STUDENTS

Receipt and Use of SHOCAP Information

This regulation sets out the rules for receiving and using information from the Serious Habitual Offender Comprehensive Action Program ("SHOCAP" or "the Program") pursuant to the SHOCAP Agreement between the Prince William Board of County Supervisors and the Prince William County School Board. The regulation is to be interpreted consistently with 20 USCA § 1232g and Virginia Code § 22.1-287. "SHOCAP information" means confidential information originating outside the School Division and given to the SHOCAP contact person within the School Division by the SHOCAP coordinator within the Police Department or other SHOCAP participant.

Employees at the school level may use SHOCAP information only to maintain a safe environment for students in the school and to meet the educational needs of the serious habitual offender. SHOCAP information is to be kept confidential by those persons who have received it. Persons who have received SHOCAP information may share it only with others who are on the approved list, as set out in this regulation, and only with the approval of the principal or designee.

I. Employees who are entitled to receive information from SHOCAP. This section sets forth the employees, by position, who may receive information from the Program through the School Division designated SHOCAP contact person. The positions set forth in A and B below are collectively "the approved list."

A. At the school level, the following persons are authorized to receive SHOCAP information:

1. Building Principal;
2. Assistant Principals;
3. Classroom Teachers for the student named in the SHOCAP information;
4. School Counselors for the student named in the SHOCAP information;
5. Building Security Personnel; and
6. Any members of the student Intervention Team, multidisciplinary team, or IEP committee (these persons need not be assigned to the same school to receive the information so long as they are regular School Board employees and assigned to the committee).

B. In the central administration:

1. The Superintendent (or designee) and appropriate Level Associate Superintendent;
2. The Director of Student Services, as the SHOCAP contact person, and any temporary substitute in that position as designated by the Director of Student Services;
3. The Director of Special Education, if the student is the subject of an Intervention Team or has been found to have a disability.
4. Any person to whom an administrative appeal is taken if SHOCAP information has been part of the decision being appealed;
5. Division Counsel, if the School Division is considering action based on SHOCAP information; and
6. The Prince William County School Board if issues concerning the student come before the Board for any reason.

II. Use and dissemination of Program information. This section describes how information from the Program is to be used and further disseminated by those employees who are authorized to receive it.

A. Use of Information: No person is to use SHOCAP information for any purpose except as follows:

1. To determine if the student is in an appropriate placement;
2. To determine if the student’s educational needs are being met;
3. To determine if disciplinary action is warranted against the student; or
4. To defend any action of the School Division in an administrative or judicial hearing.

B. Further dissemination of information:

1. No person shall disseminate SHOCAP information to any person who is not on the approved list, except under a subpoena, with the consent of the parent, or as required upon administrative or judicial appeal of School Division action.
2. No person shall disseminate information to any person without first determining that the recipient has a need to know that information. The Superintendent, Level Associate Superintendent, contact person, and the building principal are deemed to have a need to know. The Superintendent, Level Associate Superintendent, contact person, and the building principal are the only persons who may decide that another person on the approved list has a need to know. However, the School Board is automatically deemed to have a need to know if issues concerning the student come before it for any reason.
3. Any person authorizing the dissemination of SHOCAP information shall keep a written record of the persons to whom the information has been released and the reason for the release.
III. **Responsibilities under the SHOCAP Agreement.** This section defines the responsibilities of the School Division and each school with regard to students identified by the SHOCAP Program as serious habitual offenders.

A. The School Division will supply the SHOCAP Coordinator with the Division's written policies and procedures for the confidentiality and release of student records.

B. The School Division and each school will share information, to the extent permitted by law, with the SHOCAP Coordinator to provide case history and diagnostic data on the student to appropriate representatives of the Juvenile and Domestic Relations Court, law enforcement agencies, and human services agencies.

C. The School Division will, in those cases in which conditions are imposed upon the re-release of confidential information, provide those conditions, which will be reasonably clear, in writing to the SHOCAP Coordinator.

D. Each school will use a protocol or have a policy, consistent with the SHOCAP agreement and this regulation, which defines the role of school staff in monitoring, supervising, disciplining, and teaching students, and which defines the role of staff in disseminating information about those students in the Program. A sample school policy is provided in Attachment I.

E. Each school will ensure the proper placement of the student by hand-scheduling when appropriate, or by developing an alternative education program for the student.

F. Each school will develop an attendance/behavior contract to be entered into by the student, the parents of that student, and the school. This contract will impose conditions upon the student's continued attendance at school. To the extent permitted by law, the school will inform the SHOCAP Coordinator of any refusal to enter into the contract or any breach of the conditions of the contract. A sample contract is provided in Attachment II.

G. Each school will maintain, with other information about the student, a signed copy of the Parental Consent for Disclosure of Information form (Attachment III) which should be provided by the SHOCAP Coordinator. If a copy has not been provided, the principal should request that the parent sign the form to allow for the exchange of information between the school and other participating agencies. The principal may not require the parent's signature but should notify the Director of Student Services if the parent refuses to sign.
H. Each school will monitor the class attendance and overall conduct of the student and inform the SHOCAP Coordinator of absences from school or misconduct at school or at school-related activities.

I. Each school will refer the student to the Intervention Team or other multi-disciplinary team for discussion of the student’s academic ability as well as strategies to address discipline problems and facilitate student achievement.

J. Each school in the School Division will provide to the Program, to the extent permitted by law, non-identifying statistical data on the student identified.

K. Each school in the School Division will work collaboratively, to the extent permitted by law, with law enforcement and human services professionals to follow up on neglect, abuse, or other child protection issues when a serious habitual offender is involved.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for the implementation and monitoring of this regulation.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for reviewing this regulation in 2017.

Legal References:

Virginia Code §§ 16.1-330.1, 16.1-330.2, Serious or Habitual Offender Comprehensive Action Program

20 U.S.C.A. § 1232g, Family Educational and Privacy Rights

Virginia Code § 22.1-287, Limitations on Access to Records
SERIOUS HABITUAL OFFENDER COMPREHENSIVE ACTION PROGRAM

SCHOOL-BASED POLICY

Name of School: ________________________________

Name of Principal: _____________________________

Date Adopted: _________________________________

I. This policy defines the role of school staff in monitoring, disciplining, supervising, and teaching students who have been identified by the SHOCAP as serious habitual offenders. Information about such students is called "SHOCAP Information" if it comes from a source outside the School Division. This policy also defines the role of school staff in sharing information about those students with the SHOCAP Coordinator (a police officer), who disseminates the information to other SHOCAP participants.

II. Employees at the school level may use SHOCAP information only to maintain a safe environment for students in the school and to meet the educational needs of the serious habitual offender. SHOCAP information is to be kept confidential by those persons who have received it. Persons who have received SHOCAP information may share it only with others who are on the approved list, as set out in PWCS Regulation 791-1, and only with the approval of the principal or designee.

III. All records containing SHOCAP information shall be maintained in the principal’s office. Such records shall be available to the student’s parents upon request.

IV. To maintain a safe environment, school employees with SHOCAP information may monitor students who are serious habitual offenders and give them any additional monitoring, supervision, tutoring, or other special attention as is required. To the extent necessary to protect student safety, the principal may change the student’s class schedule. The principal may take or recommend disciplinary action based on SHOCAP information, with the consent of the Level Associate Superintendent, when such action is needed to maintain a safe environment.

V. Employees who have information they wish to pass on to other participating SHOCAP agencies may give the information to the principal/designee or the SHOCAP contact person in central administration. Any such information should be put in writing, with a copy to the building principal. Employees may discuss serious habitual offenders with the SHOCAP coordinator, but shall write a summary of the content of the conversation immediately afterwards and provide a copy to the building principal.

VI. The building principal is responsible for the interpretation and enforcement of this policy.
PRINCE WILLIAM COUNTY PUBLIC SCHOOLS
Student Attendance/Behavior Contract

Student: _______________________________ School: _________________________

After meeting with the principal or designee, the above named student and the parent/guardian of this student understand that regular school/class attendance and obedience to school rules are required, and that the following conditions must be met:

- The student and parent/guardian will read and understand (with clarification from school staff if necessary) the Code of Behavior of PWCS.
- The student and parent/guardian will discuss with school staff those rules and staff expectations which may be unique to the school and not included in the Code of Behavior.(An addendum may be attached specifying these rules and expectations.)
- The student will comply with the Code of Behavior and all rules, regulations, and staff expectations while en route to and from school, at school, and at all school-related activities which the student is permitted to attend.
- The student will attend school, including all assigned classes, regularly and will be absent only for reasons recognized as excused under PWCS Regulation 724-1.
- The student will report to school and to each class on time unless granted an excused tardy by the school administration.
- The student will not be in the hallways, in the parking lot, or in other unauthorized parts of the school building or school grounds while classes are in session unless given specific permission by a school staff member.
- The student will work cooperatively with the school faculty and administration to avoid problem behavior and will notify an administrator of any actions by other students which may interfere with his/her ability to comply with this contract.

The student’s attendance and behavior will be monitored by school staff and information regarding compliance will be provided to the Serious Habitual Offenders Comprehensive Action Program (SHOCAP) Coordinator of the PWC Police Department in accordance with the SHOCAP Agreement and related policies and regulations.

This contract and other records and documents related to the student’s involvement in the SHOCAP will be maintained on file in the principal’s office and may be viewed by the student or parent/guardian upon request.

The undersigned have read and agree with the conditions of this Attendance/Behavior Contract and understand that any violation of this agreement, the Code of Behavior, or school rules will result in disciplinary action which may include suspension from school or expulsion from PWCS.

Parent/Guardian: _____________________________ Date: _____________
Student: ____________________________________ Date: _____________
Principal: ___________________________________ Date: _____________
PARENTAL CONSENT FOR DISCLOSURE OF INFORMATION

This form gives the parent’s permission to share all available information about the child among state and local agencies participating in SHOCAP (Serious Habitual Offender Comprehensive Action Program). The information concerns the child’s education, mental state, police and criminal record, and general behavior. Some of this information is written down, but some of it is not. The reason for sharing this information is to help the county agencies deal with the child’s behavior, both in school and out of school. This includes control of conduct, as well as supervision and treatment. SHOCAP’s goals are to have a more coordinated public safety approach to serious juvenile crime, to increase the opportunity for success with juvenile offenders, and to assist in the development of early intervention strategies.

The parent request _____/does not request _____a copy of all disclosed documents. If requested, these documents will be sent to the parent reasonably promptly.

Information shared between participating agencies will not be released to anyone else without a parent’s written permission.

The agencies taking part in this sharing of information may include: Police Department, School Division, Commonwealth’s Attorney (prosecutor), Juvenile Court Services, Juvenile Detention Centers or Group Homes, mental and medical health agencies, state and local children and family service agencies, the Department of Youth and Family Services, and any other agencies added to the list in Virginia Code § 16.1-300.1 by the General Assembly. The list of participating agencies may change over time.

________________________________________  __________________________
Parent’s Signature  Date

Print Parent’s Name and Address below:

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

Print Child’s Name  Child’s Date of Birth