

**TESTIMONY ON HB 1035
SENATE JUDICIARY COMMITTEE
3/23/2021**

**By: Amanda Peterson, Director, Educational Equity and Support
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Chairwoman Larson and Members of the Committee:

My name is Amanda Peterson, and I am the Director of the Educational Equity and Support office within the Department of Public Instruction. This office oversees Title I, Neglected and Delinquent and Homeless Education Programs, Title IV, safe and healthy school projects, and the comprehensive and targeted support given to our lowest performing schools. Clearly, our office supports K-12 students that are most at-risk, disadvantaged, and in need of support. I am here on the behalf of the department to provide support regarding House Bill 1035.

As others before me have discussed, arresting youth for low-level offenses can create life-long consequences and a future of potential recidivism. This bill will ensure pre-arrest diversion and eliminate offenses that do not belong in court, but rather need to be managed by those specialized in providing support services to children. This is a move in the right direction, and it is our hope that in the two years of delayed implementation for schools referring to juvenile court for infractions or misdemeanor offenses on school grounds, the State will work to create a system of supports to match an ever-increasing need.

Currently, school-based referrals comprise 21% of all referrals to juvenile court. These referrals are primarily for unruly behaviors, low-level misdemeanors, and truancy. As with many areas of our criminal justice system, these referrals disproportionately affect students of color and Native American populations. In addition, 88% of all school-based referrals are already diverted, so this just codifies in law the active supports that are needed to respond to children in need of services and avoids going through the court to attain those supports. By establishing a new legal category of Children in Need of Service and allowing the issues of trancies, runaways, and incorrigible behaviors to flow through Human Resource Zones to meet children's needs, the NDDPI has the expectation that children will be afforded even more robust services than what they currently receive.

Currently, the NDDPI has collaborated with the Department of Human Services and Child Protection Services to create updated guidance and support on how to report child abuse and educational neglect. We look forward to continued partnerships and a cohesive communication approach to ensure school leaders have the training and support needed to fully implement effective strategies. We hope to continue this cross-agency and cross-systems approach, to work together to support a plan to ensure youth at risk of or currently involved in the juvenile justice system can obtain services that will allow them to thrive in society.

Passing this bill, will give both schools and the Department of Human Services the opportunity to review and expand upon services at the school-level to create, train, and implement research-based interventions and supports.

Madame Chair and Members of the Committee, this concludes my prepared testimony, and I will stand for any questions that you may have.