

Adopted: 2/11/2016
Revised: 9/17/2019

NASHA SHKOLA POLICY No. 5.3.2 ADJUDICATED JUVENILES

I. PURPOSE

The purpose of the policy is to inform students and Nasha Shkola employees when the school district must receive information from juvenile authorities regarding adjudication of a juvenile and when the school district must share data concerning adjudicated juveniles in compliance with relevant law and regulation.

II. POLICY STATEMENT

It is the policy of Nasha Shkola to establish a system regarding access of juvenile authorities to education records that complies with the requirements of state law.

II. ADJUDICATED DATA

Juvenile authorities will inform Nasha Shkola if a student is adjudicated for committing an act against the school or for other crimes, including murder, assault, robbery, sexual conduct, arson, controlled substance crime, and possession of a dangerous weapon.

III. ORDER FOR DISTRIBUTION

- A. Upon receipt of an adjudicated order for disposition, a school administrator must place the order in the permanent education records and notify Nasha Shkola's counselor as well as others with a legitimate educational purpose, such as employees in order to work with the student.
- B. An adjudicated order for disposition is considered private educational data and may only be disseminated to those with a legitimate educational interest, the student, and the student's parents, as allowed by law.
- C. The adjudicated order must be destroyed from the educational record when the student graduates or at the end of the school year when the student reaches age 23.

IV. PROBABLE CAUSE NOTICE

This policy does not constitute legal advice; any questions regarding this policy should be directed to your attorney.

- A. If notice is given to the school pursuant to Minn. Stat. §260B.171, subd. 5, of probable cause for arrest, the school must place a copy of the notice in the student's educational record.
- B. The notice must be destroyed after one year if the school does not receive an adjudicated order for disposition related to the probable cause notice.

V. DISSEMINATION OF PRIVATE DATA

- A. Without consent from a federal or state education agency and upon explanation of why the data is being requested, Nasha Shkola may release education records to state and local juvenile officials. The data to be released includes the following:
 - 1. Student's full name;
 - 2. Home address;
 - 3. Telephone number;
 - 4. Date of birth;
 - 5. Student school schedule;
 - 6. Attendance record;
 - 7. Photographs;
 - 8. Parent's name, address and telephone number; and
 - 9. If the student is on probation, the use of drugs, tobacco or alcohol, assaults or threats, possession of weapons, and theft or vandalism.
- B. Nasha Shkola, including psychologists and social workers, must release education data in compliance with a court order or subpoena. Reasonable efforts must be made to notify parents of the court's order or subpoena before the educational record is disclosed.

Legal References: Minn. Stat. §13.32 (Educational Data)
Minn. Stat. §121A.75 (Receipt of Records; Sharing)
Minn. Stat. §260B.171 (Disposition Order and Peace Officer Records of Children)
Minn. Stat. §120A.22 (Compulsory Instruction)
34 C.F.R. 99.31(a)(9)(iii)

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