAL FUNDS						
OTHER						
TOTAL		567.1	503.9	503.9	503.9	503.9

POSITIONS :

FULL-TIME		10	10	10	10	10
PART-TIME						
TEMPORARY						

ANALYSIS : Attach a separate page if necessary

See Attached

Prepared by: Michael L. Price, Director
 Division: Family and Youth Services

Phone: 465-3170
 Date: 4/22/86

Approved by Commissioner: John R. Pugh
 Agency: Department of Health and Social Services

Date: 4/22/86

Distribution (by Agency preparing fiscal note):

- Legislative Finance
- Legislative Sponsor
- Requestor
- Office of Management and Budget
- Impacted Agency(ies)

CONTINUATION of FISCAL NOTE ANALYSIS

For Bill/Resolution No. HCS CS SB 226

Analysis

- Positions: 3 - Social Worker III, Anchorage
 2 - Social Worker III, Fairbanks
 1 - Social Worker III, Sitka
 1 - Social Worker III, Juneau
 1 - Social Worker III, Ketchikan
 1 - Social Worker III, Bethel
 1 - Social Worker III, Nome
10 Social Worker III's

Total Salary Costs	\$ 358,860
Benefits	<u>116,052</u>
	\$ <u>474,912</u>

Travel \$1500 x 10 positions =	\$15,000
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Contractual: First year: Phone, copier, etc.	500	
Space requirements	4,950	
Staff training	<u>500</u>	
	\$5,950 per worker	
	x 10 =	\$59,500

Supplies: \$400 per worker, per year	x 10 =	\$ 4,000
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Equipment: First year only: desk, chair, 2 side chairs, locking file cabinet	\$1,367 per worker	
	x 10 =	<u>\$13,670</u>

\$ 567,082

Position Title Social Worker III			No. of Positions 3	Range/Step 16 A	Barg. Unit GGU	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12	RP Number	Location Anchorage		Election District	Leg.		
Type of Expenditure			Justification					
		Amount	<p>This legislation would increase caseloads which are already above recommended limits, thus requiring the hiring of additional social work staff.</p> <p>Travel within the regions will be necessary for investigations, return of children, counseling, and court proceedings. Contractual includes communications, advertising, copier usage, office space rental, and in Anchorage, a DOT/PF Highway Working Capital Fund vehicle. Commodities include expendable office supplies. Equipment includes office furniture and the initial DOT/PF vehicle purchase for Anchorage.</p>					
1	2	3						
Salary	97,272							
Benefits	32,334							
Premium Pay								
Other								
Total Personal Services		129,606						
Travel		4,500						
Contractual		17,850						
Commodities		1,200						
Equipment		4,101						
Other								
Total Cost		157,257						
Receipt Code	Funding Source							
	Federal Receipts 1002							
	G. F. Match 1003							
	General Funds 1004		157,257					
	I-A Receipts 1005							
	Program Receipts 1028							
	CIP Receipts 1061							
	Other							
For B&M Use Only Key Number _____								

**Request For
New Position**

Agency Health and Social Services
 BRU Social Services
 Component Southcentral

FY 87

Page 1 of 7
 Revised Date

Position Title Social Worker III			No. of Positions 2	Range/Step 16A	Barg. Unit GGU	Gov.	Approv.	Disrupt.
Time Status PFT	Staff Months 12	RP Number	Location Fairbanks		Election District	LC8		
Type of Expenditure			Justification					
		Amount	<p>This legislation would increase caseloads which are already above recommended limits, thus requiring the hiring of additional social work staff.</p> <p>Travel within the regions will be necessary for investigations, return of children, counseling, and court proceedings. Contractual includes communications, advertising, copier usage, office space rental, and in Anchorage, a DOT/PF Highway Working Capital Fund vehicle. Commodities include expendable office supplies. Equipment includes office furniture and the initial DOT/PF vehicle purchase for Anchorage.</p>					
1	2	3						
Salary	77,544							
Benefits	24,588							
Premium Pay								
Other								
Total Personal Services		102,132						
Travel		3,000						
Contractual		11,900						
Commodities		800						
Equipment		2,734						
Other								
Total Cost		120,566						
Receipt Code	Funding Source							
	Federal Receipts 1002							
	G. F. Match 1003							
	General Funds 1004		120,566					
	I-A Receipts 1005							
	Program Receipts 1028							
	CIP Receipts 1061							
	Other							
For B&M Use Only Key Number _____								

**Request For
New Position**

Agency Health and Social Services
 BRU Social Services
 Component Northern

Page 2 of 7
 Revised Date _____

FY 87

Position Title Social Worker III			No. of Positions 1	Range/Step 16A	Barg. Unit GGU	Gov.	Approv.	Disapt.
Time Status PFT	Staff Months 12	RP Number	Location Sitka		Election District	Leg.		
Type of Expenditure			Justification					
Amount			<p>This legislation would increase caseloads which are already above recommended limits, thus requiring the hiring of additional social work staff.</p> <p>Travel within the regions will be necessary for investigations, return of childrer, counseling, and court proceedings. Contractual includes communications, advertising, copier usage, office space rental, and in Anchorage, a DOT/PF Highway Working Capital Fund vehicle. Commodities include expendable office supplies. Equipment includes office furniture and the initial DOT/PF vehicle purchase for Anchorage.</p>					
1	2	3						
Salary	33,660							
Benefits	11,073							
Premium Pay								
Other								
Total Personal Services		44,733						
Travel		1,500						
Contractual		5,950						
Commodities		400						
Equipment		1,367						
Other								
Total Cost		53,950						
Receipt Code	Funding Source							
	Federal Receipts	1002						
	G. F. Match	1003						
	General Funds	1004	53,950					
	I-A Receipts	1005						
	Program Receipts	1028						
	CIP Receipts	1061						
	Other							
For B&M Use Only								
Key Number								

**Request For
New Position**

Agency Health and Social Services
 BRU Social Services
 Component Southeastern

Page 3 of 7
 Revised Date

FY 87

Position Title Social Worker III			No. of Positions 1	Range/Step 16A	Barg. Unit GGU	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12	RP Number	Location Juneau		Election District	Leg.		
Type of Expenditure			Justification					
		Amount	<p>This legislation would increase caseloads which are already above recommended limits, thus requiring the hiring of additional social work staff.</p> <p>Travel within the regions will be necessary for investigations, return of children, counseling, and court proceedings. Contractual includes communications, advertising, copier usage, office space rental, and in Anchorage, a DOT/PF Highway Working Capital Fund vehicle. Commodities include expendable office supplies. Equipment includes office furniture and the initial DOT/PF vehicle purchase for Anchorage.</p>					
1	2	3						
Salary	32,424							
Benefits	10,778							
Premium Pay								
Other								
Total Personal Services		43,202						
Travel		1,500						
Contractual		5,950						
Commodities		400						
Equipment		1,367						
Other								
Total Cost		52,419						
Receipt Code	Funding Source							
	Federal Receipts 1002							
	G. F. Match 1003							
	General Funds 1004		52,419					
	I-A Receipts 1005							
	Program Receipts 1028							
	CIP Receipts 1061							
	Other							
<div style="border: 1px solid black; padding: 5px; width: fit-content;"> For B&M Use Only Key N: _____ </div>								

Request For
New Position

Agency Health and Social Services
 BRU Social Services
 Component Southeastern

Page 4 of 7
 Revised Date _____

FY 87

Position Title Social Worker III			No. of Positions 1	Range/Step 16A	Barg. Unit GGU	Gov.	Approv.	Disapp.
Time Status PFT	Staff Months 12	RP Number	Location Bethel	Election District		Leg.		
Type of Expenditure			Justification					
Amount			<p>This legislation would increase caseloads which are already above recommended limits, thus requiring the hiring of additional social work staff.</p> <p>Travel within the regions will be necessary for investigations, return of children, counseling, and court proceedings. Contractual includes communications, advertising, copier usage, office space rental, and in Anchorage, a DOT/PF Highway Working Capital Fund vehicle. Commodities include expendable office supplies. Equipment includes office furniture and the initial DOT/PF vehicle purchase for Anchorage.</p>					
1	2	3						
Salary	42,768							
Benefits	13,251							
Premium Pay								
Other								
Total Personal Services		56,019						
Travel		1,500						
Contractual		5,950						
Commodities		400						
Equipment		1,367						
Other								
Total Cost		65,236						
Receipt Code	Funding Source							
	Federal Receipts 1002							
	G. F. Match 1003							
	General Funds 1004		65,236					
	I-A Receipts 1005							
	Program Receipts 1028							
	CIP Receipts 1061							
	Other							
For B&M Use Only								
Key Number								

**Request For
New Position**

Agency Health and Social Services
 BRU Social Services
 Component Western

Page 6 of 7
 Revised Date

FY 87

Position Title Social Worker III			No. of Positions 1	Range/Step 16A	Barg. Unit GGU	Gov.	Approv.	Disapp.																								
Time Status PFT	Staff Months 12	RP Number	Location Nome		Election District	Leg.																										
Justification																																
Type of Expenditure			Amount																													
1	2	3																														
Salary	42,768																															
Benefits	13,250																															
Premium Pay																																
Other																																
Total Personal Services		56,018																														
Travel		1,500																														
Contractual		5,950																														
Commodities		400																														
Equipment		1,367																														
Other																																
Total Cost		65,235																														
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This legislation would increase caseloads which are already above recommended limits, thus requiring the hiring of additional social work staff.

Travel within the regions will be necessary for investigations, return of children, counseling, and court proceedings. Contractual includes communications, advertising, copier usage, office space rental, and in Anchorage, a DOT/PF Highway Working Capital Fund vehicle. Commodities include expendable office supplies. Equipment includes office furniture and the initial DOT/PF vehicle purchase for Anchorage.

**Request For
New Position**

Agency Health and Social Services
 BRU Social Services
 Component Northwestern

Page 7 of 7
 Revised Date _____

FY 87

STATE OF ALASKA THE LEGISLATURE

POUCH Y - STATE CAPITOL
JUNEAU, ALASKA 99811
907.465.3800

LEGISLATIVE AFFAIRS AGENCY LEGISLATIVE REFERENCE LIBRARY

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

S. HESS	April 23, 1985	3:13pm
S. Jud.	MAY 7, 1985	2:00pm
S. Rules	May 8, 1985	4:25pm
H. HESS	April 3, 1986	4:30pm
H. Hess	April 22, 1986	4:30pm
H. Jud.	MAY 9, 1986	8:00am
H. Jud.	May 10, 1986	7:30pm
H. Jud	May 10, 1986	2:00pm

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

January 27, 1987

MEMORANDUM

TO: *Members*
Senate Health, Education and Social Services Committee

FROM: *Senator Paul Fischer, Chairman*
Senate Health, Education and Social Services Committee

SUBJECT: *SS SB 33 - Violations of Truancy Laws*

SS 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, an identical bill to the sponsor substitute (SB 226) passed the Senate.

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

MEMORANDUM

TO: Representative Nilo Koponen, Co-Chairman
House HESS

✓ Representative Max Greunberg, Jr., Co-Chairman
House HESS

FROM: Senator Paul Fischer *Paul*

RE: Senate Bill 226 (An act relating to the violation of compulsory education laws.)

DATE: January 15, 1986

I would appreciate your scheduling a hearing on this legislation at your earliest convenience.

The bill would eliminate one sentence 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."

This sentence is evidently being interpreted as relieving a parent of responsibility for their child's truancy at the end of each school year. Not only does the provision 'wash the slate' of any penalty imposed, but it is being misused to cause dismissal of cases unless actually brought to trial before the end of the final school term.

SB 226 would delete the provision of the state's compulsory education law which releases and discharges a parent or guardian from all penalties associated with their child's truancy at the end of the school year. Under current statute, a parent who fails to send a child to school is guilty of a misdemeanor punishable by a fine or imprisonment but these penalties expire at the end of each school year. SB 226 is intended to enhance enforcement of the truancy law, since court proceedings can often not be completed within the term of one school year.

Local school and law enforcement personnel have strongly urged remedial action and I believe this problem merits our serious consideration.

Thank you.

MEMO TO HOUSE HESS
CHAIRMAN

644 111

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 North Binkley Street

Soldotna, AK 99669

Phone 907/262-5846

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.

ANCHOR POINT

COOPER LANDING

NINILCHIK

PORT GRAHAM

DEPT OF ED CORRESPONDENCE

PASS

USTUMENA

NIKISKI

TYONEK

NIKOLAEVSK

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 -

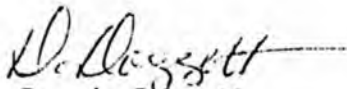
"In any event, at the expiration of the school year, the person shall be released and discharged from all penalties provided by this section." from Sec. 14.30.020. See attached.

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



February 21, 1985

*Edie -
check out.
draft response.*

Senator Bettye Farhenkamp
Chairman
Health Education and Social Services
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 Farhenkamp:

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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.

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Cordially,

Dennis Daggett
Dr. Dennis Daggett
Associate Superintendent
Instructional Services

encl

cc: Shannon Turner
Thomas Wardell
District Principals

DD/set



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

148 North Binkley Street

Soldotna, AK 99668

Phone 907/262-5848

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

13

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,

Shannon D. Turner

Shannon D. Turner
Assistant District Attorney

SDT:11



NEA-ALASKA

AFFILIATED WITH THE NATIONAL EDUCATION ASSOCIATION

ANCHORAGE REGIONAL OFFICE

1411 W 33RD AVENUE
ANCHORAGE, ALASKA 99503
(907) 274-0536

JUNEAU OFFICE

105 MUNICIPAL WAY, SUITE 302
JUNEAU, ALASKA 99801
(907) 586-3090

FAIRBANKS REGIONAL OFFICE

2118 CUSHMAN STREET
FAIRBANKS, ALASKA 99701
(907) 456-4435

Jean Krause, President

Judy Salo
Vice-President
4510 Kenaitze Court
Kenai, Alaska 99611

Susan Silthart
NEA Director
P.O. Box 80913, College Station
Fairbanks, Alaska 99708

Alan Dill
Region I Director
P.O. Box 423
Sitka, Alaska 99835

Phil Myerchin
Region I Director
717 Canyon Road
Ketchikan, Alaska 99901

Teresa Bonolkin
Region II Director
P.O. Box 874335
Wasilla, Alaska 99687

Beverly Goad
Region II Director
Box 343
Copper Center, Alaska 99573

Don Oberg
Region III Director
Box 1084
Kenai, Alaska 99611

Phil Brady
Region IV Director
Scammon Bay Schools
Scammon Bay, Alaska 99662

Myra Poage
Region IV Director
Box 973
Nome, Alaska 99762

Joann Walker
Region IV Director
Box 570
Kotzebue, Alaska 99752

Mary Lou Brent
Region V Director
Box 80074
Fairbanks, Alaska 99708

Carol Merritt
Region V Director
P.O. Box 60475
Fairbanks, Alaska 99708

Loretta Christie
Region VI Director
2220 Yorkshire Lane
Anchorage, Alaska 99504

Pam McCarl
Region VI Director
2115 Sorbus Way
Anchorage, Alaska 99508

Pam Reynolds
Region VI Director
8031 Evans Circle
Anchorage, Alaska 99507

Dave Schwantes
Region VI Director
8148 E. 4th Avenue
Anchorage, Alaska 99504

Peg Stout
Region VI Director
6208 F. 34th Avenue
Anchorage, Alaska 99504

January 26, 1987

To: Senator Paul Fischer, Chair
Members, Senate HESS Committee

Re: Senate Bill No. 33, "An Act relating to the
violation of compulsory education laws."

The NEA-Alaska position on this legislation is essentially neutral in that we are not aware of current violations to the extent that they warrant such a punitive change.

If the information and data suggest that some form of change is necessary to address a recurring problem, perhaps it would be appropriate to provide for the consideration of special circumstances before continuing the implementation of the penalty.

NEA-Alaska does encourage anything which will enhance the potential for a positive involvement by parents-guardians in the educational opportunities which are available to their individual children.

Respectfully submitted,

Robert Manners,
Executive Secretary

BM29/dl

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

March 14, 1985

Memorandum: Senate Bill 226 (An act relating to the violation of compulsory education laws.)

To: Senator Bettye Fahrenkamp, Chair
Health, Education & Social Services Committee

From: Senator Paul Fischer *PF*

I would appreciate your scheduling a hearing on this legislation at your earliest convenience.

The bill would eliminate one sentence 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."

This sentence is evidently being interpreted as relieving a parent of responsibility for their child's truancy at the end of each school year. Not only does the provision 'wash the slate' of any penalty imposed, but it is being misused to cause dismissal of cases unless actually brought to trial before the end of the final school term.

Local school and law enforcement personnel have strongly urged remedial action and I believe this problem merits our serious consideration.

Thank you.

Memo to Senate HESS
- CHAIRMAN

STATE OF ALASKA

DEPARTMENT OF LAW

CRIMINAL DIVISION/THIRD JUDICIAL DISTRICT
OFFICE OF THE DISTRICT ATTORNEY

BILL SHEFFIELD, GOVERNOR

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- 1031 WEST 4th AVENUE, SUITE 520
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PHONE: (907) 745-5027
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VALDEZ, ALASKA 99686
PHONE: (907) 835-2462

February 8, 1985

262-5846

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:ll

sw 1-
sec 2 - ok
Eliminate
sw 3+4

James
4/3/86

Original sponsor: F.Fischer

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 226 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the violation of compulsory
7 education laws."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 14.30.010(a) is amended to read:

10 (a) Every child between seven and 16 years of age shall attend
11 school at the public school in the district in which the child resides
12 during each school term. Every parent, guardian or other person
13 having legal custody and [THE RESPONSIBILITY FOR OR] control of a
14 child between seven and 16 years of age shall maintain the child in
15 attendance at a public school in the district in which the child
16 resides during the entire school term, except as provided in (b) of
17 this section [INSURE THAT THE CHILD IS NOT ABSENT FROM ATTENDANCE].

18 * Sec. 2. AS 14.30.020 is repealed and reenacted to read:

19 Sec. 14.30.020. VIOLATIONS. A person who knowingly fails to
20 comply with a notice received under AS 14.30.010⁰¹⁰ is guilty of a
21 violation.

22 * Sec. 3. AS 14.30.030 is repealed and reenacted to read:

23 Sec. 14.30.030. PROCEDURES FOR COMPLIANCE. (a) The school
24 board of each school district shall establish procedures for compli-
25 ance with AS 14.30.010 - 14.30.040.

26 (b) The superintendent of the school district shall send a
27 written notice to the parent, guardian, or other person having legal
28 custody and control of a child who is not in attendance stating the
29 number and dates of the child's absences, the person's potential

Original
just dropped

Eliminate

Original

1 liability under AS 14.30.020, and that the child may be declared
2 child in need of aid under AS 47.10.010(a)(2)(G).

3 (c) If the child's absence continues after the first notice
4 under (b) of this section, the superintendent of the school district
5 shall send a second written notice requesting the attendance of the
6 parent, guardian, or other person having legal custody and control of
7 the child, at a meeting with a representative of the school district
8 to discuss the child's absences.

9 (d) If the child's absence continues after the second notice
10 under (c) of this section, or if the parent, guardian, or other person
11 having legal custody and control of the child does not attend a meet-
12 ing under (c) of this section, the superintendent of the school dis-
13 trict may send a third written notice requiring that the parent,
14 guardian, or other person having legal custody and control of the
15 child bring the child to the administrative office of the school at
16 the beginning of each school day, for a period of up to 10 days. The
17 third notice shall be delivered in person or by certified mail, return
18 receipt requested, and a copy sent to the nearest district attorney's
19 office and to the Department of Health and Social Services.

20 * Sec. 4. AS 47.10.010(a)(2) is amended by adding a new subparagraph to
21 read:

22 (G) the child being habitually absent from school
23 after the procedures under AS 14.30.030 have been exhausted.

24 *ok** Sec. 5. AS 14.30.050 is repealed.
25
26
27
28
29

Original Language
1947

WORK DRAFT

WORK DRAFT

WORK DRAFT

Larry
Phoene
586-2210
James
4/3/86

Original sponsor: P.Fischer

1 IN THE SENATE

BY THE HEALTH, EDUCATION AND
SOCIAL SERVICES COMMITTEE

2 HOUSE CS FOR CS FOR SENATE BILL NO. 226 (HESS)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FOURTEENTH LEGISLATURE - SECOND SESSION

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18 * Sec. 2. AS 14.30.020 is repealed and reenacted to read:

19 Sec. 14.30.020. VIOLATIONS. A person who knowingly fails to
20 comply with a notice received under AS 14.30.030(d) is guilty of a
21 violation. *up to 3000*

22 * Sec. 3. AS 14.30.030 is repealed and reenacted to read:

23 Sec. 14.30.030. PROCEDURES FOR COMPLIANCE. (a) The school
24 board of each school district shall establish procedures for compli-
25 ance with AS 14.30.010 - 14.30.040.

Regulations

26 (b) The superintendent of the school district shall send a
27 written notice to the parent, guardian, or other person having legal
28 custody and control of a child who is not in attendance stating the
29 number and dates of the child's absences, the person's potential

1 liability under AS 14.30.020, and that the child may be declared a
 2 child in need of aid under AS 47.10.010(a)(2)(G).

3 (c) If the child's absence continues after the first notice
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