



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC: Approval of Memorandum of Understanding between United ISD and Webb County Juvenile Department Probation Officers on Campus

SUBMITTED BY: Gloria Rendon **OF:** Asst. Supt. For Administration

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: August 13, 2014

RECOMMENDATION:

It is recommended that the United ISD Board of Trustees Approve the Memorandum of Understanding between United ISD and Webb County Juvenile Department Probation Officers on Campus

RATIONALE:

BUDGETARY INFORMATION

BOARD POLICY REFERENCE AND COMPLIANCE

MEMORANDUM OF UNDERSTANDING BETWEEN
UNITED INDEPENDENT SCHOOL DISTRICT
LAREDO, TEXAS

AND

WEBB COUNTY JUVENILE DEPARTMENT
WEBB COUNTY, TEXAS

The purpose of these guidelines is to clarify responsibilities between United Independent School District (hereinafter referred to as "UISD") and the Webb County Juvenile Department (hereinafter referred to as "Department"). These guidelines address those situations where Department's employees shall be allowed access to UISD campuses:

I. DEPARTMENT AND ITS PROBATION OFFICERS (POs) AGREE TO THE FOLLOWING:

- a. Comply with all laws applicable to the Department as set forth in Title III (Juvenile Justice Code) of the Texas Family Code.
- b. Comply with all regulations applicable to the Department as set forth in the Texas Administrative Code.
- c. Notify the student's parent or guardian of the campus visit.
- d. Before arriving at a UISD campus, POs must notify school officials at least 24 hours before any required visit to a UISD campus and the purpose of the visit. Further, Department POs may only be on any UISD campus between the hours of _____ and _____.
- e. Upon arriving at the campus, the Department POs must report immediately to the campus administrative office to notify the designated school individual of their presence at the campus and their purpose.
- f. Department POs must present his/her/their official Department identification upon arrival at a UISD campus or at the request of school personnel.
- g. Department POs must meet with the student with as little disruption as possible during the student's instructional day.
- h. Pursuant to § 99.38 of FERPA, POs may request and the District shall release student records listed in § 58.0051 of the Texas Family Code if the disclosure concerns the Department's ability to effectively serve, prior to adjudication, the student records who are released.

- i. Department POs receiving confidential information from UISD under § 58.0051 of the Texas Family Code shall provide written certification that they agree not to disclose the information to a third party, other than another juvenile service provider. It is the Department's responsibility to provide training to POs regarding permitted information sharing with UISD under the Texas Family Code and non-permitted sharing with a third party.
- j. The Department shall provide to UISD certification for each PO who will be requesting admission on a UISD campus, no later than 5 calendar days before the first day of instruction in accordance with the UISD academic calendar. Further, the Department shall inform the District immediately if any PO is removed, substituted, or no longer has any reason to be on UISD property. If a PO tries to enter UISD property, and UISD has no certification for said PO, then access to UISD property will be denied until the Department can provide UISD with proper certification.
- k. Interagency sharing of information related to the student shall comply with § 58.0051 of the Texas Family Code if the information contains education-related records, which includes identity, special needs, educational accommodations, assessment or diagnostic test results, attendance records, disciplinary records, medical records, and psychological diagnoses. Interagency sharing of information related to the student shall comply with § 58.0052 of the Texas Family Code if the information contains non education-related records, which includes identity, medical records, assessment results, special needs, program placements and psychological diagnoses.
- l. Department POs shall not remove any original student records from a UISD campus.
- m. Department POs shall notify the campus Principal if an interview with the student reveals evidence or threat of abuse, neglect, exploitation, death or other serious incidents, so that appropriate law enforcement authorities can be notified as per Texas Family Code. It will be the responsibility of the Department to submit any and all reports required by the Texas Family Code. Further, the Department will provide UISD of any reports that have been submitted to any state agency pursuant to the Texas Family Code.
- n. Department POs shall only be allowed to administer drug testing at STEP Academy for students enrolled there. However, parent consent must be obtained prior to any drug testing occurring. Department POs shall provide a copy of consent form to STEP Principal.
- o. The Department shall provide to the District Chief of Police a list of all District students that are currently on probation.

- p. Before a student on District property is arrested or taken into custody by a Department PO, the campus Principal shall verify the Department PO's identity. To the best of his or her ability, the Principal shall verify the Department PO's authority to take custody of the student and the shall deliver over the student. The Principal shall immediately notify the Superintendent and the parents or other person having lawful control of the student. If the Department PO raises what the Principal considers to be a valid objection to notifying the parents at that time, the Principal shall not notify the parents.

II. UISD RESPONSIBILITIES

- a. Campus administrative officials shall verify and confirm the identification and purpose of the Department PO.
- b. After verifying the purpose and identification of the Department PO, allow the entrance of the Department PO to meet with campus administration so that they may coordinate the meeting between the Department PO and the student.
- c. The Principal or designated school official shall verify with the PO that the parents of the student have been notified that the Department PO is meeting with the student at the campus.
- d. If available, each school will provide an office or other appropriate place in the school building for the Department PO to meet with the student privately. If the required space for a meeting between the Department PO and student is not available, UISD is not obligated to provide a meeting area and the Department PO will have to wait until an area becomes available; however, UISD will strive to reasonably accommodate the Department PO.
- e. Provide student attendance records of the student on probation as requested by the Department and upon a showing of the student's terms of probation.
- f. If the student is taken into custody, or referred to juvenile court for allegedly engaging in delinquent conduct or conduct indicating a need for supervision, and at the request of the Department PO, UISD shall disclose to the Department confidential information contained in the student's education records. UISD may not destroy a record of the disclosed information before the seventh anniversary of the date of the disclosure. *See* Tex. Fam. Code § 58.0051(b)-(d).

III. MISCELLANEOUS RESPONSIBILITIES

- a. _____, Department Supervisor, will be the Department liaison and resource person. His/Her office telephone number is _____ and cellular telephone number is _____.
- b. _____, UISD Director of/for _____, will be the UISD liaison and resource person. His/Her telephone number is _____ and cellular telephone number is _____.

IV. CONFIDENTIALITY

- a. All case-related student information shared with UISD by Department will be kept CONFIDENTIAL to the extent allowed in accordance with § 58.05, Texas Family Code, Department confidentiality rules contained in the Texas Administrative Code, and any other applicable state and federal laws, rules, and regulations.

**APPROVED BY: UISD
United Independent School District**

By:

Roberto J. Santos
Superintendent of UISD

Date

**APPROVED BY: DEPARTMENT
Webb County Juvenile Department**

By:

Melissa Mojica
Chief Juvenile Probation PO

Date