

CHINS Language Changes

EDUCATION –

DESE alerted us to potential impact on disciplinary process and ‘code of conduct’.

I 162 – prior to expulsion, make this simultaneously with expulsion,

Also see I310

L350 DESE certified program

CPCS suggests:

Consider expanding it to cover both school based chins categories. Requirements shall include statement of efforts made to identify any special education needs and identification of the barriers to success that the student is facing.

CPCS thinks we should add, require SPED assessment

Proposed changes:

Habitually truant definition –

CPCS thinks we should have 2, fails to attend for front end, II49-52, Willfully fails to attend II366-368.

Restorative Justice

Northeastern suggests:

L195 include restorative justice process in the list of things the family service plan ‘may’ include

L213 add restorative justice to mediation and ADR bullet (keep this as ‘may include’)

Withdrawal of request for assistance

LI524 -527 CPCS suggests allowing dismissal for any reason (not just resolution of the matter that initiated the filing of this request. Petitioner (school, parent, police) may file a motion to dismiss. A PO may at any time recommend to the court that case be dismissed on showing that it is in best interests of the child.

Avoiding the possibility of a contempt citation against the child

LI536 CPCS suggests changing so court cannot 'order' family to community based services, to instead allow 'referral' to services

Confidentiality

CPCS will offer new language

II 310-316 existing language may create some confusion around creation of a privilege – and confidentiality in school disciplinary proceedings

Child Advocate review

Add a section to have the CA examine the new system – particularly the court process – on a biannual basis. Try to distinguish between procedure problems and recourse needs.