

## **HARDEE COUNTY INTERAGENCY AGREEMENT**

This agreement made and effective on the date signed by all parties, by and between The Hardee County School Board, The Hardee County Sheriff's Department, Wauchula Police Department, Bowling Green Police Department, Zolfo Springs Police Department, and the Florida Department of Juvenile Justice Circuit 10.

### **WITNESSETH:**

WHEREAS, all parties are committed to providing appropriate programs and services to prevent children from becoming at risk and to intervene with children already involved in the juvenile justice system and the protective services system; and

WHEREAS, the parties to this agreement desire a maximum degree of long range cooperation and administrative planning in order to provide for the safety and security of the community and its children; and

WHEREAS, all parties are committed to improving services to children in the juvenile justice and protective services system through sharing information, eliminating duplication of services and coordinating effects; and

WHEREAS, all parties mutually agree that sharing resources, where feasible, and in particular, training efforts, may result in improved coordination; and

WHEREAS, it is the understanding by all parties that certain roles in serving children and youth are required by law, and that these laws shall serve as the foundation for defining the role and responsibility of each participating agency; and

WHEREAS, all parties mutually agree that all obligations stated or implied in this agreement shall be interpreted in light of, and consistent with, governing state and federal laws.

NOW, THEREFORE in consideration of the following agreements, the parties do hereby covenant and agree to the following:

### **EACH OF THE PARTIES AGREES TO:**

1. Promote a coordinated effort among agencies and staff to achieve maximum public safety with the goal of reducing risk to children and juvenile crime.
2. Participate in interagency planning meetings, as appropriate.
3. Assign staff, as appropriate, to participate in case management activities in order to reduce the risk to children, facilitate re-entry into school of children returning from detention or commitment programs, and other information sharing activities to assess and develop plans for at-risk youth and those involved in the juvenile justice system.
4. Jointly plan, and/or provide information and access to, training opportunities, when feasible.

5. Develop cooperative procedures, as needed, to implement this agreement to the maximum extent possible.
6. Comply with *S.943.0525, 943.054, 119.041, F.S.*; and other applicable rules and procedures that relate to records use, security, dissemination, and retention/destruction. Maintain confidentiality of information that is not otherwise exempt, as provided by law.
7. Provide the Juvenile Assessment Center with records and information as specified in this Agreement.

**DEPARTMENT OF JUVENILE JUSTICE, CIRCUIT 10 AGREES TO:**

1. Notify the Sheriff, Police Chief and Superintendent of Schools, or designees, immediately upon learning of the move or other relocation of a juvenile offender into, out of, or within, Hardee County, who has been adjudicated or had adjudication withheld for a violent misdemeanor or violent felony. *S. 985.08(2) (b) F.S.*
2. Share dispositional, juvenile history, placement, case management information and nature of the offense with law enforcement and school district personnel for the purposes of assessment, placement and enhanced supervision of juveniles referred to the Department of Juvenile Justice for use in the school environment as well as planning upon re-entry to the school system after placement. *S. 985.04(3) F.S.*
3. Provide notice to the Superintendent of Schools, or his designee, immediately upon the initiation of planning efforts with private nonprofit entities or governmental entities, including the Department of Juvenile Justice, which could result in the location, relocation, or expansion of youth services programs that may impact the school district.
4. Provide technical assistance and resource personnel as provided through contracts and other agreements.
5. Provide to the Superintendent of Schools, or designee, the name and grade, if known by the Department, of all known sex offenders attending Hardee County schools.
6. Notify the Superintendent of Schools or designee, of a juvenile who has been placed on Probation or in a Commitment Program for a felony offense. This information will then be disseminated, by the Superintendent of Schools or designee, down to the youth's classroom teacher. *S. 985.04(3) F.S.*
7. Provide the school district and law enforcement, on a regular basis, a list of youth on probation.
8. Provide to the school district, on request, Expanded Juvenile Face Sheets for the purpose of joint case monitoring, development of care plans, facilitate student placement, and to enhance service delivery. In addition, the Board will utilize Expanded Juvenile Face Sheet information to work with the Department of Juvenile Justice to better serve delinquent youth.

**HARDEE COUNTY CIRCUIT COURT, JUVENILE DIVISION, AGREES TO:**

1. Notify the Superintendent of Schools, or designee, of the name and address of any student found to have committed a delinquent act or who has a felony charge. Notification shall be within 48 hours and shall include the specific delinquent act found to have been committed, or the specific felony for which the student was found guilty.
2. Identify sanctions for youth who are in contempt of court due to violation of a court order on school attendance. *S. 985.202 F.S.*
3. Appoint a designee to serve as an active participant on the Hardee County Juvenile Justice Council if such a council exists.
4. Hear truancy cases filed by the Superintendent of Schools in Circuit Court in accordance with *S. 1003.27 F.S.*
5. Provide the Juvenile Assessment Center screening and assessment staff with access to the Comprehensive Clerk Information System (CCIS).

**HARDEE COUNTY SUPERINTENDENT OF SCHOOLS AGREES TO:**

1. Notify the child's school principal, within 24 hours, of juvenile arrest for crimes of violence or violation of law that would be a felony if committed by an adult, upon receipt of such information from the Sheriff's Office and/or Police Department. The principal, or designee, within 24 hours of such notice, shall provide such information to Student Services personnel, school resource officers, the student assistant coordinator if applicable, and the student's immediate teachers. *S. 985.04 F.S., S. 985.208 F.S.*
2. Designate the contact person to be responsible for receiving juvenile arrest information and inform all parties as the Superintendent's designee.
3. Request juvenile criminal history information only for purposes of assessment, placement of security of persons and property. *S. 985.04 F.S.*
4. Identify those persons designated by the Superintendent as authorized to receive confidential criminal history information and inform law enforcement representatives of the name of those individuals. *S. 985.04 F.S.*
5. Ensure that information obtained through the criminal history database and disseminated only to appropriate school personnel, carries an appropriate warning regarding reliability, confidentiality, and control of further dissemination.
6. Share information on student achievement, behavioral and attendance history on juvenile offenders or juveniles at risk of becoming offenders for the purpose of

assessment and treatment with parties to this agreement, as appropriate. *S. 985.305 F.S.; S. 985.08 F.S.*

7. Assign staff and provide youth services educational programs, where jointly determined by the Superintendent of Schools, or designee, and the Department of Juvenile Justice, Circuit 10.
8. Notify the law enforcement agency having jurisdiction when an adult or a student commits any of the following offenses on school property, on school sponsored transportation, or at school sponsored activities: Homicide; sexual battery; armed robbery; aggravated battery; battery on a teacher or other school personnel; kidnapping or abduction; arson; possession, use or sale of any firearm or weapon; or possession, use or sale of any explosive device as specified in State Board Rule. Additionally, if the offense involves a victim, school officials shall notify the victim and the victim's parent or legal guardian if the victim is a minor, of the offense and of the victim's right to press charges against the offender. School personnel shall cooperate in any investigation or other proceedings leading to the victim's exercise of rights provided by law.
9. Notify the law enforcement agency having jurisdiction when an adult or a student commits an offense, though not listed above, the nature of which is such as to compromise school or community safety. These offenses include sale, use or possession of a controlled substance, and grand theft.
10. Provide information to the appropriate law enforcement agency on those students who meet the statutory definition under *S 874.03(2), F.S.*, as a criminal street gang member, as certified by the requesting law enforcement agency.
11. Enter into agreements for contracted youth services educational programs with private nonprofit providers or state or local governmental agencies contracted through the Department of Juvenile Justice, Circuit 10, to an extent determined feasible by the Superintendent of Schools. *1003.53, F.S.*
12. Notify the child's school principal, for dissemination to the assigned classroom teacher, of any youth in the school who has been placed on probation or Commitment Program for a felony offense. *S. 985.04(3), F.S.*
13. Provide input for all predisposition reports when requested.
14. Appoint a designee to participate in commitment staffings.
15. Appoint a designee to serve as an active participant on the Hardee County Juvenile Justice Council if such a council exists.
16. Provide information to the appropriate parties as permitted by *S. 1002.22, F.S.*
17. Will provide the Juvenile Assessment Center with the following information on students being screened and/or assessed at the Center: school assignment, grade,

parent and emergency contact information, school discipline history, enrollment in Exceptional Student Education, attendance history, and grade-point-average.

**HARDEE COUNTY SHERIFF AGREES TO:**

1. Notify the Superintendent of Schools, or designee, within 24 hours, if reasonably possible or as soon thereafter as is practicable, of juveniles within the Hardee County educational jurisdiction taken into custody for crimes of violence or violations of law which would be a felony if committed by an adult. *S. 985.04, F.S.*
2. Provide Florida summary criminal history information to the Superintendent, or designee(s), upon written request, regarding juveniles who are students enrolled in or about to be enrolled in the Hardee County educational system when necessary for assessment, placement or security of persons or property. Will establish, and forward to school district, procedures for receiving and processing such requests. *S. 985.04, F.S.*
3. Ensure that information disseminated carries an appropriate warning, regarding the reliability, confidentiality and control of further dissemination. *F.D.L.E.CJIS/User Agreement*
4. Provide technical assistance, educational support services and resource officers as provided through contracts and other agreements.
5. Develop policies and procedures that will reflect the Sheriff, or designee, shall cause the appropriate school based administrator to be notified in a timely manner of incidents or arrests involving students where there is a possibility of on-going violence, victimization, or school disruption at the school site.
6. Notify the Superintendent of Schools within 48 hours of the name and address of any employee of the school district who is charged with a felony or with a misdemeanor involving the abuse of a minor child, the sale or possession of a controlled substance, moral turpitude or theft. Notification to the Superintendent shall include the specific charge for which the employee was arrested. *S. 1012.797, F.S.*
7. Appoint a designee to serve as an active member on the Hardee County Juvenile Justice Council if such a council exists.
8. Provide the school district, on a regular basis, a list of open juvenile warrants and Pick Up Orders.
9. Transport juveniles to the Juvenile Assessment Center as appropriate.

**WAUCHULA, BOWLING GREEN AND ZOLFO SPRINGS POLICE CHIEFS AGREE TO:**

1. Notify the Superintendent of Schools, or designee, within 24 hours, if reasonably possibly or as soon thereafter as practicable, of juveniles within the Hardee County educational jurisdiction taken into custody for crimes of violence or violations of law which would be a felony if committed by an adult. *S. 985.04, F.S.*
2. Provide Florida summary criminal history information to the Superintendent, or designee(s), upon written request, regarding juveniles who are students enrolled in the Hardee County educational system when necessary for assessment, placement or security of persons or property. Will establish, and forward to school district, procedures for receiving and processing such requests. *S.985.04, F.S.*
3. Develop policies and procedures that will reflect the Police Chief, or designee, shall cause the appropriate school based administrator to be notified in a timely manner of incidents or arrests involving students where there is a possibility of ongoing violence, victimization, or school disruption at the school site.
4. Cooperate with the Department of Juvenile Justice, Circuit 10, Hardee County Schools, local service providers and other law enforcement agencies regarding developed, written procedures that should be taken when a child is identified as being truant from school.
5. Notify the Superintendent of Schools within 48 hours of the name and address of any employee of the school district who is charged with a felony or with a misdemeanor involving the abuse of a minor child, the sale or possession of a controlled substance, moral turpitude, or theft. Notification to the Superintendent shall include the specific charge for which the employee was arrested.
6. Appoint a designee to serve as an active participant on the Hardee County Juvenile Justice Council if such a council exists.
7. Transport juveniles to the Juvenile Assessment Center as appropriate.

**STATE ATTORNEY OF THE 10<sup>TH</sup> JUDICIAL CIRCUIT AGREES TO:**

1. Notify the Superintendent of Schools when a child is formally charged with a felony, or with a delinquent act which would be a felony if committed by an adult in a timely manner, upon written request. *S 1006.08 (2), F.S.*
2. Provide copies to the Superintendent of Schools, or designee, of all petitions and informations for violent misdemeanors and felonies or delinquent acts which would be a felony if committed by an adult, filed on anyone under 18 years of age or older who is a student registered in the Hardee County School District.
3. Serve as an active participant on the Hardee County Juvenile Justice Council if such a council exists.

4. Work cooperatively with the Department of Juvenile Justice, or their contract provider and Hardee County Schools regarding truancy. The State Attorney's office will prosecute properly prepared truancy cases.

## **ADMINISTRATIVE**

### **TERMS OF AGREEMENT:**

This agreement shall be in effect as of the date the agreement is signed by the majority of the parties, shall continue in effect through **June 30, 2008**, and shall renew automatically on **July 1, 2008**, and each succeeding July 1, thereafter, for successive periods of one year each, unless otherwise modified. All parties are bound to this agreement when signing or when the majority signs, whichever is later.

### **AGENCY REPRESENTATIVES:**

Judy Roysden, Chief Probation Officer, Department of Juvenile Justice, Probation & Community Corrections, Circuit 10

Dennis Jones, Superintendent of Schools, Hardee County

Jerry Hill, State Attorney of the 10<sup>th</sup> Judicial Circuit

Loren Cogburn, Hardee County Sheriff

Bill Beattie, Chief of Wauchula Police Department

John Scheel, Chief of Bowling Green Police Department

Chris Baty, Chief of Zolfo Springs Police Department

The above referenced persons will develop procedures for ongoing meetings and will at least annually review the agreement, and if necessary, recommend any changes.

### **INTERAGENCY DISPUTES:**

1. Staff from the grieving agency shall provide written communication that identifies the conflict, proposed action, and a summary of factual, legal and policy grounds.
2. The staff from the receiving agency shall provide a written response, which includes proposed solutions to the conflict, within 15 days of receipt of the notice of conflict.
3. Upon resolution of the conflict, a joint communiqué so indicating will be developed and disseminated by a representative from each agency.
4. Should further action be required, a report from both agencies will be submitted to the agency heads for resolution.

5. Upon resolution of the conflict, a joint communiqué so indicating will be developed and disseminated by each agency head.

Should the proceeding steps not resolve the conflict; the parties may waive formal administrative proceedings and adopt a method of alternative dispute resolution by mutual consent. As a last resort only, agency heads may request an administrative hearing as authorized at S. 120.57(1) or (2), F.S.

**MODIFICATION OF AGREEMENT:**

Modification of this agreement shall only be made by the consent of all parties. Such shall be made with the same formalities as were followed in this agreement and shall include a written document setting forth the modifications, signed by all parties. All parties to this agreement acknowledge that this agreement does not preclude or preempt each of the agencies individually entering into an agreement with one or more parties to this agreement or other parties outside of this agreement. Such agreements shall not nullify the force and effect of this agreement.

**SIGNATURES OF PARTIES TO THIS AGREEMENT:**

Judy Roysden Date 11/5/07  
Judy Roysden, Chief Probation Officer  
Department of Juvenile Justice, Probation & Community Intervention, Circuit 10

Dennis Jones Date 10/31/07  
Dennis Jones, Superintendent of Schools, Hardee County

Jerry Hill Date 11-5-07  
Jerry Hill, State Attorney of the 10<sup>th</sup> Judicial Circuit

Loren Cogburn Date 10-31-07  
Loren Cogburn, Hardee County Sheriff

Bill Beattie Date 10-29-07  
Bill Beattie, Chief of Wauchula Police Department

John Scheel Date 10-01-07  
John Scheel, Chief of Bowling Green Police Department

Chris Baty Date 10-01-07  
Chris Baty, Chief of Zolfo Springs Police Department



# FLORIDA DEPARTMENT OF EDUCATION



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## MEMORANDUM

**TO:** District Superintendents  
School Principals

**FROM:** Cheri P. Yecke, Ph.D.

**DATE:** July 27, 2006

**SUBJECT: NOTIFICATION OF SCHOOL PERSONNEL OF STUDENTS CHARGED WITH CERTAIN FELONY OR DELINQUENT ACTS**

### Contact Information:

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[Matthew.Guse@dji.state.fl.us](mailto:Matthew.Guse@dji.state.fl.us)  
K-12: 2006-102

The purpose of this memorandum is twofold. First, it is to remind superintendents they must enter into an interagency agreement with the sheriff, the chief of police, and Department of Juvenile Justice for the purpose of sharing information about juvenile offenders among all parties, including appropriate school personnel. Second, upon notification by the superintendent, school principals must immediately notify classroom teachers when students charged with certain felonies or delinquent acts have been assigned to their classroom. Specifically, Section 985.04(3)(a) and (b), Florida Statutes, require:

(a) "... Within each county, the sheriff, the chiefs of police, the district school superintendent, and the department shall enter into an interagency agreement for the purpose of sharing information about juvenile offenders among all parties. The agreement must specify the conditions under which summary criminal history information is to be made available to appropriate school personnel, and the conditions under which school records are to be made available to appropriate department personnel. Such agreement shall require notification to any classroom teacher of assignment to the teacher's classroom of a juvenile who has been placed in a probation or commitment program for a felony offense. The agencies entering into such agreement must comply with s. 943.0525, and must maintain the confidentiality of information that is otherwise exempt from s. 119.07(1), as provided by law.

CHERI PIERSON YECKE, PH.D.  
CHANCELLOR, K-12 PUBLIC SCHOOLS

**NOTIFICATION OF SCHOOL PERSONNEL OF STUDENTS CHARGED WITH CERTAIN FELONY OR DELINQUENT ACTS**

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b) The department shall disclose to the school superintendent the presence of any child in the care and custody or under the jurisdiction or supervision of the department who has a known history of criminal sexual behavior with other juveniles; is an alleged juvenile sex offender, as defined in s. 39.01; or has pled guilty or nolo contendere to, or has been found to have committed, a violation of chapter 794, chapter 796, chapter 800, s. 827.071, or s. 847.0133, regardless of adjudication. Any employee of a district school board who knowingly and willfully discloses such information to an unauthorized person commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083."

Further, Section 985.04(7)(a) and (b), Florida Statutes, states:

"(7)(a) Notwithstanding any other provision of this section, when a child of any age is taken into custody by a law enforcement officer for an offense that would have been a felony if committed by an adult, or a crime of violence, the law enforcement agency must notify the superintendent of schools that the child is alleged to have committed the delinquent act.

(b) Notwithstanding paragraph (a) or any other provision of this section, when a child of any age is formally charged by a state attorney with a felony or a delinquent act that would be a felony if committed by an adult, the state attorney shall notify the superintendent of the child's school that the child has been charged with such felony or delinquent act. The information obtained by the superintendent of schools pursuant to this section must be released within 48 hours after receipt to appropriate school personnel, including the principal of the school of the child. The principal must immediately notify the child's immediate classroom teachers. Upon notification, the principal is authorized to begin disciplinary actions pursuant to s. 1006.09(1)-(4)."

And, Section 985.04(8), Florida Statutes, further states:

"Criminal history information made available to governmental agencies by the Department of Law Enforcement or other criminal justice agencies shall not be used for any purpose other than that specified in the provision authorizing the releases."

Please share this information with your School Resource Officer as well. Should you need additional information regarding the interagency agreements, please contact Matthew Guse. For any other information, please contact Lorraine Allen.

CPY/lha

cc: District School Safety Contacts  
District School Police Chiefs