

1 HB 1328 – DJS – Relating to definition of Custodian and Delinquency Referrals to Juvenile Court

2 Mandan Public Schools – Carly Retterath Testimony

3 Good morning, Chairman Klemin and members of the Judiciary committee. For the record, my
4 name is Dr. Carly Retterath. I am the Assistant Superintendent for Mandan Public Schools. I am
5 here today to urge you to give HB 1328 a Do Pass recommendation.

6 In Mandan, we have had many opportunities to expand our interventions and options for students
7 struggling to be successful in the traditional school setting. Over the past six years we have had a
8 strong partnership with the Division of Juvenile Services (DJS), that partnership has supported
9 two, day treatment programs at our secondary schools. These programs allow students a safe space
10 to transition back into school after placement or to receive therapeutic interventions while
11 maintaining school engagement. Furthermore, we have utilized the Behavioral Health Grant and
12 System of Care Grant dollars to expand our district's capacity to address the non-academic needs
13 of our students and families. Some of these supports are, site based clinical counseling at school,
14 additional Family Liaison Support, family case-management support and offering expanded social
15 skills groups. Finally, as a district we support an alternative high school and virtual academy to
16 offer additional options for students seeking different educational environments.

17 We also recognize as a district the need to collaborate with other agencies. One example of how
18 we do this is a monthly meeting we hold that includes Three Rivers Human Services, our CHINS
19 worker, school personal and our School Resource Officers (SROs). The purpose of these meetings
20 is to collaboratively problem solve and coordinate our services around students. Despite these
21 collaborative efforts, we often encounter youth and families who refuse to engage in the available
22 supports and interventions. This lack of engagement leads to ongoing disruptions in school and
23 the community or complete non-attendance at school.

24 HB 1328 bill seeks to include schools within the definition of "Custodian" in the Century Code.
25 This expansion is crucial as it would significantly enhance our ability to refer students to the
26 Children in Need of Services (CHINS) program. With currently century code, schools are unable
27 to refer students to CHINS for disruptive/disrespectful behavior in school. This broader definition

28 would ensure that schools have the necessary authority to initiate referrals, thereby providing
29 timely and appropriate support to students in need.

30 In addition, the bill allows CHINS to refer cases directly to juvenile court. This referral capability
31 is a critical component of the intervention process that is currently lacking in effectiveness. By
32 enabling CHINS to involve the juvenile court, we can ensure that interventions have the necessary
33 legal backing to enforce meaningful engagement and participation from students and their families.
34 This step will provide the intervention process with the "teeth" that it needs to be more effective.

35 Let me be clear: our intention is not to incarcerate students or to involve law enforcement
36 unnecessarily. However, without the ability to mandate engagement in interventions, we find
37 ourselves unable to make progress. HB 1328 would provide a step in the right direction for the
38 necessary legal framework to require participation, ensuring that students receive the support they
39 need while maintaining a positive and productive school environment.

40 In conclusion, I urge the committee to support HB 1328. This bill is vital for empowering schools
41 and CHINS with the authority they need to effectively support our students and address their
42 challenges. Thank you for your time and consideration.

43 I urge you to give HB 1328 a DO PASS recommendation. I would be happy to stand for any
44 questions.