

PROCEDURES FOR REINTEGRATION OF STUDENTS FROM JUVENILE CORRECTIONAL FACILITIES

NEPN/NSBA CODE: JLDBG-R

Title 15 M.R.S.A. § 3308(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 Attorney in the district where the charges were brought will provide certain information to the Superintendent (or 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.

Because this is a different issue from the reintegration of students who have been assigned to a juvenile correctional facility because they have been adjudicated as having committed one or more juvenile criminal offenses, we have chosen not to include language concerning notification teams in this policy. However, because of the confidentiality issues involved, Boards and Superintendents should be aware of the role of the Superintendent's responsibility and the role of the notification team.

As the composition of a specific notification or reintegration team depends upon the individual students (one student will have different teachers than another, for example) and because teams are convened only as needed, the teams are not static. While determining who should be on a team is an easy matter, the determination of who has the "need to know" and, therefore, should be given or have access to confidential information is not necessarily so easy. Boards and Superintendents should contact MSMA or their school attorney when questions concerning confidentiality arise.

Adopted: September 27, 2005
Revised: August 12, 2013