

## PROCEDURES FOR THE RE-ENROLLMENT OF YOUTH RELEASED FROM THE CUSTODY OF DEPARTMENT OF JUVENILE JUSTICE AND RETURNED TO PUBLIC SCHOOLS

The Code of Virginia through §22.1-17.1 establishes the responsibility of the Board of Education, in cooperation with the Board of Correctional Education to promulgate regulations for the re-enrollment in the public schools of youth who have been in the custody of the Department of Juvenile Justice (DJJ). These regulations require a re-enrollment plan for each youth who is of school attendance age or is eligible for special education services. Other sections of the Code that provide the legal basis for re-enrollment planning follow:

§ 22.1-17.1. The Board of Education, in cooperation with the Board of Correctional Education, shall promulgate regulations for the re-enrollment in the public school of children who have been in custody of the Department of Juvenile Justice. Such regulations shall include the components required in a re-enrollment plan and shall provide for consistency in the curricula, standards and policies between educational programs required by this title, and those of the Board of Correctional Education.

§ 22.1-343.5. The Board of Correctional Education shall have the following powers and duties: To promulgate regulations, in cooperation with the Board of Education, for the reenrollment in the public schools of students who have been in the custody of the Department of Juvenile Justice. Such regulations shall include the components required in a reenrollment plan and shall provide for consistency in the curricula, standards and policies between the educational programs required by this chapter, and those of the Board of Education

§ 16.1-293. The Department shall notify the school division superintendent in the locality where the juvenile was enrolled of his commitment to a facility. The court services unit shall, in consultation with the Department of Correctional Education, the local school division, and the juvenile correctional counselor, develop a reenrollment plan if the juvenile is of compulsory school attendance age or is eligible for special education services pursuant to § [22.1-213](#). The reenrollment plan shall be in accordance with regulations adopted by the Board of Education pursuant to § [22.1-17.1](#). The superintendent shall provide the juvenile's scholastic records, as defined in § [22.1-289](#), and the terms and conditions of any expulsion which was in effect at the time of commitment or which will be in effect upon release. A court may not order a local school board to reenroll a juvenile who has been expelled in accordance with the procedures set forth in § [22.1-277.06](#). At least fourteen days prior to the juvenile's scheduled release, the Department shall notify the school division superintendent in the locality where the juvenile will reside.

§ 16.1-287. Whenever the court commits a child to the Department of Juvenile Justice, or to any other institution or agency, it shall transmit with the order of commitment copies of the clinical reports, predisposition study and other information it has pertinent to the care and treatment of the child. The Department shall not be responsible for any such committed child until it has received the court order and the information concerning the child. All local school boards shall be required to furnish the Department promptly with any information from their files that the Department deems to be necessary in the classification, evaluation, placement or treatment of any child committed to the Department. The Department shall likewise be required to furnish local school boards academic, and career and technical education and related achievement information promptly from its files that the local school board may deem necessary when children are returned to the community from the Department's care. The Department and other institutions or agencies shall give to the court such information concerning the child as the court at any time requires. All such information shall be treated as confidential.

§ 22.1-289.E. Whenever the division superintendent is notified by the Department of Juvenile Justice, pursuant to § [16.1-287](#), the Department of Correctional Education, pursuant to § [22.1-344](#) of this title, or by

a school division employee responsible for education programs in a local jail or a detention center, that a pupil who last attended a school within the school division is a pupil in a school of a juvenile correctional center of the Department of Juvenile Justice, or a pupil in an educational program in a local jail or detention center, the school division superintendent or his designee shall transfer the scholastic record of such pupil to the designated juvenile correctional center or local jail or a detention center, as the case may be, within five work days. The Department of Correctional Education shall transfer the scholastic record of a student who has been discharged from a juvenile correctional center of the Department of Juvenile Justice to the relevant school division within five work days of the student's discharge.

The re-enrollment plan shall include but not be limited to:

- student's educational status prior to commitment;
- student's educational status and recommendations while served by the Department of Correctional Education(DCE) or detention home education program;
- student's education and transition goals developed in coordination with the student's IEP team, if applicable;
- student support services needed to support the student's successful entry to public school;
- anticipated dates and timelines for scheduled release to receiving school division or for court review of the case;
- establishment for school placement upon release, and
- contact information of representatives from DJJ, DCE or detention home education program and the re-enrollment coordinator of the receiving school division.

It is the intent of the regulations via the re-enrollment plan is to identify and define the roles and responsibilities of all participates involved in the plan and provide the necessary education components and support services to facilitate successful re-entry of students into public schools and to encourage continued educational progress and achievement.

## **Re-enrollment Process and Responsibilities**

### **I. Notification**

The development of the plan is initiated by DJJ providing notification to the DCE principal or detention home principal at least 30 calendar days prior to a student's scheduled release or scheduled case review in court.

Within five (5) business days of the DJJ notification, the DCE or detention home superintendent sends a letter of pending release and an outline of the re-enrollment process to the re-enrollment coordinator of the receiving school division and to the student's parent(s) or guardian(s).

The receiving school division confirms the receipt of the letter of pending release with DCE or detention home education program within five (5) business days.

## **II Preliminary Re-enrollment Plan**

Upon DJJ notification, the transition team prepares and assembles the student's scholastic record and other relevant documents that support the development of a preliminary re-enrollment plan.

The transition team consists of the following individuals:

- DCE or detention home principal or assistant principal;
- DCE or detention home counselor;
- DCE transition specialist or detention home teacher;
- Juvenile Corrections Center counselor;
- representative of the student's IEP team, if applicable;
- Parole officer;
- Re-enrollment coordinator of the receiving school division (optional), and
- individual from school division of origin if different from receiving school division (optional).

The preliminary re-enrollment plan is developed by the transition team in consultation with the student and includes the educational history prior to the student's commitment; the educational status and recommendations while in DCE or detention home education program; the educational and transition goals developed in coordination with the student's IEP team(if applicable); any student supports needed to facilitate the student's successful re-entry; anticipated dates and timelines for scheduled release or court review, and contact information of representatives from DCE or detention home education program and the re-enrollment coordinator of the receiving school division.

## **III. Re-enrollment Planning**

At least 25 calendar days prior to court review or pending release of the student, the DCE or detention home education program forwards the student's scholastic record and preliminary re-enrollment plan to the re-enrollment coordinator of the receiving school division.

Within ten (10) business days of receipt of the student's scholastic record and plan, the re-enrollment coordinator convenes the re-enrollment team for review of the preliminary plan and development a final re-enrollment plan which ensures academic placement and student support services. The re-enrollment team includes a minimum of the following individuals:

- Re-enrollment coordinator;
- Principal or assistant principal, if designated;
- Guidance counselor;
- Special education director or designee, if appropriate;

- Parole officer;
- Parent/guardian;
- Social worker or school psychologist; and
- Members of the transition team (optional).

The re-enrollment team will consult with the student in the development of the final plan. If the student is eligible for special education services, then the re-enrollment team will coordinate planning with the student's IEP team.

The student's parent(s)/ guardian(s), the social worker or school psychologists are to be invited to participate in the meeting when the final re-enrollment plan will be developed. Notice of the re-enrollment meeting is given to all potential participants a minimum of one (1) week prior to the meeting.

#### **IV. Re-enrollment Plan Components**

The final re-enrollment plan shall clearly addresses:

- the student's educational placement and timeline for placement;
- the names and contact information of individuals responsible for prompt enrollment;
- the student's scheduled academic program and other supported activities and services (counseling, etc.) as appropriate;
- the names and contact information of members of the transition and re-enrollment teams, and
- other required components, to include a current IEP, if applicable.

No later than ten (10) calendar days prior to the student's release, copies of the final re-enrollment plan shall be provided to the student, parent(s)/guardian(s), and all transition and re-enrollment team members.

#### **V. Student Release and Re-enrollment**

Within two (2) school days after release, the student shall be enrolled and receive instruction in the receiving school division. Upon enrollment, the student shall receive weekly counseling for a determined period of time.

The school division shall be mindful of the following:

- students may not be suspended or expelled from school programs for the offences for which they were committed;
- placement of students in alternative education shall be in accordance with §22.1-277.2 of the Code of Virginia, and
- the receiving school division shall protect the confidentiality of students' juvenile justice records in accordance with applicable federal and state laws and regulations.

