JLDBG - Reintegration of Students from Juvenile Correctional Facilities

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Maine law requires the establishment of a reintegration team to assist a student entering a public school from a juvenile correctional facility. The Board recognizes the need for advance planning and appropriate confidentiality in these circumstances.

The Superintendent shall be responsible for determining whether a student will be accepted or denied access to school based on compliance with the juvenile's rehabilitation plan as it affects reintegration. Access may be denied until the Superintendent is satisfied that conditions have been met.

MSAD #35 will comply with reintegration standards established by the Maine Department of Education. The Superintendent will be responsible for overseeing the transition of students from juvenile correctional facilities based on the following guidelines.

1. Within ten days of receiving information from the Department of Corrections concerning the release of the juvenile offender, the Superintendent shall establish and convene a meeting of a reintegration team to review information received from the Department of Corrections, evaluate the student's individual educational needs, and determine what additional information may be relevant.
2. The reintegration team shall include at a minimum the principal/designee of the school to which the student will be admitted, at least one classroom teacher to which the student will be assigned or who is involved in the school's student assistance team, the student's parent/guardian/custodian, and a guidance counselor. The student's juvenile correctional officer or other representative from the Department of Corrections may be invited to attend.
3. The reintegration team will determine, on the basis of need, which school employees should receive or given access to) information that would otherwise be considered confidential. The nature and extent of information provided should be limited to that needed to implement the student's reintegration plan and ensure the health and safety of the student, the safety of the school's students and staff, and the integrity of school property.

4. The Superintendent/designee will be responsible for ensuring that confidentiality training, including a review of the MSAD #35 policy and administrative procedures pertinent to records from the juvenile criminal justice system, including the juvenile correctional facility, and to all student educational records under the Family Education Records and Privacy Act (FERPA), is provided to all school employees who have access to this information.
5. Before the student enters school, at least one additional meeting of the reintegration team should be held to develop an individualized plan for the student's reintegration based on the student's educational needs and the options available within the school system. This meeting should include the student as well as the members of the reintegration team. The reintegration plan will address the student's educational program, participation in activities (including co-curricular and extracurricular activities), and access to school facilities (including transportation).
6. Placement in grade, class, and/or school programs will be based on the student's abilities and academic achievement demonstrated in prior educational settings, including the student's stay at the juvenile correctional facilities. The principal will be responsible for evaluating the student's transcript and portfolio from the juvenile correctional facility to assess progress toward meeting the content standards of the Learning Results. The principal may require the student to participate in additional tests or other demonstrations of skill or knowledge, consistent with the local assessment system, for the purpose of determining appropriate placement.
7. The Superintendent/designee will be responsible for developing and implementing a process for monitoring and reporting a student's progress and compliance with the reintegration plan and for modifying the plan as needed.
8. A student who violates Board policy or school rules will be subject to the disciplinary consequences described in policy, administrative procedures, and/or the student handbook/student code of conduct.
9. The Superintendent/designee shall make any reports that may be required by the Department of Education concerning numbers of students entering MSAD #35 from juvenile correctional facilities.

CONFIDENTIALITY

15 M.R.S.A. §3008(7)(E) provides that when a juvenile has been charged with or adjudicated of a juvenile offense that involves the use or threatened use of physical force against a person, the District's attorney in the district where the charges were brought will provide certain information to the Superintendent/designee of the juvenile's school.

This information is limited to:

1. The name of the juvenile
2. The nature of the alleged offense or offense;
3. The date of the alleged offense or offense;
4. The date of the petition (date charged);
5. The date of the adjudication, if applicable; and
6. The location of the court where the case was brought, if applicable.

By law, this information is not to become part of the student's educational record.

This information is to be regarded as confidential except as provided in 20-A M.R.S.A. §1055(11). This statute requires the Superintendent to convene a notification team within ten days of receiving notice of an alleged or adjudicated juvenile offense. This team must include the administrator/designee of the school building where the student attends at least one classroom teacher to whom the student is assigned a guidance counselor, and the student's parent/guardian. The notification team is to determine on the basis of need which school employees are entitled to receive this information. The Superintendent "shall ensure" that confidentiality training is provided to all school employees who have access to this information.

Legal References:

20-A M.R.S.A. §§ 254(12), 1055(12), 2902(10), 4502(5)(0), 6001-B(1), 6001-B(2),6001-B(3-A)

15 M.R.S.A. § 3009

15 M.R.S.A. §3008(7)(E)

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