

Juvenile Justice System Information Sharing

Statement of Purpose: It is the intent of the Dubuque Community School District to assist in reducing juvenile crime by promoting cooperation, collaboration and the sharing of appropriate information between the schools and agencies listed below, prior to a student's adjudication, in order to

- Improve school safety,
- Reduce alcohol and illegal drug use,
- Reduce truancy, and
- Reduce in-school and out-of-school suspensions.

To accomplish these goals, the School District will establish a formal agreement with each of the agencies identified below.

This agreement's further purpose is to support alternatives to in-school and out-of-school suspensions and expulsions which provide structured and well-supervised educational programs and to supplement these educational programs with coordinated and appropriate services designed to correct behaviors that lead to truancy, suspension, and expulsions and to support students in successfully completing their education.

Identification of Agencies: This agreement is between the Dubuque Community School District and the following juvenile justice agencies (hereinafter referred to as "agencies"):

- Department of Human Services
- Juvenile Court Services
- City of Dubuque Police Department
- Dubuque County Sheriff's Department

Statutory Authority: This agreement implements the provisions of Iowa Code 280.25.

Conditions for Sharing Information:

- a. With the principal's permission, school staff may disclose to the agencies information contained in a student's record which is directly related to the juvenile justice system's ability to effectively serve the student. This may include, but is not limited to, information about academic performance, attendance, or school behavior.
- b. If a student has not been adjudicated delinquent in juvenile court, this information may be disclosed by a school to the agencies without parental consent or a court

order. [A delinquency adjudication is a Judge's formal determination that the student has committed an act which would be a crime if committed by an adult.]

c. If a student has been adjudicated delinquent in juvenile court, information may be disclosed by a school to the agencies only with parental consent or a court order.

1. Information shared pursuant to the agreement is used solely for determining the programs and services appropriate to the needs of the student or student's family, or to coordinate the delivery of programs and services to the student or the student's family.

Information shared under the agreement is not admissible in any court proceedings which take place prior to a disposition hearing, unless written consent is obtained from a student's parent, guardian, or legal or actual custodian.

Information obtained by the school from other juvenile justice agencies may not be used as the basis for disciplinary action of the student.

2. This agreement only governs a school district's ability to share information and the purpose for which that information can be used. Other agencies are bound by their own respective confidentiality policies.

Confidentiality. Confidential information shared between the schools and agencies, pursuant to this agreement, will remain confidential and will not be shared with any other person, unless otherwise provided by law. Agencies or individuals violating the terms of this agreement subject their entity represented and themselves personally to legal action pursuant to federal and state law.

Amendments. This agreement constitutes the entire agreement among the signature parties with respect to information sharing. Agencies may be added to this agreement only with Board approval.

Signature Authority. The Superintendent is authorized to sign this agreement on behalf of the district and will be responsible for monitoring implementation of its provisions and maintaining a file of signers to this agreement.

Duration. This agreement shall be effective from the date of signing and shall remain in effect until it is either revoked by the parties or superseded by state or federal statute.

Termination. Any party to this agreement may discontinue sharing information with any or all of the other signatories if the intent or letter of this agreement is violated

Adopted: February 9, 2004
Revised: June 8, 2009
Reviewed: June 3, 2014

Legal Reference:
Iowa Code 280.25

JUVENILE JUSTICE SYSTEM INFORMATION SHARING AGREEMENT

We, the undersigned, agree that our agencies will abide by the terms of Board Policy #5108 and the provisions of Iowa Code 280.25 and will monitor and enforce compliance by our staff.

Agency: Dubuque Community School District

Signature: _____

Title: Board President

Signature: _____

Title: Superintendent of Schools

Date: _____

Agency: Department of Human Services

Signature: _____

Title: _____

Signature: _____

Title: _____

Date: _____

Agency: Juvenile Court Services

Signature: _____

Title: _____

Signature: _____

Title: _____

Date: _____

Agency: City of Dubuque Police Department

Signature: _____

Title: _____

Signature: _____

Title: _____

Date: _____

Agency: Dubuque County Sheriff's Department

Signature: _____

Title: _____

Signature: _____

Title: _____

Date: _____