

AGENDA ITEM # 7JULY 13, 1999

Consider approving memorandum of understanding for Juvenile Justice Alternative Education program.

Moved: Commissioner Boatright

Seconded: Commissioner Limmer

Motion: To approve memorandum of understanding for Juvenile Justice Alternative Education program.

Vote: Motion carried 3 - 0

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**WILLIAMSON COUNTY
JUVENILE JUSTICE ALTERNATIVE EDUCATION
MEMORANDUM OF UNDERSTANDING**

Williamson County, Texas has a population greater than 125,000 and therefore, the Williamson County Juvenile Board ("Juvenile Board") and the Williamson County Independent School Districts Board of Trustees ("ISD") (hereinafter "Parties") adopt this memorandum of understanding to develop a Juvenile Justice Alternative Education Program (the "Program") in compliance with the Texas Education Code ("TEC"), Section 37.011.

The parties agree that the Program is a cooperative effort between the educational community and the juvenile justice system with primary goals of the Program being education, discipline, rehabilitation and to make progress toward grade level performance. The Program is an alternative classroom site which allows continued education despite on campus law violations. It is the ongoing mission to balance the educational needs of students and maintain supervision in the community. The innovative plan focuses on the few students whose behavior demands much time and distracts other students. Those students can now be removed from the main campus classroom and placed in a facility where their behavior can and will be closely monitored. The program encompasses all ISD's in Williamson County and is for residents of Williamson County only.

Administration of the Alternative Education Program

In consideration of mutual covenants, the parties agree as follows:

1. The development and daily administration of the education program will be conducted by the Georgetown Independent School District in compliance with the Texas Education Code and in cooperation with Williamson County Juvenile Services as it exists or may be amended. The principal of the school will be part of the Williamson County Juvenile Services Management Team.
2. The program will be provided in a facility owned by Williamson County, Texas, and all cost for furniture, maintenance and operation of the facility is at the sole cost and expense of the County as approved by the Juvenile Board and Commissioner's Court.
3. Georgetown ISD will operate the Educational Program for the benefit of any school district located in whole or in part, in Williamson County, Texas, and will provide:
 - A. All fiscal requirements;
 - B. Selection, training, supervision and evaluation for all personnel in the educational portion of the Program;
 - C. Acquisition of educational materials; and,

- D. Supervision and assessment of the educational program to include plans to address special educational services.
- E. A handling fee of \$14,500.00 shall be credited to Georgetown ISD for these and other services offered as part of the budget.

All funds paid to Georgetown ISD will be expended on the Program. Funds for the nurse, the counselor, support staff, and fringe benefits for these positions will be transferred to Williamson County for disbursement.

5. Williamson County Juvenile Services will provide in-class academy officers at a rate of no greater than 1 officer per 12 students. At any time the ratio is exceeded, an emergency meeting of the Juvenile Board and superintendents may be called in order to address the need for funding of additional staff.
6. The Program will serve juveniles, as that term is defined by Title 3 of the Family Code, and each student, who, while on school property or at a school sponsored event meet the following criteria:

- A. Has committed an offense under one of the following categories:
1. Uses, exhibits, or possesses:
 - a. Firearm Sect. 46.01 (3) Penal Code
 - b. Illegal Knife Sect. 46.01 (6) Penal Code
 - c. Club Sect. 46.01 (1) Penal Code
 - d. Prohibited Weapon Sect. 46.05 Penal Code
 2. Criminal Conduct
 - a. Aggravated Assault Sect. 22.02, (Aggravated Assault)
 - b. Arson Sect. 28.02
 - c. Murder Sect. 19.02 (Murder)
 - d. Indecency with a child Sect. 21.11
 - e. Aggravated Kidnapping Sect. 20.04
 3. Conduct specified in 37.006 (a) (3) or (4) if a felony:
 - a. Sells, delivers, or possesses a prohibited substance.
 4. Any expelled student from a local A.E.P. program.
- B. Student has undergone or is scheduled to undergo physical examination and suffers from no condition which severely impairs physical activity capabilities.

- C. Student is or was, if expelled, enrolled in a school district located within Williamson County and is a resident of Williamson County.
 - D. Student is placed in the Program either through an adjudication, an order of the Juvenile Court Judge, a deferred prosecution agreement, or written agreement.
 - E. In the event the Juvenile Prosecutor declines the case, or the case is dismissed by the Court, the school shall be immediately notified and the responsibility for educational services shall be returned to the local school district.
7. The Parties agree to comply with the following admission procedure. The steps are mandatory for a student's admission into the JJAEP:

SCHOOL DISTRICT

- 1. Notification of the expulsion hearing with all paper work in regard to the alleged offense shall be forwarded to the Prevention and Court Services Director as soon as an expulsion hearing has been set. Notification shall be hand delivered or via Fax 512-930-3137. A phone call to the Prevention and Court Services Director at 512-930-3207 is mandatory. Failure to notify will prohibit the child's expulsion to the JJAEP.
- 2. A representative of the school district in which the student is enrolled shall deliver to the Williamson County Juvenile Probation Department, Prevention and Court Services Director, 701 N. College, Georgetown, TX 78626, a copy of the order expelling a student, student academic transcript, immunization records, withdrawal grades, and discipline records. Such delivery shall be made no later than the same day as the expulsion hearing. Student is not eligible for expulsion to the JJAEP without this step being followed:
- 3. The sending School District will be responsible for transportation whether by the ISD or the parents, to the Williamson County Juvenile Justice Alternative School each morning. The parents will be responsible for having the student at a central location in the morning and for picking up the student in the evening at the Williamson County Juvenile Justice Alternative School.

PROBATION DEPARTMENT

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- 1. Upon notification to the Department of a scheduled expulsion hearing, the Department will assign a Juvenile Service Representative to be present at the hearing. If the child is expelled, the Juvenile Officer will inform the juvenile and the parents of action to be taken by the Juvenile Services Department. A non-mandatory student is not eligible for admission to the JJAEP unless the expulsion was attended by a representative of Juvenile Services.

2. If the student is already under court supervision, the Juvenile Court will decide whether to amend the conditions of probation or incorporate the Program as a condition of release from detention.
3. If the student is not under prior court supervision, the Court Officer may refer the case to the Juvenile Prosecutor who will give prompt notice of the deferred prosecution or file a petition alleging the student is in need of supervision or has engaged in delinquent conduct.

If a petition is filed, the Juvenile Prosecutor may include with the disposition order an order to participate in the Program.

4. Mandatory offenses must be expelled.
5. Students who commit non-mandatory offenses are not candidates for the JJAEP until:
 - (a) local AEP placement has been tried and failed,
 - and
 - (b) the student has attended JJAEP Orientation Class, (the JJAEP will schedule a special tour when the scheduled Orientation Class conflicts with the possible expulsion),
 - and
 - (c) has been through the expulsion process and expelled to the JJAEP,
 - or
 - (d) ordered to attend by Juvenile Court Judge

A STUDENT IS NOT ELIGIBLE TO ATTEND THE JJAEP PROGRAM UNLESS THE ISD CAN DEMONSTRATE THESE STEPS HAVE OCCURRED.

6. Parent(s) or guardian(s) will be advised to schedule a physical examination for the student and be paid for by the parents or guardians of the student. The student may be admitted to the Program prior to completion of the exam, but will not participate in the physical training aspect of the Program until exam results are received. Students with reduced activity ability will be placed on a modified physical training regime.
7. The Williamson County Academy will conduct an admission conference with the student and a parent or guardian to review all the Program requirements and answer any questions.
8. The Academy shall make available tours of the JJAEP Program for those youth deemed appropriate by the AEP program. These youth will be those who are considered a high risk of being expelled from the AEP.

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9. The Juvenile Services Department will provide an on-sight Educational Program at the AEP. These programs will place an emphasis on the Academy and JJAEP as well as consequences of choosing crime.
10. The Juvenile Services Department will provide the Don't Choose Crime Program to all students K-10th grade. Each School District will be encouraged to participate in the Don't Choose Crime program and the Don't Choose Crime Week prevention activities. One person at each school will be the designated coordinator of Don't Choose Crime programs and activities.
11. Any youth on probation or who has completed the JJAEP programs will be assigned an Aftercare Officer. This officer will assist the youth and school in order to transition the youth back to the local school setting.

TERMS OF THE AGREEMENT

1. The parties agree that the prescribed order of agreement to participate in the Program shall be incorporated into each student's case prior to admission and that no student shall be exempted from any requirement in those documents. The JJAEP Student Handbook outlines staff expectations of students and proper disciplinary actions for violations.
2. This Agreement shall remain in effect for the duration of the 1999-2000 school year.
3. This agreement will be reviewed and updated if necessary at the conclusion of the Fall semester, 1999 and Spring 2000.
4. The parties agree to meet once every semester to discuss the progress of the Program and revise this agreement to address any additional needs.
5. Each participating ISD will adopt a student code of conduct in accordance with the Texas Education Code in particular, the ISD's definition of persistent misconduct or what constitutes the same. Failure to Attend will be handled through the normal process as soon as the Failure to Attend occurs. Failure to Attend must be handled through the Justice Courts and all local remedies tried prior to expulsion to the JJAEP.
6. Each student transferred to the Program must participate in the Program for the full period ordered by the Juvenile Court or the deferred prosecution agreement, unless the student's home ISD agrees to accept the student before that date. Any request for continued placement in the JJAEP following successful completion of a Juvenile Court Order or a Deferred Prosecution Agreement, shall be handled on an individual basis. These cases will be cooperatively staffed with the youth, parents, local ISD, Juvenile Services, Juvenile Prosecutor's Office, and the

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Juvenile Court Judge. Non-mandatory expulsions shall not exceed one (1) semester or (2) 9 weeks grading periods. Date of return shall correlate with the local ISD's grading period. If the expulsion occurs within the last six weeks of any semester, the expulsion may continue through the following semester. If the expulsion occurs within the last six weeks of a school year, summer school sessions will be considered a semester.

7. The Program will operate at least seven (7) hours per day and no less than one hundred eighty (180) days per year. The school personnel and students will adhere to the Williamson County holiday schedule.
8. Georgetown ISD and Juvenile Services shall develop, adopt and enforce written operation policies for the operation of the Program which will conform to the Juvenile Probation Commission's standards for JJAEPs.
9. This Agreement contains the entire agreement of the parties with respect to the matters contained herein and may not be modified except by the mutual written agreement of the Parties hereto.
10. This Agreement shall be construed in accordance with the laws of the State of Texas, and all obligations created hereunder shall be performable in Williamson County, Texas.
11. Any notice provided for under the terms of this Agreement by either Party to the other shall be in writing may be by registered or certified mail, return receipt requested, properly addressed to the entity. Any Party may change the address to which notice may be sent to that Party by giving notice of such change to the other parties in accordance with the provisions of this Agreement.
12. The individuals executing the Agreement on behalf of the respective Parties below represented to each other and to others that all appropriate and necessary action has been taken to authorize the individual who is executing this Agreement to do so on behalf of the Party for which his or her signature appears, that there are no other parties or entities required to execute this Agreement in order for the same to be an authorized and binding agreement on the Party for whom the individual is signing this Agreement and that each individual affixing his or her signature hereto is authorized to do so, and such authorization is valid and effective on the date hereof.
13. This Agreement shall refer to and be binding upon the herein listed entities and their successors and assigns. All participants in expulsion hearings are required to follow the guidelines established by the MOU.
14. This Agreement may be executed in a number of identical counterparts, each of which shall be deemed as original for all purposes.

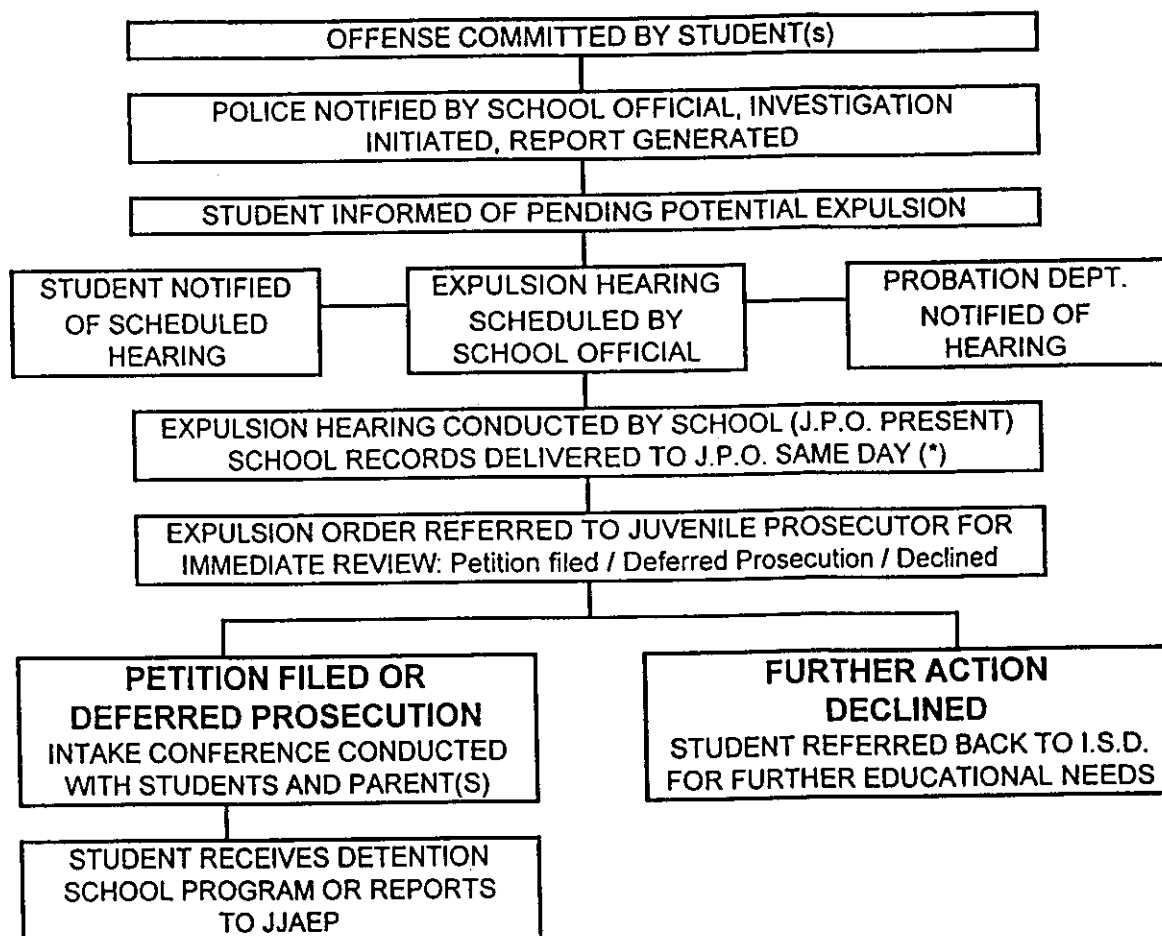
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Williamson County Juvenile Services

Juvenile Justice Alternative Education Program (JJAEP)

F L O W C H A R T

This chart outlines MANDATORY STEPS TO BE FOLLOWED in response to offenses committed on school grounds or during school events which **MUST** result in expulsion from public school: Possession of Firearms, Illegal Knife, Club, Prohibited Weapon, Aggravated Assault, Arson, Murder & Criminal Attempt, Indecency With A Child, Aggravated Kidnapping, Sexual Assault & Aggravated Sexual Assault, Felony Drug Offenses, or Retaliation against school officials regarding any of these offenses.



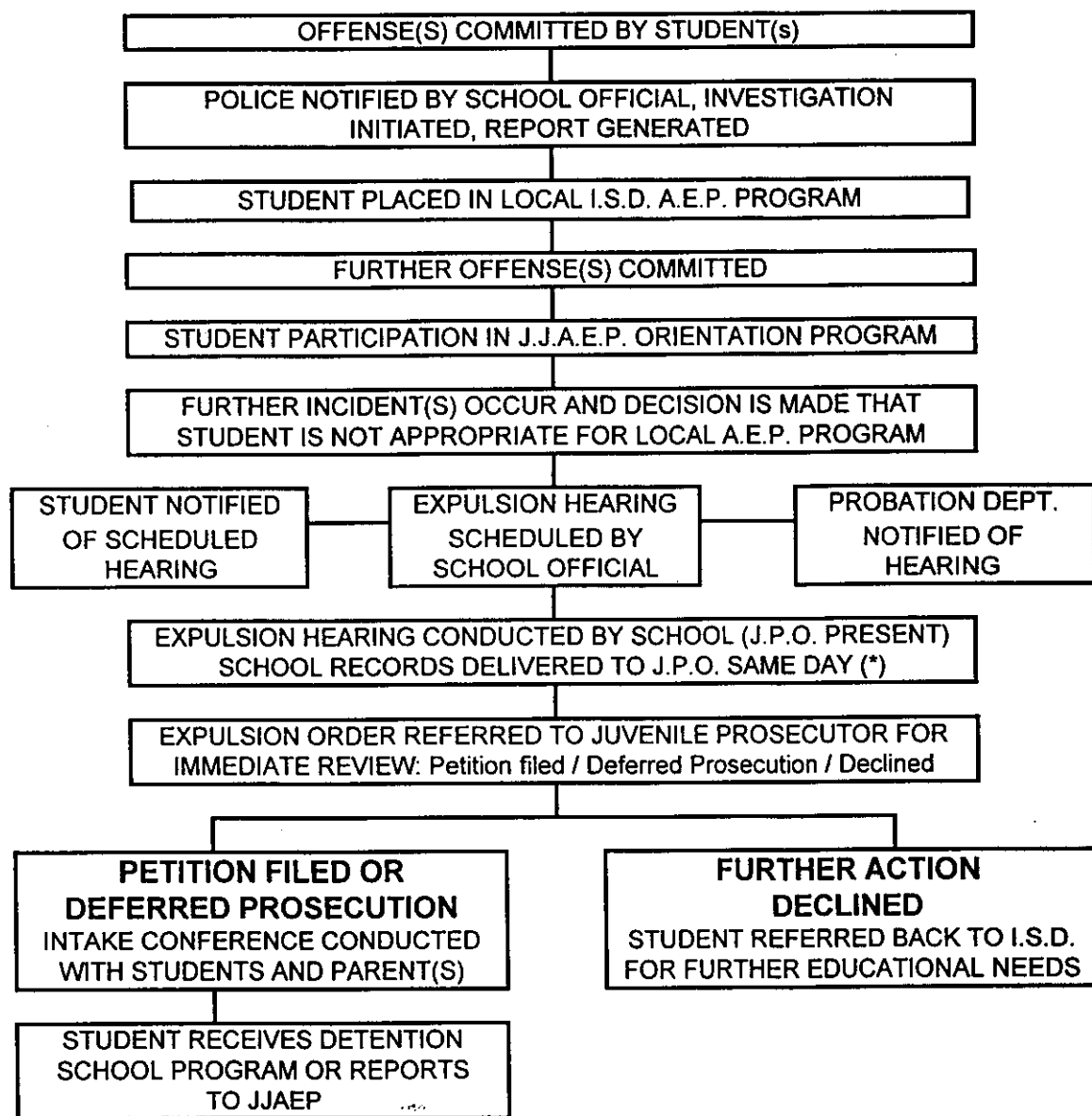
(*) School records required to be available to probation officer at time of expulsion shall include: **Expulsion Order, Immunization Records, Academic Transcripts with Current Grades, and Disciplinary Referral Records**

Williamson County Juvenile Services

Juvenile Justice Alternative Education Program (J.J.A.E.P.)

FLOW CHART

This chart outlines MANDATORY STEPS TO BE FOLLOWED in response to any offense that does not meet mandatory expulsion criteria which are committed on school grounds or during school events which MAY result in expulsion from Williamson County schools.



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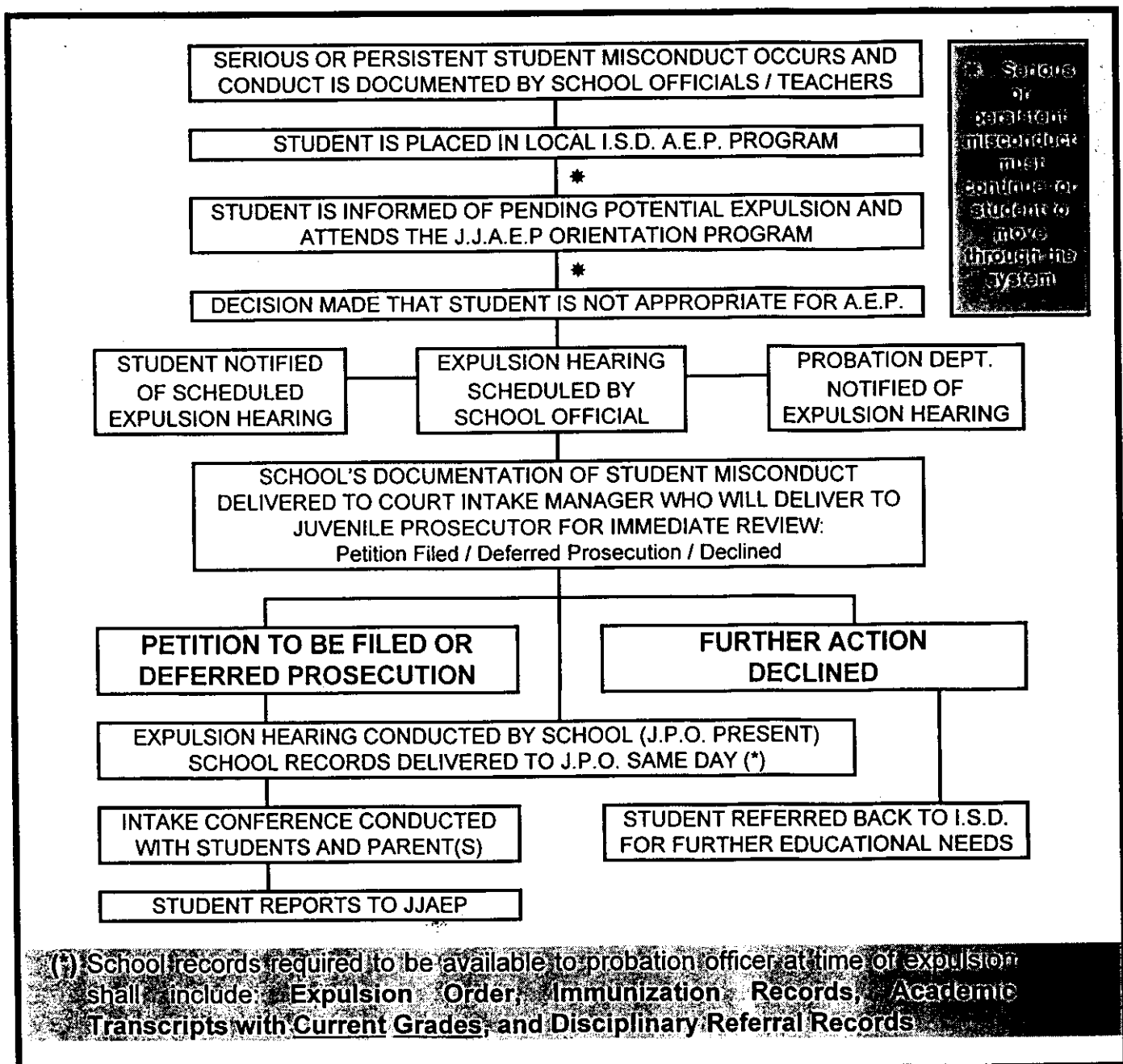
(*) School records required to be available to probation officer at time of expulsion shall include: Expulsion Order, Immunization Records, Academic Transcripts with Current Grades, and Disciplinary Referral Records

Williamson County Juvenile Services

Juvenile Justice Alternative Education Program (J.J.A.E.P.)

FLOW CHART

This chart outlines MANDATORY STEPS TO BE FOLLOWED in response to students engaging in **Serious or Persistent Misconduct** which **MAY** result in expulsion from Williamson County schools.



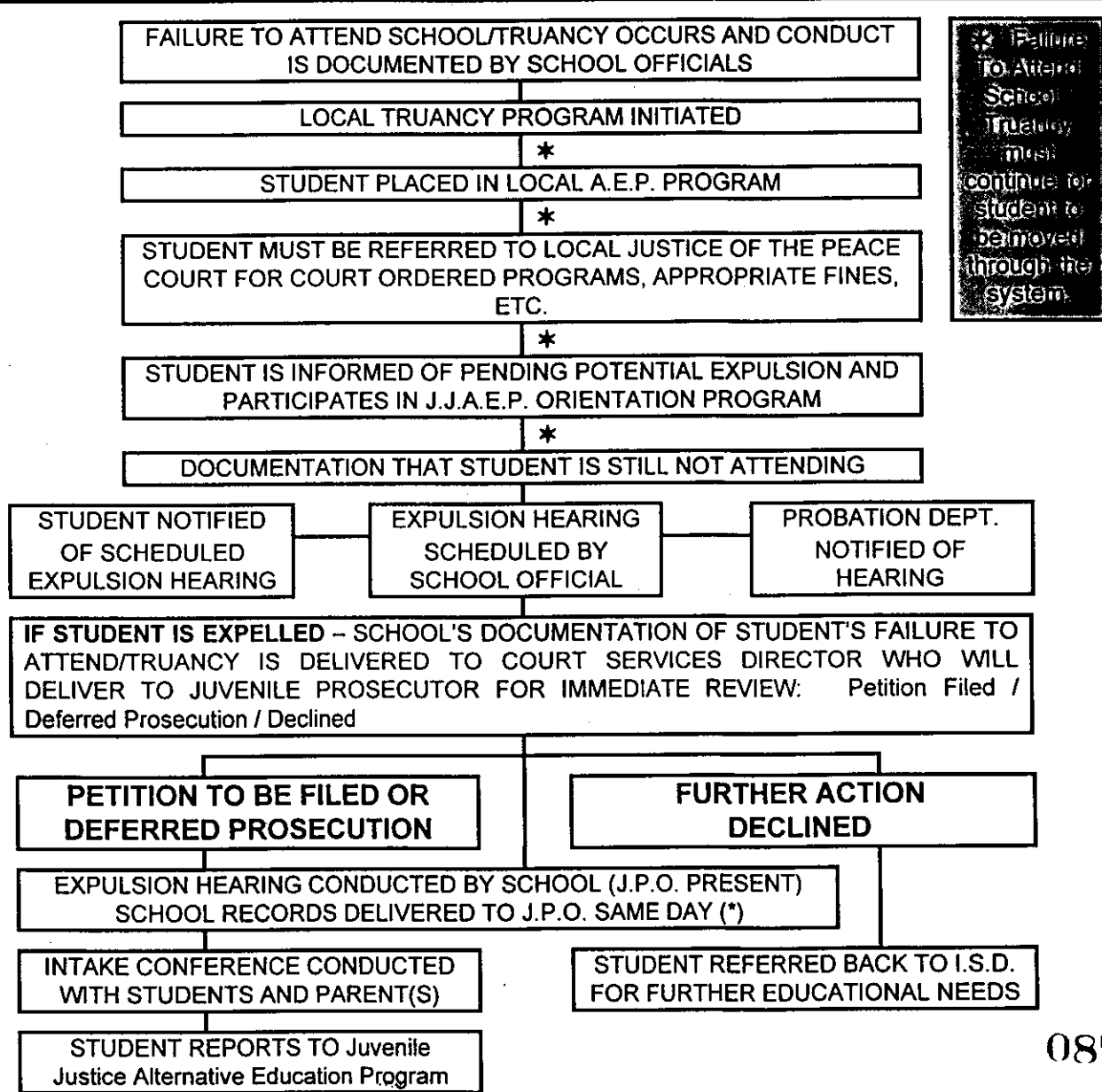
Williamson County Juvenile Services

Juvenile Justice Alternative Education Program (J.J.A.E.P.)

F L O W C H A R T

This chart outlines MANDATORY STEPS TO BE FOLLOWED in response to students engaging in (*) **Failure to Attend School/Truancy** which MAY result in expulsion from Williamson County schools.

(*) FAILURE TO ATTEND SCHOOL as defined in Texas Education Code § 25.094;
TRUANCY as defined in Texas Family Code § 51.03 (b)(2);



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(*) School records required to be available to probation officer at time of expulsion shall include: **Expulsion Order, Immunization Records, Academic Transcripts with Current Grades, and Disciplinary Referral Records**

Approved by the Williamson County Commissioner's Court on the 13th day of July 1999.

John C. Daayler
County Judge

Approved by the Williamson County Juvenile Board on the ____ day of ____ 199__.

Chairman - Juvenile Board

Approved by the Bartlett ISD Board of Trustees on the on the ____ day of ____ 199__.

6-17-99

~~Chairman - Bartlett ISD Board of Trustees~~

Approved by the Coupland ISD Board of Trustees on the on the ____ day of ____ 199__.

Chairman - Coupland ISD Board of Trustees

Approved by the Florence ISD Board of Trustees on the on the ____ day of ____ 199__.

Chairman - Florence ISD Board of Trustees

Approved by the Georgetown ISD Board of Trustees on the on the ____ day of ____ 199__.

6-14-99

~~Chairman - Georgetown ISD Board of Trustees~~

Approved by the Granger ISD Board of Trustees on the on the ____ day of ____ 199__.

Chairman - Granger ISD Board of Trustees

Approved by the Hutto ISD Board of Trustees on the on the ____ day of ____ 199__.

6-30-99

~~Chairman - Hutto ISD Board of Trustees~~

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AGENDA ITEM # 8JULY 13, 1999Consider appointment of two (2) members to the CAPCO General Assembly for Williamson County.

No action was taken on this item which will be placed on the agenda for July 20, 1999.

AGENDA ITEM # 9JULY 13, 1999Consider awarding, rejecting or extending bid for Lake Creek drainage project.

County Engineer Joe England advised the apparent low bidder did not bid within the specifications provided by the design engineer. The second low bid is in an amount exceeding the amount of funds in that line item to award the bid.

Mr. England is not comfortable with receiving only three (3) bids on a \$3. million dollar job and recommended rejecting all bids for Lake Creek drainage project. Outstanding issues of permits and easements still to be acquired should be finalized before setting another bid date suggested Mr. England.

Commissioners Assistant Julie Lyon Wolf had discussed the matter with Commissioner Heiligenstein who is attending the NACO conference and stated he was comfortable with rejection of all bids.

Moved: Judge Doerfler

Seconded: Commissioner Limmer

Motion: To reject all bids received for Lake Creek drainage project.

Vote: Motion carried 3 - 0

AGENDA ITEM # 10JULY 13, 1999

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Discuss and take appropriate action on increasing speed limit on Georgetown Inner Loop.

Moved: Commissioner Boatright

Seconded: Judge Doerfler

Motion: To table this agenda item.

Vote: Motion carried 3 - 0

AGENDA ITEM # 11JULY 13, 1999Discuss and take appropriate action on hiring firm to do a facilities space needs assessment.

Moved: Commissioner Boatright

Seconded: Commissioner Limmer

Motion: To appoint Commissioner Boatright and Judge Doerfler to set up meetings with various firms to evaluate space assessment and bring recommendation back to court.

Vote: Motion carried 3 - 0

AGENDA ITEM # 12JULY 13, 1999

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Consider approving election judges and alternates for 1999/2000 year.

Moved: Judge Doerfler

Seconded: Commissioner Limmer

Motion: To approve election judges and alternates for 1999/2000 year.

Vote: Motion carried 3 - 0

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