

INTER-AGENCY AGREEMENT COVER SHEET

Name of Agreement: OKeechobee, Schl. Board, DTJ, ETAL

Level of Agreement: 4

Effective Date: Dec 1, 2015

Termination Date: Dec 1, 2019

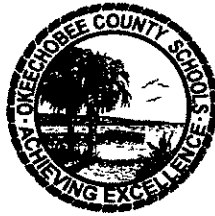
Review Date: _____

Agreement Number: None

INTERAGENCY AGREEMENT

To Coordinate Services and Share Information for At-Risk Youth and Students
Involved in the Juvenile Justice System

OKEECHOBEE COUNTY SCHOOL BOARD



**DEPARTMENT OF JUVENILE JUSTICE
OKEECHOBEE CITY POLICE DEPARTMENT
DEPARTMENT OF CHILDREN AND FAMILIES
OKEECHOBEE COUNTY SHERIFF'S OFFICE
STATE ATTORNEY'S OFFICE, 19TH JUDICIAL CIRCUIT
OKEECHOBEE COUNTY CLERK OF THE CIRCUIT COURT**

Revised August, 2015

INTERAGENCY AGREEMENT

This agreement made and effective on the date signed by all parties, by and between the Department of Juvenile Justice, Circuit 19; the Okeechobee County Circuit Court, Juvenile Justice Division and/or Okeechobee County Clerk of the Court; the Okeechobee County School Superintendent; the Okeechobee County Sheriff; the Okeechobee Chief of Police; the State Attorney of the 19th Judicial Circuit; and the District Administrator for the Department of Children and Families.

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

WHEREAS, all 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 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 juvenile crime.
2. Participate in interagency planning meetings as appropriate.
3. Assign staff, as appropriate, to participate in a consolidated case management system, 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 internal policies and cooperative procedures, as needed, to implement this agreement to the maximum extent possible.
6. Comply with 119.021, F.S; 34CFR99.3; 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 from 119.15, F.S., as provided by law.

DEPARTMENT OF JUVENILE JUSTICE, CIRCUIT 19 AGREES TO:

1. Notify the Sheriff, Police Chief, and Superintendent of Schools, or their designees, immediately upon learning of the move or other relocation of a juvenile offender into, out of, or within Okeechobee County, who has been adjudicated or had adjudication withheld for a violent misdemeanor or violent felony. [985.08(2)(b) F.S.]
2. Share dispositional, 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. [985.04, 985.046 F.S.]
3. Provide notice to the Superintendent of Schools, or designee, immediately upon the initiation of planning efforts with private, nonprofit entities, or government 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. Develop, in cooperation with the Okeechobee County Schools, law enforcement, the Department of Children and Families, and local service providers a written interagency plan to determine the procedures to take when a child is identified as being truant from school.
5. Provide technical assistance and resource personnel as provided through contracts and other agreements.
6. Provide to the Superintendent of Schools, or designee, the name and grade of all known sex offenders attending Okeechobee County schools.
7. Notify the Superintendent of School, 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 down to the youth's classroom teachers. [985.04(3), F.S.]
8. Serve as an active participant on the Okeechobee County Juvenile Justice Council. [985.664, F.S.]
9. The Juvenile Chief Probation Officer will serve on the Okeechobee County School District's Executive Roundtable as part of the Shared Services Network.

OKEECHOBEE COUNTY CIRCUIT COURT, JUVENILE DIVISION, AND/OR OKEECHOBEE COUNTY CLERK OF THE COURT 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 had adjudication withheld. Notification shall be within 48 hours and shall include the specific delinquent act found to have been committed or for which adjudication was withheld, 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.
3. Upon request by the school district, share dispositional information with the Superintendent, or designee, regarding juveniles who are students within the Okeechobee County educational system for purposes of assessment, placement, or security of persons and property.
4. May serve as an active participant on the Okeechobee County Juvenile Justice Council. [985.664, F.S.]

OKEECHOBEE COUNTY SUPERINTENDENT OF SCHOOLS AGREES TO:

1. Notify district-level Student Services personnel 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. District Student Services personnel within 24 hours of such notice shall provide such information to school-level Student Services personnel, the Principal, and the School Resource Officer. [985.04, F.S.]
2. Notify district-level Student Services personnel within 24 hours 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. District Student Services personnel will release within 24 hours such information to appropriate school personnel including the Principal, the Supervisor of Transportation, and the School Resource Officer. Notification of the child's immediate classroom teachers, the child's assigned bus driver, and any other school personnel whose duties include direct supervision of the child is made immediately by the employee's supervisor. Notification of disposition of the charges against the child must be made to school personnel whose duties include direct supervision of the child. [985.04, F.S.]
3. Designate the contact person to be responsible for receiving juvenile arrest information and inform all parties as the Superintendent's designee.
4. Request juvenile criminal history information only for purposes of assessment, placement, and security of persons and property. [985.04, F.S.]
5. 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. [985.04, F.S.]

6. 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. Appropriate internal written policies will be adopted. (See #6 under "Each Party Agrees To")
7. 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. [985.305, 985.08, F.S.]
8. 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 19.
9. Develop in cooperation with the Department of Juvenile justice, Circuit 19, law enforcement, and appropriate local service providers a written interagency plan to determine procedures that should be taken when a child is identified as being truant from school.
10. Notify the law enforcement agency having jurisdiction, through the School Resource Officer, when an adult or 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 possession, use, or sale of any explosive device as specified in State Board Rules. 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. [1006.13, F.S.]
11. Notify the law enforcement agency having jurisdiction, through the School Resource Officer, 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.
12. Provide information to the appropriate law enforcement agency on those students who meet the statutory definition under 874.03(2), F.S., as a criminal street gang.
13. Enter into agreements for contracted youth services educational programs with private nonprofit providers or state or local government agencies contracted through the Department of Juvenile Justice, Circuit 19, to an extent determined feasible by the Superintendent of Schools. [985.404, F.S.]
14. 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. [985.04(3), F.S.]
15. Superintendent, or designee, may serve as an active participant on the Okeechobee County Juvenile Justice Council. [985.664, F.S.]
16. The Superintendent, or designee, will serve on the Okeechobee County School District's Executive Roundtable as part of the Shared Services Network.

OKEECHOBEE COUNTY SHERIFF AGREES TO:

1. Notify the Superintendent of Schools, or designee, within 24 hours of juveniles within the Okeechobee County educational jurisdiction arrested for crimes of violence or violations of law which would be a felony if committed by an adult. [985.04 ,F.S.]
2. Provide Florida summary criminal history information to the Superintendent, or designee, upon written request regarding juveniles who are students enrolled in or about to be enrolled in the Okeechobee County educational system when necessary for assessment, placement, or security of persons or property. Will establish and forward to the school district procedures for receiving and processing such requests. [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 personnel 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. Cooperate with the Department of Juvenile Justice, Circuit 19, Okeechobee 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.
7. Provide information to the Superintendent of Schools, or designee, on those students who meet the statutory definition under 874.03(2), F.S., as a criminal street gang member.
8. Notify the Superintendent of Schools, or designee, 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 or the sale or possession of a controlled substance. Notification to the Superintendent shall include the specific charge for which the employee was arrested. [1012.797, F.S.]
9. May serve as an active member on the Okeechobee County Juvenile Justice Council. [985.664, F.S.]
10. Serve on the Okeechobee County School District's Executive Roundtable as part of the Shared Services Network.

OKEECHOBEE POLICE CHIEF AGREES TO:

1. Notify the Superintendent of Schools, or designee, within 24 hours of juveniles within the Okeechobee County educational jurisdiction arrested for crimes of violence or violations of law which would be a felony if committed by an adult. [985.04 ,F.S.]
2. Provide Florida summary criminal history information to the Superintendent, or designee, upon written request regarding juveniles who are students enrolled in or about to be enrolled in the Okeechobee County educational system when necessary for assessment, placement, or security of persons or property. Will establish and forward to the school district procedures for receiving and processing such requests. [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 personnel as provided through contracts and other agreements.
5. 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 on-going violence, victimization, or school disruption at the school site.
6. Cooperate with the Department of Juvenile Justice, Circuit 19, Okeechobee 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.
7. Provide information to the Superintendent of Schools, or designee, on those students who meet the statutory definition under 874.03(2), F.S., as a criminal street gang member.
8. Notify the Superintendent of Schools, or designee, 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 or the sale or possession of a controlled substance. Notification to the Superintendent shall include the specific charge for which the employee was arrested. [1012.797, F.S.]
9. May serve as an active member on the Okeechobee County Juvenile Justice Council. [985.664, F.S.]
10. Serve on the Okeechobee County School District's Executive Roundtable as part of the Shared Services Network.

STATE ATTORNEY OF THE 19TH JUDICIAL CIRCUIT AGREES TO:

1. Notify the Superintendent of Schools when a child of any age is formally charged with a felony or delinquent act which would be a felony if committed by an adult in a timely manner. [985.04, F.S.]
2. Provide copies to the Superintendent of Schools, or designee, of all petitions, dispositions and information for violent misdemeanor, 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 Okeechobee County School District.
3. May serve as an active participant on the Okeechobee County Juvenile Justice Council. [985.664, F.S.]
4. Work cooperatively with the Department of Juvenile Justice, or their contract provider and Okeechobee County Schools regarding truancy. This includes accepting referrals from the School Board and providing them with feedback documentation.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES AGREES TO:

1. Identify a liaison from the Children and Families program to participate in interagency planning meetings as appropriate.
2. Assign staff as necessary to participate in multi-disciplinary staffing to assist in the development of future plans for children at risk.
3. Provide assistance, education, and support services as appropriate regarding the programs available through the Department of Children and Family Services and their contract providers.

ADMINISTRATIVE

TERMS OF AGREEMENT:

This agreement shall be in effect as of the date the agreement is signed by the majority of the parties and shall continue in effect for four years from that date unless otherwise modified. All parties are bound to this agreement when signing or when the majority signs, whichever is later.

This agreement may be terminated by any party by providing thirty (30) day notice to the other parties.

AGENCY REPRESENTATIVES

Stephen Brown, South Region Director of the Department of Juvenile Justice
Wydee's Wilson, Department of Juvenile Justice, Probation & Community Corrections, Circuit 19
Robert McPartlan, District Administrator, Department of Children and Family Services, District 15
Sharon Robertson, Okeechobee County Clerk of the Circuit Court
Ken Kenworthy, Superintendent of Schools, Okeechobee County
Bruce Colton, State Attorney of the 19th Judicial Circuit
Paul May, Okeechobee County Sheriff
Denny Davis, Chief of Okeechobee Police Department

The above reference 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 a written response which includes proposed solutions to the conflict within 15 days of receipt of the notice of conflict.
2. 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 in 120.80, 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.

**AMENDMENT TO INTERAGENCY AGREEMENT
COOPERATIVE AGREEMENT WITH OKEECHOBEE COUNTY SCHOOL DISTRICT
AND DEPARTMENT OF JUVENILE JUSTICE**

Pursuant to Florida Statute Section 1006.13.

The Department of Juvenile Justice Probation & Community Corrections Circuit 19 and the Okeechobee County School District agree to the following guidelines for ensuring that all children who have been found to have committed one or more of the enumerated felony offenses in S. 1006.13, F.S. or has had a No Contact Order entered by the court are reported and that all steps necessary are taken to protect the victim.

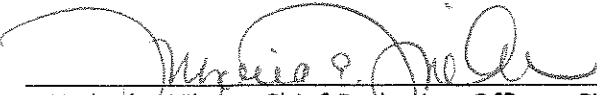
The Department of Juvenile Justice Probation & Community Corrections Circuit 19 agrees to the following:

1. The Department of Juvenile Justice Probation & Community Corrections Circuit 19 will notify Okeechobee County School District at the time of adjudication, withholding of adjudication, or plea of guilty, or nolo contendere for the following offenses: homicide, assault, battery, culpable negligence, kidnapping, false imprisonment, luring or enticing a child, custody offenses, sexual battery, lewdness and indecent exposure, abuse of children, robbery, robbery by sudden snatching, carjacking, home-invasion-robbery, if the offender and the victim or the victim(s) sibling(s) attend school in the same school district or ride the same school bus. Notification will be from the Department of Juvenile Justice Probation & Community Corrections Circuit 19 Office to one person or office designated by Okeechobee County School District. (See attachment – notification letter to school.)
2. The Department of Juvenile Justice Probation & Community Corrections Circuit 19 will notify Okeechobee County School District when the judge enters a No Contact Order. Notification will come from the Department of Juvenile Justice Probation & Community Corrections Office to the person or office designated by Okeechobee County School District. (See attachment – notification letter to school.)
3. The Department of Juvenile Justice Probation & Community Corrections Circuit 19 will notify the victim's parents or legal guardian of the right to attend the sentencing or disposition of the offender and the right of the victim to request that the offender be required to attend a different school.
4. The Department of Juvenile Justice will notify the Okeechobee County School District when the court orders that the offender and the victim and the victim's sibling(s) are allowed to attend the same school. The DJJ/Probation Office in Circuit 19 will send the notification to the person or office designated by the Okeechobee County School District.
5. Okeechobee County School District agrees to facilitate allowing the offender to attend another school in the district provided the other school is not attended by the victim or sibling of the victim.
6. Okeechobee County School District agrees that if the offender is unable to attend school in a different district or is unable to attend a different school within the district, the school district shall take steps to take any reasonable precaution necessary to keep the offender separated from the victim and victim's sibling(s) in school and on school transportation. The school principal will determine the steps to be taken. DJJ will be notified.
7. Okeechobee County School District will work with the parents in order to facilitate the parents paying for transportation if the offender attends a different school. Okeechobee County School District will provide this transportation if it exists at no additional cost.

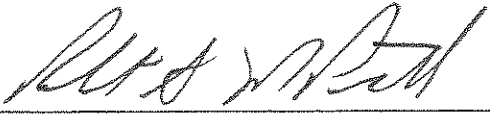
SIGNATURES OF PARTIES TO THIS AGREEMENT




Steve Brown, South Region Director
Department of Juvenile Justice
Date 2/15/16



Wydee'a Wilson, Chief Probation Officer, Circuit 19
Date 1-8-16




Robert McPartlan, District Administrator
Department of Children and Family Services
Date 11/13/13




Sharon Robertson, Okeechobee County Clerk of the Circuit Court
Date October 22, 2015



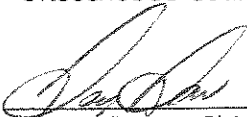
Ken Kenworthy, Superintendent
Okeechobee County School District
Date 10/2/15



Bruce Colton, State Attorney of the 19th Judicial Circuit
Date 2/22/16



Paul May, Sheriff
Okeechobee County Sheriff's Office
Date 11/17/15



Denny Davis, Chief
Okeechobee City Police Department
Date 12-1-15

NOTICE TO SCHOOL DISTRICT UNDER FLORIDA STATUTES S.1006.13
NO CONTACT ORDER

(DATE)

_____ County School District
(SCHOOL CONTACT PERSON)
(ADDRESS)

Dear (SCHOOL CONTACT PERSON):

Please take notice that _____, a minor child (DOB: _____), attending public school in your district has: entered a plea of guilty or nolo contendere to; been adjudicated guilty of or delinquent for; or has been found to have committed, regardless of whether adjudication is withheld, a felony or misdemeanor offense, and the Court, pursuant to 985.23, Florida Statutes, has entered an Order prohibiting the child from having contact with victim(s) of the offense or the sibling(s) of the victim. Prior to or at the time of such Order, the offender attended school in the same school district with the following victim(s) or sibling(s) of the victim:

Name: _____ d.o.b. _____ (victim __ sibling __)
Address: _____

Name: _____ d.o.b. _____ (victim __ sibling __)
Address: _____

Name: _____ d.o.b. _____ (victim __ sibling __)
Address: _____

Name: _____ d.o.b. _____ (victim __ sibling __)
Address: _____

We have provided as much information as we are able to obtain concerning the victim and the victim's siblings.

Please direct any questions regarding this Notice to your School Board attorney or this office.

Note: The information contained herein is confidential in nature and is provided for the singular purpose of complying with the notification requirements of Sections 985.04 and 985.08 Florida Statutes.

Sincerely,

(ASSIGNED DJJ STAFF PER COOPERATIVE AGREEMENT)

**NOTICE TO SCHOOL DISTRICT UNDER FLORIDA STATUTES S.1006.13
VIOLENT FELONIES**

(DATE)

_____ County School District
(SCHOOL CONTACT PERSON)
(ADDRESS)

Dear (SCHOOL CONTACT PERSON):

Please take notice that _____, a minor child (DOB: _____), attending public school in your district has: entered a plea of guilty or nolo contendere to; been adjudicated guilty of or delinquent for; or has been found to have committed, regardless of whether adjudication is withheld, a felony as listed under Florida Statutes S.1006.13. Prior to or at the time as such adjudication, withholding of adjudication or plea, the offender attended school or was eligible to attend school in the same school district with the following victim(s) or sibling(s) of the victim:

Name: _____ d.o.b. _____ (victim __ sibling __)

Address: _____

Name: _____ d.o.b. _____ (victim __ sibling __)

Address: _____

Name: _____ d.o.b. _____ (victim __ sibling __)

Address: _____

Name: _____ d.o.b. _____ (victim __ sibling __)

Address: _____

We have provided as much information as we are able to obtain concerning the victim and the victim's siblings.

Please direct any questions regarding this Notice to your School Board attorney or this office.

Note: The information contained herein is confidential in nature and is provided for the singular purpose of complying with the notification requirements of Section 1006.13 Florida Statutes.

Sincerely,

(ASSIGNED DJJ STAFF PER COOPERATIVE AGREEMENT)