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February 15, 2023

To: Chairperson Wayne and Members of the Judiciary Committee
From: Anahí Salazar, Policy Coordinator for Voices for Children in Nebraska
RE: Support LB 570, to change provisions relating to truancy, juvenile courts, the Community-based Juvenile Services Aid Program, and compulsory education.

Education is critical to children's growth into healthy, productive adults. School attendance is one among several factors that impact children's educational success. Efforts to ensure attendance are important but must focus on resolving obstacles to attendance for children and families in a supportive rather than punitive manner. Chronic absenteeism or excessive absenteeism should be resolved with supportive services rather than providing a pathway deeper into the juvenile court or juvenile justice system. For these reasons we support LB 507, which removes truancy as a juvenile status offense under court jurisdiction and reduces the risk of a teen and family encountering the juvenile justice system unnecessarily.

Student success and positive educational outcomes are important to the future of Nebraska, and research supports the association between high rates of absenteeism and poor educational outcomes. Nebraska statute currently states that if the child has been absent more than twenty days, the school shall notify family. In Nebraska, during the 2020-2021 school year, 66,585 (21.7%) students were absent 10-19 days. 21,855 (7.1%) students were absent 20-29 days, and 22,997 (7.5%) students were absent 30 or more days.¹ Compared to the previous school year, 2019-2020, these numbers significantly increased. **LB 570 does not propose to ignore the issue of chronic absenteeism, but rather implement a smarter approach to improving attendance that yields improved outcomes for our youth and families.** When teachers were questioned about their concerns regarding chronic absenteeism, their responses and concerns came from lack of resources for young people and families. Older students were having to stay home with younger siblings because parents had to work and there was no child care. Another common theme was students having jobs afterschool, leaving the hours afterwork for schoolwork, preventing students from getting a good night's rest and being able to attend school the next morning. LB 570 would provide young people and families with services to address the needs.

The problem with Nebraska's current approach to improving school attendance through the court system is that the financial support is targeted at the end of the system, rather than investing in early intervention, to address the situation before it becomes chronic. LB 570 is designed to correct that issue by investing in community-based interventions that have proved effective to encourage and support school attendance.

¹ Kids Count in Nebraska Report 2022. Voices for Children. Absence and Career Readiness. [Education 2022 – Kids Count Nebraska](#)

The juvenile justice system's goal is to provide accountability and rehabilitation to youth whose actions violate the law and endanger public safety. Whenever possible, youth should be diverted from the system and have their needs met without being pushed into the juvenile justice system. This is especially true when it comes to youth who are currently referred to the court solely for being absent from school. Inappropriate juvenile justice system involvement has been shown to have a negative impact on educational achievement and increased likelihood for behavioral health challenges.² It is important that our Nebraska state dollars committed to addressing absenteeism are directed to the most effective and proven programs, and not wasteful spending on a criminogenic response to noncriminal need, in order to make a positive impact on lives of Nebraskans.

For all these reasons, we thank Senator Conrad for bringing this bill and thank the Committee for considering this critically important matter. We respectfully urge you to advance LB 507.

² Salisch, A & Trone, J. From Courts to Communities: The Right Response to Truancy, Running Away, and Other Status Offenses. Vera Institute: December 2013.