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A Program for Parents on Legal and Educational Rights and Responsibilities of Juveniles

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INTRODUCTION

"Some form of association must be found as a result of which the whole strength of the community will be enlisted for the protection of the person and property of each constituent member, in such a way that each, when united to his fellows, renders obedience to his own will and remains as free as he was before."

—Rousseau

Recent years have seen a disturbing increase in juvenile crime in California and in the nation, with juvenile arrests doubling in the decade from 1964-1974, and, in the same period, juvenile arrests for violent crimes against persons quadrupled. Moreover, juveniles are presently entering the criminal justice system at a younger age, with the greatest percentage of increase in juvenile arrests appearing to come between the ages of 13 and 15 years.

Concurrently, the problem of violence and crime in our schools has also escalated to the point that it has seriously impaired the learning climate, particularly in our large urban school districts, though not limited to such

districts. The gang problem has recently tended to move into the school environment in addition to their traditional battles for street turfs.

Not only is the learning climate of schools being impaired by violence, but the physical environment (the buildings, classrooms, grounds and outer perimeter) is under attack by youthful vandals. The losses from school vandalism are enormous. In the Sacramento City Unified School District, the losses were \$161,088.08 for fiscal 1974-75 and \$169,483.00 for fiscal 1975-76, an increase of over 5%. Only \$960 was recovered in the last fiscal year, which is typical of the difficulties encountered in apprehension, prosecution and efforts to obtain restitution. Further, losses by the district from theft of school supplies and equipment totalled \$18,900 in the last year.

These costs of crime and vandalism are similar to those suffered in schools throughout California, and represent resources that could go to improving the quality of education.

All these problems of juvenile crime in general and school crime in particular have resulted in public outcry, wringing of hands and the tendency to point the finger of blame at various groups and institutional segments of society. In addition to pointing to social conditions of poverty and urban tensions as causative factors, blame is variously attached to the breakdown of the extended family, discipline, the juvenile justice system (or the judges, law enforcement or probation) or the schools.

Clearly more productive than pointing of fingers is a responsible and committed decision for communication between and concerted and cooperative action by parents, students, school and justice personnel, and the community at the local school level.

This need was the motivation for the development of a training program designed to educate parents about the legal and educational rights and responsibilities, and to encourage on-going cooperation and interaction by parents, students, school and justice system personnel.

The end result was that on March 30, 1977, the Pupil Services Department of the Sacramento City Unified School District and the Crime Prevention Unit of the California Attorney General's Office co-sponsored a pilot training program for parents on the legal and educational rights and responsibilities of juveniles. Attending the conference were approximately one hundred and twenty parent participants from the Sacramento City Unified School District and surrounding school districts.

THE PROGRAM

Purpose of the Program

There has been a paucity of information or programs designed to educate parents about the law or about recently enacted changes in the laws relating to the educational and juvenile justice systems in California. To date, the major educational and juvenile justice institutions have not undertaken the sponsorship of general parent education programs to inform them of the changes in the law and how these changes affect them and their children.

The purpose of this program is to train parents and to develop a replicable interaction program model to be used by other school districts, justice agencies, and community service groups throughout the state. The model

utilizes public service agencies which are frequently linked together to address common juvenile problems. The agencies involved in the development of this pilot program included the Sacramento Police Department, Sacramento County Sheriff's Department, Sacramento County District Attorney's Office, Sacramento County Probation Department, the California Youth Authority, and the Pupil Services Department of the Sacramento City Unified School District.

Identifying The Problem

The need for such a program was reinforced by the report of the 1975-76 Sacramento County Grand Jury, Education Sub-Committee, which recommended that "educators, law enforcement agencies and the courts institute a more positive approach at communication and responsibility for disruptive behavior"—and that "more communication is needed between law enforcement, schools and parents."

A law was recently enacted in California which changes the operation of the juvenile justice system and affects the responsibilities of both parents and minors. The new law (AB 3121—Dixon) became effective January 1, 1977, and is explicit in its purpose: "(1) to protect the public from criminal conduct by minors; (2) to impose on a minor a sense of responsibility for his own acts."¹ The law also makes clear the distinction between how runaways, incorrigibles, and curfew violators will be handled as opposed to law violators. Revisions in procedures relative to filing (juvenile court) petitions, the handling of status offenders through community based resources and counseling services and their separation from youthful law violators, financial obligations of parents and minors, and due process avenues to the adult criminal court for 16-17 year old violent offenders are all part of the new juvenile justice law.

In education, within the last few years, there have also been major changes concerning students' rights relative to records, rights, confidentiality and due process in school law and procedures. These changes have been brought about by policies and laws such as Part 99—Privacy Rights of Parents and Students—Final Rule on Educational Records, Federal Department of Health, Education and Welfare (July 17, 1976); California Senate Bill No. 149 (Stull—September 29, 1976); and revisions to California Education Code Section 10932.

These recent changes in the law and juvenile justice system mandate new approaches in the processing of juveniles in schools and the juvenile justice system. The new laws also re-define restrictions and responsibilities for preserving the general rights of juveniles and parents, as well as for the public interest. Under the new laws, in those cases where the juvenile exhibits personal or parental conflicts as opposed to criminal violations, both the parents and juveniles may incur financial obligations or be referred to local community or crisis intervention agencies.

The confidentiality aspects of the juvenile's school records, school placement changes and the regulations governing the conduct of general behavior hearings in the schools have been modified by the current education

¹ Department of Youth Authority, *An Analysis of AB 3121—Dixon*, as amended August 31, 1976.

legislation. Although the education and juvenile justice laws were enacted independently of each other, in actual implementation there may be need for interaction between the agencies in their enforcement. For example, schools have restrictions in providing law enforcement agencies information regarding school records, the issuance of pupil information pursuant to a lawfully issued judicial subpoena, or the interaction with the district attorney in those cases where parents do not send their children to school. In all these instances, parents and juveniles have well defined rights and responsibilities.

As part of the effort to identify the problem and for planning purposes, in February, 1977, under the administration of the school psychologist, approximately two hundred needs assessment questionnaires were distributed by the PTA and parent groups to parents in the Sacramento City Unified School District. Of these, one hundred and forty were returned.

The majority of parents responding to the questionnaire felt they were not generally knowledgeable regarding the subjects included in the needs assessment. Over 75% of the parents indicated "do not know" in each of the following categories:

1. Current changes in juvenile justice and educational laws.
2. The district attorney's procedures and responsibilities relative to juveniles.
3. Educational confidentiality rights for parents and students.
4. Juvenile court procedures.
5. Scope and functions of law enforcement agencies regarding juveniles.

PARENT RESPONSES TO NEEDS ASSESSMENT QUESTIONNAIRE (PERCENT)

	<i>Very Knowledgeable</i>	<i>Generally Aware</i>	<i>Do Not Know</i>
I. Are you aware of current changes in:			
A. Juvenile Justice Laws	4	13	83
B. Educational Laws—Confidentiality	10	12	78
II. Do you know the procedure and responsibilities for the minor if taken into custody by each of the following?			
A. Law Enforcement Agency	7	18	75
B. Probation Department	17	17	66
C. District Attorney	0	2	98
D. California Youth Authority	16	24	60
E. School District	10	18	72
III. Are you aware of educational:			
A. Confidentiality			
Rights—Parents/Students	8	8	84
B. Due Process for Students	11	11	78
IV. Are you aware of the roles and responsibilities for juveniles regard- ing:			
A. Probation Procedures—Juveniles	15	19	66
B. California Youth Authority—Juveniles	19	22	69
V. Are you aware of Juvenile:			
A. Court Procedures	2	5	93
B. Record sealing	14	27	59
VI. Are you aware of the scope and function of the law enforcement agencies regarding juveniles:	10	11	79

Objectives of The Training Program

The orientation and training program is designed to achieve the following objectives:

1. Participants will learn the basic concepts of the juvenile justice system as pertaining to the legal rights and responsibilities of parents/adults, and juveniles as defined and implemented in the State of California—Welfare and Institutions Code.

2. Participants will learn the educational rights and responsibilities of parents, adults and juveniles as defined and implemented under the Federal Government Law—Part 99—Privacy Rights of Parents and Students and the State of California SB 1493 which brings California in compliance with the federal law. California Education Code regulations on rights and responsibilities will also be presented.
3. Participants will learn the role and responsibilities of the law enforcement, justice system representatives and educational representatives in the enforcement of the educational and legal rights and responsibility laws.
4. There will be established, within each of the schools in the district, parent resource personnel knowledgeable in their educational and legal rights and those of juveniles for the purpose of conducting follow-up training programs.

Procedures to Achieve Objectives

The writers served as facilitators and were responsible for developing the basic program, enlisting and coordinating the various agency advisors, compiling and publishing program materials, evaluation, and dissemination of the program to other schools.

The parent participants for this pilot program were obtained through memoranda circulated by the Staff Training Department of the school district to elementary and junior high schools.

The Sacramento Council PTA was responsible for hosting and registering the participants. Members of the PTA also served as the small group moderators and recorders. The moderators were responsible for the group process, and were trained by the facilitators in communication skills, role-playing techniques and small group processes. Recorders taped the program and played a neutral, non-participative role.

Administrative level legal and education staff from Sacramento law enforcement, district attorney, probation, school district and the California Youth Authority were advisors who served on an interagency program planning committee with responsibility for (1) determining the necessary subject areas to be presented (these subject areas coincided with the needs assessment); (2) developing a basis curriculum; (3) participating as presenters and consultant/advisors with parents in the small group sessions as resources during the training program; and (4) participating in a debriefing session following the conclusion of the training program.

The interagency committee advisors met bi-weekly for several months for overall program planning. The advisors also met in sub-committees to develop the curriculum for the training program and to develop future adult education programs. The written materials developed for the program show the (1) interaction processes among the various juvenile justice agencies, (2) interaction processes among the various educational departments, and (3) the interaction relationships between the juvenile justice and educational systems.

Format of the Program

The basic format for the training program employed a participatory model between the parents and the advisors. To accomplish the objectives, the model divided all of the parent participants into ten small groups of twelve each. Each group was assigned an advisor and a parent moderator who led participative group discussion. The first segment was centered

around role exploration. The advisor presented information to the parents regarding his/her respective role, function, and responsibilities as a system person with relation to the parent's and juvenile's legal and educational rights and responsibilities, as defined under the new laws and policies.

The advisors rotated among the groups after each thirty minute presentation. Each group was thus presented information, verbal and printed, from the perspective of the different system advisors, covering the six educational and legal areas as defined in the needs assessment.

On the last rotation, and after the last advisor's presentation, a written fictitious case involving possible courses of action by police, probation, juvenile court and educators was presented to each group for them to discuss, analyze, and develop solutions and recommendations from the viewpoint of each discipline. To authenticate the fictitious case analysis, actual police, probation, court documents and school forms were used. A parent member from each group presented to the body at large, through a general forum method, the group's conclusions and recommendations for possible alternative solutions to the problems. Open discussion followed these presentations for the purpose of insuring clarity and accuracy of information presented and, in particular, to ensure that legal, sound and feasible decisions eventuated. During this portion, the advisors served as consultants in their respective fields. The program concluded with the administration of the post-test and completion of the program evaluation by parents.

Evaluation Plan

Objectives 1, 2 and 3 were assessed by the administration of a pre-test at the beginning of the training program and a post-test at the conclusion to determine if there was increase of parental knowledge regarding the educational and legal rights and responsibilities of juveniles. The test consisted of twenty questions relating to the areas defined in the needs assessment. A comparative analysis of the post-test with the pre-test revealed an overall increase of approximately 20% in correct responses after completion of the program. The results of the pre-post tests are shown on page 32. Objective number 4 is a long range one requiring ongoing communication and mutual support between parent participants and the facilitators. However, a post conference parent survey conducted in October 1977, which is explained in greater detail later, revealed the following preliminary results: less than 20% of parents surveyed had developed or participated in follow-up programs; however, 38% responded that they planned to conduct or participate in such a program in their school or home.

RESULTS OF THE PRE-TEST AND POST-TEST ADMINISTERED TO PARTICIPANTS OF PROGRAM FOR PARENTS ON THE LEGAL AND EDUCATIONAL RIGHTS AND RESPONSIBILITIES OF JUVENILES

(Authors' note: For the purpose of this article, the following results represent a simplified breakdown of detailed statistical data from the pre- and post-tests in order to indicate the percentage of increased knowledge of participants as a result of this training program. In the test instructions, participants were told that some questions had more than one correct answer. The percentage shown on this chart for those questions is an average of the correct answers. In one or two instances, little improvement is shown because the pre-test scores on those questions were high.)

	Percentage of participants' improvement between pre- and post-test
1. The juvenile court has original jurisdiction over minors up to age: Correct answer: 18	+6%
2. Which of the following rights do minors have in the juvenile court? Correct answers: right to an attorney; right to due process	+33.3%
3. Hearings in the juvenile court are: Correct answer: open to parents/legal guardians	+19%
4. May adult court system have jurisdiction over 16 or 17 year old violent offenders? Correct answer: yes	+17.9%
5. The legal process by which juvenile court records may remain confidential is called: Correct answer: sealing the records	+15.2%
6. Under present California law, incorrigibles, runaways, or curfew violators are in the same category as juvenile violators. Correct answer: no	+50%
7. Under what State codes are juveniles covered? Correct answer: Penal Code and Welfare and Institutions Code	+14.4%
8. Under the current juvenile law, the final decision to file a petition alleging a violation of law rests with: Correct answer: the district attorney	+22.7%
9. CYA means: Correct answer: California Youth Authority	+3.2%
10. Police officer must obtain an arrest warrant for every juvenile arrest. Correct answer: no	+20.2%
11. A police officer cannot arrest a juvenile while he/she is in school. Correct answer: no	+24.3%
12. A police officer can enter a private house without a warrant if he has reasonable cause to suspect child abuse is occurring at the time. Correct answer: yes	+29.8%
13. If a minor runs away from home and is picked up by the police, can he/she be held in a detention facility? (Note: For purposes of the test, this question became controversial, and subject to clarification.)	
14. A juvenile booked into Juvenile Hall is entitled to a detention hearing within: Correct answer: 72 hours	+39.3%
15. A pupil record is: Correct answer: information relative to an individual pupil gathered within or without the school system and maintained within the school system	+18.4%
16. In the Sacramento City Unified School District, pupil records are primarily found in: Correct answers: Child Welfare and Attendance Services Section; the Psychological and School Social Work Services Section; the schools; and in special programs	+46.8%
17. Persons who have access to pupil educational records include: Correct answer: those with a legitimate educational interest	+51.2%
18. A school district hearing may only be requested by: Correct answers: school personnel; school personnel and parents	+44.6%
19. In the Sacramento City Unified School District, the hearing officer is responsible to: Correct answers: Weigh all facts presented, consider and discuss alternatives before making a decision; and refer appropriate cases to the School Attendance Review Board	+19.6%
20. Due process is a procedure to: Correct answers: ensure the reasonable exercise of authority and protect personal rights of all persons; and to protect the rights of students	+29.7%

Post Conference Parents Survey

In order to test the on-going impact of the program, an anonymous post

conference general survey of parents was conducted approximately seven months after the pilot program. This survey was mailed to 62 of the parents who participated in the program. Fifty percent of these parents surveyed responded to the questionnaire.

Sixty-two percent of the parents responding to the question, "Did the program help to effect better communication between you and your child or children?", responded in the affirmative.

Ninety-three percent of the parents responding to the question, "Did the program help you to better explain school and juvenile laws and policies to your child or children?", responded in the affirmative.

Eighty-three percent of the parents responding to the question, "As a result of the program, do you have a greater understanding of your child's or children's problems?", responded in the affirmative.

Ninety-seven percent of the parents responding to the question, "As a result of having participated in the program in March, will you be more inclined or less inclined to have a closer relationship with the schools and the juvenile justice system?", responded that they were more inclined to have a closer relationship.

The auxiliary objective of developing a replicable model has to date been achieved by a similar sponsorship of the program model, conducted in the Stockton Unified School District on June 22, 1977 for approximately 150 parent participants in that district. Plans are being made for the program to be held in other areas of the state. The program has also been introduced into the adult education department of the Sacramento City Unified School District as a part of its established course offerings to adults of the Sacramento community.

CONCLUSION

The data indicates that significant numbers of parents are able to effectively learn current and new laws and policies in the justice and educational system through the close interaction environment created by the model. This knowledge helped to create better communication and understanding between parents and children. Most significantly, parents, after participation in this model program, tended to move closer to the established institutions which serve them and their children. In addition, a ten item generalized questionnaire was administered at the end of the program which revealed that the parents felt they had gained a much better understanding of the legal and educational rights and responsibilities of juveniles as a result of having attended and participated in the training program.

The well known cliché, "an ounce of prevention is worth a pound of cure", is apropos. It is simply foolish in today's complex, legalistic world for parents to ignore the potential legal or educational problems which may confront their children—until something goes wrong. It is this recognition of potential legal and educational problems and the acquisition of increased knowledge which provides the foundation for sound parental judgments before the fact. This is the basic rationale for the development, implementation and dissemination of this training model for parents.

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