

# YOUNG OFFENDERS IN SCHOOLS

## Background

In compliance with the principles of the Youth Criminal Justice Act, the Division will attempt to balance the protection of the community with the special needs of young offenders, while holding such youths accountable for their behaviours. Sex offending students are to be considered as a type of young offender.

## Procedures

1. The following protocol will be followed when students from outside agencies or students who are residents of a Young Offenders' Facility wish to enroll into a school in the Division.
  - 1.1 Parents/guardians of the student, or employees of the outside agency (i.e. Youth Worker, Social Worker, Case Manager) will contact the Superintendent of Education for the school in which the student will be enrolled prior to the student attending school.
  - 1.2 The parents/guardians, Youth Worker or other designated contact person from the agency, will provide the Superintendent of Education with pertinent information concerning the student such as:
    - 1.2.1 Name in full,
    - 1.2.2 Date of birth,
    - 1.2.3 Previous school attended,
    - 1.2.4 Grade level,
    - 1.2.5 Programming needs or other special needs of the student,
    - 1.2.6 Length of stay (if known),
    - 1.2.7 The section of the Youth Criminal Justice Act for which reporting is to be made, and
    - 1.2.8 Specifics of any restrictions placed on the student by the courts or agency.
  - 1.3 The Superintendent of Education, in consultation with the Director and other necessary Division personnel, will determine the school program that will most positively affect the student's success.
  - 1.4 An appropriate start date will be determined in collaboration with parents/guardians, agency personnel and school personnel.

- 1.5 Ongoing involvement of outside agency personnel will be requested as necessary in order to ensure the success of students. It is equally important that outside agency personnel inform school personnel of any changes in placements of students.
2. The following guidelines will be followed when dealing with information concerning a student who is a young offender:
  - 2.1 The Youth Worker (Case Manager) is responsible to determine what information is to be disclosed and to whom it is to be given.
  - 2.2 Information is disclosed for three (3) reasons:
    - 2.2.1 To assist the Youth Worker in the preparation of a required report pursuant to the Youth Criminal Justice Act;
    - 2.2.2 To ensure compliance with a Court Order;
    - 2.2.3 To ensure the safety of students and staff.
  - 2.3 Information will be available only to those persons who are directly responsible for and involved in the reporting and monitoring of the student. These persons would usually be:
    - 2.3.1 The Principal of the school;
    - 2.3.2 The teacher of the student;
    - 2.3.3 The person responsible for maintaining and securing student records.
    - 2.3.4 The school counselor; other staff are to be advised on a "need to know" basis.
  - 2.4 Anyone receiving information that identifies a youth as a young offender may not disclose that information except to assist in gathering or compiling information for purposes of a court ordered report or to ensure the safety of staff or students.
3. When filing information concerning a student who is a young offender, the following guidelines will be followed:
  - 3.1 Information related to the student as a young offender will be stored separately from any other usual school records required by the Division. A copy of these special records shall be stored at the school attended by the young person, with a copy going to the office of the Superintendent of Education.
  - 3.2 A list of the persons who have privy to the information contained in these special files will be attached to the folders.
  - 3.3 Information in the records stored at the school will be kept in a locked space under the control of the Principal. Likewise, the Superintendent of Education will be in charge of secure storage of the records in his/her office.

3.4 Information in these special files will be destroyed when the purpose for providing the information no longer exists. For example, when the Youth Worker gives notice to the Principal and Superintendent of Education that the student has left the school, transferred to another school, or is no longer a resident of a Young Offender's Facility.

Reference: Sections 85, 87, 108, 109, 175, 231 Education Act  
Youth Justice Administration Act  
Youth Criminal Justice Act