

## **SCHOOLS, LAW ENFORCEMENT AND JUVENILE COURTS: A TOOL FOR EFFECTIVELY WORKING TOGETHER**

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### **Abstract**

Educators, law enforcement officials and juvenile courts have forged stronger relationships in recent years in efforts to prevent school violence. Critical to their collaboration has been the development of greater understanding of juvenile and school laws, how they are enforced and followed, and how the educational, law enforcement and juvenile justice systems interface. This paper focuses on the development and use of *Virginia's Juvenile Law Handbook for School Administrators*. The *Juvenile Law Handbook* has been demonstrated to be a valuable tool in improving understanding and working relationships among educators, school resource officers, and juvenile courts throughout Virginia. A template for developing such a tool in other states and communities is presented.

The *Juvenile Law Handbook* was first developed in 1997 under the guidance of a broadly representative state-level School Safety Task Force. Since that time, more than 20,000 print copies have been disseminated and the *Handbook* is being updated for a third time.

The *Handbook* includes a section on the organization and operation of juvenile justice in Virginia; a quick guide to criminal offenses; a section focusing specifically on alcohol, tobacco, and other drug-related offenses; a section on school-court communications; and a section focusing on specific issues typically requiring school, law enforcement and juvenile court collaboration.

Effective strategies for developing such a tool include forming a knowledgeable advisory group, identifying key areas of collaboration, assembling/developing state-specific content, and developing plans for dissemination and periodic updating.

### **Introduction**

Educators, law enforcement officials and juvenile courts have forged stronger relationships in recent years in efforts to prevent school violence. Critical to their collaboration has been the development of greater understanding of juvenile and school laws, how they are enforced and followed, and how the educational, law enforcement and juvenile justice systems interface. This paper focuses on the development and use of *Virginia's Juvenile Law Handbook for School Administrators* that has been demonstrated to be a valuable tool in improving understanding and working relationships among educators, school resource officers and juvenile courts throughout Virginia. A template and effective strategies for developing such a tool is presented.

### **A Day in the Life of a Principal**

It is late fall and high school principal Glenn has arrived early in the morning to review the growing stack of items on his desk demanding his attention. Among the items is yesterday's report of disciplinary incidents that were handled by the three assistant administrators at the high school. Principal Glenn is aware that some types of incidents must be reported to law enforcement and that information about a variety of other incidents is required to be entered into a data system that is used by his school safety team, at the school district level, and, ultimately, by the state. He is confident the reporting requirements have been met because the staff is well trained and, if unsure about a particular issue, staff can refer to the *Juvenile Law Handbook* to check

what must be reported, the legal definitions of specific offenses, and resources and Web sites that provide additional information.

Later in the morning, the school resource officer comes by to confirm the date and time of a Juvenile and Domestic Relations Court hearing for a student who came to school while suspended and damaged the classroom of a teacher whom the student disliked. The student was charged with both trespassing and destruction of school property. Both the assistant administrator who suspended the student and the teacher will be testifying—a first for both. Fortunately, they had used the *Juvenile Law Handbook* to learn about the juvenile law process, tips for testifying in court, and definitions of unfamiliar terms such as adjudicatory and dispositional.

That afternoon, the school social worker came by to update Principal Glenn on the status of a truancy case that had been referred for court intervention. From information in the *Juvenile Law Handbook*, Glenn understood that the school social worker serves as the school district's Attendance Officer with certain legally prescribed authority and duties, and that there are numerous intervention and documentation steps requiring intensive case management. Glenn learned that an interagency examination of the situation had resulted in a child abuse investigation, court-ordered substance abuse treatment for the mother, and counseling for the student. The student will be enrolling in a short-term alternative school program where he can catch up on missed schoolwork and re-enroll in his home high school at the beginning of the second semester. Principal Glenn, over time, has used the *Juvenile Law Handbook* to understand legal requirements for handling attendance cases, the various roles and responsibilities of child welfare and mental health services, and how his school can most effectively collaborate with these resources.

Late in the day, after students had left, a parent calls to express concern about a gang she has heard about in her neighborhood. Principal Glenn has not seen evidence of gangs at school, nor has he heard from anyone else with such concerns. He assures the parent he will look into the matter. He then leaves a message for the school resource officer to come by the next morning and turns to the *Juvenile Law Handbook* to find out the best state and national sources of information on gangs and to review laws and reporting requirements related to gangs.

In each of the situations brought to Principal Glenn's attention there was some level of threat to school safety and potential for violence. All fell outside the core instructional function of schools. All involved legal issues and all required engaging resources outside the school. In each instance, the *Juvenile Law Handbook* served as a valuable tool promoting understanding and effective collaboration.

## **Development of the Juvenile Law Handbook**

### **Leadership**

The *Juvenile Law Handbook* was first developed in 1997 under the guidance of a broadly representative state-level School Safety Task Force. The Task Force was an interagency initiative of the Crime Prevention Center at the Virginia Department of Criminal Justice Services (VDCJS) and the Virginia Department of Education (VDOE). The Task Force was formed to advise the two agencies on a broad range of issues related to school safety. The Task Force identified the need for a resource to promote understanding and effective collaboration, particularly among educators, law enforcement, and juvenile justice professionals, and provided guidance during development of the *Handbook*. Membership of the Task Force included the following:

- School district administrators with responsibility for school safety and pupil discipline
- School principals from middle and high schools in urban, suburban, and rural communities
- Juvenile court judge who was a recognized leader in collaborating with schools

- School resource officers from small and large law enforcement agencies in urban, suburban, and rural communities
- Local prosecutors who handled juvenile cases and had worked effectively with schools
- Representatives of
  - the Governor’s Office for Safe and Drug-Free Schools and Communities,
  - the Office of the Attorney General,
  - the Virginia Schools Board Association,
  - the Virginia Congress of Parents and Teachers,
  - youth, and
  - parents.

### Staffing

In its ongoing work, the Task Force was staff by members of the VDCJS Crime Prevention Center. Center staff organized meetings, gathered relevant background information, and took care of follow-up tasks. VDOE staff members assisted in selected areas. The *Juvenile Law Handbook* was produced by a contractor who had developed other publications for both agencies and was knowledgeable in related issues.

### Funding

Funding for the development and initial printing of the *Handbook* was provided by the Governor’s Office using Safe and Drug-Free Schools and Communities Act funds.

### Content and Organization

The *Juvenile Law Handbook* is designed to serve as a user-friendly resource that promotes understanding and effective collaboration among schools, law enforcement and juvenile courts. It is organized into ten sections as follows:

- I. INTRODUCTION sets forth the purpose of the *Handbook* and its intended audience and provides an overview of the organization and format of the content.
- II. JUVENILE JUSTICE IN VIRGINIA describes the organization of juvenile justice in Virginia, including the Department of Juvenile Justice, the functions of Court Service Units, sanctions used with juvenile offenders, and community-based programs. This section also provides background on the philosophy of juvenile justice in Virginia and the use of graduated sanctions.
- III. OFFENSES is intended as a quick guide to the key elements of specific offenses (listed alphabetically) and the penalties associated with each offense if committed by an adult, related reading, and space to enter the related local school board policy section.
- IV. ALCOHOL, TOBACCO, AND OTHER DRUG OFFENSES begins with a listing of drugs covered by the Drug Control Act and an overview of the elements of alcohol, tobacco, and other drug crimes within the *Code of Virginia*. Next is a discussion of school-related provisions, followed by alcohol-related offenses, then drug-related offenses, and tobacco-related offenses.
- V. RELATED TOPICS AND ISSUES focuses on a broad range of topics, guided by very specific federal and state laws, with which school administrators must deal on a daily basis. Each topic is discussed briefly and the specific statutory basis is given. Among topics included are child abuse and neglect, corporal punishment, pupil discipline, emancipation of minors, gangs, law-related education, crime reporting, school safety audits, student drug testing, search and seizure, suicide intervention, school uniforms, and victims’ rights.
- VI. CONFIDENTIALITY AND STUDENT RECORDS focuses on school-court communications and the handling of student records with in-depth information on the Family Educational Rights and Privacy Act.

The section concludes with a description of the Serious Habitual Offender Comprehensive Action Program (SHOCAP).

- VII. REFERENCES provides information on the organization of the *Code of Virginia* and the classification of criminal offenses in Virginia. References to felony or misdemeanor offenses are provided for the purpose of indicating their severity. Juveniles are adjudicated delinquent rather than found guilty of felony or misdemeanor offenses.
- VIII. RESOURCES includes a list of organizations, internet sources, and publications that are focused on juvenile justice, school safety, and related issues.
- IX. GLOSSARY provides definitions of selected legal terms.
- X. LOCAL CONTACTS is a format which can be used by school administrators to list key local contacts in various community agencies and organizations.

Another feature used to make the *Handbook* a user-friendly resource is the use of eye-catching icons to help readers locate the following types of information:

- An icon in the shape of a book is used throughout the *Handbook* to refer readers to the most recent and authoritative sources of additional information.
- Related Local School Board Policy—Space is reserved for cross-referencing local school board policies. Users may write the policy number in the space to facilitate cross-referencing.
- An Update icon assists readers to identify new or updated information.
- An icon in the shape of a law enforcement shield is used to alert readers about offenses that are reportable to law enforcement officials.
- A DCV icon is used with definitions of offenses used by the state’s Discipline, Crime, and Violence (DCV) data collection system.

The *Handbook’s* Table of Contents is presented in Table 1 in the Appendix.

### **Dissemination Strategies**

Initial dissemination of the *Handbook* relied heavily on organizations represented on the School Safety Task Force that provided extensive mailing lists of stakeholder groups. Among the first to receive the publication via mailings were all school superintendents, principals, Safe and Drug-Free Schools coordinators, school social workers, all Sheriffs and Chiefs of Police and school resource officers, juvenile court judges, and juvenile intake/probation units. The initial dissemination via mail was complemented by a series of presentations at various professional conferences that resulted in many additional requests from school board members, guidance counselors, school psychologists, mental health and child welfare agencies, and other family- and youth-serving organizations. Demand for the *Handbook* remains strong with dissemination of print copies exceeding 20,000. Ongoing dissemination includes distribution to all law enforcement officers being trained as school resource officers and the *Handbook* is posted on the Web site of the Virginia Center for School Safety (<http://www.dcjs.virginia.gov/vcss/>).

### **Strategies for Periodic Update**

Since its development in 1997 the *Juvenile Law Handbook* has been updated three times, most recently in 2004. In each case the contractor who developed the original *Handbook* has conducted the updates. The process of updating the Handbook involves the following:

- A systematic review of state and federal legislative and regulatory action
- Consultation with state juvenile justice, law enforcement, and education agencies, and relevant state-level professional associations to update content, identify new topics and eliminate outdated

- information
- A systematic review of federal agencies and national organizations to identify relevant resources and publications
- Consultation with and review by the Office of the Attorney General

## **Conclusion**

The *Virginia Juvenile Law Handbook for School Administrators* has been demonstrated to be a valuable tool in improving understanding and working relationships among educators, law enforcement officers, and juvenile courts throughout Virginia. The *Handbook's* organization and content can serve as a template and its process for development can be adapted by other states to produce a similar resource.

## **Appendix**

Table 1. Juvenile Law Handbook Table of Contents

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Juvenile Law Handbook Table of Contents
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Organization of Handbook
<b>II. JUVENILE JUSTICE IN VIRGINIA</b>
Organization of Juvenile Justice in Virginia
Evolution of Juvenile Justice in Virginia
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Community Funded Programs and Services for Non-State Wards
Detention Services for State Wards: Juvenile Correctional Centers
Operation of Juvenile Justice in Virginia
The Juvenile Justice Process
Virginia's Juvenile Justice System
Department of Correctional Education
School Re-Enrollment Plan
School, Law Enforcement, and Court Relationships
Education in Virginia
School-Based Probation
When Educators Must Call Law-Enforcement Authorities
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Tips for Testifying in Court
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<b>III. OFFENSES</b>
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Assault and Battery
Attendance (refer to Truancy)
Bomb Threats
Breaking and Entering
Bullying

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Burglary  
Communications Devices  
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Cursing  
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Extortion  
False Reports  
Fire Alarms (False)  
Fireworks  
Forgery  
Gambling  
Gang-Related Activities  
Hate Crimes  
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Harboring Truants  
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Criminal Justice

Clearinghouses

Other Resources for Families, Communities, and Schools

How to Access the Code of Virginia, Federal Laws, and Supreme Court Decisions on the Internet

IX. GLOSSARY

X. LOCAL CONTACTS

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### Biography

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