



ADMINISTRATIVE PROCEDURE

SAN DIEGO UNIFIED SCHOOL DISTRICT

NO: 4613

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CATEGORY: **Instruction, Guidance**

EFFECTIVE: **12-08-65**

SUBJECT: **Students Released From Juvenile Court Placements**

REVISED: **10-23-03**

A. PURPOSE AND SCOPE

1. To outline administrative procedures relating to placement of students following release from juvenile court placements, including screening, evaluation, and placement in appropriate schools and disposition of cases when admission is contested.
2. **Related Procedure:**
Release of student information 6525

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: F-6000, H-7800, H-8900; Welfare and Institutions Code Section 827.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Placement and Appeal Office, Student Services Division, Office of Instructional Support.
2. **Disclosure of Student Criminal Records**
 - a. **Upon receipt of written notice** pursuant to Welfare and Institutions Code Section 827 from the juvenile court that a student has committed any crimes, the Placement and Appeal Office shall notify the principal of the student's school of attendance.
 - b. **Placement and Appeal Office** shall inform the principal of information received from the court and the Probation Department. The principal shall expeditiously disseminate the information to those teachers, counselors and administrators directly supervising or reporting on the behavior or progress of the student for the purpose of working with the student in an appropriate fashion, to avoid being needlessly vulnerable or to protect other persons from needless vulnerability.

- c. **Any information received by a teacher**, counselor, or administrator shall be confidential for the limited purpose of rehabilitating the student and protecting students and staff, and shall not be disseminated further by the teacher, counselor, or administrator, except insofar as communication with the student, his/her parents/guardians, law enforcement personnel, and the student's probation officer is necessary to effectuate the student's rehabilitation or to protect students and staff. Unlawful dissemination of such information is a misdemeanor.
- d. **If the student is removed** from district schools, the Placement and Appeal Office shall maintain the information in a confidential file and shall defer transmittal of the information received from the juvenile court until the student is returned to a district school. If the student is returned to another school district, the student's parole or probation officer shall notify the Placement and Appeal Office. Thereafter, the Placement and Appeal Office shall transmit the notice received from the juvenile court to the superintendent of the new school district of attendance.
- e. **Any information received from the court** shall be kept in a separate confidential file at the school of attendance, and shall be transferred to the student's subsequent schools of attendance and maintained until the student graduates from high school, is released from juvenile court jurisdiction, or reaches the age of 18, whichever occurs first.
- f. **After the student graduates** from high school, is released from juvenile court jurisdiction, or reaches the age of 18, the confidential record shall be destroyed.
- g. **At any time after the date** by which a record required to be destroyed should have been destroyed, the student or his/her parent/guardian shall have the right to make a written request to have the principal of the school where the student's school records are on file conduct a review to ensure that the record has been destroyed. Upon completion of any review, and no later than 30 days after the request for review was received, the principal or his/her designee shall respond in writing to the written request and either shall confirm that the record has been destroyed or, if the record has not been destroyed, shall explain why destruction has not yet occurred.

3. **Background.** Many students returning from juvenile court placements, such as the California Youth Authority, Rancho del Campo, Girls' Rehabilitation Facility, and all other 24-hour placements have had serious school problems prior to commitment that may have caused severe credit deficiencies and unsatisfactory social and academic adjustments. Students also may return at times that do not equate to the conventional school calendar of subjects. In many instances, subjects completed or in progress at the time of release do not correspond to conventional comprehensive school programs.
4. **Responsibilities for Referral**
 - a. **During the regular school year,** principal or designee shall refer all students returning from juvenile court placements to the Placement and Appeal Office.
 - b. **To maintain consistency** throughout the calendar year, principal or designee shall designate a contact person at his/her summer school site who shall refer all returnees from juvenile court placements to the Placement and Appeal Office.
5. **Responsibility for Placement.** Placement and Appeal Office shall be responsible for receiving and evaluating all pertinent information prior to recommendation of a school placement for students returning from juvenile court placements. If recommended placement is not acceptable, the case is referred to the School-Initiated Placement (SIP) Council for disposition. The sole exception to this rule is that individuals who have been in juvenile hall less than thirty (30) days shall return to their last school of attendance for readmittance or placement.

D. IMPLEMENTATION

1. **Principal, vice principal or other site designee** refers all returnees from juvenile court placements to the Placement and Appeal Office.
2. **Placement and Appeal receives, reviews, and evaluates** all pertinent information regarding returnee prior to recommendation for a school placement.
3. **If placement recommended by the Placement and Appeal** is not acceptable to receiving school, principal or designee requests review of case by the School-Initiated Placement Council.

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4. **If placement recommended by the School-Initiated Placement Council is not acceptable to receiving school:**
 - a. **Principal or designee sends memo** to instructional leader requesting further review of case by instructional leader and the Placement and Appeal Legal Specialist.
 - b. **Instructional leader consults** with the Placement and Appeal Legal Specialist regarding placement decision of the School-Initiated Placement Council.
 - c. **Instructional leader is responsible** for final decision on placement.

E. FORMS AND AUXILIARY REFERENCES

F. REPORTS AND RECORDS

G. APPROVED BY



Chief of Staff, Terrance L. Smith
For the Superintendent of Public Education