



AP 3 – 13 Young Offenders Sharing Protocol

Related Policies:	Initial Approval:
Related Procedures:	Last Amended:
Exhibits:	Last Reviewed: 2019 November 26

PURPOSE

To ensure that employees have access to information that will enable them to protect the safety of staff and students. The Division acknowledges its responsibilities to protect the right of individual students to the preservation and responsible use of confidential information.

The Division acknowledges the necessity for personnel to work in close cooperation with other agencies responsible for children; *specifically, youth justice personnel.*

SCOPE

This procedure applies to all teachers.

DEFINITIONS

None

PROCEDURES

1. The Division delegates authority to the Superintendent or designate to communicate with youth justice personnel about students who have been dealt with under the *Young Justice Act*.
2. The Superintendent may receive relevant information from the provincial director, a youth worker, the Attorney General, a peace officer or any other person engaged in the provision of services to young persons may disclose to any professional or other person engaged in the supervision. 125 (6) Youth Criminal Justice Act.
or care of a young person — including a representative of any school board or school or any other educational or training institution — any information contained in a record kept under sections 114 to 116 if the disclosure is necessary
 - (a) to ensure compliance by the young person with an authorization under section 91 or an order of the youth justice court;
 - (b) to ensure the safety of staff, students or other persons;
or
 - (c) to facilitate the rehabilitation of the young person.
3. The Superintendent shall arrange for management of records about young offenders and any such management procedure shall properly address the following:

Information to be kept separate

A person to whom information is disclosed under subsection (6) shall

- (a) keep the information separate from any other record of the young person to whom the information relates;
- (b) ensure that no other person has access to the information except if authorized under this Act, or if

necessary for the purposes of subsection (6); and
(c) destroy their copy of the record when the information
is no longer required for the purpose for which it
was disclosed. 125 (7) Youth Criminal Justice Act

4. The Superintendent shall disclose information contained in the Student Record to the Department of Justice of the Government of Alberta or to its designate when requested by that department or its designate, for the purpose of administering the *Young Justice Act* or the *Young Justice Act (Canada)* or carrying out any program or policy under either Act (A.R. 71/99, Section 5(3)).
 - 4.1 The Superintendent upon receipt of a request from a youth worker to provide information for a report ordered by a youth court judge, shall, subject to the following conditions arrange for the release of information from the student record, after first receiving the following information from the worker:
 - 4.2 Name
 - 4.3 Age
 - 4.4 The nature of the report to be provided and the section of the *Young Justice Act* under which such a report is authorized
 - 4.5 Timelines with respect to providing information
 - 4.6 Specific description of the type of information required such as:
 - 4.6.1 School attendance
 - 4.6.2 The program of courses in which the student is enrolled
 - 4.6.3 The performance of the student results of
 - 4.6.4 Nature of incidents giving rise to discipline and type of discipline imposed
 - 4.6.5 Number of years for which the information is required (for the current school year or the student's entire career in the school).
 - 4.6.6 School staff interviews with the young offender
5. The Superintendent or designate is authorized to request the Attorney General, an agent of the Attorney General, a peace officer or a provincial young offenders director, to apply on behalf of the Board to a youth court relative to:
 - 5.1 Disclosing information to the Superintendent or designate when the Superintendent or designate believes that a student poses a risk to the safety of school personnel
 - 5.2 Disclosing court-ordered psychological assessments
 - 5.3 Disclosing information that will assist school personnel in providing an educational program for the student and creating an appropriate environment for that program.
6. The Superintendent is the delegated authority to act on behalf of the Board with youth worker supervisory personnel whenever a resolution cannot be reached between a school employee and a youth court worker.

REFERENCE AND LINKS

Education Act
Youth Justice Act
Criminal Code of Canada
Alberta Education Regulation – Student Records

HISTORY

2019 May 28 Reviewed
2019 Nov 26 Revised