

**2021 SENATE HUMAN SERVICES**

**SB 2258**

# 2021 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Sakakawea Room, State Capitol

SB 2258  
1/26/2021

A BILL for an Act to amend and reenact section 23-02.1-27 of the North Dakota Century Code, relating to access to birth records.
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**Madam Chair Lee** opened the hearing on SB 2258 at 9:52 a.m. All members present: Lee, K. Roers, Hogan, Anderson, Clemens, O. Larsen.

## **Discussion Topics:**

- Statewide projections on homeless youth.
- Removal of parental custody
- Identity theft safeguards
- Proof of identity for division rule
- Age limit on access to records

**[9:53] Senator Kyle Davison, District 41.** Introduced SB 2258.

**[10:02] Mark Heinert, Assistant Executive Director, Youthworks.** Provided testimony #3226 in favor.

**[10:19] Katie Fitzsimmons, Director, Student Affairs, North Dakota University System.** Provided testimony #3065 in favor.

**[10:21] Darin Meschke, Vital Records.** Provided oral testimony in favor.

**[10:33] Kristina Sambor, Lobbyist, Youthworks and the North Dakota Homeless Coalition.** Advised committee of additional testimony to be sent in.

**[10:37] Patricia Julianelle, Senior Strategist, SchoolHouse Connection.** Provided testimony #2926 in favor.

**Additional written testimony: (3)**

**BoNita J. Morin, foster Care/Homeless Liaison, Ft. Totten Public School District 30.** Provided written testimony #2854 in favor.

**Jennifer Modeen, LMSW, School Social Worker.** Provided written testimony #3088 in favor.

**Kristi Black, Four Winds High School.** Provided written testimony #3108 in favor.

**Madam Chair Lee** closed the hearing on SB 2258 at 10:40 a.m.

*Justin Velez, Committee Clerk*

Mark Heinert

Assistant Executive Director, Youthworks

Testimony in support of SB 2258

Senate Human Services Committee

January 26, 2021

Chairman Lee and Members of the Committee:

My name is Mark Heinert, and I am here today to deliver testimony in support of SB 2258. I have been a licensed social worker in North Dakota for 30 years, serving runaway and homeless youth for the last 24. I am the Assistant Executive Director at Youthworks, a private, non-profit, youth serving agency serving Runaway and Homeless Youth in North Dakota. I am also the current president of the Missouri Valley Coalition for Homeless People, Inc.

I support SB 2258, which would eliminate barriers to birth certificates by allowing people experiencing homelessness to get a birth certificate with only one form of ID (that can include a letter from a service provider) and allow unaccompanied homeless youth under 18 to get their own birth certificate. Homeless youth and parents often need basic vital documents like a birth certificate to access employment, education, health, housing, and other needed services. The current process to get a birth certificate leads to a catch-22: people need a birth certificate to get an ID, and an ID to get a birth certificate. This challenge is one of the most common barriers that Youthworks sees young people experience that prevents them from

obtaining their goals. SB 2258 will eliminate this problem while adequately protecting against identity theft.

SB 2258 also makes sure that youth who are no longer staying with their parents can access their birth certificates. Youthworks serves over 100 youth each year who are runaway or homeless and are under the age of 18. Currently, ND law allows vital records to be issued to individuals who are at least sixteen years old. SB 2258 would ensure this is not a barrier for youth who need a birth certificate to get a job or access education, housing, or other services. Better access to birth certificates will help homeless youth access basic services and benefits, keeping them safer and healthier, which will empower them to access education and employment that can end their homelessness.

This bill, along with SB 2265 were the result of listening sessions with homeless youth across the state of North Dakota. They have shared what have been barriers to their success, and I ask you today to help reduce one of these barriers by voting in favor of SB 2258.

Please feel free to contact me with any questions at: 701-255-6909 or  
[mheinert@youthworksnd.org](mailto:mheinert@youthworksnd.org)

**SB 2258**

Senate Human Services

January 26, 2021

Katie Fitzsimmons, NDUS Director of Student Affairs

701-328-4109 | [katie.fitzsimmons@ndus.edu](mailto:katie.fitzsimmons@ndus.edu)

Chair Lee and Senate Human Services Committee Members: My name is Katie Fitzsimmons and I serve as the Director of Student Affairs at the North Dakota University System. I am here today in strong support of SB 2258, as it would support our students who have experienced or currently are experiencing homelessness.

Gaining admission to college can be an uphill battle for any given student, but our students that are experiencing homelessness have more obstacles stacked against them. Though birth certificates are not required documentation for college admission, a birth certificate can unlock access to other services and types of identification. Homeless youth often need basic vital documents like a birth certificate to access employment, education, health, housing, and other needed services. The current process to acquire a birth certificate leads to a catch-22: people need a birth certificate to get an ID, and they need an ID to get a birth certificate. SB 2258 would eliminate this problem while adequately protecting against identity theft.

The best paths out of homelessness include education, employment, and adequate health care. Please help us remove barriers to those paths for our students experiencing homelessness. This small and simple bill has the potential to create a profound impact on how this vulnerable population accesses services, employment, and education in North Dakota.

I respectfully request a Do Pass on SB 2258 and am available to answer your questions. Thank you.

**SB 2258 – Relating to access to birth records**  
**SUPPORT**

**Hearing of the Senate Human Services Committee, January 26, 2021**  
**Testimony of Patricia Julianelle, SchoolHouse Connection**

SchoolHouse Connection is a national non-profit organization dedicated to overcoming homelessness through education and responding to the needs of students experiencing homelessness on a federal, state, and local level. We are experts in the public policies necessary to help youth experiencing homelessness access safe and appropriate services, graduate from high school and college, and find stable housing to end their homelessness permanently. This year alone, we are active partners on legislation in 13 states. We do this work with the spirit of permanently interrupting homelessness and achieving stability for the generations of families it impacts.

**SchoolHouse Connection strongly supports the enactment of SB 2258, which would make it easier for people experiencing homelessness to access their own birth records.** Homeless youth and parents often need basic vital documents like a birth certificate to access employment, education, health, housing, and other needed services. A birth certificate can open the door to the stability a person needs to end their homelessness for good. Without this document, people can be shut out of jobs, school, housing and health care, and can be forced into a cycle that makes their homelessness continue.

People experiencing homelessness usually lose important documents when they are homeless. They may be evicted, robbed, or simply unable to keep documents. A simple task like proving their identity so they can get a birth certificate can become impossible. The current process to get a birth certificate in North Dakota leads to a catch-22 for many people experiencing homelessness: they need a birth certificate to get an ID, and an ID to get a birth certificate. SB 2258 will eliminate this problem while adequately protecting against identity theft.

SB 2258 would eliminate barriers to birth certificates by allowing people experiencing homelessness to get a birth certificate with only one form of ID (that can include a letter from a service provider). The proof of identity the bill allows adequately protects against identity theft, while creating a mechanism that will allow people experiencing homelessness to get their own birth certificates. By ensuring there is no notary requirement, the bill also eliminates another barrier that is outdated and unnecessary, and particularly burdensome during a pandemic.

SB 2258 also allows unaccompanied homeless youth under 18 to get their own birth certificate. Unaccompanied homeless youth lack stable housing and are not in the physical custody of a parent or guardian. Unaccompanied homeless youth have no parental support to meet their most basic needs, including shelter, health care, food, and clothing. These young people are homeless on their own for various reasons,

primarily related to poverty and family instability/dysfunction, and are striving to survive in unsafe or unstable environments. The federal McKinney-Vento Act requires all public schools to identify, enroll, and serve these young students. North Dakota's public schools identified 285 unaccompanied homeless youth in the 2018-2019 school year.<sup>1</sup>

Currently, ND law allows vital records to be issued to individuals who are at least sixteen years old.<sup>2</sup> SB 2258 would ensure that unaccompanied youth who may be under sixteen years old can access their birth certificates, and that they can do so with one form of ID, like other people experiencing homelessness. This will eliminate a major barrier for youth who need a birth certificate to access education, employment, shelter, or other services. Better access to birth certificates will help homeless youth access basic services and benefits, keeping them safer and healthier, which will empower them to access education and employment that can end their homelessness. When youth experiencing homelessness cannot receive services, we, as a community, lose the opportunity to keep them safe, help end their homelessness, and support their families.

**For these reasons, SchoolHouse Connection strongly urges the committee to pass SB 2258.** I am happy to respond to any questions or concerns.

Patricia Julianelle  
Senior Strategist for Program Advancement and Legal Affairs  
patricia@schoolhouseconnection.org  
(202) 905-6690

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<sup>1</sup> National Center for Homeless Education (2021).  
<http://profiles.nche.seiservices.com/StateProfile.aspx?StateID=34>.

<sup>2</sup> See <https://www.health.nd.gov/vital/certified-copies-birth-records/birth-records-mail>.

**SB 2258:**

Hearing of the Senate Human Services Committee, January 26, 2021

Testimony of BoNita J. Morin, Foster Care/Homeless Liaison  
Ft. Totten Public School District 30

I strongly support SB 2258, which would eliminate barriers to birth certificates by allowing people experiencing homelessness to get a birth certificate with only one form of ID (that could include a letter from a service provider) and allow unaccompanied homeless youth under 18 to get their own birth certificate. Homeless youth and parents often need basic vital documents like a birth certificate to access employment, education, health, housing, and other needed services.

The current process to get a birth certificate leads to a catch-22: people need a birth certificate to get an ID, and an ID to get a birth certificate. As a liaison assisting students' in obtaining these types of documents; we have completed the required forms as per the agency only to have them returned because there was no ID or Notary signature on the form. How and why does a Notary Public know these student is the first concern; second concern is if a student is unaccompanied with no income – paying the fees to obtain these documents creates an additional hardship; third concern is school districts' do not receive any additional funding for homelessness. SB 2258 will eliminate this problem while adequately protecting against identity theft.

SB 2258 also makes sure that youth who are no longer staying with their parents can access their birth certificates. Insert an example of an unaccompanied youth who has been estranged from a difficult family situation and is on his/her own now. Currently, ND law allows vital records to be issued to individuals who are at least sixteen years old. SB 2258 would ensure this is not a barrier for youth who need a birth certificate to get a job or access education, housing, or other services. Better access to birth certificates will help homeless youth access basic services and benefits, keeping them safer and healthier, which will empower them to access education and employment that can end their homelessness.

I ask you to vote in favor of SB 2258. Please feel free to contact me with any questions at [bmorin90@hotmail.com](mailto:bmorin90@hotmail.com).

Respectfully,

BoNita Morin

File copy



Grand Forks Public Schools will provide an environment of educational excellence that engages all learners to develop their maximum potential for community and global success.

Winship Elementary School  
1009 North 3<sup>rd</sup> Street  
Grand Forks, ND 58203  
[www.gfschools.org](http://www.gfschools.org)

Mrs. Jennifer LF Modeen, MSW, LCSW  
School Social Worker  
District Homeless Liaison/District Foster Care Liason  
Partnership Case Manager Northeast Human Service Center  
701.746.2325  
[jmodeen200@mygfschools.org](mailto:jmodeen200@mygfschools.org)

## Hearing of the Senate Human Services Committee, January 26, 2021 Testimony of Jennifer Modeen, LMSW

**I strongly support SB 2258, which would** eliminate barriers to birth certificates by allowing people experiencing homelessness to get a birth certificate with only one form of ID (that can include a letter from a service provider) and allow unaccompanied homeless youth under 18 to get their own birth certificate. Homeless youth and parents often need basic vital documents like a birth certificate to access employment, education, health, housing, and other needed services. The current process to get a birth certificate leads to a catch-22: people need a birth certificate to get an ID, and an ID to get a birth certificate.

**It is essential that our current leadership understand the unique and often seemingly insurmountable barriers our youth experiencing homelessness face. While youth are viewed as resilient and unaffected by their current situation this is not the case. We must work to eliminate these barriers that will empower and engage our youth.**

**SB 2258** also makes sure that youth who are no longer staying with their parents can access their birth certificates. Due to the complex nature of family systems it can take months to figure out a plan for accessing a birth certificate.

Currently, ND law allows vital records to be issued to individuals who are at least sixteen years old. SB 2258 would ensure this is not a barrier for youth who need a birth certificate to get a job or access education, housing, or other services. Better access to birth certificates will help homeless youth access basic services and benefits, keeping them safer and healthier, which will empower them to access education and employment that can end their homelessness.

**I strongly support SB 2265, which would** allow unaccompanied homeless youth 14 and older to consent for routine health care, including behavioral health care— but not abortion. In the 2018-2019 school year, North Dakota's schools served 285 unaccompanied homeless youth. In our state, these youth are more likely to attempt suicide, more likely to abuse prescription medication and methamphetamines, and less likely to see a dentist. They desperately need access to basic health services and behavioral health treatment. Especially during the pandemic, basic medical care is necessary for youth on their own.

Currently, North Dakota law allows youth under age 18 to access only a limited scope of health services: STD and substance abuse treatment, prenatal and pregnancy care, and emergency care. Unaccompanied homeless minors cannot access basic health care (including physicals and dental care), or behavioral health care, without parental consent. These restrictions put youth at risk for serious health consequences, and even death. SB 2265 would remove these barriers, in a narrowly focused way that will only impact the small but very vulnerable population of unaccompanied homeless youth in North Dakota. **We must do a better job of eliminating barriers. We hear a lot about reducing out of home placement due to cost and trauma. This is an opportunity to empower youth, access care and work to create citizens that are engaged and focused on their future.**

I ask you to vote in favor of SB 2258. Please feel free to contact me with any questions at [jmodeen200@mygfschools.org](mailto:jmodeen200@mygfschools.org)  
701-746-2325

Jennifer LF Modeen, LMSW

SB 2258:

**Hearing of the Senate Human Services Committee, January 26, 2021  
Testimony of Kristi Black, Four Winds High School**

**I strongly support SB 2258, which would** eliminate barriers to birth certificates by allowing people experiencing homelessness to get a birth certificate with only one form of ID (that can include a letter from a service provider) and allow unaccompanied homeless youth under 18 to get their own birth certificate. Homeless youth and parents often need basic vital documents like a birth certificate to access employment, education, health, housing, and other needed services. The current process to get a birth certificate leads to a catch-22: people need a birth certificate to get an ID, and an ID to get a birth certificate. I have worked with homeless youth who have needed a birth certificate and an ID in order to take a driver's test. Not only do homeless youth lack the funds to pay for such documents, they are hindered in seeking employment and services due to the amount of time required to acquire their documents. SB 2258 will eliminate this problem while adequately protecting against identity theft.

SB 2258 also makes sure that youth who are no longer staying with their parents can access their birth certificates. I worked with a young man who had been living on his own for over five years when he entered his freshman year. Due to his mother's habitual drug use he had not seen or talked to her in all of those years. He did graduate without assistance from her and is currently still struggling to find a place to call home. Currently, ND law allows vital records to be issued to individuals who are at least sixteen years old. SB 2258 would ensure this is not a barrier for youth who need a birth certificate to get a job or access education, housing, or other services. Better access to birth certificates will help homeless youth access basic services and benefits, keeping them safer and healthier, which will empower them to access education and employment that can end their homelessness.

I ask you to vote in favor of SB 2258. Please feel free to contact me with any questions at [Kristi.black@k12.nd.us](mailto:Kristi.black@k12.nd.us) or 766-1400-1474.

# 2021 SENATE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Sakakawea Room, State Capitol

SB 2258  
2/10/2021

A BILL for an Act to amend and reenact section 23-02.1-27 of the North Dakota Century Code, relating to access to birth records.
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**Madam Chair Lee** opened the discussion on SB 2258 at 10:59 a.m. Members present: Lee, K. Roers, Hogan, Anderson, Clemens, O. Larsen.

**Discussion Topics:**

- Vital records language
- Homeless youth study

**[10:59] Senator Lee, District 13.** Provided the committee with an update from **Darin Meschke, Director, Division of Vital Records.** (testimony #6270)

**Additional written testimony:** N/A

**Madam Chair Lee** closed the discussion on SB at 11:03 a.m.

*Justin Velez, Committee Clerk*

**From:** Meschke, Darin J. <[dmeschke@nd.gov](mailto:dmeschke@nd.gov)>  
**Sent:** Wednesday, February 10, 2021 7:18 AM  
**To:** Lee, Judy E. <[jlee@nd.gov](mailto:jlee@nd.gov)>  
**Cc:** Mark Heinert <[mheinert@youthworksnd.org](mailto:mheinert@youthworksnd.org)>  
**Subject:** RE: SB 2258

Sen. Lee,

Yes, I have met with Mark and his colleagues and have determined that we can make the required changes without the items in the bill. All of the Vital Records language in the bill can be removed.

I am working on a new form and will follow-up with the AG's office to make sure we are within the legal requirements of the law, but I think it's safe to say we are. Then, once the new form is created by NDIT, we can roll it out.

Thanks for your confidence in me and my office. Always a pleasure to work with you and your committee.

Sincerely,

Darin J. Meschke  
*State Registrar*  
*Director, Division of Vital Records*

701-328-2494 • [dmeschke@nd.gov](mailto:dmeschke@nd.gov) • [health.nd.gov](http://health.nd.gov)



# 2021 SENATE STANDING COMMITTEE MINUTES

## Human Services Committee Sakakawea Room, State Capitol

SB 2258  
2/16/2021

A BILL for an Act to provide for a legislative management study relating to shelter care programs for runaway youth.

**Madam Chair Lee** opened the discussion on SB 2258 at 9:48 a.m. Members present: Lee, K. Roers, Hogan, Anderson, Clemens. Absent: O. Larsen.

### Discussion Topics:

- Amendment proposal
- Vital records
- Internal policy of shelter programs
- Legal authority for homeless youth

**[9:49] Senator Kathy Hogan, District 21.** Provided the committee with proposed amendment 21.0624.01002 (testimony #6758).

**Senator Hogan** moves to **ADOPT AMENDMENT** 21.0624.01002

**Senator K. Roers** seconded.

Senators	Vote
Senator Judy Lee	Y
Senator Kristin Roers	Y
Senator Howard C. Anderson, Jr.	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Oley Larsen	Absent

The motion passed 5-0-1

**Senator K. Roers** moves **DO PASS, AS AMENDED.**

**Senator Anderson** seconded.

Senators	Vote
Senator Judy Lee	Y
Senator Kristin Roers	Y
Senator Howard C. Anderson, Jr.	Y
Senator David A. Clemens	Y
Senator Kathy Hogan	Y
Senator Oley Larsen	Absent

The motion passed 5-0-1

**Senator Hogan** will carry SB 2258

**Madam Chair Lee** closed the discussion on SB 2258 at 9:58 a.m.

*Justin Velez, Committee Clerk*

February 10, 2021

2116  
1041

PROPOSED AMENDMENTS TO SENATE BILL NO. 2258

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study relating to shelter care programs for runaway youth.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. SHELTER CARE PROGRAMS FOR RUNAWAYS - LEGISLATIVE MANAGEMENT STUDY.** During the 2021-22 interim, the legislative management shall consider studying, in collaboration with the commission on juvenile justice, the necessity of licensing shelter care programs for runaway, homeless, and former foster care youth and the ability of these youth to access temporary shelter. The study must include a review of the current barriers, effective intervention, and necessary resources and services. The legislative management shall report its findings, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

**SB 2258: Human Services Committee (Sen. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2258 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study relating to shelter care programs for runaway youth.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. SHELTER CARE PROGRAMS FOR RUNAWAYS - LEGISLATIVE MANAGEMENT STUDY.** During the 2021-22 interim, the legislative management shall consider studying, in collaboration with the commission on juvenile justice, the necessity of licensing shelter care programs for runaway, homeless, and former foster care youth and the ability of these youth to access temporary shelter. The study must include a review of the current barriers, effective intervention, and necessary resources and services. The legislative management shall report its findings, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly

February 10, 2021

PROPOSED AMENDMENTS TO SENATE BILL NO. 2258

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to provide for a legislative management study relating to shelter care programs for runaway youth.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. SHELTER CARE PROGRAMS FOR RUNAWAYS - LEGISLATIVE MANAGEMENT STUDY.** During the 2021-22 interim, the legislative management shall consider studying, in collaboration with the commission on juvenile justice, the necessity of licensing shelter care programs for runaway, homeless, and former foster care youth and the ability of these youth to access temporary shelter. The study must include a review of the current barriers, effective intervention, and necessary resources and services. The legislative management shall report its findings, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Renumber accordingly .

**2021 HOUSE HUMAN SERVICES**

**SB 2258**

# 2021 HOUSE STANDING COMMITTEE MINUTES

**Human Services Committee**  
Pioneer Room, State Capitol

SB 2258  
3/16/2021 930 AM

To provide for a legislative management study relating to shelter care programs for runaway youth
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**Chairman Weisz** opened the committee hearing at 9:30 a.m.

<b>Representatives</b>	<b>Attendance</b>
Representative Robin Weisz	P
Representative Karen M. Rohr	P
Representative Mike Beltz	P
Representative Chuck Damschen	P
Representative Bill Devlin	P
Representative Gretchen Dobervich	A
Representative Clayton Fegley	P
Representative Dwight Kiefert	P
Representative Todd Porter	P
Representative Matthew Ruby	P
Representative Mary Schneider	P
Representative Kathy Skroch	P
Representative Bill Tveit	P
Representative Greg Westlind	P

## **Discussion Topics:**

- Homeless youth
- Temporary shelters
- Division of Vital Records
- Shelter licensing

**Sen. Kyle Davison, District 41 (9:30)** introduced the bill.

**Christina Sambor, Lobbyist Youthworks (9:35)** testified in favor and submitted testimony #9438.

**Additional written testimony:** #8940, #8960

**Chairman Weisz** adjourned at 9:50 a.m.

*Tamara Krause, Committee Clerk*

March 16, 2021

Christina Sambor, Sambor Law & Consulting, P.C.  
On Behalf of Youthworks  
Testimony on SB 2258  
House Judiciary Committee

Chairman Weisz and Members of the Committee:

I testify today on behalf of Youthworks in favor of SB 2258. Youthworks is a private non-profit agency governed by a Board of Directors with more than 30 direct service professionals based in the two largest cities in North Dakota and serves the entire state. The mission of the agency is “Helping Homeless, Runaway, Trafficked, and Struggling Youth in North Dakota.” Since 1987, YW has been the statewide leader in educating community stakeholders about the struggles affecting runaway and homeless youth (“RHY”), in an effort to prevent and end youth homelessness. YW is in a unique position to meet the needs of North Dakota’s runaway, homeless, trafficked, and street youth due to the vast array of services provided, including many federally funded programs.

This session, Youthworks has supported several efforts to assist youth in being better able to access critical information they need to succeed and to empower those who do not have adequate familial or systemic support to ensure their health and safety. Last week, this committee heard one such effort to assist youth in accessing healthcare under certain circumstances when they are not able to secure the consent of their legal guardian. Additionally, Youthworks supported the initial version of SB 2258, which would have amended state law to allow youth to access vital records where they lack consent of a guardian. Rather than requiring legislative intervention, Youthworks and others were able to work with the Division of Vital Records to adjust their internal policies to achieve the necessary changes.

SB 2258 was therefore amended to provide for a study in addressing yet another critical gap in services for some youth, that being their ability to access safe shelter when they are unable to secure the consent of a legal guardian. One of the concerns raised by stakeholders is that organizations providing shelter care to runaway homeless youth are not currently licensed. Patricia Julianelle from SchoolHouse Connection will provide additional data to this committee which explains the need to ensure that homeless youth can access safe shelter. I or Mark Heinert are happy to answer any questions the committee may have as to why some North Dakota youth find themselves without a legal guardian to consent to shelter placement.

Through discussions with stakeholders, the first step in addressing this problem is taking a look at the necessity of licensing youth-serving shelters and looking at what the barriers are for youth in accessing such shelter. SB 2258 would provide for a study of these issues, so that we can ensure that youth-serving agencies are provided appropriate care by agencies that provide services consistent with best practices, and that barriers that prevent youth from accessing the safe shelter they need are removed as appropriate.

Youthworks therefore strongly urges a “do pass” recommendation on SB 2258.



State Capitol – 600 E Boulevard Ave – Dept. 215  
Bismarck ND 58505-0230  
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E-mail: [ndus.office@ndus.edu](mailto:ndus.office@ndus.edu) Web: [ndus.edu](http://ndus.edu)

## **Engrossed SB 2258**

House Human Services

March 16, 2021

Katie Fitzsimmons, NDUS Director of Student Affairs

701-328-4109 | [katie.fitzsimmons@ndus.edu](mailto:katie.fitzsimmons@ndus.edu)

Chair Weisz and House Human Services Committee Members: My name is Katie Fitzsimmons and I serve as the Director of Student Affairs in the North Dakota University System Office. I am testifying in strong support of Engrossed SB 2258, as it would support our students who have experienced or currently are experiencing homelessness.

Gaining admission to college can be an uphill battle for any given student, but our students that are experiencing homelessness have more obstacles stacked against them. If a child finds themselves in a shelter care program or in an emergency shelter situation, we need to ensure that option is safe.

The best paths out of homelessness include safe shelter, education, employment, and adequate health care. Though the majority of the youth that could be positively affected by this study are not our current students within the North Dakota University System, the NDUS is invested in the homeless and/or unaccompanied youth in our state. Those students deserve access to success through education just like all our youth. If we can ensure safe shelter options for youth when they are experiencing incredibly difficult and traumatizing times, we are one step closer to ensuring academic success, which can lead to a lifetime of stability.

Please help us remove barriers for our students experiencing homelessness. This study has the potential to create a profound impact on this vulnerable population in North Dakota.

The North Dakota University System Office respectfully request a **Do Pass on Engrossed SB 2258**. Thank you for your time and consideration.

**SB 2258 – To provide for a legislative management study relating to shelter care programs for runaway youth**  
**SUPPORT**

**Hearing of the House Human Services Committee, March 16, 2021**  
**Testimony of Patricia Julianelle, SchoolHouse Connection**

SchoolHouse Connection is a national non-profit organization dedicated to overcoming homelessness through education and responding to the needs of students experiencing homelessness on a federal, state, and local level. We are experts in the public policies necessary to help youth experiencing homelessness access safe and appropriate services, graduate from high school and college, and find stable housing to end their homelessness permanently. This year alone, we are active partners on legislation in 13 states. We do this work with the spirit of permanently interrupting homelessness and achieving stability for the generations of families it impacts.

**SchoolHouse Connection strongly supports the enactment of SB 2258, which would allow the legislature to examine the barriers unaccompanied homeless youth face in accessing basic safety and support and to devise effective solutions.** In the 2018-2019 school year, North Dakota's schools served 285 unaccompanied homeless youth.<sup>1</sup> Almost all of these youth are under 18, which creates an insurmountable barrier to them accessing the services they need to stay safe. The Youth Risk Behavior Survey administered to high school students across North Dakota demonstrates the awful consequences of experiencing homelessness on your own:

- 10.9 times more likely to use methamphetamines than housed students
- 9.5 times more likely to engage in binge drinking
- 3.4 times more likely to abuse prescription medication
- 4.2 times more likely to be raped
- 3.6 times more likely to attempt suicide

Unaccompanied homeless youth lack stable housing and are not in the physical custody of a parent or guardian. They have no parental support to meet their most basic needs, including shelter, health care, food, and clothing. "In their efforts to meet their basic needs for safety, food, and shelter, many youth become involved in high risk behaviors resulting in criminal charges and victimization through sex trafficking and violence."<sup>2</sup> When unaccompanied homeless youth under 18 years old cannot access safe shelter and housing services, they are extremely vulnerable to victimization.

When youth experiencing homelessness cannot receive services, we, as a community, lose the opportunity to keep them safe, help end their homelessness, and support their families. Homeless youth age 18 and over can access services on their own behalf,

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<sup>1</sup> National Center for Homeless Education (2021).

<http://profiles.nche.seiservices.com/StateProfile.aspx?StateID=34>.

<sup>2</sup> Utah Assistant Attorney General Nicole Lowe. "Advocating for Homeless Youth." *Utah Bar Journal* (May/June 2018). <https://attorneygeneral.utah.gov/advocating-for-homeless-youth/>.

including shelter and housing services. However, unaccompanied homeless youth under the age of 18 cannot access safe emergency shelter and services without parental consent. Unfortunately, their parents are unable or unwilling to consent for various reasons - including their own mental health and/or substance abuse issues, incarceration, family dysfunction, or other reasons. This creates a barrier to safety and stability for youth and communities. Several states, including Montana, Wyoming, Indiana, Maryland, Missouri, Texas, and Utah, have enacted legislation to allow youth under 18 to obtain shelter and housing without parental consent. These laws have kept youth safe and connected to services and society while social workers and others work with them to find education, employment, housing, and stability-- often culminating in healthy reunification with their families.

SB 2258 creates an opportunity for the legislature to examine how these issues affect homeless youth in North Dakota and to develop solutions that will keep youth safe, support families, and improve communities. **For these reasons, SchoolHouse Connection strongly urges a Do Pass on SB 2258.** I am happy to respond to any questions or concerns.

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# 2021 HOUSE STANDING COMMITTEE MINUTES

## Human Services Committee Pioneer Room, State Capitol

SB 2258  
3/16/2021 1041AM

To provide for a legislative management study relating to shelter care programs for runaway youth
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**Chairman Weisz** opened the committee meeting at 10:41 a.m.

Representatives	Attendance
Representative Robin Weisz	P
Representative Karen M. Rohr	P
Representative Mike Beltz	P
Representative Chuck Damschen	P
Representative Bill Devlin	P
Representative Gretchen Dobervich	P
Representative Clayton Fegley	P
Representative Dwight Kiefert	P
Representative Todd Porter	P
Representative Matthew Ruby	P
Representative Mary Schneider	P
Representative Kathy Skroch	P
Representative Bill Tveit	P
Representative Greg Westlind	P

### Discussion Topics:

- Committee action

**Rep. Matthew Ruby (10:42)** moved **Do Pass Place on Consent Calendar**

**Rep. Todd Porter (10:42)** second

Representatives	Vote
Representative Robin Weisz	Y
Representative Karen M. Rohr	Y
Representative Mike Beltz	Y
Representative Chuck Damschen	Y
Representative Bill Devlin	Y
Representative Gretchen Dobervich	Y
Representative Clayton Fegley	Y
Representative Dwight Kiefert	Y
Representative Todd Porter	Y
Representative Matthew Ruby	Y
Representative Mary Schneider	Y
Representative Kathy Skroch	Y
Representative Bill Tveit	Y

Representative Greg Westlind	Y
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**Motion Carried Do Pass Place on Consent Calendar 14-0-0**

**Bill Carrier:** Rep. Matthew Ruby

**Chairman Weisz** adjourned at 10:44 a.m.

*Tamara Krause, Committee Clerk*

**REPORT OF STANDING COMMITTEE**

**SB 2258, as engrossed: Human Services Committee (Rep. Weisz, Chairman)** recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2258 was placed on the Tenth order on the calendar.